

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Acceptance of Public Improvement – Tract 2521
(Bertoni)
DATE: December 5, 2006

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 2521 into the City's maintenance system.

Facts:

1. On June 7, 2005, the City Council accepted Tract 2521 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
2. This subdivision is located along 21st Street west of Almond Springs Drive, see attached Vicinity Map.
3. The public improvements in Tract 2521 have been constructed to the satisfaction of City staff.
4. The Subdivider has constructed the following streets in Tract 2521 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>
Country View Lane	21 st Street	600 feet n/o 21 st Street	0.11

5. The Subdivider, John Bertoni, has posted bonds that guarantee completion of improvements in Tract 2521.

**Analysis
And**

Conclusion: The public improvements, which the developer was required to install for this subdivision, have been completed. Further, the City will, at a minimum, 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. 06-xxx accepting the public improvements of Tract 2521 into the City's maintenance system.
- b. Amend, modify or reject the above option.

Attachments: (2)

1. Vicinity Map
2. Resolution

RESOLUTION NO. 06-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2521 (BERTONI) CONSTRUCTED PURSUANT
TO THE
SUBDIVISION IMPROVEMENT AGREEMENT

WHEREAS, Tract 2521 was accepted June 7, 2005, for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, all public improvements required as Conditions of Approval for Tract 2521 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 in Tract 2521 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>
Country View Lane	21 st Street	600 feet n/o 21 st Street	0.11

WHEREAS, Subdivider has requested that the City accept said public improvements in Tract 2521. The Subdivider has posted improvement securities for Tract 2521. Therefore, in accordance with the Subdivision Agreement in place for Tract 2521, the Subdivider has requested that the City accept said public improvements and authorize the release of improvement securities furnished by the Subdivider.

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 2521 be accepted into the City’s maintenance system, approximately 0.12 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 \$51,600; the payment bond for \$258,000 and the performance bond for \$516,000 guaranteeing construction of these public improvements may be released in accordance with the terms of the Subdivision Improvement Agreement for Tract 2521.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 5th day of December, 2006 by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Deborah D. Robinson, Deputy City Clerk

2200

2185

2175

2190

2160

2165

2150

2125

75 21st Street