



Agenda Date: 11/7/2018

Agenda Placement: 7F

Napa Sanitation District Board Agenda Letter

TO: Honorable Board of Directors
FROM: Timothy Healy - General Manager
NS-Technical Services/Engineer
REPORT BY: Simon Kobayashi, Associate Engineer - 707-258-6030
SUBJECT: Indemnification Agreement - Oak Creek Silverado

RECOMMENDATION

Authorize Chair to sign Indemnification Agreement for Oak Creek East Homeowner Association.

EXECUTIVE SUMMARY

Oak Creek East Homeowners' Association is reconstructing two residential buildings with a total of eight condominiums. These units are replacing units that were destroyed by the October 2017 wildfire. The condos are located at Napa County Assessor's Parcel Numbers 064-400-007 through 064-400-014. The shared private landscape area is associated with parcel 064-400-019. The owners are installing private site improvements, including concrete patios, landscape/retaining walls, storm drainage piping, drainage swales, landscaping plants, landscaping irrigation, riprap/rocks, balconies and associated footings within the existing public sewer easement. These site improvements existed prior to the October 2017 fire. The applicant's intention is to reconstruct the destroyed residences in-kind. The existing sanitary sewer easement contains an 8-inch public sewer main that serves the condos.

The site improvements listed above are typically not allowed to be constructed within NapaSan easements. The HOA requested NapaSan to allow the site improvements and has agreed to sign the attached Indemnification Agreement that relieves NapaSan of the responsibility of replacing or repairing the site improvements if it is necessary for NapaSan to repair or reconstruct the sewer mains. The Indemnification Agreement will be recorded with the Napa County Recorder after execution by the Board Chair.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

None.

BACKGROUND AND DISCUSSION

The condominiums located at 874-881 Oak Leaf Way were destroyed during the October 2017 wildfires.

SUPPORTING DOCUMENTS

A . Indemnification Agreement

Napa Sanitation District: Approve

Reviewed By: Timothy Healy