



# Napa County

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## Legislation Details (With Text)

**File #:** 23-0810 **Version:** 1

**Type:** Agreement **Status:** Agenda Ready

**File created:** 5/2/2023 **In control:** Board of Supervisors

**On agenda:** 6/6/2023 **Final action:**

**Title:** Director of Public Works requests approval for the following amendments to purchase and sale agreements, necessary for the "Chiles Pope Bridge Replacement Project", RDS 15-23:

1. Approval and authorization for the Chair to sign Amendment 1 to Purchase and Sale Agreement No. 230291B with Carter Randall Callahan and Lisa Michelle Cannon, as co-trustees of the Carter Callahan Living Trust, for the benefit of Carter R. Callahan, and others, (Assessor's Parcel Number 025-440-002);
2. Approval and authorization for the Chair to sign Amendment 1 to Purchase and Sale Agreement No. 230292B with Raja Financial Corp., (Assessor's Parcel Number 025-440-047); and
3. Approval and authorization for the Chair to sign Amendment 1 to Purchase and Sale Agreement No. 230293B with Julia Williams Hinshaw, (Assessor's Parcel Number 025-440-003).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Callahan Agreement, 2. Raja Agreement, 3. Hinshaw Agreement

Date	Ver.	Action By	Action	Result
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**TO:** Board of Supervisors

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

**REPORT BY:** James Reese, Associate Engineer

**SUBJECT:** Approval of Amendments to Three Purchase and Sale Agreements in support of the Construction of "Chiles Pope Bridge Replacement Project", RDS 15-23

### RECOMMENDATION

Director of Public Works requests approval for the following amendments to purchase and sale agreements, necessary for the "Chiles Pope Bridge Replacement Project", RDS 15-23:

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## **EXECUTIVE SUMMARY**

The Chiles-Pope Valley Road Bridge (No. 21C0075) over Chiles Creek is located 2.1 miles north of the intersection with Highway 128 and Chiles-Pope Valley Road. This project will replace the existing structurally deficient and scour critical bridge. In order to construct the project, easements were required from the adjacent private property owners. However, after requesting right of way certification from Caltrans, they required that Title VI language be added to the purchase sale agreements with an amendment before approving the right of way certification. This amendment will lead to certification needed to allow the county to obtain construction funding.

## **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	No
Is it currently budgeted?	Yes
Where is it budgeted?	Fund 2040, Org 2040500 and Project 14010. In Fiscal Year 2016-17, the Board budgeted \$892,024 from the Roads Fund to cash flow the consultant and County staff expenses during design/engineering. On March 22, 2022, the Board approved a budget transfer to allow the County to use the Accumulated Capital Outlay Fund (ACO) to cash flow the design and engineering. As always, we will work to maximize our reimbursement from Caltrans. All reimbursements will be returned to the source of the original funds (Roads or ACO) for use on future projects.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The amendments are needed for right of way certification.
Is the general fund affected?	No
Future fiscal impact:	If this project is not allowed to move forward Napa County may be required to return all funds that have previously been reimbursed by Caltrans. If the project moves forward, the project will proceed at an 88.53% federal reimbursement.
Consequences if not approved:	The project will not proceed to the construction phase and further damage at the foundations of the bridge could occur in later years, thus putting the safety of travelers on the bridge at risk.
County Strategic Plan pillar addressed:	Healthy, Safe, and Welcoming Place to Live, Work, and Visit

## **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. On December 14, 2021, the Board adopted a Mitigated Negative Declaration for the Project.

## **BACKGROUND AND DISCUSSION**

The Napa County Public Works Department is responsible for maintaining 78 bridges that are included in the National Bridge Inventory. The Federal Highway Administration (FHWA) provides Highway Bridge Program (HBP) funding to replace bridges when needed and the State of California Department of Transportation (Caltrans) administers the HBP in California.

On August 20, 2012, Caltrans issued a letter requesting that local agencies review their public highway bridges for potential replacement, rehabilitation, or preventive maintenance and to take necessary actions to address any public safety issues and to extend the life of our bridge inventory. County staff evaluated fourteen (14) bridges and prioritized eight (8) bridges for the first phase of the HBP. Caltrans and the FHWA programmed HBP funding to replace seven bridges, including the Chiles Pope Valley Road Bridge over Chiles Creek (21C-0075).

The County built the Chiles Pope Valley Road Bridge in 1907 and widened it in 1950. The Bridge is approximately 2.1 miles north of Highway 128 and Caltrans identified the bridge as Structurally Deficient and Scour Critical. The Sufficiency Rating (SR) rating of 53.9 (on a scale of 100). Caltrans designated Chiles Pope Road Bridge Replacement as eligible for 88.53% HBP funding. The purpose of the project is to provide a safe, functional, and reliable crossing over Chiles Creek on Chiles - Pope Valley Road.

On December 22, 2021, Caltrans authorized the County to proceed with the right-of-way (ROW) acquisition phase of the project. During the project design, the consultant determined that temporary construction easements (TCE) on private property are required to construct the road and bridge.

On January 24, 2023, the Board approved purchase and sale agreements to acquire right-of-way. After submitting for right of way, certification Caltrans commented that the purchase and sale agreements lacked required Title VI language and requested that the County add the text via an amendment. The project duration term was also modified for consistence with the easement deeds and appraisals.

Our goal is to obtain permits and construction authorization to begin construction in the spring of 2024, so long as HBP construction funds are available. Even though Caltrans will reimburse 88.52% of the entire project expenses, Caltrans could determine that some expenses are not eligible for federal funding. Roads and ACO funds are being used to cash flow the project, and County staff submit invoices to Caltrans at least every six months. After Caltrans sends payments, the Roads and ACO funds will be reimbursed.

It is recommended that the Board approve the amendments to the Purchase and Sales Agreements to request construction funding.