



MEMORANDUM

April 15, 2022

To: Santaquin City Mayor and City Council
From: Norm Beagley, Assistant City Manager
**RE: Indemnification and Hold Harmless Agreement for Foothill Village Subdivision
Booster Pump Station Reimbursement**

Mayor and Council Members,

A portion of the Foothill Village Subdivision required that a culinary water booster pump station be installed in order for the system to provide proper pressures and flows for all needs, including fire flows in that area.

Per the executed 2019 development agreement amendment #2, and in harmony with our culinary water master plan, the booster pump station was constructed by the developer (DR Horton, Inc.) and now needs to be reimbursed to them using impact fees that have already been or will be collected for the Foothill Village Subdivision.

As a note, Salisbury entities executed the second amendment to the development agreement. However, DR Horton subsequently acquired the remainder of the development from Salisbury and constructed the booster pump station. The attached agreement now needs to be executed so that DR Horton can be reimbursed by the City (using impact fees) for construction of the completed booster pump station.

City attorney, Brett Rich has reviewed this agreement and approved it. City staff has also reviewed and recommend that the City Council authorize the Mayor to execute the agreement so that the City can fulfill our contractual obligation to reimburse for the booster pump station.

I am happy to answer any questions you may have regarding this item.

Recommended Motion: Motion to approve the Mayor to execute the reimbursement, indemnification and hold harmless agreement with DR Horton, Inc.