

**TO:** JAMES L. APP, CITY MANAGER  
**FROM:** JOHN R. McCARTHY, DIRECTOR OF PUBLIC WORKS  
**SUBJECT:** ACCEPTANCE OF PUBLIC IMPROVEMENTS (FOR TRACT 2137-1 (MIDLAND PACIFIC))  
**DATE:** OCTOBER 19, 1999

**Needs:** That the City Council authorize the acceptance of public improvements constructed as required for Tract 2137-1 (Midland Pacific).

- Facts:**
1. The Tract is located at the northerly terminus of Riverglen Drive.
  2. The Subdivider entered into a Subdivision Improvement Agreement with the City and posted securities to guarantee installation of public improvements in accordance with the Subdivision Map Act and the City of El Paso de Robles Municipal Code.
  3. The Final map was approved by the City Council for recordation on June 15, 1999 by Resolution No. 99-107.
  4. The amount which shall be retained by the City during a one-year guarantee and warranty period is 10% of the Subdividers Performance securities, which is one hundred eighteen thousand nine hundred fifty-four (\$118,954). This retention will be retained for a period of one (1) year after the acceptance of all improvements.
  5. The project was annexed into the Paso Robles Landscape & Lighting Maintenance District by Resolution 99-106.
  6. The Subdivider constructed, installed and completed the following streets or roads 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>
Riverglen Drive	southerly tract boundary	Skyview Drive	0.26
Via Madrona	Riverglen Drive	westerly tract boundary	0.04
Via Rosa (Sundance Lane)	northerly terminus	tract boundary	0.15
Via Promesa	Via Rosa (Sundance Lane)	tract boundary	0.06
Skyview Drive	northerly tract boundary	southerly tract boundary	0.10

**Analysis and**

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

**Policy**

**Reference:** Title 22 of the Municipal Code Section and Subdivision Map Act

**Fiscal**

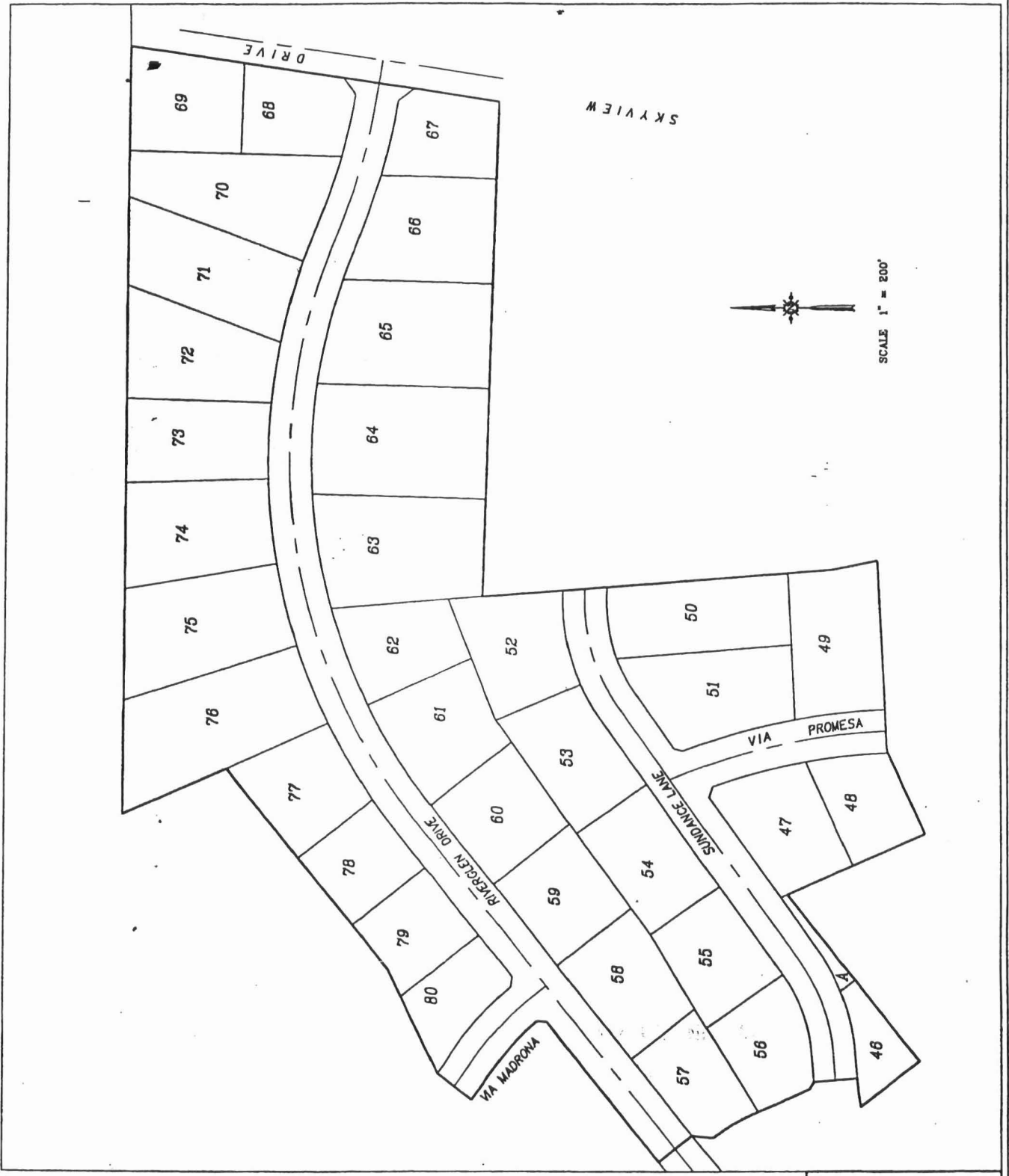
**Impact:** City street maintenance costs will increase due to use of the City Street Sweeper during and after the maintenance period, and as a result of acceptance of these additional streets one year after the release of the maintenance securities. Maintenance costs will also increase with regard to the addition of sewer and water main lines. These costs will vary from year to year in accordance with the amount of maintenance required. Typically, streets receive a slurry seal every five years and Asphalt overlay every twenty years. Slurry seal costs are about \$45,000 per mile and asphalt concrete overlay is about \$200,000 per mile.

