



Legislation Details (With Text)

File #: 23-1491 **Version:** 1
Type: Agenda Item **Status:** Approved
File created: 7/28/2023 **In control:** Board of Supervisors
On agenda: 9/19/2023 **Final action:** 9/19/2023
Title: Department of Transportation recommending the Board approve and authorize the Chair to sign Road Improvement Agreement 22-55028 for the Offsite Road Improvements for Black Rice Road for Benefit of Diamond Village Apartments, PD 17-0002, between the County and the Developer, Diamond Village Apartments, LP. (District 3)

FUNDING: Developer Funded.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Counsel Approval, 2. B - Agmt 22-55028, 3. C - Performance and L&M Bonds, 4. D - Improvement Plans, 5. Executed Agmt 22-55028

Date	Ver.	Action By	Action	Result
9/19/2023	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board approve and authorize the Chair to sign Road Improvement Agreement 22-55028 for the Offsite Road Improvements for Black Rice Road for Benefit of Diamond Village Apartments, PD 17-0002, between the County and the Developer, Diamond Village Apartments, LP. (District 3)

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DISCUSSION / BACKGROUND

On August 14, 2018 (Items 38 and 39, Legistar 18-1133 and 18-1136), the Board of Supervisors approved the Diamond Village Apartments Project, PD 17-0002 (Project). Department of Transportation (Transportation) is recommending the Board approve and authorize the Chair to sign the Offsite Road Improvement Agreement for Black Rice Road for Benefit of Diamond Village Apartments, Agmt #22-55028 (Agreement), between the County and Diamond Village Apartments, LP (Developer).

In accordance with the Conditions of Approval approved by the Board of Supervisors and with the Improvement Plans entitled "Black Rice Road For Benefit of Diamond Village Apartments" as approved by the County Engineer on September 2, 2022, the Developer shall improve Black Rice Road from the intersection of State Route (SR) 49 eastward, including Class 2 bike lanes in each direction and a connection with Happy Lane. The Developer shall also extend Racquet Way north to complete the connection with Black Rice Road, including curb, gutter, and sidewalks.

The work described in the Agreement is anticipated to start in Fall 2023, and onsite improvements are currently underway.

Section 12.08.155(A)(3) of the El Dorado County Ordinance Code requires that any party

constructing an improvement in the County right-of-way with an estimated cost exceeding \$100,000 enters into a road improvement agreement with the County. Approval of this Agreement will allow the Developer to make improvements as necessary to complete the project.

ALTERNATIVES

This Agreement is necessary for the Developer to construct the offsite road improvements along Black Rice Road. If the Agreement is not approved, the Developer would not be able to construct the necessary improvements.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

The requested Board action has no associated fiscal impact or change to Net County Cost. The Developer will bear the cost of constructing the improvements in the proposed Agreement, and there shall be no reimbursement for the required improvements. The Developer has provided County satisfactory security in the form of Performance and Laborers and Materialmens Bonds.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) original of the Agreement.
- 2) The Clerk of the Board will return one (1) copy of the fully executed Agreement to Department of Transportation, attn: Lindsay Tallman, for final processing.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

Rafael Martinez, Director
Department of Transportation