

TO: James L. App, City Manger
FROM: Robert A. Lata, Community Development Director
SUBJECT: Acceptance of Public Improvement – Tract 2269 (Danley, Erskine, et al.)
DATE: September 7, 2004

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 2269 into the City's maintenance system.

Facts:

1. On December 18, 2001, the City Council accepted Tract 2269 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
2. This subdivision is located on Golden Hill Road north of Highway 46 (see Vicinity Map, Exhibit A).
3. The public improvements have been constructed to the satisfaction of City staff.
4. The Subdivider has constructed the following streets 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>
Golden Hill Road	1,350 ft n/o Hwy 46	2,650 ft n/o Hwy 46	0.25
Wisteria Lane	Golden Hill Road	600 feet e/o Germaine Way	0.35
Germaine Way	Engine Street	1000 feet n/o Engine Street	0.19
Danley Court	350 feet s/o Wisteria Lane	350 feet n/o Wisteria Lane	0.13

5. On August 17, 2004, at the request of the Subdivider, Council continued this item to September 7, 2004.

**Analysis
And**

Conclusion: The public improvements, which the developer was required to install for this subdivision, have been completed with the exception of the parkway landscaping. The developer has requested that the installation of the landscaping be deferred and completed as the properties develop or until the "deadline date" of December, 2006 as outlined in the subdivision agreement between the developers and the City.

Acceptance of public improvements will allow for issuance of certificates of occupancy for new buildings within the subdivision.

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 ultimately 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-xxx accepting the public improvements of Tract 2269 into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$198,200 and a landscape improvement bond of \$50,000.
- b.** Amend, modify or reject the above option.

Attachments: (3)

1. Vicinity Map - Exhibit A
2. Letter from Tom Erskine
3. Resolution

RESOLUTION NO. 04-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2269 (DANLEY-ERSKINE ET AL)
CONSTRUCTED PURSUANT TO THE SUBDIVISION IMPROVEMENT AGREEMENT AUTHORIZING
RELEASE OF THE PAYMENT AND PERFORMANCE BONDS AND RELEASE OF MAINTENANCE
SECURITIES ONE YEAR FROM DATE OF ACCEPTANCE OF THE PUBLIC IMPROVEMENTS

WHEREAS, Tract 2269 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, with the exception of parkway landscaping) 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>
Golden Hill Road	1,300 feet n/o Highway 46	2,650 feet n/o Highway 46	0.25
Wisteria Lane	Golden Hill Road	600 feet e/o Germaine Way	0.35
Germaine Way	Engine Street	1,000 feet n/o Engine Street	0.19
Danley Court	350 feet s/o Wisteria Lane	350 feet n/o Wisteria Lane	0.13

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 2269 be accepted into the City's maintenance system, approximately 0.92 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 \$198,200 and a landscape performance bond of \$50,000; the payment bond \$991,000 and the performance bond \$1,982,000 guaranteeing construction of these public improvements may be released.

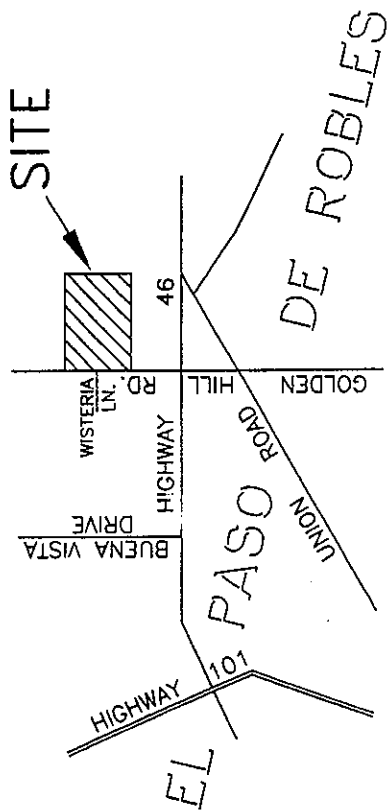
PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7th day of September 2004 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

