

RESOLUTION NO. 01-281

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2281-2 (SHADOW CANYON)
CONSTRUCTED PURSUANT TO THE SUBDIVISION IMPROVEMENT AGREEMENT, AND
AUTHORIZING RELEASE OF THE PAYMENT AND PERFORMANCE BONDS, AND
AUTHORIZING RELEASE OF MAINTENANCE SECURITIES 1 YEAR FROM DATE OF
ACCEPTANCE OF THE PUBLIC IMPROVEMENTS

WHEREAS, Tract 2281-2 was accepted October 3, 2000 for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, with two exceptions, 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, one exception is that the undergrounding of overhead utility lines along the south side of Grand Canyon Drive has not been completed, and the Subdivider is in the process of applying to request a modification or a waiver of the undergrounding requirement before the Planning Commission, but has agreed to maintain his performance and payment bonds pending resolution of this matter; and

WHEREAS, the second exception is that the parkway and landscape irrigation system is nearly complete, but not finished; and

WHEREAS, other than the exceptions noted, the Subdivider has constructed, installed or completed the following streets or roads in accordance with the improvement plans and all applicable City Standards:

<u>STREET NAME</u>	<u>FROM</u>	<u>TO</u>	<u>MILES</u>
Red River Dr.	Golden Hill Rd.	Grassy Hollow Way	0.27
Shadow Meadow Way	Grand Canyon Dr.	Red River Dr.	0.12
Grassy Hollow Way	Grand Canyon Dr.	Red River Dr.	0.12

WHEREAS, Subdivider has requested that the City accept said public improvements.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Upon completion of all public improvements (except the undergrounding of overhead utilities along Grand Canyon Drive) to the satisfaction of the City Engineer, that the public improvements constructed as required for the subdivision of Tract 2281-2 be accepted into the City's maintenance system, including the above designated streets totaling approximately 0.51 miles in length, upon the release of maintenance securities, and the City shall then assume responsibility for their future maintenance and repair. The Contractor 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 City staff be authorized to initially release no greater than fifteen (15) certificates of occupancy for this subdivision pending resolution or completion of the undergrounding requirements, based on the fact that the Planning Commission is scheduled to consider the applicant's request for modification of the requirement for undergrounding utilities and that the exception relates to power poles along the southern boundary of the tract.

SECTION 3. That upon receipt of a maintenance bond in the amount of \$98,700 and completion of the undergrounding requirements, estimated at between \$25,000 to \$75,000, or pending a decision by the Planning Commission relating to the undergrounding requirement, the payment and performance bonds totaling \$1.3 million and guaranteeing construction of these public improvements may be released, and release of the remaining certificates of occupancy for this subdivision may be authorized.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of December 2001 by the following vote:

AYES: Finigan, Picanco and Mecham
NOES: Nemeth
ABSENT: Heggarty
ABSTAIN: None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk