



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 6/16/2015

Agenda Placement: 6I

## 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:** Greenwood Avenue - Acquisition of Temporary Construction and Roadway Easement

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### **RECOMMENDATION**

Director of Public Works requests approval of and authorization for the Chair to sign a Temporary Maintenance and Roadway Easement with Stephanie Sheridan and Scott Jenkins (APN 017-210-010) in order to provide temporary vehicular access for residents of Greenwood Avenue until the portion of Greenwood Avenue over the Napa River can be re-opened through the completion of the Greenwood Avenue Culvert Replacement Project, RDS 14-21.

### **EXECUTIVE SUMMARY**

The easement is located on the property of Stephanie Sheridan and Scott Jenkins (APN 017-210-010). The property is located on Greenwood Avenue just west of Myrtledale Road and the Napa River where a culvert failed on December 11, 2014 that cut off vehicular access to residents on a portion of Greenwood Avenue. The easement is over the western side of a pre-existing driveway, which along with a temporary access route constructed over two properties to the northwest of this easement, provides vehicular access for residents on the affected portion of Greenwood Avenue via Tubbs Lane. The County executed an agreement with Richard Battaini to purchase the necessary temporary construction and roadway easement for the eastern side of the driveway on June 2, 2015. Staff recommends the Board authorize the Chair to sign the Temporary Maintenance and Roadway Easement Agreement and accept the easement.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes

Where is it budgeted?	Public Works Projects Budget - Fund 1000, Subdivision 12205-00, Program 11013, Napa River TMDL Implementation. The project is paid out of Program 11013 but the cost of this easement will be reimbursed from the Roads fund.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The acquisition of this property interest allows the County to continue to provide vehicular access to residents, emergency responders, and other third parties to properties on Greenwood Avenue impacted by the failure of the roadway over the Napa River on Greenwood Avenue.
Is the general fund affected?	No
Future fiscal impact:	The cost of the anticipated improvements to the driveway as part of its temporary use as an access route via Tubbs Lane will be charged against this year's budget. The agreement does not address compensation for the roadway easement as the property owner has not accepted the County's Government Code offer, which was based on the appraised value of the easement. Staff hopes to reach a settlement with the property owner, but it is anticipated that will not occur until the 2015-16 fiscal year.
Consequences if not approved:	If this agreement is not approved and the easement is not accepted, the County will not be able to maintain the portion of the temporary access route that utilizes the western side of the pre-existing driveway and install appropriate traffic measures.
Additional Information:	

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: In 2014, in planning for the Project, the County conducted an initial study under CEQA and issued a Mitigated Negative Declaration ("MND") regarding Project impacts. A Notice of Determination was issued as to the Project on November 21, 2014 and no challenges or adverse comments were received. No substantial changes have been made in the Project since the time of the MND, no substantial changes have occurred in the circumstances under which the Project is being undertaken, and no new information of substantial importance to the Project which was not known or could not have been known when the MND was prepared and issued has become known in relation to the Project or this proposed condemnation action.

### **BACKGROUND AND DISCUSSION**

On December 11, 2014, a significant rain event resulted in the failure of a large culvert and roadway over a portion of the Napa River that carries traffic to the western end of Greenwood Avenue (the "Roadway Failure"), including most of the parcels west of Myrtledale Road. Due to the roadway failure, vehicular access, including vehicular access of residents, first responders, and other service providers, was cut off to at least eight (8) residences.

The easement to be acquired is located on the property of Stephanie Sheridan and Scott Jenkins (APN 017-210-010). The property is located on Greenwood Avenue just west of Myrtledale Road and the Napa River and the easement is over the western side of a pre-existing driveway on the property which, along with a temporary access route constructed over two properties to the northwest of this easement, provides

temporary vehicular access for residents on the affected portion of Greenwood Avenue via Tubbs Lane. The County executed an agreement with Richard Battaini to purchase the necessary temporary construction and roadway easement for the eastern side of the driveway on June 2, 2015. Staff recommends the Board authorize the Chair to sign the Temporary Maintenance and Roadway Easement Agreement and accept the easement.

**SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Molly Rattigan