



Legislation Text

File #: 15-1008, **Version:** 4

Community Development Services, Transportation Department, recommending the Board approve and authorize the Chair to sign the Road Improvement Agreement for Shingle Springs Village, SPR 15-0003, Offsite Improvements Agreement 17-54634, with Shingle Springs Band of Miwok Indians Development Corporation. (Est. Time: 10 Min.)

FUNDING: Developer Funded.

DEPARTMENT RECOMMENDATION

Department of Transportation (Transportation) recommending the approval of the Offsite Road Improvement Agreement for Shingle Springs Village, SPR 15-0003, Agreement 17-54634 (Agreement), in order for the Shingle Springs Band of Miwok Indians Development Corporation (Tribe) to construct the necessary water, sewer, road and driveway access improvements.

DISCUSSION / BACKGROUND

On June 28, 2016, the Board approved Site Plan Review (SPR) 15-0003/Shingle Springs Drive Improvements-Encroachment Permit submitted by the Tribe to analyze the impacts from the construction and operation of a 12-inch, 2,400 linear foot water main, a 6-inch, 3,335 linear foot sewer force main pipeline, with water provided to the Parcel limited to a separate 1" meter for irrigation use only, a separate 2" commercial meter, and a separate, dedicated single metered Fire Service connection monitored with a standard fire flow rate meter; and a 36 foot x 40 foot paved driveway within the El Dorado County Right-of-Way of Shingle Springs Drive (Item 51). The property is the Shingle Springs Drive Right-of-Way, consisting of 0.85 acre, located on Shingle Springs Drive between U.S. Highway 50, Exit 39 Off-Ramp and Buckeye Road, in the Shingle Springs area. The County's grant of the encroachment permit was conditioned on the Tribe's completion of the work covered in the Roadway Improvement Agreement.

The SPR permit analyzed the environmental impacts of proposed improvements along Shingle Springs Drive to serve the Tribe's proposed fueling station. The improvements are limited to the water, sewer, road and driveway access needed to serve the Tribe's completed gas station, car wash, and convenience store. While a legal challenge to the approval of the Project giving rise to this Roadway Improvement Agreement was initiated, the Tribe and petitioners in that case reached a settlement agreement and all claims against all parties were dismissed with prejudice. This Roadway Improvement Agreement is limited to the encroachments to serve the gas station, car wash, and convenience store.

Based on the Engineers Estimate, the cost to complete the work is \$1,438,035.23 for Phase 1 and \$54,201.33 for Phase 2, to be paid for by the Tribe.

ALTERNATIVES

This agreement is necessary in order for the completed the gas station, car wash, and convenience store to operate. If the Agreement is not approved, the Tribe would not be able to construct the necessary improvements.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The requested Board action has no associated fiscal impact or Net County Cost. The Developer will bear the cost of providing the improvements in the proposed agreement.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1. The Clerk of the Board will obtain the Chair's signature on the two (2) originals of Agreement #17-54634.
2. The Clerk of the Board will return one (1) fully executed original of Agreement #17-54634 to Transportation, Attention: Julie Millard.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

Bard R. Lower, Interim Director
Department of Transportation
Community Development Services