



COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

ADMINISTRATION

MEMORANDUM

TO: Honorable Board of Supervisors
FROM: John Marin, Director
Community Development Resource Agency
DATE: April 29, 2008
SUBJECT: **TIMILICK TAHOE (aka EAGLEWOOD) PHASES 1A & 1B, PSCP-T20040186**
PROJECT NO. DPN 8327, TRACTS NO. 941 & 942

At the April 15, 2008 Board of Supervisors Hearing, the Timilick Tahoe Phases 1A & 1B item was continued by the Board to the April 29, 2008 agenda.

The attached updated memorandum was prepared in anticipation that all items would be completed by agenda review with the Board Chairman, however as of Wednesday, April 23, 2008, several items had not been completed or approved by the applicant, County staff and County Counsel.

Staff recommends this item be continued until all items are complete and consistent with the attached memorandum.



COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

**ENGINEERING
&
SURVEYING**

Wes Zicker
Director of Engineering & Surveying

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Daniel Dottai, Engineering Manager
Department of Engineering and Surveying, Community Development Resource Agency

DATE: April 29, 2008

SUBJECT: **TIMILICK TAHOE (aka EAGLEWOOD) PHASES 1A & 1B, PSCP-T20040186
PROJECT NO. DPN 8327, TRACTS NO. 941 & 942**

This item was initially heard by your Board at the April 15th Board Hearing in Tahoe. At that time interim water system improvements sufficient to serve Phases 1A and 1B were nearing completion but were not completed in time for acceptance by the hearing date. It is anticipated that the interim water system improvements will be complete and accepted by PCWA at the time of this hearing. The County is holding security for the water system improvements. The improvements being interim, PCWA has requested that the County withhold reducing the security an amount equal to the outstanding items needed for ultimate water system completion.

ACTION REQUESTED:

This department has inspected construction of all improvements within the Timilick Tahoe Phases 1A and 1B project and found the work to be in accordance with approved standards. Therefore, it is requested that the Board take the following actions:

1. Accept the Timilick Tahoe Phases 1A and 1B improvements as complete.
2. Authorize the following reduction to the Timilick Tahoe Phases 1A and 1B Faithful Performance and Labor/Materials sureties:
Bond No. K07467965 issued for \$4,095,785.43 for general subdivision improvements:
 - a) Reduce the Faithful Performance bond to 25%.
 - b) Reduce the Labor/Materials bond to 50%, to be held for six months or longer if claims exist.Bond No. K07467977 issued for \$4,180,000 for water system improvements:
 - a) Reduce to 25% only the amount of the Faithful Performance bond in excess of the required PCWA Facilities Agreement security, resulting in a retained bond amount of \$3,402,250.
 - b) Reduce to 50% only the amount of the Labor/Materials bond in excess of the required PCWA Facilities Agreement security, resulting in a retained bond amount of \$3,661,500, to be held for six months or longer if claims exist.
3. Authorize the Director of Engineering and Surveying to reduce and/or retain the additional

186

security amount retained under Bond No. K07467977 for the general subdivision improvements and water system improvements as defined below and to execute a Deferred Improvement Agreement to insure completion of those improvements prior to insurance of any building permits in subsequent phases of the project.

4. Approve the attached Resolution authorizing the Director of Facility Services, or his designee, to execute all documents and take such other actions as may be necessary or appropriate to implement the acquisition of Parcel 1 of Book 31 of Parcel Maps, Page 147 for County park site and open space use; grant sites to the Placer County Water Agency for a well and service facility on said property; and, record grant deeds and necessary easements associated to these property transactions.
5. Approve the addition of the Parcel 1 of Book 31 of Parcel Maps, Page 147 to the Master Fixed Asset List.

