

# AGENDA STAFF REPORT

**MEETING NAME:** REGULAR BOARD MEETING  
**MEETING**

**DATE(S):** MAY 13 & 17, 2021

**FROM:** Danny Friend – Director of Engineering and Operations

**FOR:** ACTION X DIRECTION \_\_\_ INFORMATION \_\_\_



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## **RESOLUTION 2021-06 RECOMMENDING APPROVAL OF SKYBORNE DEVELOPMENT – PARTIAL ASSIGNMENT AND ASSUMPTION AGREEMENT**

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### **STAFF RECOMMENDATION**

Adopt Resolution No. 2021-06, recommending approval of a Partial Assignment and Assumption of Public Water System Improvement and Water Service Connection Fee Credit/Reimbursement Agreement authorizing Skyborne Ventures, LLC to assign water connection fee credits to Lennar Homes of California, LLC as required by the Second Amendment to the Public Water System Improvement and Water Service Connection Fee Credit / Reimbursement Agreement for Tract No. 32030, and complete with all exhibits.

### **SUMMARY**

The Board previously approved that certain Public Water System Improvement and Water Service Connection Fee Credit/Reimbursement Agreement dated August 30, 2006, as amended by that certain First Amendment dated March 27, 2007 and that certain Second Amendment dated March 18, 2015 (collectively the "Agreement") concerning the Skyborne project. The Agreement provides that Skyborne Ventures, LLC, is entitled to fee credits against water connection fees based on expenditures made by the developer for certain water infrastructure. Skyborne Ventures, LLC has transferred 79 lots in the project to Lennar Homes of California, LLC and wishes to transfer all of its existing water connection fee credits, associated with the 79 lots, in the amount of \$343,887.00 to Lennar Homes of California, LLC, as permitted by the Agreement with the consent of the District.

### **ANALYSIS**

The approval of the Partial Assignment and Assumption Agreement is consistent with the requirements of the Agreement with Skyborne Ventures, LLC. This item is not a project as defined by the California Environmental Quality Act (CEQA).

### **FISCAL IMPACT AND STRATEGIC PLAN IMPLEMENTATION**

There is no anticipated fiscal impact to the District as the Assignment calls for the transfer of existing fee credits to a merchant builder.

### **ATTACHMENTS**

Resolution 2021-06 and Exhibit "A" – Partial Assignment and Assumption of Public Water System Improvement and Water Service Connection Fee Credit/Reimbursement Agreement