



## Legislation Details (With Text)

**File #:** 08-0705      **Version:** 4

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

**File created:** 5/5/2008      **In control:** Board of Supervisors

**On agenda:** 4/10/2012      **Final action:** 4/10/2012

**Title:** Department of Transportation recommending the Board authorize the Chair to sign the First Amendment to Reimbursement Agreement for White Rock Road Widening Project Sta. 63+25 to Sta. 115+25 between the County of El Dorado and the Developer with K. Hovnanian Forecast Homes, Inc. amending Article II Reimbursement.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. K. Hov WRR Blue Resubmission Routing Sheet, 2. AGMT 08-1727 - Signed by Developer, 3. CTA Consent, 4. 4A - Approved CRS, 5. 4B - K Hovnanian Amendment, 6. 4C - K Hovnanian Original Agreement

Date	Ver.	Action By	Action	Result
4/10/2012	4	Board of Supervisors	Approved	Pass
8/26/2008	3	Board Of Supervisors	Approved	Pass

Department of Transportation recommending the Board authorize the Chair to sign the First Amendment to Reimbursement Agreement for White Rock Road Widening Project Sta. 63+25 to Sta. 115+25 between the County of El Dorado and the Developer with K. Hovnanian Forecast Homes, Inc. amending Article II Reimbursement.

**FUNDING:** N/A

Fiscal Impact/Change to Net County Cost:

There is no fiscal impact and no change to Net County Cost associated with this action.

**Background:**

On August 26, 2008 the Board approved the Reimbursement Agreement for White Rock Road Widening Project Sta. 63+25 to Sta. 115+25 Between the County and the Developer . The reimbursement agreement defines reimbursement terms, the ability of the developer to use TIM fee credits, and the developers options if at any time the County has insufficient funds to make a scheduled reimbursement payment. Reimbursement is from the 2004 General Plan Traffic Impact Mitigation - Zone 8 area.

**Reason for Recommendation:**

On February 14, 2012 the Board approved Resolution 021-2012 amending the 2004 General Plan Traffic Impact Mitigation Fee Program and Revised Traffic Impact Mitigation Fee Rates. This action modifies the 2004 General Plan TIM Fee Program, as well as adds an Age-Restricted Single Family and Multi Family Housing category to the program. These modifications may have an effect on the cash flow of the Local Road component of TIM Fee Zone 8, which could result in a delay in

reimbursement payments to the developer.

The proposed Amendment documents the fact that the County has made the modifications. This Amendment additionally provides for developer's waiver of objection and consent to any resulting delays in reimbursement if the modifications to the TIM Fee Program result in insufficient cash flow to meet annual scheduled reimbursement payments.

Action to be taken following Board approval:

Board Chair to execute the two originals of the First Amendment to Reimbursement Agreement for White Rock Road Widening Project Sta. 63+25 to Sta. 115+25 Between the County and the Developer.

Contact:

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Department of Transportation

Concurrences: County Counsel