

**TO:** JAMES L. APP, CITY MANAGER  
**FROM:** ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR  
**SUBJECT:** ACCEPTANCE OF PUBLIC IMPROVEMENTS – TRACT 1771-6 (ELLSWORTH)  
**DATE:** DECEMBER 17, 2002

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**Needs:** That the City Council authorize the acceptance of public improvements resulting from the development of Tract 1771-6 into the City's maintenance system.

**Facts:**

1. On December 18, 2001, the City Council accepted Tract 1771-6 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
2. This subdivision is located on Oxen Street, north of Charolais Road (see Vicinity Map, Attachment 1).
3. With minor exceptions, 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>
Oxen Street	Otero Lane	Brahma Street	0.28

**Analysis  
And**

**Conclusion:** The public improvements, which the developer was required to install for this subdivision, have been completed, with the exception of the pedestrian bridge in the open space (see attached letter from North Coast Engineering). 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. 02-xx accepting the public improvements of Tract 1771-6 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 \$76,160.
- b. Amend, modify or reject the above option.

Attachments: (3)

1. Vicinity Map
2. Letter from North Coast Engineering
3. Resolution

RESOLUTION NO. 02 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 1771-6 (ELLSWORTH)  
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 1771-6 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>
Oxen Street	Otero Lane	Brahma Street	0.28

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 the subdivision of Tract 1771-6 be accepted into the City's maintenance system, including the above designated streets totaling approximately 0.28 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 \$76,160, the payment bond (\$380,800) and the performance bond (\$761,600) guaranteeing construction of these public improvements may be released.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 17<sup>th</sup> day of December 2002 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Frank R. Mecham, Mayor

ATTEST:

\_\_\_\_\_  
Sharilyn M. Ryan, Deputy City Clerk