



Agenda Date: 3/22/2005
Agenda Placement: 6F

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Kim Henderson for Robert Peterson - Director
Public Works
REPORT BY: Larry Bogner, Civil Engineer, 259-8381
SUBJECT: Extend completion date of Subdivision Improvement Agreement #4105 to January 9, 2006.

RECOMMENDATION

Director of Public Works requests an extension to January 9, 2006 for the completion date for improvements required by Subdivision Improvement Agreement No. 4105 with the Barrel Ten Quarter Circle Land Company.

EXECUTIVE SUMMARY

This is request extends the completion date of road and drainage improvements required to be built as a part of a subdivision in the Airport Industrial Area. Currently there is no public necessity for the improvements.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5

BACKGROUND AND DISCUSSION

On January 5, 1999 Napa County entered into an agreement with Barrel Ten Quarter Circle Land Company 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 the California Government Code that agreement established an 18-month period during which Barrel Ten would construct the improvements for the subdivision.

On July 26, 2000, January 9, 2001, April 9, 2002, January 21, 2003 and February 6, 2004 Barrel Ten requested extensions of the completion date for the improvements. The Board of Supervisors granted extensions each time. On each occasion Barrel Ten increased the previous securities to bring them up to an amount reflective of the cost of construction. The last extension expired on January 9, 2005. On January 27, 2005 Barrel Ten requested a further extension to January 9, 2006.

Public Works staff has reviewed the costs of construction in March, 2005. Staff feels \$1,000,000.00 is now an accurate estimate of the cost of construction of this subdivision's road and drainage improvements. The subdivider has provided a standby letter of credit in this amount.

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 those 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.

Therefore, staff recommends the Board grant an extension of the completion date of improvement agreement No. 4105 to January 9, 2006.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Michael Stoltz