BACKGROUND:

The Timilick Tahoe subdivision, originally entitled as "Eaglewood", was approved to create 462 residential units, 5 open space lots, and 9 open space / recreation lots, including an 18 hole golf course. The project is divided into 9 phases. Phase 1A created 47 single-family residential lots with an average lot size of 13,000 square feet. Phase 1B created 40 townhome lots with an average size of 6,000 square feet. The subdivision is located at the end of Schaffer Mill Road off Highway 267 in Martis Valley area of Tahoe.

Phases 1A (Tract 941) and 1B (Tract 942) are the two "subphases" comprising Phase 1 in its entirety, and were separated to differentiate the two differing uses, single family versus townhomes, for purposes of distinct CC&R's. Maps of Phase 1A and 1B are shown on attached Exhibits "A-1" and "A-2" respectively. The Phase 1 Improvement Plans were approved in May 2006. The Phase 1A and 1B Final Maps recorded in October 2006.

The improvements constructed with these two subdivisions consist of subdivision streets and related underground infrastructure, drainage, multi-purpose trails, survey monumentation and miscellaneous items. Streets within Phases 1A and 1B are private with maintenance provided by the property owners. Security sufficient to cover Faithful Performance and Labor/Materials has been posted with Placer County.

Some minor infrastructure components are not fully complete as of this date due to Tahoe's seasonal grading restriction. The outstanding incomplete improvements have been inventoried and secured by separate instrument. The incomplete improvements are slated to be constructed in May of this year when grading restrictions for Tahoe projects are lifted. All incomplete components are ancillary and have no detrimental effect on fire/life/safety issues.

Two bonds were taken by the County as security for the improvements. Bond No. K07467965 is security for the general subdivision improvements. Bond No. K07467977 is security for the water supply infrastructure necessary to serve the project and as required by the water purveyor, Placer County Water Agency.

The project developer has entered into several Facilities Agreements with PCWA, one of which involves an interim water system to serve Phases 1A and 1B. PCWA has indicated that, upon completion of the interim water system improvements, the ability to provide water service for Phases 1A and 1B will be in place. Remaining water system improvements to serve subsequent subdivision phases are not yet complete. PCWA has indicated that security in the amount of \$3,143,000 is needed to guarantee completion of ultimate water system improvements.

Therefore, staff recommends that Bond No. K07467977 be reduced only for the amount in excess of that needed to secure ultimate water system improvements and that the security be used for a Deferred Improvement Agreement for those improvements.

Under the conditions of approval for the project there is a requirement to pay the County's normal park fees. In lieu of the actual payment of fees, the Facilities Services Department has agreed to accept title to a tract of land (Parcel 1 of Book 31 of Parcel Maps, Page 147) within the boundary of the subdivision for park and open space purposes. That parcel is identified on the attached Exhibit A-1. In order to comply with the conditions of approval, the deed granting that parcel to the County will be recorded after your Board's action on this item. Staff requests your Board's approval of the attached Resolution authorizing the Director of Facilities Services to record the deed thereby transferring the title to the property from the developer to the County and further providing authority to the Director to grant to PCWA, in fee, an approximately one-acre service facility site as contemplated in the conditions of approval, along with granting easements associated with an existing well site on the parcel.

Access to the Timilick project and the park site parcel noted above is via Schaeffer Mill Road, a private road. That road is subject to Irrevocable Offers of Dedication (IOD) of a highway easement (Documents 96-0055822-00, 96-0055821, and 96-035182). In order to provide public access to the park site the IOD from Highway 267 to the entrance to the park site will be accepted by the County Right of Way agent prior to the recordation of the deed of the park site. It is recommended that the road remain privately maintained because there is no CSA funding available to offset the cost of maintenance and snow plowing. Maintenance is currently provided by the Homeowners Association of the Lahontan subdivision, although it is possible that other developments, including Timilick, will be asked to pay their fair share of the cost under a private agreement between property owners.

