



Legislation Details (With Text)

File #: 20-1127 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 8/18/2020 **In control:** Board of Supervisors

On agenda: 10/13/2020 **Final action:** 10/13/2020

Title: Department of Transportation recommending the Board approve and authorize the Chair to sign Second Amendment to Agreement to Make Subdivision Improvements for Class 1 Subdivision between County and Owner, AKT Promontory LLC, for Promontory Village 2C, TM 98-1356-R-3, extending the performance period to November 12, 2021.

FUNDING: Developer Funded.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Approved CRS, 2. B - Amend 2 to AGMT 17-54758, 3. C - AGMT 17-54758 FE, 4. D - Amend 1 to AGMT 17-54758 FE, 5. Executed Agreement 17-54758 Second Amendment

Date	Ver.	Action By	Action	Result
10/13/2020	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board approve and authorize the Chair to sign Second Amendment to Agreement to Make Subdivision Improvements for Class 1 Subdivision between County and Owner, AKT Promontory LLC, for Promontory Village 2C, TM 98-1356-R-3, extending the performance period to November 12, 2021.

FUNDING: Developer Funded.

DISCUSSION / BACKGROUND

On November 14, 2017 (Item 15), the Board of Supervisors approved the Final Map and Agreement to Make Subdivision Improvements for Class 1 Subdivision between County and Owner, AKT Promontory, LLC, (AGMT 17-54758) for Promontory Village 2C 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. On November 26, 2019, the Transportation Director signed Amendment 1 to the Promontory Village 2C Subdivision Improvement Agreement under this authority, extending the performance period one year to November 14, 2020.

Resolution 96-95 requires the Board to approve subsequent extensions. Therefore, staff is requesting Board approval for a one year performance period extension to extend the performance period to November 12, 2021. The construction of this subdivision is substantially complete; however, the Developer needs to be within the performance period of the agreement in order to complete any remaining items and finalize the project. Transportation requires a valid performance period at project completion.

ALTERNATIVES

N/A

PRIOR BOARD ACTION

Outlined in the Discussion / Background section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

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 the Amendment with AKT Promontory, LLC.
- 2) The Clerk of the Board will forward one (1) signed original Amendment to the Chief Administrative Office, Procurement and Contracts Division, attention Matthew Potter, for further processing.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

Rafael Martinez, Director
Department of Transportation