



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
[www. CityofSacramento.org](http://www.CityofSacramento.org)

Consent
April 10, 2008

Honorable Mayor and
 Members of the City Council

Title: Agreement: Reimbursement for Overwidth Pavement Construction for Expo Law Offices

Location/Council District: Exposition Boulevard fronting 1111 Exposition Boulevard adjacent to the intersection of Exposition Boulevard and Expo Parkway, Council District 2.

Recommendation: Adopt a **Resolution 1**) authorizing the City Manager to execute an agreement with Expo Pointe, LLC. for reimbursement of overwidth pavement construction to provide reimbursement for overwidth pavement construction up to an amount of \$197,752 pursuant to the terms and conditions of the attached agreement for six hundred lineal feet of the center of Exposition Boulevard fronting their property from the railroad bridge crossing to one hundred feet west of the intersection on Exposition Boulevard and Expo Parkway.

Contact: Ron Fong, Supervising Engineer, (916) 808-7915; David Kwong, Interim Development Engineering Manager, (916) 808-2691

Presenter: Not applicable

Department: Development Services

Division: Development Engineering

Organization No.: 4887

Description/Analysis

Issue: The City contributes funds to pay for pavement and median island construction in excess of 25 feet for streets with bikeways and for specially designed City projects. Reimbursement agreements are used to reimburse developers for portions of the center of roadways that are used for general public benefit and for portions of roadways beyond the developer's adjacent street improvement work. City Council approval is required for this overwidth pavement reimbursement agreement.

The attached resolution authorizes execution of a reimbursement agreement between the City of Sacramento and Expo Pointe, LLC for overwidth pavement

construction reimbursement for six hundred lineal of the center of Exposition Boulevard fronting their property from the railroad bridge crossing to one hundred feet west of the intersection on Exposition Boulevard and Expo Parkway.

Policy Considerations: The current policy is to reimburse for the construction of overwidth streets. Funds are allocated each fiscal year to the Major Street Construction Fund for overwidth pavement reimbursement. The Major Street Construction Fund also contributes to capital improvement projects and citywide transportation projects.

Committee/Commission Action: None

Environmental Considerations: Council adoption of the attached resolution is solely for the purpose to pay the Overwidth Agreement and is therefore not a project pursuant to California Environmental Quality Act (CEQA).

Rationale for Recommendation: On September 12, 2005, a Public Improvement Agreement (#2006-0364) was executed between the City of Sacramento and Expo Pointe, LLC for the construction of improvements adjacent to the intersection of Exposition Boulevard and Expo Parkway. All costs for the improvements were covered by Expo Pointe, LLC and were completed to the City's satisfaction on August 29, 2007.

Per City Code Section 18.04.220 the City may contribute toward the cost of any required improvements deemed to be substantially in excess of cost to the property owners who are required to make the improvements. The Major Street Construction Fund's Overwidth Pavement Reimbursement Program exists to reimburse developer's costs in constructing street improvements that are over and above their project's responsibility.

Financial Considerations: As of March 3, 2008, there are sufficient funds available in the Fiscal Year (FY) 2007/08 Capital Improvement Project Overwidth Reimbursement Program (JN:TJ94). The City's contribution for this project is \$197,752. The City will make reimbursement to the developer upon completion and acceptance of the work.

Emerging Small Business Development (ESBD): No goods or services are being purchased.

Respectfully submitted by:  _____
David Kwong
Interim Manager, Development Engineering

Approved by: 
William Thomas
Director of Development Services

Recommendation Approved:

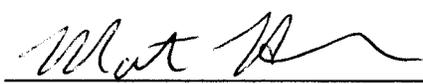

for RAY KERRIDGE
City Manager

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Attachment 1

RESOLUTION NO.

**AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR OVERWIDTH
PAVEMENT CONSTRUCTION ON EXPOSITION BOULEVARD**

BACKGROUND:

- A. Reimbursement agreements are used to reimburse developers for portions of the center of roadways that are used for general public benefit and for portions of roadways beyond the developer's adjacent street improvement work.
- B. Funds are allocated each fiscal year to the Major Street Construction Fund for overwidth pavement reimbursement. The Major Street Construction Fund also contributes to capital improvement projects and citywide transportation projects.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The City Manager is authorized to execute an Agreement for Reimbursement for Overwidth Pavement Construction between the City of Sacramento and Expo Pointe, LLC providing for reimbursement from the Overwidth Pavement Reimbursement Program Fund (209-500-TJ94-4332), pursuant to the terms of the agreement, in an amount not to exceed \$197,752 for construction reimbursement for six hundred lineal feet of the center of Exposition Boulevard fronting their property from the railroad bridge crossing to one hundred feet west of the intersection on Exposition Boulevard and Expo Parkway.
- Section 2. The City's contribution for this project, in the amount of \$197,752, is available in the overwidth pavement reimbursement program (209-500-TJ94-4332), and the Director of Finance is authorized to process the necessary transactions to complete this reimbursement.