It should be noted that at the time that this Memorandum was prepared, PCWA had not provided the necessary notice of acceptance of the water supply facilities. The County will need to receive this acceptance to assure domestic water service to the lots within Timilick Tahoe Phases 1A and 1B. Based on the developer's performance in meeting that agency's criteria, water service may not be available at the proposed hearing date. Staff will advise your Board of the status of the project upon the opening of the public hearing on the item.

ENVIRONMENTAL CLEARANCE:

An Environmental Impact Report (EIR) was prepared for this project pursuant to the provisions of CEQA. The Final EIR was certified by the Planning Commission on June 24, 2004.

FISCAL IMPACT:

None.

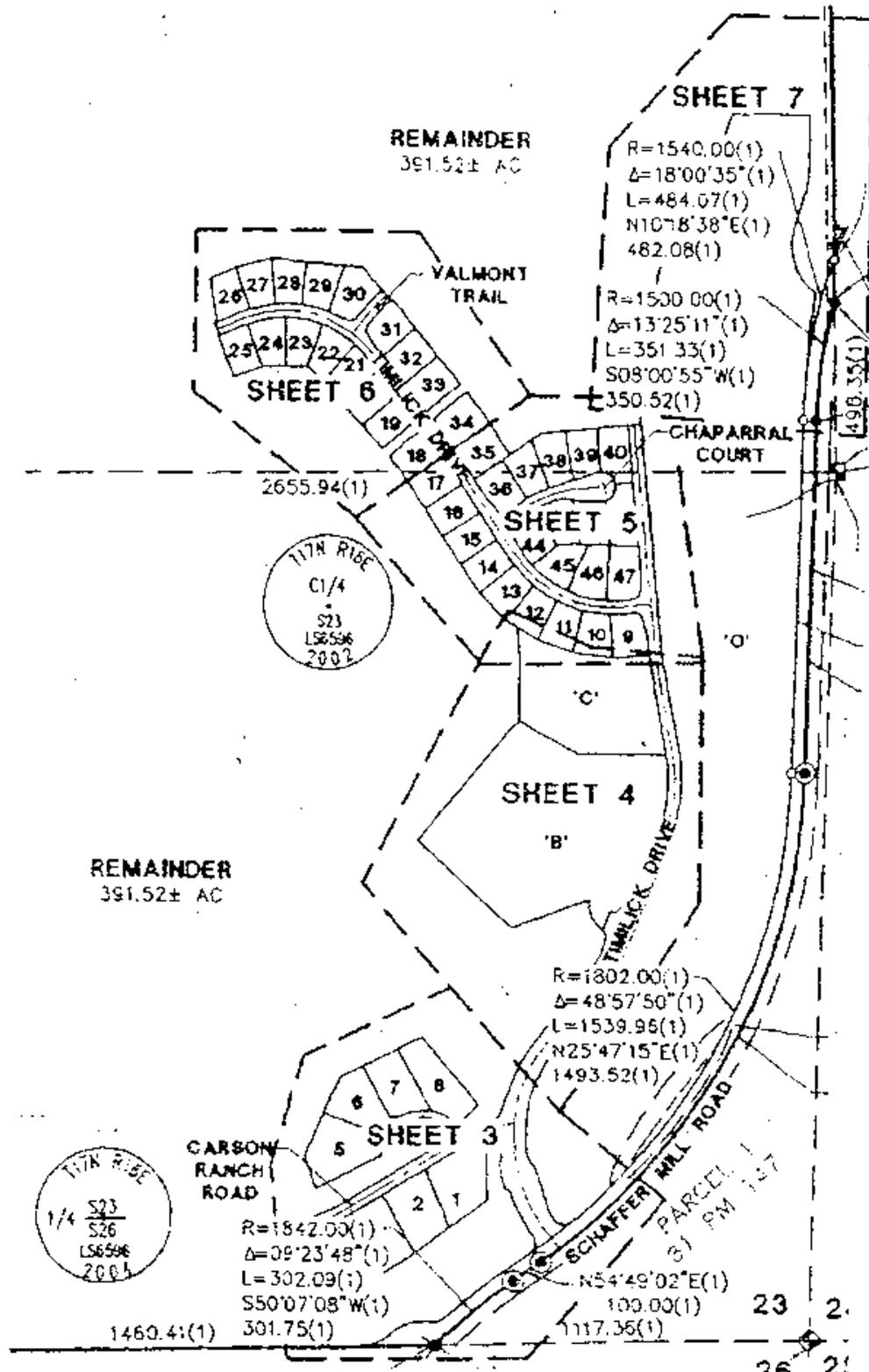
Respectfully submitted,

Wesley K. Zicker, P. E.
Director, Engineering and Survey Department

Attached to this report for the Board's information/consideration are:

Attachments: Exhibit "A-1" -- Map of Phase 1A Subdivision
Exhibit "A-2" -- Map of Phase 1B Subdivision
Resolution
Exhibit "B" - Parcel 1 of Book 31 of Parcel Maps, Page 147

EXHIBIT "A-1"



TRACT NO. 941
TIMILICK TAHOE PHASE 1A

A SUBDIVISION OF PARCEL 2
 BOOK 31 OF PARCEL MAPS, PAGE 147, P.C.R.
 A PORTION OF SEC. 23, T. 17 N., R. 16 E., M.D.M.
 PLACER COUNTY, CALIFORNIA
 SCALE: 1"=400' SEPTEMBER 22, 2006

