



REPORT TO COUNCIL

City of Sacramento

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

CONSENT
January 9, 2007

**Honorable Mayor and
 Members of the City Council**

**Title: Overwidth Pavement Reimbursement for Construction of College Square -
 College Marketplace, LLC**

Location/Council District: West of Highway 99, south of Cosumnes River Boulevard
 at the southeast corner of Bruceville Road and Cosumnes River Boulevard, located in
 Council District 8

Recommendation: Staff recommends that Council adopt a **Resolution** 1) approving
 the Agreement for Reimbursement for Overwidth Pavement Construction (Major Street
 Construction Fund) with College Marketplace, LLC, authorizing reimbursement in the
 amount of \$1,849,127.23 to College Marketplace, LLC pursuant to Sacramento City
 Code Section 3.36.010; and 2) authorizing and directing the Director of Finance to
 expend \$1,849,127.23, from the Overwidth Pavement Reimbursement Program Fund
 (Major Street Construction Fund) (209-500-TJ94-4332) pursuant to the agreement.

Contact: Ronald Fong, Senior Engineer, (916) 808-7915; Ed Williams, Development
 Engineering Manager, (916) 808-5440

Presenters: Not Applicable

Department: Development Services

Division: Development Engineering

Organization No: 4881

Description/Analysis

Issue: Reimbursement agreements are used to reimburse developers for cost
 of street improvement work beyond the developer's responsibility. Pursuant to
 City Code 3.04.020, City Council approval is required for expenditure of one
 hundred thousand dollars (\$100,000.00) or more.

Policy Considerations: Pursuant to City Code Section 3.36.010(f), if funds are
 not available in the major street construction fund at the time of the construction
 of an improvement and such improvement would usually be funded by the major

street construction fund, the City may enter into a reimbursement agreement with a person or entity constructing such an improvement in order to provide for reimbursement to the person or entity for the cost of such improvement that would usually be funded by the major street construction fund.

The Council action recommended in this report supports the following City Strategic Plan 3 Year Goal:

- Promote and support economic vitality

Committee/Commission Action: None

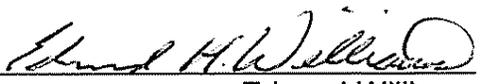
Environmental Considerations: The City Council's action in approving this resolution is solely for the purpose of paying the overwidth pavement reimbursement and, therefore, not a project for the purposes of the California Environmental Quality Act.

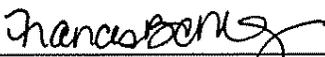
Rationale for Recommendation: On November 29, 2005, a Subdivision Improvement Agreement (#2005-1104) was executed between the City of Sacramento and College Marketplace, LLC for the construction of improvements located southeast of the corner of Bruceville Road and Cosumnes River Boulevard. All costs for the improvements were covered by College Marketplace, LLC and were completed to the City's satisfaction on November 7, 2006.

Pursuant to City Code Section 3.36.010(f) the City may enter into an agreement with the person or entity constructing an improvement if the improvement would usually be funded by the major street construction fund. 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: There is no impact on the General Fund. The overwidth pavement reimbursement in the amount of \$1,849,127.23 shall be paid from funds available in the Major Street Construction Fund (TJ94).

Emerging Small Business Development (ESBD): None. No goods or services are being purchased.

Respectfully Submitted by: 
Edward Williams
Development Engineering Manager

Approved by: 
FOR William A. Thomas
Director of Development Services

Recommendation Approved:

for 
Ray Kerridge
City Manager

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RESOLUTION NO.

Adopted by the Sacramento City Council

COLLEGE SQUARE OVERWIDTH REIMBURSEMENT

BACKGROUND

- A. Reimbursement agreements are used to reimburse developers for cost of street improvement work beyond developer's responsibility.
- B. Pursuant to City Code Section 3.36.010(f) the City may enter into an agreement with the person or entity constructing an improvement if the improvement would usually be funded by the major street construction fund.

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

- Section 1. The Agreement for Reimbursement for Overwidth Pavement Construction (Major Street Construction Fund) with College Marketplace, LLC, authorizing reimbursement in the amount of \$1,849,127.23 to College Marketplace, LLC pursuant to Sacramento City Code Section 3.36.010 is approved;
- Section 2. The Director of Finance is hereby authorized and directed to expend \$1,849,127.23, from the Overwidth Pavement Reimbursement Program Fund (Major Street Construction Fund) (209-500-TJ94-4332), pursuant to the Agreement for Reimbursement for Overwidth Pavement Construction (Major Street Construction Fund) with College Marketplace, LLC.

