



# 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

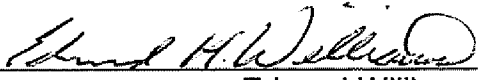
**Environmental Considerations:** The City Council's action in approving this resolution is solely for the purpose of paying the overwidth pavement reimbursement and, therefore, not a project for the purposes of the California Environmental Quality Act.


**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

**Table of Contents:**

Report	Pg	1
<b>Attachments</b>		
1 Resolution	Pg	5

**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.

