

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION APPROVING THE FIRST AMENDMENT TO THE LOWER SACRAMENTO ROAD REIMBURSEMENT AGREEMENT WITH WOODSIDE NORTHBROOK ESTATES INC. AND APPROPRIATING AN ADDITIONAL \$81,378 FOR REIMBURSEMENT OF CONSTRUCTION COSTS

The City Council approved a Reimbursement Agreement between the City and Woodside Northbrook Estates, Inc. ("Woodside") for design improvements for Lower Sacramento Road; the Council further authorized and directed the City Manager to execute said Agreement and appropriate \$227,500 from the Street Improvement Fund on April 25, 2006 (Resolution 06-0216); and

Woodside completed the design plans for Lower Sacramento Road widening improvements along the project site frontage which were signed by the City Engineer on March 6, 2014; and

Woodside submitted a request for reimbursement to the City on December 31, 2015, and received reimbursement for eligible design engineering costs in the amount of \$44,829.76; and

Woodside hired a contractor, and its contractor completed the construction of the designed improvements on March 30, 2016; and

The City recorded a Notice of Completion on April 06, 2016 to accept the public improvements; and

The Agreement included a provision that allowed Woodside to request an amendment for the reimbursement of construction costs following completion of the design; and

Woodside is requesting an amendment to the Agreement to provide for the following:

- 1) To be reimbursed for the costs of constructing the improvements in the amount of \$262,255.10; and
- 2) To eliminate the reimbursement obligation for the preparation of design plans for widening Lower Sacramento Road to four lanes from Eight Mile Road, south to the northerly boundary of the Woodside Northbrook Estates project; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON AS FOLLOWS:

1. The City Council hereby approves an amendment to the Lower Sacramento Road Reimbursement Agreement with Woodside Northbrook Estates Inc. to:

- a. Reimburse Woodside Northbrook Estates, Inc. for the costs of constructing the improvements in the amount of \$262,255.10; and
- b. Eliminate the reimbursement obligation for the preparation of design plans for widening Lower Sacramento Road to four lanes from Eight Mile Road, south to the northerly boundary of the Woodside Northbrook Estates project.

2. The City Manager is hereby authorized to execute the First Amendment to Lower Sacramento Road Reimbursement Agreement, a copy of which is attached as Exhibit 1 and incorporated by this reference.

3. The City Manager is authorized to appropriate \$81,378 to the Lower Sacramento Road Reimbursement Agreement Project PW9261 from the PFF Street Improvements 910 Fund.

4. The City Manager is authorized to take any and all necessary and appropriate actions to carry out the purpose and intent of this Resolution.

PASSED, APPROVED and ADOPTED: February 21, 2017.

MICHAEL D. TUBBS
Mayor of the City of Stockton

ATTEST:

BONNIE PAIGE
City Clerk of the City of Stockton