**Options:**

- A. That the City Council approve the **Resolution** authorizing acceptance of certain streets into the City maintained mileage system; and approve the **Resolution** authorizing the Notice of Completion to be filed, partial release of Performance securities and release of the Payment (Labor and Materials) securities for **Tract 2137-1 (Midland Pacific)**.
- B. That the City Council amend, modify, or reject the above option.

Attachments: (4)

- 1) Location Map
- 2) Resolution Accepting Streets
- 3) Resolution Accepting Improvements
- 4) Notice of Completion



**TRACT 2137-1 RIVERGLEN**

**Cannon**  
ASSOCIATES

ENGINEERS  
PLANNERS  
SURVEYORS

364 Pacific Street  
San Luis Obispo, CA 93401  
(805) 544-7487

RESOLUTION No. 99-

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF PASO ROBLES ACCEPTING INTO THE CITY STREET SYSTEM  
CERTAIN STREETS AND ROADS CONSTRUCTED PURSUANT TO THE  
SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 2137-1

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WHEREAS, the Subdivider has constructed, installed and completed the following streets or roads 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>
Riverglen Drive	southerly tract boundary	Skyview Drive	0.26
Via Madrona	Riverglen Drive	westerly tract boundary	0.04
Via Rosa (Sundance Lane)	northerly terminus	tract boundary	0.15
Via Promesa	Via Rosa (Sundance Lane)	tract boundary	0.06
Skyview Drive	northerly tract boundary	southerly tract boundary	0.10

Section 1. That the City Council of the City of Paso Robles does hereby find and determine that the above designated streets, of approximately 0.61 miles in total length, have been constructed, installed and completed by Midland Pacific.

Section 2. The streets or roads identified hereof are hereby accepted into the street system of the City of El Paso de Robles upon the release of maintenance securities, and the City shall then assume responsibility for their future maintenance and repair.

Section 3. The City Engineer shall take such further actions as may be required by law to implement this Resolution.

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution.

**PASSED AND ADOPTED** by the City Council of the City of Paso Robles, this 19<sup>th</sup> day of October, 1999, on the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Duane J. Picanco, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk

RESOLUTION No. 99-

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF PASO ROBLES ACCEPTING CERTAIN IMPROVEMENTS  
CONSTRUCTED PURSUANT TO THE SUBDIVISION IMPROVEMENT AGREEMENT  
FOR TRACT 2137-1, AND AUTHORIZING THE CITY ENGINEER TO EXECUTE NOTICES OF  
COMPLETION THEREFORE, AND TO AUTHORIZE THE RELEASE OF MAINTENANCE  
SECURITIES 1 YEAR FROM DATE OF ACCEPTANCE OF PUBLIC IMPROVEMENTS

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**WHEREAS**, the City of El Paso de Robles and Midland Pacific, as Subdivider, entered into that certain Subdivision Improvement Agreement dated as of **June 15, 1999**, and relating to public improvement work for **Tract 2137-1**, in the City of El Paso de Robles; and

**WHEREAS**, the public improvements specially identified in **Exhibit A** attached hereto have been constructed, installed and completed by Subdivider in accordance with the Subdivision Improvement Agreement and 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**, 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.** The public improvements, as specifically identified in **Exhibit A**, attached hereto, have been constructed, installed and completed in accordance with the Subdivision Improvement Agreement and in compliance with the improvement plans and all applicable City Standards, and the City Engineer is hereby authorized, on behalf of the City, to prepare and file a **Notice of Completion** relating to such public improvements.

