



Agenda Date: 6/7/2017
Agenda Placement: 7D

Napa Sanitation District Board Agenda Letter

TO: Honorable Board of Directors
FROM: Timothy Healy - General Manager
NS-Technical Services/Engineer
REPORT BY: Kyle Broughton, Senior Civil Engineer - 258-6000 x530
SUBJECT: Indemnification Agreement - Napa Park Homes

RECOMMENDATION

Authorize Chair to execute an Indemnification Agreement with Napa Park Homes, Inc.

EXECUTIVE SUMMARY

Napa Park Homes, Inc. intends to construct a new community building within its 140-unit affordable housing apartment complex at 790 Lincoln Avenue. The proposed community building will include a library, a computer room, a multipurpose room, and other resident services.

Sanitary sewer service to the proposed community building is provided by an existing 8-inch public sewer main within a public sewer easement on the parcel. NapaSan's Conditions of Approval of the community building did not allow the construction of trees or permanent structures within the easement. The existing property conditions offered Napa Park Homes few alternatives for an adequately sized community building and the sewer easement further constrained the site and limited the size of the community building.

Through the design review process, Napa Park Homes emphasized the importance of the community building and its services to the future residents. To fit the proposed building and site improvements within the existing development, appurtenances such as concrete steps and access ramps were proposed within the public sewer easement.

Napa Park Homes was required to enter into an Improvement Agreement to rehabilitate the existing public sewer main adjacent to the proposed building and an Indemnification Agreement for the hardscape features within the public sewer easement.

The Indemnification Agreement relieves NapaSan of the responsibility of replacing or repairing site improvements

if it is necessary for NapaSan to repair or reconstruct the sewer main. The Indemnification Agreement will be recorded with the Napa County Recorder after its execution by the Board Chair.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

None.

BACKGROUND AND DISCUSSION

On April 19, 2017 NapaSan's Board of Directors concurred with CEQA exemption determination by City of Napa, lead agency under CEQA for the development project; set a bond amount at \$24,900; and authorized its Chair to sign the Improvement Agreement for public sewer rehabilitation associated with the Napa Park Homes Community Building Project.

SUPPORTING DOCUMENTS

A . Napa Park Homes Indemnification Agreement

Napa Sanitation District: Approve

Reviewed By: Timothy Healy