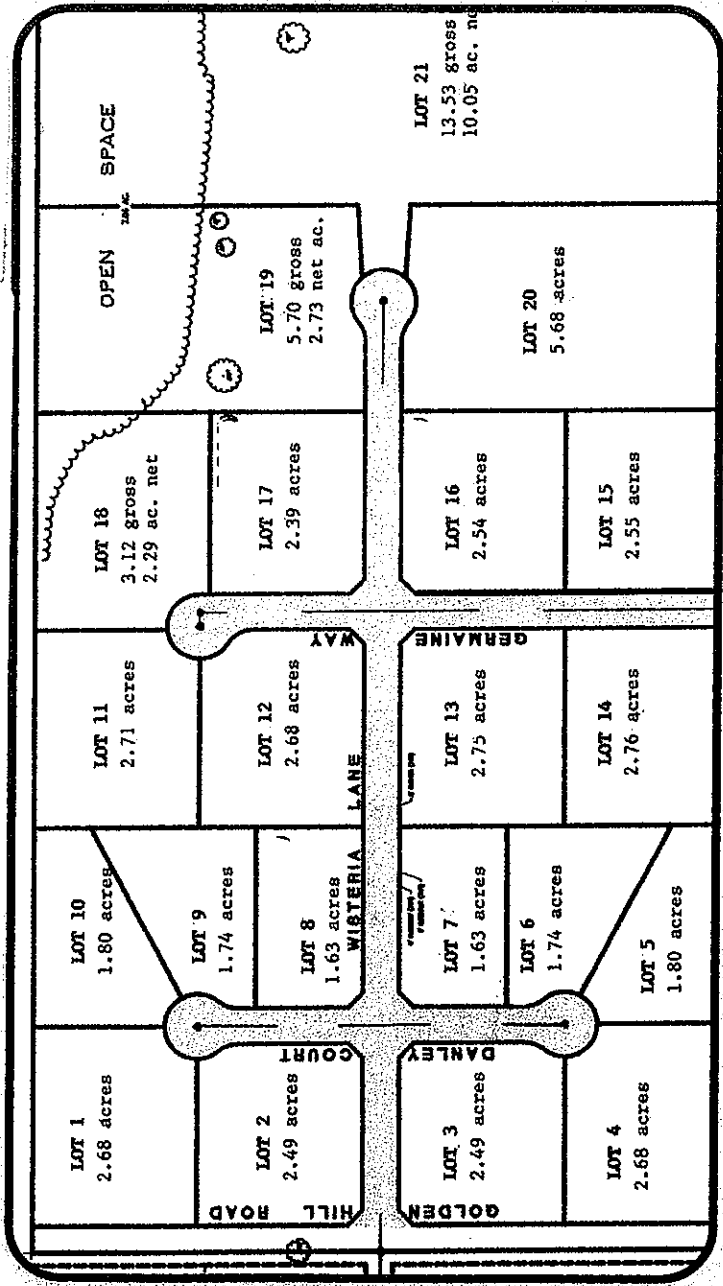


SITE

TRACT 2269
GOLDEN HILLS INDUSTRIAL PARK
DEVELOPER: TOM ERSKINE

VICINITY MAP

N.T.S.



Golden Hill Business Park
Post Office box 510
Paso Robles, CA 93447
Phone: 805-239-5111

July 29, 2004

John Faulkenstein, Engineer
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

RE: Tract 2269
Request for Sign Off

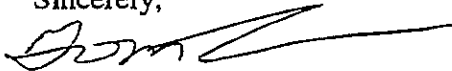
Dear John:

Please find attached a copy of a letter from Michael Frederick Paving Corporation that confirms that the additional paving requested by the City has been completed.

We are requesting that we please be scheduled for the next available meeting of the City Council in order to receive our final sign off. We would like to bond for the tree requirement for the entire tract. The irrigation system is in. Mr. Lorenzo had recommended no current planting during this time of water conservation.

Please let me know how we handle the tree bond. We look forward to hearing from you soon as we are anxious to complete this project.

Sincerely,



Tom Erskine

TE/ge