



Legislation Text

File #: 09-0621, **Version:** 4

Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign Amendment 6 to Subdivision Improvement Agreement AGMT 06-1060 with Silver Springs, Limited Liability Company for Silver Springs Unit 1, extending the performance period to September 24, 2016.

FUNDING: N/A

DEPARTMENT RECOMMENDATION

Community Development Agency, Transportation Division recommends approving the one year extension in order for the Owner to complete the required Subdivision Improvements and comply with the Findings/Conditions of Approval. The Owner has stated he expects the improvements to be completed within this one year extension of the performance period.

DISCUSSION / BACKGROUND

On September 26, 2006, Item No.15, the Board of Supervisors approved the Subdivision Improvement Agreement (SIA) and Final Map for the development known as Silver Springs Unit I. The SIA required completion of all subdivision improvements no later than September 26, 2008. On July 17, 2007, Item No. 19, the Board of Supervisors approved the First Amendment to the SIA which allowed the Owner to substitute the original performance and labor and materialmens bonds with bonds issued by a different surety. The original bonds were released at that time.

Subsequently, the Owner requested a one-year time extension to the required completion date. As one of several complex and interrelated Agreements for the Silver Springs development and pursuant to authority granted by the Board of Supervisors, the Director of Transportation granted the time extension to September 26, 2009. The Department, however, did not thereafter process a written amendment to the Agreement.

On April 6, 2010 (Item No. 25) the Board of Supervisors approved the Second Amendment to the SIA which allowed the Owner a second one-year time extension to the required completion date.

On September 25, 2012 (Item No. 34) the Board of Supervisors approved the Third Amendment to the SIA which allowed the Owner an extension to the required completion date to September 26, 2013. This Amendment was included with five other Silver Springs related Agreements (Legistar No. 12-1213).

On November 5, 2013 (Item No. 17) the Board of Supervisors approved the Fourth Amendment to the SIA which allowed the Owner an extension to the required completion date to September 24, 2014.

On September 16, 2014 (Item No. 12) the Board of Supervisors approved the Fifth Amendment to the SIA which allowed the Owner an extension to the required completion date to September 24, 2015.

With this Amendment 6, the Owner intends to fully complete the terms of the SIA prior to performance period extension to September 24, 2016.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION

CAO recommending moving staffs recommendations.

FINANCIAL IMPACT

The requested Board action has no associated fiscal impact or Net County Cost.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk will obtain the Chair's signature on the two originals of Amendment 6.
- 2) The Clerk will return one fully executed original of Amendment 6 to Transportation.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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