



Legislation Details (With Text)

File #: 18-0903 **Version:** 1
Type: Agenda Item **Status:** Approved
File created: 5/25/2018 **In control:** Board of Supervisors
On agenda: 6/26/2018 **Final action:** 6/26/2018
Title: Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the Sixth Amendment to Subdivision Improvement Agreement AGMT 07-1495 with K. Hovnanian at Blackstone, LLC and Lennar Communities, Inc., for West Valley Village, Unit 6C extending the performance period to February 7, 2019.

FUNDING: Developer Funded.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Approved CRS, 2. B - 6th Amendment to SIA, 3. Executed Agreement

Date	Ver.	Action By	Action	Result
6/26/2018	1	Board of Supervisors	Approved	Pass

Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the Sixth Amendment to Subdivision Improvement Agreement AGMT 07-1495 with K. Hovnanian at Blackstone, LLC and Lennar Communities, Inc., for West Valley Village, Unit 6C extending the performance period to February 7, 2019.

FUNDING: Developer Funded.

DEPARTMENT RECOMMENDATION

Community Development Services, Department of Transportation (Transportation), recommends the Board approve this Sixth Amendment to Agreement 07-1495 as the Developer has completed the public improvements and has made substantial progress on completing the build out of residential units. The Developer assures Transportation that they are making every effort to complete the project and is requesting the additional extension to do so.

DISCUSSION / BACKGROUND

On January 29, 2013 (Item 13), the Board approved Amendment 1 to the West Valley Village, Unit 6C Subdivision Improvement Agreement (SIA) extending the performance period to February 7, 2013. On February 4, 2014 (Item 6), the Board approved Amendment 2 to the SIA extending the performance period to February 7, 2014 and authorized preparation and execution of Amendment 3 to extend the performance period to February 4, 2015. On January 27, 2015 (Item 11), the Board approved Amendment 4 to the SIA extending the performance period to February 7, 2016.

On January 12, 2016 (Item 25), the Board adopted Resolution 012-2016 approving the performance period extension of multiple SIAs without the need to bring each agreement before the Board. Amendment 5 to the SIA was signed by the Board on March 21, 2016 extending the performance period to February 7, 2017 pursuant to Resolution 012-2016. Amendment 6 was inadvertently delayed which has resulted in a lapse of the performance period. In order to correct the lapse,

Amendment 6 has a two year performance period and extends the performance period to February 7, 2019.

The public improvements of this subdivision are complete and the Developer has made substantial progress on completing the build out of residential units. This extension will allow the Developer time to complete any remaining items and finalize the project.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

There is no fiscal impact and no 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 three (3) originals of the Sixth Amendment to Subdivision Improvement Agreement 07-1495 with K. Hovnanian at Blackstone, LLC. and Lennar Communities, Inc.
- 2) The Clerk of the Board will return two (2) fully-executed originals of the Sixth Amendment to Community Development Services, Administration and Finance Division, Contracts and Procurement Unit, for further processing.

STRATEGIC PLAN COMPONENT

Infrastructure, Economic Development

CONTACT

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