



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: May 20, 2008

SUBJECT: Reimbursement for Design of Traffic Signals -
Subdivision No. 4675 Parkside

Report in Brief

City staff has been working with HTW II Ventures, LLC to design a traffic signal on the intersection of E. Gum Avenue/Matmor Road and design signal modifications at the E. Gibson Road/Matmor Road intersection. The project was part of the conditions of approval for the Sievers/Prudler (Parkside) subdivision project dated October 4, 2005 and it was identified in the Major Project Financing Plan. A traffic study was required to identify construction of any traffic control and any mitigation improvements necessary to the site. The studies determined that the installation of a traffic signal at these intersections were necessary. Staff has prepared the reimbursement agreement for the City Council's consideration.

Staff recommends that the City Council approve reimbursement between the City and HTW II Ventures, LLC for design costs of the traffic signals.

Background

Parkside Subdivision formerly known as Sievers/Prudler subdivision was conditioned to construct traffic mitigation improvements necessary to the site including installation of a traffic signal on the intersections of Gibson Road/Matmor Road per the TOC Specific Plan EIR Mitigation Measure 4.6-6 (c) and the intersection of Matmor Road/E. Gum Avenue per the Project Development Traffic Study. The City has been working with Morton & Pitalo Engineers, Hertel's consultant, to design both traffic signals. The improvement plans for the signals have been signed and approved by the City Engineer.

Discussion

The developer and the City will need to enter into Reimbursement Agreements to allow the developer to submit documentation and request payment. Copies of the reimbursement agreements are attached.

After determination of the scope of work for the signal, the developer and the City agreed to the cost of the reimbursement as shown in the table below. The reimbursable amount is expected not to exceed the amount below:

Items of Work (Matmor/Gum)	Amount
Engineering Design for Signal	\$26,000.00
PM/Admin	\$2,600.00
TOTAL DESIGN COST	\$28,600.00

Items of Work (Gibson/Matmor)	Amount
Engineering Design for Signal Modification	\$21,000.00
PM/Admin	\$2,100.00
TOTAL DESIGN COST	\$23,100.00

Reimbursement will be dependent on developer providing supporting documentation on actual costs of the reimbursable items at the time of reimbursement.

Fiscal Impact

These projects are listed under PPSS 98-01 and 08-17. The amount of reimbursement will be reflected in the updated MPFP sheet and the updated Capital budget. Funding for the reimbursement is from Fund 582, Road Development. There is no General fund impact.

Public Contact

Letters regarding the E. Gum Avenue/Matmor Rd. signal project were distributed to property owners and residents in May 2007. A public hearing was held at the June 4, 2007 Traffic Safety Commission. Letters regarding the E. Gibson Rd/Matmor Rd signal modification project were distributed in September 2007. A public hearing was held at the September 17, 2007 Traffic Safety Commission. This specific Council item was noticed by the posting of the City Council agenda for the May 20, 2008 City Council Meeting.

Commission Recommendation

The Traffic Safety commission reviewed specific details of the two signalization projects on the dates noted above. However, their recommendations were not in reference to the capital budget or the reimbursement agreement that are specific to this staff report.

Recommendation for Action

Staff recommends that the City Council approve reimbursement between the City and HTW II Ventures, LLC for design costs of the traffic signals.

Prepared by: Clara Olmedo
Associate Engineer

Reviewed by: Bruce Pollard
Senior Civil Engineer

Reviewed by: Barry Munowitch, AICP
Assistant City Manager

Mark G. Deven
City Manager

Attachments:
Attachment A: Copy of Reimbursement Agreements

SUPPLEMENTAL IMPROVEMENTS REIMBURSEMENT AGREEMENT

This agreement is made this _____ day of _____, 2008, by and between the City of Woodland, California ("City"), HTW II Ventures, LLC, ("Developer") with respect to the following facts:

RECITALS

- A. WHEREAS, Developer is currently developing a project known as Subdivision No. 4675, Parkside (Sievers/Prudler), (the "Project"); and,
- B. WHEREAS, As a condition of developing the Project, the City requires the Developer to design a traffic signal (the "Public Improvement") at the intersection of Gum Avenue and Matmor Rd. prior to occupancy of the Project to improve operations; and
- C. WHEREAS, said Public Improvements occurs in the City right of way to the benefit of the Developer's property, described as Subdivision No. 4675, and the surrounding development; and,
- D. WHEREAS, the Project is a fully refundable Project as identified in the City's Major Projects Financing Plan (the "MPFP"); and,
- E. WHEREAS, the Project has been assigned a Project Program Summary (PPSS) No. 98-01.

NOW, THEREFORE, the parties mutually agree as follows:

- 1. The Public Improvements subject to this Agreement are shown on the improvement plans entitled "Signal Improvement Plans" and described in Exhibit "A" attached hereto. Developer further agrees to and shall fully construct, install and pay for the Public Improvements benefiting both Developer's and others' properties to the satisfaction of the City Public Works Director, and in accordance with the conditions of the Sievers/Prudler Development Agreement recorded on October 4, 2005 and incorporated herein.
- 2. The City will fully reimburse the Developer for the actual costs of the Public Improvements in accordance with the terms of this Agreement as follows:

The sum equal to the estimated design costs, as specified in the schedule below.

Description	Total Estimated Cost
Engineering Design	\$26,000.00
PM/Admin	\$2,600.00
Total	\$28,600.00

2. The City shall reimburse Developer its actual costs of the Reimbursable Improvements after acceptance of the Reimbursable Improvements by the Public Works Department and execution of this agreement. Reimbursement shall require the submission of supporting documentation to the satisfaction of the City Engineer. The total cost of the Reimbursable Improvement is expected not to exceed \$28,600.00. The Developer agrees that amount is the reasonable value of the Reimbursable Improvements installed by Developer.
3. This Agreement shall not be construed to limit the right of the City to enlarge, relocate, alter or extend the Public Improvements, nor shall it be construed as a grant to the Developer or the owner of any of the properties shown on Exhibit "B" of any right to any exclusive use or specific capacity in or to the improvements.
4. Each and every provision of this Agreement shall be binding and insure to the benefit of the successors in interest of the parties hereto.
5. All Exhibits hereto are incorporated herein.
6. This is an integrated Agreement containing all of the considerations, understandings, promises and covenants exchanged between the parties with respect to the subject matter hereof.
7. In any action to enforce the provisions of this Agreement, the prevailing party shall be entitled to its reasonable attorney's fees.

IN WITNESS WHEREOF, this Agreement is executed the day and year first above written, by the parties, as follows:

CITY OF WOODLAND

By: _____
Mark Deven, City Manager

DEVELOPER

By: _____

Its: _____

EXHIBIT "A"

LIST OF PUBLIC IMPROVEMENTS

PARCEL MAP NO. 4675/PARKSIDE IMPROVEMENT PLANS

Developer shall perform all work and furnish all materials necessary, in the opinion of the City Engineer and on his order, to complete the following Public Improvements in accordance with the plans and specifications on file with City and Caltrans or with any changes required or ordered by the City Engineer which, in his opinion, are necessary or required to complete this work.

Developer is required to perform the following Public Improvements under this Agreement:

Design of traffic signal at the intersection of Gum Avenue and Matmor Road in accordance to the conditions of approval of Parkside (Sievers/Prudler) dated October 4, 2005 Condition 51.

EXHIBIT "B"

LEGAL DESCRIPTION

Real property in the City of Woodland, County of Yolo, State of California, described as follows:

APN: 041-070-43