

TO: James L. App, City Manger
FROM: Robert A. Lata, Community Development Director
SUBJECT: Acceptance of Public Improvement – Tract 1771-5 (Lots 134-174)
(Ennis-Langdon Homes, Inc.)
DATE: February 17, 2004

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 1771-5 into the City's maintenance system.

Facts:

1. On December 18, 2001, the City Council accepted Tract 1771-5 for recordation and executed a Subdivision Improvement Agreement with the Developer of these subdivisions.
2. This subdivision is located along Brahma and Angus Streets north of Charolais Road (see Vicinity Map).
3. The public improvements in Tract 1771-5 have been constructed to the satisfaction of City staff.
4. The Subdivider has constructed the following streets in Tract 1771-5 in accordance with the Subdivision Improvement Agreement and in compliance with the improvement plans and all applicable City standards:

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>	<u>MILES</u>
Angus Street	130 feet se/o Otero Lane	Brahma Street	0.19
Brahma Street	115 feet se/o Otero Lane	170 feet e/o Angus Street	0.19
Jersey Court	Brahma Street	180 feet s/o Brahma Street	0.03

**Analysis
And**

Conclusion: The public improvements, which the developer was required to install for this subdivision, have been completed. Further, the City will retain a Maintenance Bond for a period of one year as warranty for the improvements installed.

Policy

Reference: Paso Robles Municipal Code, Section 22, Subdivision Map Act

Fiscal

Impact: The Contractor is obligated to maintain all public improvements for a one-year period following acceptance by the City Council. Once the one-year period has been completed, and the Contractor has completed all correction items, the City will assume additional street, sewer and drainage maintenance costs.

Parkway landscaping and street lighting costs will be financed by the benefiting property owners through the Landscape and Lighting District.

Options: Based upon completion of construction of all required public improvements to the satisfaction of the City:

- a. Adopt Resolution No. 04-xx accepting the public improvements of Tract 1771-5 into the City's maintenance system.
- b. Amend, modify or reject the above option.

Attachments: (2)

1. Vicinity Map
2. Resolution

RESOLUTION NO. 04 -xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 1771-5 (LOTS 134-174) (ENNIS-LANDON
HOMES) CONSTRUCTED PURSUANT TO THE SUBDIVISION IMPROVEMENT
AGREEMENT, AUTHORIZING RELEASE OF THE PAYMENT AND PERFORMANCE
BONDS, AND AUTHORIZING RELEASE OF MAINTENANCE SECURITIES ONE YEAR
FROM DATE OF ACCEPTANCE OF THE PUBLIC IMPROVEMENTS

WHEREAS, Tract 1771-5 was accepted December 18, 2001, for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, all public improvements required as Conditions of Approval for this subdivision have been constructed in compliance with the improvement plans and all applicable City Standards, and the City Engineer has certified to the Council the completion of such public improvements; and

WHEREAS, the Subdivider has constructed, installed or completed the following streets or roads in accordance with the Subdivision Improvement Agreement, the improvement plans and all applicable City Standards:

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>	<u>MILES</u>
Angus Street	130 feet se/o Otero Lane	Brahma Street	0.19
Brahma Street	115 feet se/o Otero Lane	170 feet e/o Angus Street	0.19
Jersey Court	Brahma Street	180 feet s/o Brahma Street	0.03

WHEREAS, Subdivider has requested that the City accept said public improvements and authorize the release of improvement securities furnished by Subdivider pursuant to the terms and conditions of the Subdivision Improvement Agreement.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Upon completion of all public improvements to the satisfaction of the City Engineer, that the public improvements constructed as required for Tract 1771-5 be accepted into the City's maintenance system, approximately 0.41 miles in length, upon the release of maintenance securities, and the City shall then assume responsibility for their future maintenance and repair. The Subdivider shall be obligated for maintenance of all public improvements for a period of at least one year from date of acceptance by the City Council. After one year, maintenance securities may be released by the City Engineer upon completion of all correction items to the satisfaction of City staff.

SECTION 2. That upon receipt of a maintenance bond in the amount of \$136,900 the payment bond \$685,000 and the performance bond \$1,639,000 guaranteeing construction of these public improvements may be released.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17th day of February 2004 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

