



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 3/17/2015  
Agenda Placement: 9D  
Set Time: 9:45 AM PUBLIC HEARING  
Estimated Report Time: 15 Minutes

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

**FROM:** Steven Lederer - Director of Public Works  
Public Works

**REPORT BY:** Steven Lederer, DIR OF PUB WKS/DIST ENGINEER - 259-8228

**SUBJECT:** Notice of Intent to Purchase Hearing - Volunteer Fire Station Berryessa Highlands

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### **RECOMMENDATION**

Director of Public Works and Fire Chief request the following regarding a new volunteer fire station in Berryessa Highlands:

1. Hold a public hearing regarding the County's proposed purchase of approximately 0.26 acres of property located at Lot 57 Steele Canyon Road, Napa, California, APN 019-431-012 (the Property) for approximately \$89,500 from Frank T. and Lucienne J. Hock;
2. Find that acquisition of the Property is consistent with the Napa County General Plan;
3. Find that acquisition of the Property is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for implementation of CEQA at 14 CCR Section 15303; [see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B];
4. Approve and authorize the Chair to sign a Purchase and Sale Agreement for the Property; and
5. Approve and authorize the County Executive Officer to sign any and all documents related to the Purchase and Sale Agreement as approved by County Counsel.

### **EXECUTIVE SUMMARY**

The County has been looking for a suitable piece of property upon which to construct a satellite fire station since 2013 when it was informed that homeowners in the area were struggling to obtain affordable home owners insurance. The proposed volunteer fire station at Berryessa Highlands would provide enhanced public safety and is necessary for property owners in that area to be considered for lower Insurance Services Office (ISO) ratings. The ISO provides an independent review of fire and other safety risks that many insurance companies use when deciding to provide coverage or pricing policies. Currently, Berryessa Highlands is considered unprotected, even though Napa County Fire will provide response, because there is no fire station within five road miles per the rating

criteria. This Property appears the most suitable site located to date upon which to construct a new station.

Pursuant to Government Code Section 25350, the Board must hold a public hearing regarding its intention to purchase property prior to consummating the sale. Staff recommends that the Board hold a public hearing and upon close of the public hearing, take the following actions:

1. Find that acquisition of the Property is consistent with the Napa County General Plan;
2. Find that acquisition of the Property is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 3 ["New Construction or Conversion of Small Structures"] which may be found in the guidelines for implementation of CEQA at 14 CCR Section 15303; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B];
3. Approve and authorize the Chair to sign a Purchase and Sale Agreement for the Property; and
4. Approve and authorize the County Executive Officer to sign any and all documents related to the Purchase and Sale Agreement as approved by County Counsel.

### **PROCEDURAL REQUIREMENTS**

1. Open the public hearing.
2. Staff report.
3. Public comment.
4. Close public hearing.
5. Motion, second, discussion and vote on requested actions.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	County Fire Fund
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The addition of a volunteer fire station at the Berryessa Highlands will assist residents with their Insurance Services Office rating. Currently, the area is rated as unprotected because there is not a station within five road miles of the development even though the Napa County Fire Department responds to incidents. The addition of the satellite station, staffed by the volunteers, will be within the five mile road requirement and should reduce the rating. Many insurance companies utilize the Insurance Services Office ratings when setting premiums or making a determination about coverage.
Is the general fund affected?	No
Future fiscal impact:	The funds to purchase the land and construct the station have been transferred from the Fire Fund to the Capital Improvement Program. Expenditures will be budgeted accordingly in future fiscal years.
Consequences if not approved:	If this item is not approved there will not be a fire station within five road miles of Berryessa Highlands. This may continue to impact insurance premiums and rates for residents. It is possible that other sites could be found, but no other useful and available private sites have been found. It is possible that a

site on Federal land could become available, but that would delay the project by at least two to three years.

Additional Information:

### **ENVIRONMENTAL IMPACT**

**Consideration and possible adoption of a Categorical Exemption Class 3:** [See Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15303; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

### **BACKGROUND AND DISCUSSION**

The County has been looking for a suitable piece of property upon which to construct a satellite volunteer fire station. The proposed volunteer fire station at Berryessa Highlands would provide enhanced public safety and is necessary for property owners in that area to be considered for lower Insurance Services Office ratings. The Insurance Services Office provides an independent review of fire and other safety risks that many insurance companies use when deciding to provide coverage or pricing policies. Currently, Berryessa Highlands is considered unprotected, even though Napa County Fire will provide a response, because there is no fire station within five road miles per the rating criteria.

The Property appears the most suitable site located to date upon which to construct the new station. Assuming the Board authorizes acquisition of the Property, the Department of Public Works and Napa County Fire Department will conduct a more detailed analysis of the site, including hazardous materials, geotechnical, and other investigations as needed to ensure the suitability of the site. The Fire Department will also conduct public outreach to residents who live nearby.

Pursuant to Government Code Section 25350, the Board must hold a public hearing regarding its intention to purchase property prior to consummating the sale. Staff recommends that the Board hold the public hearing and upon close of the public hearing, take the following actions: (1) Find that acquisition of the Property is consistent with the Napa County General Plan; (2) find that acquisition of the Property is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 3 ("New Construction or Conversion of Small Structures") which may be found in the guidelines for implementation of CEQA at 14 CCR Section 15303; [see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B]; (3) approve and authorize the Chair to sign a Purchase and Sale Agreement for the Property; and (4) approve and authorize the County Executive Officer to sign any and all documents related to the Purchase and Sale Agreement as approved by County Counsel.

**Summary of Purchase and Sale Terms:** The purchase price for the Property is \$89,500 with a refundable deposit of \$5,000 due within two business days of approval of the Purchase and Sale Agreement. Entering into the Purchase and Sale Agreement would initiate a 90 day due diligence period during which County staff and consultants will evaluate the suitability of the site for a fire station, conduct a Phase One hazardous materials assessment and a geotechnical evaluation, a title search and perform other related studies as necessary. If during the due diligence period the County determines for any reason that the Property is unsuitable, it may terminate the Purchase and Sale Agreement and the deposit will be returned. Assuming nothing unexpected is revealed during the due diligence period, escrow would be expected to close in mid to

late June 2015.

**General Plan Consistency:** Acquisition of the Property must be found consistent with the Napa County General Plan. The Planning, Building and Environmental Services (PBES) Department has prepared a memorandum upon which the Board may find the Property consistent with the General Plan. The memorandum is attached.

**CEQA Determination:** The PBES Department has conducted a CEQA analysis and determined that acquisition of the Property is categorically exempt from CEQA. A memorandum from the PBES Department in support of the categorical exemption is attached.

The requested actions are among those that the Board must take to acquire the Property.

**SUPPORTING DOCUMENTS**

A . CEQA Memo

B . General Plan Memo

CEO Recommendation: Approve

Reviewed By: Molly Rattigan