



# County of El Dorado

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## Legislation Text

File #: 08-1264, Version: 6

Department of Transportation recommending the Board authorize the Chair to sign the Consent to Making of Irrevocable Offers of Dedication secured by Granite Grado Ventures, Missouri Flat, LLC for APNs 051-250-12, 051-250-46 and 051-250-54, in support of the Diamond Springs Parkway - Phase 1 Project, 72334. (Prior Item 55, 12/16/08)

### **FUNDING:** 2004 General Plan Traffic Impact Mitigation Fee Program

BUDGET SUMMARY:		
Total Estimated Cost		\$593,510
Funding		
Budgeted	\$593,510	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$593,510	
Change To Net County Cost		\$0

#### Fiscal Impact/Change to Net County Cost:

Funding for this agenda item is provided by the 2004 General Plan Traffic Impact Mitigation Fee Program. There is no net cost to the County's General Fund associated with this agenda item.

#### Background:

Diamond Springs Parkway - Phase 1 (Project), previously known as the Missouri Flat Road/Pleasant Valley Connector, is listed as a new road in the 1996 and 2004 General Plans and is included in the current Adopted 2010 Capital Improvement Program.

On April 29, 2008, the Board authorized the Department to negotiate an agreement with Granite Grado Ventures, Missouri Flat, LLC (GGV) for the advancement of planning, design and construction costs for the Project. During negotiations of the proposed agreement the County determined that it should now lead the Project delivery effort.

On December 16, 2008, the Board approved the Funding Agreement for Diamond Springs Parkway Design and Environmental Costs with GGV. The Agreement provides contemporaneous reimbursement to GGV for costs incurred in providing specified design and environmental deliverables. In consideration of the County's advanced reimbursement, outside the timelines established in the County's TIM Fee Reimbursement Guidelines, GGV agreed to secure and provide irrevocable offers of dedication for all necessary rights of way in fee, including permanent and temporary easements, for the Project on APNs 051-250-12 (Abel), 051-250-46 (GGV) and 051-250-54 (Lindeman). Per the Funding Agreement, delivery of the IODs are required prior to the County's obligation to reimburse GGV.

**Reason for Recommendation:**

As specified in the Funding Agreement, GGV has secured and provided all required IODs for right of way in fee and appurtenant easements for Diamond Springs Parkway, SR-49/Diamond Road and Lime Kiln Road on APN 051-250-12, 051-250-46 and 051-250-54. The IODs meet the construction needs and have been reviewed and approved to form. Per the stipulated IOD language, the landowners make no claim and waive any right to compensation for the property conveyance.

This authorization and action is only to consent to the creation (making) of the IODs and the recording of the IODs. The final acceptance of the land rights by the Board will occur in the future once the project design is completed and the environmental documents certified.

The IODs will remain in effect for fifteen years. After completion of all necessary environmental and engineering studies, the County may accept the offers. If the County does not accept the IODs within the specific time, then the County will vacate the offers.

The Department acknowledges that GGV has provided all specified design and environmental deliverables per Exhibit A and has secured and provided all required IODs per Exhibit B; these deliverables now satisfy the requirements of the Funding Agreement for Diamond Springs Parkway Design and Environmental Costs. In accordance with the Agreement, the County shall reimburse GGV for eligible costs incurred to consultants. GGV is eligible for reimbursement for County approved actual cost up to \$609,521. Reimbursement is currently estimated at \$593,510.

**Action to be taken following Board approval:**

1. The Chairman will sign seven (7) originals for Consent to Making of Irrevocable Offer of Dedication for the subject parcels.
2. Board Clerk to coordinate with the Department Right of Way unit for the recording of the Consent to Making of Irrevocable Offer of Dedications.
3. The Department will prepare and submit the claim for reimbursement to the Auditor's Office.

Contact: James W. Ware, P.E.  
Director of Transportation

Concurrences: County Counsel