



Agenda Date: 10/23/2007
Agenda Placement: 6G

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Michael Stoltz for Robert Peterson - Director
Public Works
REPORT BY: Nancy Oweong, Staff Services Analyst I , 253-4603
SUBJECT: Amendment No. 4 to Lease Agreement No. 81 for Atlas Peak Telecommunications Site

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 4 to Lease Agreement No. 81 with Margaret and John Kongsgaard modifying the agreement to reflect change in ownership and extending the term through November 30, 2008 for the telecommunication tower site.

EXECUTIVE SUMMARY

On November 22, 1977 the County entered into Agreement No. 81 for a telecommunication site located on Atlas Peak in Napa County with Luke and April Floyd. This amendment reflects the change of ownership to Margaret and John Kongsgaard and extends the lease through November 30, 2008 and will continue thereafter on a month-to-month basis.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Communications Annual Lease Amount is \$2,875
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Amendment No. 4 will allow the County to operate the tower while constructing a new tower without interrupting service.
Is the general fund affected?	Yes
Future fiscal impact:	Lease will continue into future fiscal year.

Consequences if not approved: Public Safety Agencies would not be able to communicate.

Additional Information:

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Agreement No. 81, was first entered into in November, 1977. Prior to that date, the County had other agreements dating back to the 1950's for the use of the Atlas Peak property for a telecommunication site. The property was purchased in 2004 by John and Maggie Kongsgaard, and in 2005 they began expressing to the County their privacy and safety concerns related to various agencies accessing the Tower via the existing easement across their property. The current amended Agreement is due to expire November 30, 2007 and in the interest of the County needing additional time to relocate the Tower to an alternate site, it was agreed to extend the lease through November 30, 2008 and to then continue on a month-to-month basis as needed, to allow the County time to find an alternative site and remove and construct a new tower.

The Atlas Peak Repeater Station consists of a 12' x 12' vault that contains radio communication equipment and a communication tower that supports radio antenna and microwave equipment. The Atlas Peak site is a vital part of the County's communication system providing two-way radio coverage to 80% of the valley floor and the southern portion of Lake Berryessa. Two-way radio coverage is used by the Sheriff, County Fire, Public Works, California Department of Forestry and Fire Protection (CDF), California Highway Patrol (CHP), California Department of Transportation (CalTrans), Pacific Gas & Electric (P.G. & E.), Vine-Go and the Radio Amateur Civil Emergency Services (RACES). The CHP, CalTrans and P.G. & E. currently sublease space on the tower.

Approval of this amendment will allow the County to continue to operate the tower without interruption during the construction of a new communication vault. An alternative site has been identified and staff will be returning to the Board in the future with an agreement for the new site.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi