



Agenda Date: 2/5/2008
Agenda Placement: 6E

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Michael Stoltz for Robert Peterson - Director
Public Works
REPORT BY: Nate Galambos, Principal Engineer Public Works - 259-8371
SUBJECT: Extension of completion date for Subdivision Improvement Agreement No. 4105 to October 1, 2009.

RECOMMENDATION

Director of Public Works requests authorization to extend Subdivision Agreement No. 4105 with Barrel Ten Quarter Circle Land Company to February 5, 2009 for required roadway improvements on Devlin Road.

EXECUTIVE SUMMARY

Barrel Ten has previously requested extensions of the completion date for the improvements on July 26, 2000, January 9, 2001, April 9, 2002, January 21, 2003, February 6, 2004, January 27, 2005, and February 7, 2006. The Board of Supervisors has granted an extension each time in consideration to the relatively low need for the improvements on Devlin Road. However, the need for road improvements on Devlin Road is approaching the time that they are now warranted. Therefore, Public Works is recommending that the Board grant the first of two extensions to February 5, 2009 that would require Barrel Ten to ultimately install the improvements by October 1, 2009 as conditioned. This scheduling will work well as the City of American Canyon and the County coordinate efforts to improve the parallel capacity that Devlin Road provides to State Highway 29.

FISCAL IMPACT

Is there a Fiscal Impact? No

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

The County entered into a Subdivision Agreement No. 4105 (Agreement) with Barrel Ten Quarter Circle Land Company (Barrel Ten) on January 5, 1999 for deferred construction of road and drainage improvements. These improvements were required as a condition of the approval of subdivision map number 5092. At the time the estimated cost of the improvements was \$664,940. Barrel Ten provided a certificate of deposit in that amount to the County to guarantee the construction of the improvements. The subdivision map was recorded in February 1999, and the Agreement was recorded in April 1999. In accordance with California Government Code the Agreement established an 18-month period beginning at recordation of the map during which Barrel Ten would construct the improvements for the subdivision.

Barrel Ten requested extensions of the completion date for the improvements on July 26, 2000, January 9, 2001, April 9, 2002, January 21, 2003, February 6, 2004, January 27, 2005, and February 7, 2006. The Board of Supervisors (Board) granted an extension each time. Also, on each occasion Barrel Ten increased the amount of the securities to reflect current construction costs. The extensions granted to Barrel Ten by the Board were done in consideration to the relatively low need for the improvements on Devlin Road. However, the need for road improvements on Devlin Road is approaching the time that they are now warranted. Therefore, Public Works is recommending that the Board grant the first of two extensions that would require Barrel Ten to install the improvements by October 1, 2009 as conditioned. This scheduling will work well as the City of American Canyon and the County coordinate efforts to improve the parallel capacity that Devlin Road provides to State Highway 29.

Public Works has also reviewed the status of the improvements required and their costs, as updated by Barrel Ten's consulting engineer. Barrel Ten has provided Public Works with a revised amount of securities to reflect current construction costs of \$814,050.

Chapter 17.38 of the Napa County Code allows extensions up to a maximum of one year on a case-by-case basis as needed. The intent of the Code is to insure that with every extension request there is justifiable cause. Further, there must be no adverse impact to the public's health safety and welfare by the deferral of the road improvements. Conforming to this Code Section will necessitate one additional extension of the Agreement in January 2009, to allow Barrel Ten the ability to complete the road improvements by the October 2009 deadline.

The roads included in this project are 1800 lineal feet of Devlin Road and two industrial cul-de-sacs. The cul-de-sacs will solely provide access to the land within the subdivision. The section of Devlin Road to be improved does not have through traffic and is accessed only by Airpark Road. No applications for development of these lots has been submitted, which is the reason for the past extensions. Public Works anticipates that Devlin Road, from Airport Boulevard south, will be the next section built in the near future and would connect to the portion of Devlin Road to be constructed by Barrel Ten which would provide through traffic to Airpark Road.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi