



Agenda Date: 2/7/2006  
Agenda Placement: 6H

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Michael Stoltz for Robert Peterson - Director  
Public Works  
**REPORT BY:** Larry Bogner, Civil Engineer, 253-4351  
**SUBJECT:** Extension of completion date of Subdivision Improvement Agreement #4105 to January 9, 2007

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### **RECOMMENDATION**

Director of Public Works requests authorization to extend to January 9, 2007 the completion date of the improvements required by Subdivision Improvement Agreement No. 4105 with the Barrel Ten Quarter Circle Land Company.

### **EXECUTIVE SUMMARY**

The requested action will extend the completion date of Subdivision Improvement Agreement Number 4105 to January 9, 2007.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

**ENVIRONMENTAL DETERMINATION:** A Negative Declaration was adopted by the Conservation Development and Planning Commission. According to the Negative Declaration, the project would have no potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5

**BACKGROUND AND DISCUSSION**

The County entered into an agreement with Barrel Ten Quarter Circle Land Company 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 improvement 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 and January 27, 2005. The Board of Supervisors granted an extension each time. Also, on each occasion Barrel Ten increased the amount of the securities to reflect current construction costs. The last extension expired on January 9, 2006. On January 11, 2006 Barrel Ten requested a further extension to January 9, 2007.

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.

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. No applications for development of these lots have been submitted. Thus there currently is no need for the cul-de-sac roads.

The Airport Industrial Area Specific Plan features Devlin Road as a collector road eventually extending the entire length of the plan area. The subject piece of road is a portion of the road system. However, the portions of Devlin Road to the immediate north and south are not in place and there currently are no applications to develop and/or subdivide the properties along these sections of Devlin Road, which would trigger road construction. Thus, there currently is no public necessity for the construction of the subject section of Devlin Road.

**SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Andrew Carey