



Legislation Text

File #: 19-1130, **Version:** 2

Department of Transportation recommending the Board approve and authorize the Chair to sign the Offsite Road Improvement Agreement for Malcolm Dixon Area of Benefit, Road Improvement Agreement 19-54910, between the County and the Developers, Omni Financial, LLC, Alto, LLC, Salmon Falls Land & Cattle Company, LLC, Diamante Development, LLC and Christopher A. LaBarbera Revocable Trust, 2019. (Cont. 8/13/2019, Item 14) (Est. Time: 20 Min.)

FUNDING: Developer Funded.

DISCUSSION / BACKGROUND

Four previously-approved residential subdivisions in the Malcolm Dixon Road area of El Dorado Hills, (La Canada TM08-1463, Malcolm Dixon Road Estates TM05-1401E, Alto TM06-1408, and Diamante Estates/Vineyards TM06-1421E) are all conditioned to make improvements to Malcolm Dixon Road. These improvements include realigning, widening, and modifying the profile of Malcolm Dixon Road, completing the Malcolm Dixon Cutoff connecting to Green Valley Road, and reconfiguring the intersection with Via Veritas. (See Attachment "C")

The common conditions of approval for the four residential subdivisions also provide for the establishment of an Area of Benefit (AOB) joint funding structure, including, in part the following: "Multi-Project Area of Benefit: Upon the applicant's request, the County will form and implement, at the applicant's expense, a public improvement financing district for funding or reimbursement of the costs of off-site public improvements...." This contemplated AOB would collect fees and distribute reimbursements from the same developments to fund construction of the project. The applicants have jointly determined it is in their own interests to forgo the AOB process, and fund the construction of the improvements through private agreement. This arrangement is consistent with the common condition of approval as the formation of the AOB is only required if requested by the applicant.

This Road Improvement Agreement (RIA) establishes the terms and conditions of construction for the Malcolm Dixon Road realignment. This RIA is between the County and all of the developers jointly. The developers have hired a construction manager to be the County's point of contact. Transportation staff believes this approach is more efficient, will involve less County Staff time and still provide for an organized and secured construction project, than the previously contemplated AOB process. Construction of the project will include a temporary detour to provide continuous access through the construction area. Periods of temporary construction delay are expected.

Based on the Engineer's Estimate, the cost to complete the work is \$2,319,097.11, to be paid for by the developers.

ALTERNATIVES

This Agreement is necessary for the approved development projects to move forward. If the Agreement is not approved, the Developers would not be able to construct the necessary improvements to serve the projects.

PRIOR BOARD ACTION

See Discussion / Background section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

The requested Board action has no associated fiscal impact or change to Net County Cost. The developers will bear the cost of constructing 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 two (2) originals of the Agreement.
- 2) The Clerk of the Board will return one (1) fully executed original of the Agreement to Chief Administrative Office, Procurement and Contracts Division, for further processing.

STRATEGIC PLAN COMPONENT

Infrastructure, Economic Development

CONTACT

Rafael Martinez, Director
Department of Transportation