



Legislation Details (With Text)

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Title: Community Development Agency, Administration and Finance Division, recommending the Board authorize the Chair to sign the following Agreements with Pulte Home Corporation:
 1) Reimbursement Agreement for the Construction of Road Improvements on Bass Lake Road (Station 22+42.82 to Station 83+70) between the County and the Developer (AGMT 15-54313); and
 2) Assignment and Assumption of Plans and Specifications (AGMT 15-54315).

FUNDING: Traffic Impact Mitigation Fees.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Reimb Agmt CRS - 2-23-16, 2. B - Reimb Agmt - 2-23-16, 3. C - Assign & Assum Agmt CRS - 2-23-16, 4. D - Assign & Assum Agmt - 2-23-16, 5. Executed Agreement 15-54315 (2-23-16), 6. Executed Agreement 15-54313 (2-23-16)

Date	Ver.	Action By	Action	Result
2/23/2016	1	Board of Supervisors	Approved	Pass

Community Development Agency, Administration and Finance Division, recommending the Board authorize the Chair to sign the following Agreements with Pulte Home Corporation:
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FUNDING: Traffic Impact Mitigation Fees.

DEPARTMENT RECOMMENDATION

Community Development Agency, Administration and Finance Division, recommending the Board approve a Reimbursement Agreement and Assignment and Assumption for the construction of roadway improvements on Bass Lake Road performed by Pulte Home Corporation.

DISCUSSION / BACKGROUND

Provisions in the developer's Subdivision Improvement Agreement (SIA) for TM94-1290, approved by the Board of Supervisors on July 22, 2003, required the developer to construct the road improvements on Bass Lake Road which included road realignment from Hollow Oak Road north to Serrano Parkway and road widening from Hollow Oak south to Country Club Drive (Project). The SIA states that the reimbursement for the Project is to be made from the local road component of the appropriate Traffic Impact Mitigation (TIM) account over a period of five years, starting eleven years after the completion of the improvements.

The Project's notice of completion was executed by Pulte Home Corporation on August 15, 2006, and the El Dorado County Board of Supervisors accepted the improvements and added them to the County's maintained mileage system on July 1, 2008. The County has completed the acquisition

process for the Project and determined that \$3,692,152.03 is eligible for reimbursement over the five-year time frame. The reimbursement payments are included in the 2015 Capital Improvement Program (CIP), with payments starting in Fiscal Year 2017/18 (first payment is scheduled to be paid to the Developer on August 15, 2017).

This Reimbursement Agreement and Assignment and Assumption formalize the reimbursement terms previously approved by the Board of Supervisors in the SIA and included in the CIP, and assigns the rights to the Project's plans to the County.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel approval

CAO RECOMMENDATION

CAO concurs with staff's recommendations.

FINANCIAL IMPACT

Payments to the Developer will be made on an annual basis for five years starting in Fiscal Year 2017/18 in the approximate amount of \$738,430 annually. Funds will come from the local component of Fee Zone 8 of the 2004 General Plan TIM Fee Program (or its successor zone) only. There is no Net County Cost.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk will obtain the Board Chair's signature on three (3) originals of the subject Reimbursement Agreement.
- 2) The Clerk will obtain the Board Chair's signature on three (3) originals of the subject Assignment and Assumption.
- 3) The Clerk will forward two (2) originals of each agreement to the Community Development Agency, Administration and Finance Division.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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