



**Contra
Costa
County**

To: Contra Costa County Flood Control District Board of Supervisors

From: Julia R. Bueren, Public Works Director/Chief Engineer

Date: February 24, 2009

Subject: Approve a Reimbursement Agreement with 207 Coggins Drive Associates, LLC for Drainage Area 44B Improvements.

RECOMMENDATION(S):

APPROVE a reimbursement agreement for \$214,296.48 between the Contra Costa County Flood Control and Water Conservation District (FC District) and 207 Coggins Drive Associates, LLC, effective February 24, 2009, through February 24, 2019, as stated in Exhibit "A" of the Agreement, and AUTHORIZE the Chair of the Board to execute the agreement on behalf of the FC District.

FISCAL IMPACT:

The reimbursement will be made from Drainage Area 44B funds, which are collected pursuant to Contra Costa County Ordinance No. 2002-42.

BACKGROUND:

207 Coggins Drive Associates, LLC constructed 147 rental apartment units within Drainage Area 44B. Said development is within the jurisdiction of the City of Pleasant Hill (City). City's conditions of approval for said development requires 207 Coggins Drive Associates, LLC to install a portion of the drainage facilities shown on the adopted Drainage Plan for Drainage Area 44B.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/24/2009** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Mary N. Piepho, District III
Supervisor

Susan A. Bonilla, District IV
Supervisor

Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 24, 2009

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Emy L. Sharp, Deputy

Contact: Teri E. Rie, (925)
313-2363

cc:

The cost to install

BACKGROUND: (CONT'D)

these facilities exceeds the amount of drainage fee required by the drainage fee ordinance for said drainage area, Contra Costa County Ordinance No. 2002-42.

Since the FC District has an effective Drainage Plan and a Drainage Area Credit and Reimbursement Policy for said drainage area, 207 Coggins Drive Associates, LLC has requested that the FC District enter into this agreement, pursuant to said policy. 207 Coggins Drive Associates, LLC is entitled to reimbursement of the drainage facility construction costs in excess of its drainage fees, as provided for in the FC District's Drainage Area Credit and Reimbursement Policy.

CONSEQUENCE OF NEGATIVE ACTION:

The FC District will not reimburse 207 Coggins Drive Associates, LLC, as required under the Drainage Area Credit and Reimbursement Policy.

ATTACHMENTS

Reimbursement Agreement with 207 Coggins Dr., Assocs., LLC

Signed Agreement