



## Legislation Details (With Text)

**File #:** 18-1954      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 12/14/2018      **In control:** Board of Supervisors

**On agenda:** 1/29/2019      **Final action:** 1/29/2019

**Title:** Department of Transportation recommending the Board approve and authorize the Chair to sign First Amendment to Agreement to Make Subdivision Improvements for Class 1 Subdivision between County and Owner, Meritage Homes of California, Inc. for West Valley Village Unit 5B, Phase 2, TM 99-1359R, extending the performance period to July 14, 2019.

FUNDING: Developer Funded.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved CRS, 2. B - First Amendment to AGMT 13-53756, 3. C - Resolution 96-95, 4. Executed Amendment to Agreement 19-1359R

Date	Ver.	Action By	Action	Result
1/29/2019	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board approve and authorize the Chair to sign First Amendment to Agreement to Make Subdivision Improvements for Class 1 Subdivision between County and Owner, Meritage Homes of California, Inc. for West Valley Village Unit 5B, Phase 2, TM 99-1359R, extending the performance period to July 14, 2019.

**FUNDING:** Developer Funded.

### DISCUSSION / BACKGROUND

On July 15, 2014 (Item 14), the Board of Supervisors approved the Final Map and Agreement to Make Subdivision Improvements for Class 1 Subdivision between County and Owner, Meritage Homes of California, Inc. (AGMT 13-53756) for West Valley Village Unit 5B, Phase 2 subdivision.

Resolution 96-95 authorizes the Department of Transportation (Transportation) director to sign a one-time, twelve (12) month extension of improvement agreement performance periods. Subsequent extensions must be approved by the Board.

The first amendment to AGMT 13-53756 (Amendment) was delayed which resulted in a lapse of the performance period. In order to correct the lapse, staff is requesting a three year performance period extension to extend the performance period to July 14, 2019. Since the performance period extension exceeds the authority of the Transportation director under Resolution 96-95, Transportation is bringing the Amendment to the Board for approval.

The construction of this subdivision is substantially complete and this extension will allow the Owner time to complete any remaining items and finalize the project.

### ALTERNATIVES

N/A

**PRIOR BOARD ACTION**

Outlined in the Discussion / Background section above.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management

**CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve the item.

**FINANCIAL IMPACT**

There is no fiscal impact or change to Net County Cost associated with this item.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) originals of the Amendment with Meritage Homes of California, Inc.
- 2) The Clerk of the Board will forward one (1) signed original Amendment to Transportation, attention Julie Millard, for further processing.

**STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

Rafael Martinez, Director  
Department of Transportation