

RESOLUTION NO. 2017 - 088

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING AN AGREEMENT WITH RICHARD DWYER FOR INSTALLATION OF A WATER LINE RELATED TO THE FRANCIS HOUSE RENOVATION PROJECT AT 1403 MYRTLE STREET

WHEREAS, Richard Dwyer (Applicant) is restoring the Francis House at 1403 Myrtle Street; and

WHEREAS, during permit review it was determined that the 2" steel water line in Myrtle Street between Spring Street and Berry Street needs to be replaced with an 8" water line to connect to the two six-inch dead-end water lines on Berry Street from Foothill Blvd. and Spring Street from Foothill Blvd. to provide better water service and fire flow to the project and surrounding areas; and

WHEREAS, pursuant to City of Calistoga Municipal Code Section 13.04.170.F.1, developers are required to construct utilities along their entire frontage and further states the frontage improvements are not subject to reimbursement or credit by the City; and

WHEREAS, the frontage of the subject property is approximately 120 feet; and

WHEREAS, a condition of approval for the project was for the Applicant to install approximately 440 lineal feet of 8" water line connecting the two dead-end 6" lines and install appurtenances and switch over at least four water service laterals that are connected to the 2" steel line to be replaced; and

WHEREAS, the estimated cost to install the 8" water main, appurtenances and the connections is approximately \$180,000 or \$409/ft; and

WHEREAS, the value of the frontage improvement for 1403 Myrtle Street is \$49,080 (120 ft. X \$409/ft) and is the responsibility of the Applicant; and

WHEREAS, the Applicant was required to pay \$34,772.60 for water connection fees and \$72,950.39 for wastewater connection fees for a total of \$107,722.99; and

WHEREAS, Staff proposes that the Applicant be credited \$71,438 towards installation of the water line that is not along the project frontage, \$34,772.60 from the water connection fee and \$36,665.40 from the wastewater connection fee; and

WHEREAS, Applicant was required to pay a wastewater connection fee in the amount of \$36,294.99 at the time of permit issuance; and

WHEREAS, at the completion of the water line construction a reconciling audit will be performed to determine the actual amount of reimbursement owed back to the applicant estimated to be \$59,482 (\$130,920 - \$71,428); and

WHEREAS, funds are currently available in Water Capital Account No. 12-5490-4915 in the amount of \$25,000 and Water Capital Account No. 12-5513-4915 in the amount of \$25,000, leaving an estimated balance of \$9,482; and

WHEREAS, once the audit has been completed and the actual balance is known, Staff will come back to Council for a budget adjustment to complete the funding.

NOW, THEREFORE BE IT RESOLVED as follows:

1. The City Council of the City of Calistoga resolves that an Agreement be approved with Richard Dwyer for installation of an 8" water line along Myrtle Street between Spring Street and Berry Street related to the Francis House Renovation Project at 1403 Myrtle Street.

2. That a credit in the amount of \$34,772.60 from the Water Connection Fee and \$36,665.40 from the Wastewater Connection fee be given to Richard Dwyer for installation of the water line along Myrtle Street that does not front the subject property at 1403 Myrtle Street.

3. That a reconciling audit will be conducted after the installation of the water line is complete to verify the actual cost of the construction and a reimbursement will be issued to the Applicant for any cost that exceed the credits given, and the valuation of his frontage obligation.

4. That upon completion of the project and the reconciling audit, a budget adjustment will be brought back to Council for approval to complete the funding.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **1st day of August 2017**, by the following vote:

AYES: Councilmember Kraus, Vice Mayor Dunsford, Councilmembers Barnes and Lopez-Ortega and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None



CHRIS CANNING, MAYOR

ATTEST:



KATHY FLAMSON, City Clerk