ANDREGG
GEOMATICS
 800 440-7077

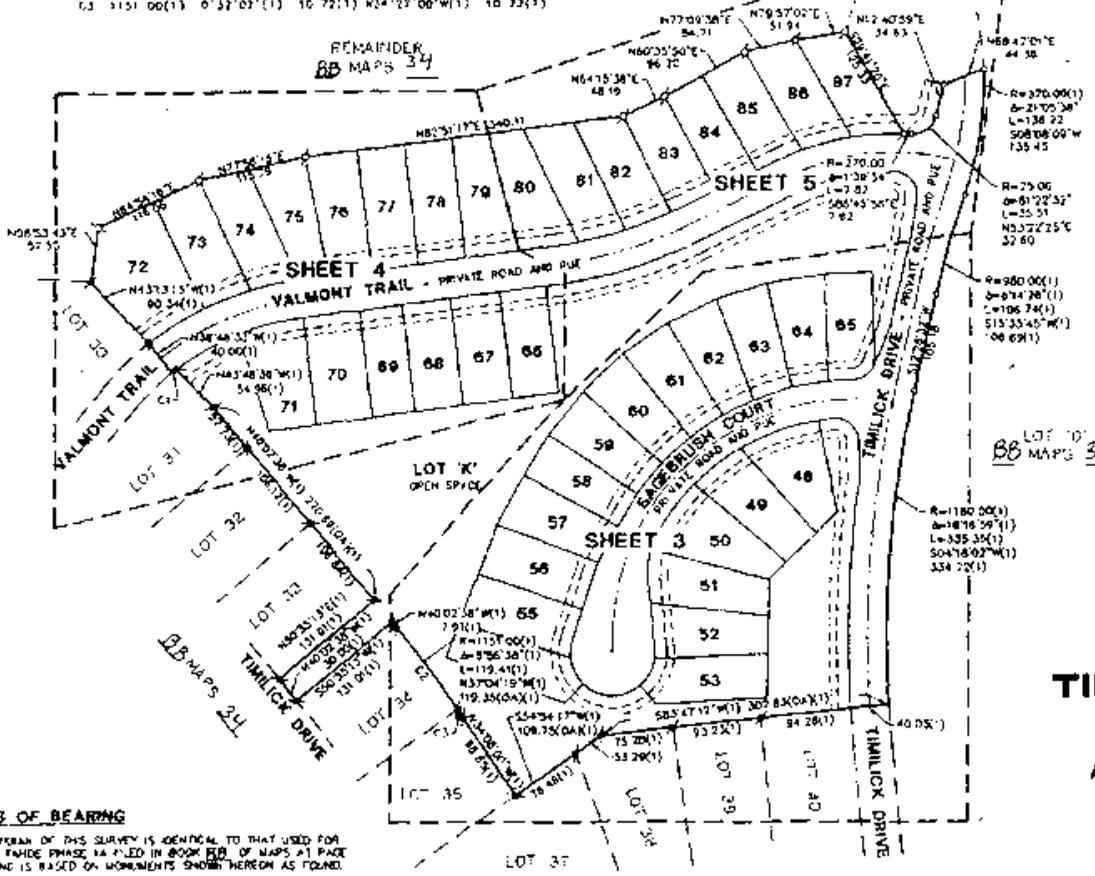
LEGEND

- ◆ FOUND SEC COR AS NOTED ON SHEET 7
- ▲ FOUND 3/4" IRON PIN W/CAP STAMPED LS 8595(1)
- ▲ SET 3/4" IRON PIN W/TOPPER COLLAR STAMPED LS 8595
- ▲ SET RAILROAD SPINE STAMPED LS 8595
- ▲ SET COPPERFIELD MONUMENT IN MONUMENT BOX STAMPED LS 8595
- DIMENSION POINT - NOTHING FOUND ON SET
- (1) RECORD PER **BB** MAPS **34**, DRPC

CURVE TABULATION

NO	RADIUS	DELTA	LENGTH	BEARING	CHST
C1	370.00(1)	108°54'(1)	3.25(1)	S51°44'54"W(1)	3.25(1)
C2	1151.00(1)	5°24'38"(1)	108.88(1)	N57°20'28"W(1)	108.84(1)
C3	1151.00(1)	0°32'02"(1)	10.72(1)	N34°23'00"W(1)	10.72(1)

REMAINDER
BB MAPS **34**



NOTES:

1. SOURCE OF METES AND BOUNDS, INST. NO. 1995-012185, DRPC AND CAGLEWOOD PHASE 1A FILED IN BOOK **BB** OF MAPS, PAGE **34**, FOR
2. THE ENTIRE PROPERTY SHOWN HEREON IS AFFECTED BY THE EASEMENT EASEMENT TO PLACER COUNTY RECORDED IN VOLUME 1969 AT PAGE 125, DRPC.
3. EASEMENTS OVER ADJOINING LOTS AND COMMON AREA FOR ENCROACHMENTS DUE TO ROOF OVERHANGS, FENCES, WALLS AND FOR THE MAINTENANCE OF SAID ENCROACHMENTS HAVE BEEN RESERVED IN ARTICLE 13 "EASEMENTS", SECTION 9.94 OF THE SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CAGLEWOOD 10N/16W/3E FILED FOR RECORD ON SEPTEMBER 22, 2006 IN DOCUMENT NUMBER 2006-2006-2006-001 OFFICIAL RECORDS OF PLACER COUNTY.
4. LEGAL ACCESS TO THE LOTS SHOWN HEREON TO STATE HIGHWAY 267 IS PROVIDED BY THE GRANT OF RECIPROCAL ACCESS EASEMENT DEED RECORDED IN INSTRUMENT NO. 2004-004078, DRPC, AND IS GUARANTEED BY PLACER TITLE COMPANY'S PRELIMINARY TITLE REPORT NO. 1502-7899 ON FILE WITH THE PLACER COUNTY SURVEYOR.
5. THE LOTS SHOWN HEREON ARE WITHIN ZONE 201 OF COUNTY SERVICE AREA NO. 28 WHICH WAS CREATED TO FUND TIMILICK WATER QUALITY MONITORING.
6. THE LOTS SHOWN HEREON ARE WITHIN ZONE 202 OF COUNTY SERVICE AREA NO. 28 WHICH WAS CREATED TO FUND TIMILICK TRANSIT.
7. THIS MAP DESIGNATES A REMAINDER PARCEL. PRIOR TO THIS REMAINDER RECEIVING COUNTY APPROVAL FOR SALE, LEASE OR FINANCING OR DEVELOPMENT, APPROPRIATE APPLICATIONS MUST BE PROCESSED THROUGH THE COUNTY. THIS PROCESS MAY INCLUDE CONDITIONS FOR MAJOR OR MINOR SUBDIVISION IMPROVEMENTS BASED ON ORDINANCES IN EFFECT AT THE TIME OF THIS REMAINDER'S TENTATIVE MAP APPROVAL (PURSUANT TO GOVERNMENT CODE SECTION 66424.6).

