CITY OF ST. HELENA
RESOLUTION NO. 2004-13

APPROVING A POLICY REGARDING THE SALE OF CITY SURPLUS PROPERTY OR PARTIAL INTERESTS IN CITY REAL PROPERTY.

RECITALS

A. On November 26, 2002, the City Council established procedures for processing requests from the public to purchase surplus city real property (land). However, the policy was not adopted in resolution form.

B. Since that time, the City has also had requests for easements, which were not covered by the previous procedures. This resolution expands the original policy to include partial interests in land such as easements.

C. The City wishes to formally adopt those procedures in resolution form.

RESOLUTION

NOW, THEREFORE, the City Council of the City of St. Helena resolves as follows:

1. Any member of the public wishing to purchase surplus real property or partial interests in property owned by the City of St. Helena shall submit a written application on the City's form with a deposit in an amount set by Council resolution. The amount of the deposit shall be $250 until further amended. The City's form shall require that the applicant shall agree to pay all costs, including staff time and appraisals, that are associated with the sale of the property interest. The applicant shall also agree to fully indemnify the City in a form that is acceptable to the City Attorney.

2. The Planning Department shall review the application with other departments, and shall schedule the request as a scheduled matter on a City Council agenda.

3. The Planning Director may, in his or her discretion depending upon the nature of the request and the impact to the neighborhood, provide written notice to owners of property within 300 feet of the property in question.

4. At the Council meeting, the matter shall be discussed by the City Council and the Council may decide to:
   - Decide to sell the property or grant an easement, declare the property as surplus (when required by California law), and open negotiations with the interested party or with any other persons who have expressed interest; or
   - Decide it is not in the best interest to sell the property or grant the easement.
5. Unless otherwise specified by the Council, any negotiations are conducted by the City Attorney and City Manager. Discussions regarding price and terms of payment may be held in closed session as permitted by California law.

Approved at a Regular Meeting of the St. Helena City Council on February 24, 2004, by the following vote:

AYES: Councilmembers Potter, Schoch, Savidge, Sklar, Mayor Slavens
NOES: None
ABSENT: None
ABSTAIN: None

APPROVED:

[Signature]
Ken Slavens
Mayor

ATTEST:

[Signature]
Delia Guijosa
City Clerk