



Legislation Details (With Board Report)

**File #:** A 21-174      **Name:** Amendment 1 to Agreement for the Briggs Minor Subdivision

**Type:** BoS Agreement      **Status:** RMA Administration - Consent

**File created:** 4/27/2021      **In control:** Board of Supervisors

**On agenda:** 5/11/2021      **Final action:**

**Title:** Approve Amendment No. 1 to the Subdivision Improvement Agreement for the Briggs Minor Subdivision for an extension of 48 months (August 02, 2024) and authorize the Chair to execute the Amendment.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A – Amendment No. 1, 3. Attachment B – Subdivision Improvement Agreement recorded 08022016, 4. Attachment C – Deed of Trust Recorded 08022016, 5. Attachment D – Extension Request Letter 04232020, 6. Completed Board Order Item No. 31

Date	Ver.	Action By	Action	Result
5/11/2021	1	Board of Supervisors	removed from agenda via additions and corrections	

Approve Amendment No. 1 to the Subdivision Improvement Agreement for the Briggs Minor Subdivision for an extension of 48 months (August 02, 2024) and authorize the Chair to execute the Amendment.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors approve Amendment No. 1 to the Subdivision Improvement Agreement for the Briggs Minor Subdivision for an extension of 48 months (August 02, 2024) and authorize the Chair to execute the Amendment.

**SUMMARY:**

The project applicant (subdivider) has requested a four-year extension (Attachment D) to complete required improvements because of the halt in construction and decline in investment that has resulted from the coronavirus pandemic. The subdivider had obtained an investor who was willing to proceed on the improvements; however, due to the uncertain economic conditions caused by COVID-19, the investor has backed out. The subdivider requests the additional time provided in Subdivision Improvement Agreement Amendment No. 1 (Attachment A) to complete the subdivision improvements.

**DISCUSSION:**

On August 02, 2016, the Board of Supervisors approved the Subdivision Improvement Agreement (Attachment B) for the Briggs Minor Subdivision between the County of Monterey and Briggs Investment Company. Amendment No 1 would extend the time for completion of the subdivision improvements to August 02, 2024. On July 06, 2016 the Briggs Investment company executed and recorded a first deed of trust (Attachment C) in favor of the County of Monterey for the purpose of securing the subdivider’s obligations of the required Improvements and their acceptance or approval by the County.

**OTHER AGENCY INVOLVEMENT:**

The Office of County Counsel has approved Amendment No. 1 as to form.

FINANCING:

Staff time for this project is included in the FY2020-21 RMA - Development Services Adopted Budget Fund 001, Unit 8530, Appropriation Unit RMA110 to finance this work. Staff time in future years will be budgeted in the Housing and Community Development Budget Appropriation Unit HCD002. The applicant has deposited sufficient fees for the extension based on the estimated cost of processing the subdivision improvement agreement extension in accordance with the land use fee schedule adopted September 17, 2019 by the Board of Supervisors (Per Resolution No 19-318).

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Economic Development; Provide growth in opportunities for housing in Monterey County and provide construction jobs for Monterey County residents.

Infrastructure: Plan and develop a sustainable, physical infrastructure that improves the safety and quality of life for Monterey County residents. Provide for an adequate and safe infrastructure.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Reviewed by: Erik Lundquist, AICP, Chief of Planning, Housing and Community Development

Reviewed by: Randy Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, and Parks

Approved by: Mike Novo, ACIP, Housing and Community Development Interim Director,

The following attachments are on file with the Clerk of the Board:

Attachment A - Amendment No. 1

Attachment B - Subdivision Improvement Agreement recorded 08/02/2016

Attachment C - Deed of Trust Recorded 08/02/2016

Attachment D - Extension Request Letter 04/23/2020