BASIS OF BEARING

THE MERIDIAN OF THIS SURVEY IS IDENTICAL TO THAT USED FOR TIMILICK TAHOE PHASE 1A FILED IN BOOK **BB** OF MAPS AT PAGE **34**, AND IS BASED ON MONUMENTS SHOWN HEREON AS FOUND.

TRACT NO. 942
TIMILICK TAHOE PHASE 1B
 A SUBDIVISION OF REMAINDER
 BOOK **BB** OF MAPS, PAGE **34**, P.C.R.
 A PORTION OF SEC. 23, T. 17 N., R. 16 E., M.D.M.
 PLACER COUNTY, CALIFORNIA
 SCALE: 1"=80' SEPTEMBER 22, 2006

ANDREGG
GEOMATICS
 800-400-7073

EXHIBIT "A-2"

191

**Before the Board of Supervisors
County of Placer, State of California**

Resol. No: _____

In the matter of: A Resolution authorizing the Director of Facility Services to take various actions regarding acquisition of real property known as Parcel 1 of Book 31 of Parcel Maps, Page 147, located at the end of Schaffer Mill Road off Highway 267 in the Martis Valley area of eastern Placer County

RESOLUTION was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage

Chairman, Board of Supervisors

Attest, Clerk of said Board

WHEREAS, Martis Valley Associates LLC, is the owner of Parcel 1 of Book 31 of Parcel Maps, Page 147, located at the end of Schaffer Mill Road off Highway 267 in the Martis Valley area of eastern Placer County (hereinafter the "Property"); and,

WHEREAS, pursuant to the Major Subdivision/Conditional Use Permit for the Timilick Tahoe subdivision, originally entitled as "Eaglewood," there is a requirement to pay the County's normal park and recreation fees; and,

WHEREAS, in lieu of the actual payment of the park and recreation fees, the Department of Facility Services has agreed to accept title to the Property within the boundary of the subdivision for park and open space purposes; and,

WHEREAS, in order to comply with the conditions of approval associated with said Major Subdivision/Conditional Use Permit, the deed granting the Property to the County will be recorded after the Board of Supervisors accepts the Timilick Tahoe Phase 1A and 1B improvements as complete, and,

WHEREAS, an existing well site located on said Property, as shown on Exhibit B, must be granted to the Placer County Water Agency (PCWA) in order to provide public water service to the Timilick Tahoe subdivision; and,

WHEREAS, in accordance with the conditions of approval, an one-acre ± site is to be located on said Property, in the proposed location as shown on Exhibit B, for a PCWA maintenance/service site and granted in fee to PCWA.

NOW THEREFORE, BE IT RESOLVED, that the Placer County Board of Supervisors does hereby authorize the Director of Facility Services, or his designee, to execute on behalf of the County, all documentation and take such other actions necessary or appropriate to acquire the Property; does hereby authorize the payment of funds necessary to complete the close of escrow for this transaction; and does hereby consent to the acceptance and recordation of the grant deeds to PCWA for a well site and maintenance/service site on said Property together with the grant and recordation of water line easements to PCWA

Parcel 1 of Book 31 of Parcel Maps, Page 147

16.58 ± acres

Off Highway 267, Southern end of
Schaffer Mill Road in Martis Valley
Area of Eastern Placer County,

