



## Legislation Details (With Text)

**File #:** 18-1436      **Version:** 1

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

**File created:** 9/11/2018      **In control:** Board of Supervisors

**On agenda:** 10/30/2018      **Final action:** 10/30/2018

**Title:** Community Development Services, 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, RREF II-RD Willows, LLC for Promontory Village Center Lot 8, TM 13-1513 (AGMT 18-54805), extending the performance period to October 27, 2019.

**FUNDING:** Developer Funded.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved CRS, 2. B - First Amendment to 15-54137, 3. C - Resolution 96-95, 4. Executed First Amendment to 15-54137

| Date       | Ver. | Action By            | Action   | Result |
|------------|------|----------------------|----------|--------|
| 10/30/2018 | 1    | Board of Supervisors | Approved | Pass   |

Community Development Services, 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, RREF II-RD Willows, LLC for Promontory Village Center Lot 8, TM 13-1513 (AGMT 18-54805), extending the performance period to October 27, 2019.

**FUNDING:** Developer Funded.

**DISCUSSION / BACKGROUND**

On October 27, 2015 (Item 14), the Board approved the Agreement to Make Subdivision Improvements for Class 1 Subdivision between the County and Owner, RREF II-RD Willows, LLC (AGMT 15-54137), a California Limited Liability Company, for Promontory Village Center Lot 8 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.

Due to changes in staffing and assignments, the first amendment to AGMT 15-54137 (Amendment 1) was inadvertently delayed which has resulted in a lapse of the performance period. In order to correct the performance period, staff is requesting a two year performance period to extend the performance period to October 27, 2019. Since a two year performance period 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

**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 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 Amendment 1 with RREF II-RD Willows, LLC.
- 2) The Clerk of the Board will forward one (1) signed original of Amendment 1 to Transportation, attention Julie Millard for further processing.

**STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

Rafael Martinez, Director  
Department of Transportation