**Section 2.** The City Engineer is hereby authorized to release the improvement securities furnished by the Subdivider in the percentages specified in the Subdivision Improvement Agreement.

**Section 3.** The City Engineer is hereby authorized to release the maintenance securities furnished by Subdivider one (1) year from the date of acceptance of the public improvements upon satisfactory completion of the maintenance period, as determined by the City Engineer.

**Section 4.** The City Clerk shall certify to the passage and adoption of this Resolution.

**PASSED AND ADOPTED** by the City Council of the City of Paso Robles, this **19<sup>th</sup>** day of **October, 1999**, on the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

ATTEST:

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**Duane J. Picanco, Mayor**

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**Sharilyn M. Ryan, Deputy City Clerk**

**EXHIBIT A**

**PUBLIC IMPROVEMENTS CONSTRUCTED, INSTALLED AND COMPLETED  
FOR TRACT 2137-1 PURSUANT TO THE SUBDIVISION IMPROVEMENT  
AGREEMENT DATED AS OF JUNE 15, 1999, BETWEEN THE CITY OF EL PASO DE ROBLES AND  
MIDLAND PACIFIC AS SUBDIVIDER**

- I. Street Improvements
- II. Sewer System and Services
- III. Drainage Improvements
- IV. Water System and Services
- V. Street Trees and Landscaping
- VI. Grading
- VII. Monumentation
- VIII. Gas Mains and Services
- IX. Street Lights (Standards)
- X. Telephone Service
- XI. Cable Television
- XII. Water Mains and Fire Hydrants
- XIII. Electrical Services

RECORDING REQUESTED BY AND  
WHEN RECORDED RETURN TO:

ENGINEERING DIVISION  
CITY OF EL PASO DE ROBLES  
90 SPRING STREET  
PASO ROBLES, CA 93446  
ATTN: Ditas Esperanza

FOR RECORDER USE ONLY

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is OWNER or agent of the OWNER of the interest or estate stated below in the property herein described.
2. The FULL NAME of the OWNER is CITY OF PASO ROBLES by Jim App, City Manager.
3. The FULL ADDRESS of the OWNER is 1000 SPRING STREET, PASO ROBLES, CA 93446.
4. The NATURE OF THE INTEREST or ESTATE of the undersigned is: In fee. 0
5. The FULL NAMES and FULL ADDRESSES of ALL PERSONS, if any, WHO HOLD SUCH INTEREST or ESTATE with the undersigned as JOINT TENANTS or as TENANTS IN COMMON are:

NAMES	ADDRESSES
N/A	
N/A	

6. The full names and full addresses of the predecessors in interest of the undersigned if the property was transferred subsequent to the commencement of the work of improvement herein referred to:

NAMES	ADDRESSES
N/A	
N/A	

7. A work of improvement on the property hereinafter described was COMPLETED October 19, 1999
8. The work of improvement completed is described as follows: improvements for TR 2137-1  
The NAME of the ORIGINAL CONTRACTOR, if any, for such work of improvement is Midland Pacific
9. The street address of said property is TRACT 2137-1
11. The property of which said work of improvement was completed is in the City of EL PASO DE ROBLES, County of SAN LUIS OBISPO, State of CALIFORNIA, and is described as follows:

**PUBLIC IMPROVEMENTS FOR:** TRACT 2137-1 **A.P.N:** N/A  
**LEGAL DESCRIPTION:**

Being a subdivision in the City of El Paso de Robles as recorded in Book 18 of Maps at Page 74 in the Office of the County Recorder for the County of San Luis Obispo, in the State of California.

Date: October 19, 1999 CITY OF EL PASO DE ROBLES, OWNER

JAMES L. APP, CITY MANAGER

Verification for INDIVIDUAL owner \_\_\_\_\_:  
 I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the owner of the aforesaid interest or estate in the property described in the above notice; that I have read said notice, that I know and understand the contents thereof, and that the facts stated therein are true and correct.

N/A \_\_\_\_\_ (Signature of owner named in Paragraph 2)

Verification for NON-INDIVIDUAL owner: I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the CITY ENGINEER of the aforesaid interest or estate in the property described in the above notice; that I have read the said notice, that I know and understand the contents thereof, and that the facts stated therein are true and correct.

PASO ROBLES, CA 93446 \_\_\_\_\_  
**Date** **DITAS ESPERANZA, CITY ENGINEER**