

TO: James L. App, City Manger

FROM: Robert A. Lata, Community Development Director

SUBJECT: Acceptance of Public Improvement – Tract 2369-1 (Fallingstar Homes Lots 1-71)

DATE: August 19, 2003

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 2369-1 (Lots 1–71) into the City’s maintenance system.

- Facts:**
1. On June 4, 2002, the City Council accepted Tract 2369-1 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
 2. This subdivision is located on Kleck Road and Montebello Oaks Drive, north of Union Road (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> |
|--------------------------|----------------------------|----------------------------|--------------|
| Kleck Road | 700 feet n/o Union Road | Montebello Oaks Drive | 0.23 |
| Leah Way | Kleck Road | Susannah Lane | 0.17 |
| Susannah Lane | Christina Court | 400 feet e/o Kleck Road | 0.21 |
| Montebello Oaks Drive | Christina Court | 500 feet e/o Kleck Road | 0.30 |
| Christina Court | Montebello Oaks | Susannah Lane | 0.06 |

**Analysis
And**

Conclusion: The public improvements, which the developer was required to install for this subdivision, have been completed. 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. 03-xxx accepting the public improvements of Tract 2369-1 (Lots 1 – 71) 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 \$445,529.
- b. Amend, modify or reject the above option.

Attachments: (2)

- 1. Vicinity Map - Exhibit A
- 2. Resolution

RESOLUTION NO. 03 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2369-1 (FALLINGSTAR HOMES, INC., LOTS 1-71)
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 2369-1 was accepted June 4, 2002, 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> |
|-----------------------|-------------------------|-------------------------|--------------|
| Kleck Road | 700 feet n/o Union Road | Montebello Oaks Drive | 0.23 |
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| Susannah Lane | Christina Court | 400 feet e/o Kleck Road | 0.21 |
| Montebello Oaks Drive | Christina Court | 500 feet e/o Kleck road | 0.30 |
| Christina Court | Montebello Oaks Drive | Susannah Lane | 0.06 |

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 2369-1 be accepted into the City's maintenance system, approximately 0.97 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 \$445,529 the payment bond \$2,227,643 and the performance bond \$4,455,285 guaranteeing construction of these public improvements may be released.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 19th day of August 2003 by the following vote:

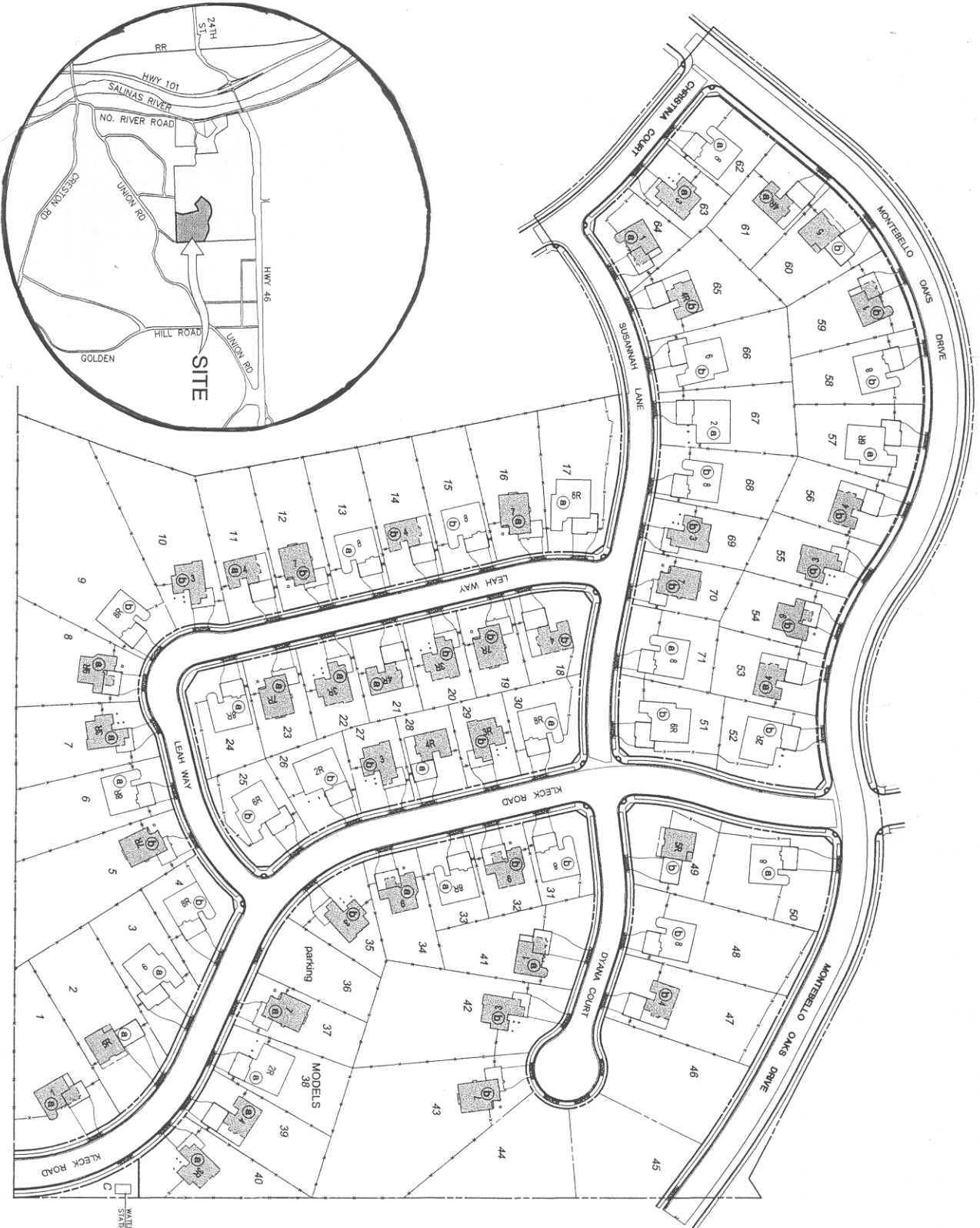
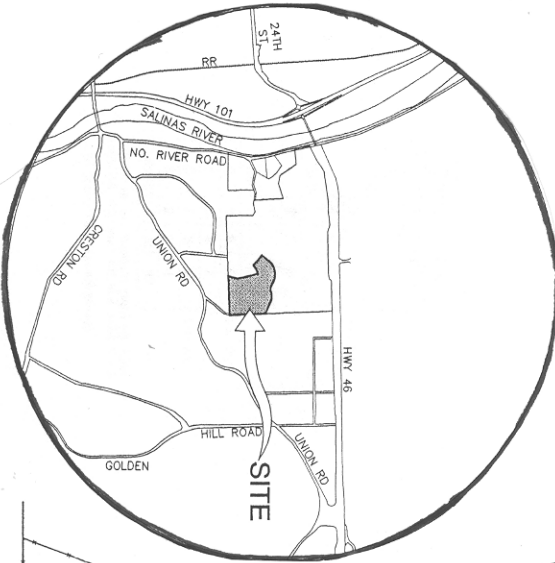
AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Frank R. Mecham, Mayor

Sharilyn M. Ryan, Deputy City Clerk

VICINITY MAP
NO SCALE



MONTEBELLO
PHASE I
TRACT 2369-1
LOTS 1 - 71
SITE PLAN

NCE NORTH COAST ENGINEERING, INC.
775 Camino Del Sur, # 100, San Jose, CA 95128

LEGEND
INDICATES SECOND STORY
FENCE

