

TO: James L. App, City Manger
FROM: Robert A. Lata, Community Development Director
SUBJECT: Acceptance of Public Improvement – Tract 2373 (Butz Construction, Inc)
DATE: May 4, 2004

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 2373 into the City's maintenance system.

Facts:

1. On June 4, 2002, the City Council accepted Tract 2373 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
2. This subdivision is located along the west side of Golden Hill Road and the south side of Union Road south of Highway 46 (see Vicinity Map).
3. The public improvements in Tract 2373 have been constructed to the satisfaction of City staff.
4. The Subdivider has constructed the following streets in Tract 2373 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>
Almendra Court	Golden Hill Road	600 feet w/o Golden Hill Rd.	0.11
Crown Way	Almendra Court	400 feet s/o Almendra Court	0.08

**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. 04-xxx accepting the public improvements of Tract 2373 into the City's maintenance system.
- b. Amend, modify or reject the above option.

Attachments: (2)

1. Vicinity Map
2. Resolution

RESOLUTION NO. 04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2373 (BUTZ CONSTRUCTION, INC)
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 2373 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>
Almendra Court	Golden Hill Road	600 feet e/Golden Hill Rd.	0.11
Crown Way	Almendra Court	400 feet s/Almendra Court	0.08

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 2373 be accepted into the City's maintenance system, approximately 0.19 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 \$110,097 the payment bond \$550,485 and the performance bond \$1,100,970 guaranteeing construction of these public improvements may be released.

ADOPTED by the City Council of the City of Paso Robles at a regular meeting of said Council held on the 4th day of May 2004 by the following vote:

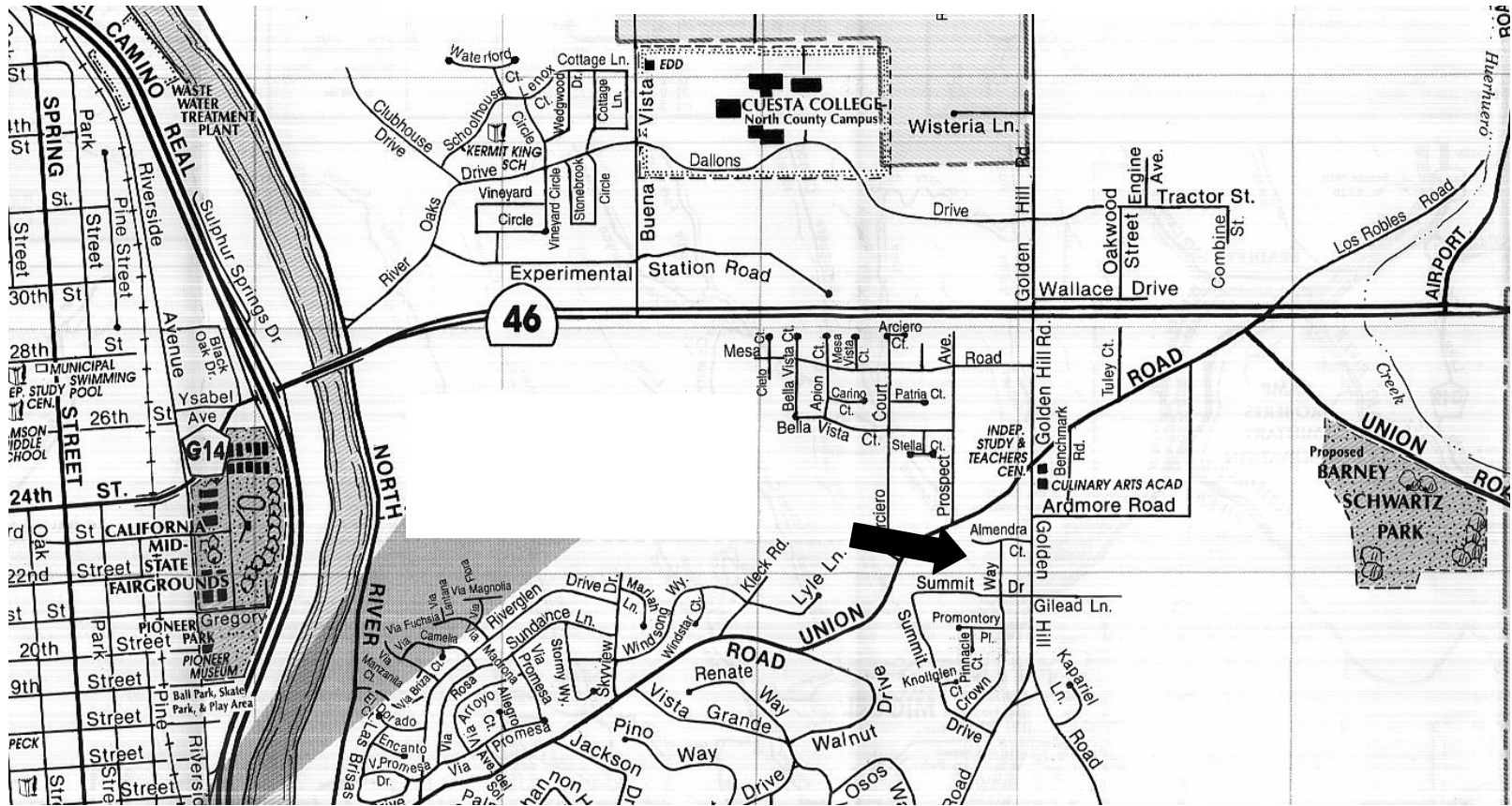
- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Frank R. Mecham, Mayor

ATTEST:

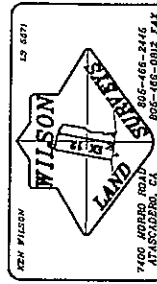
Sharilyn M. Ryan, Deputy City Clerk

VICINITY MAP ~ TRACT 2373
(BUTZ CONSTRUCTION, INC.)



TRACT 2373 BUTZ CONSTRUCTION, INC LOTS 1 - 21

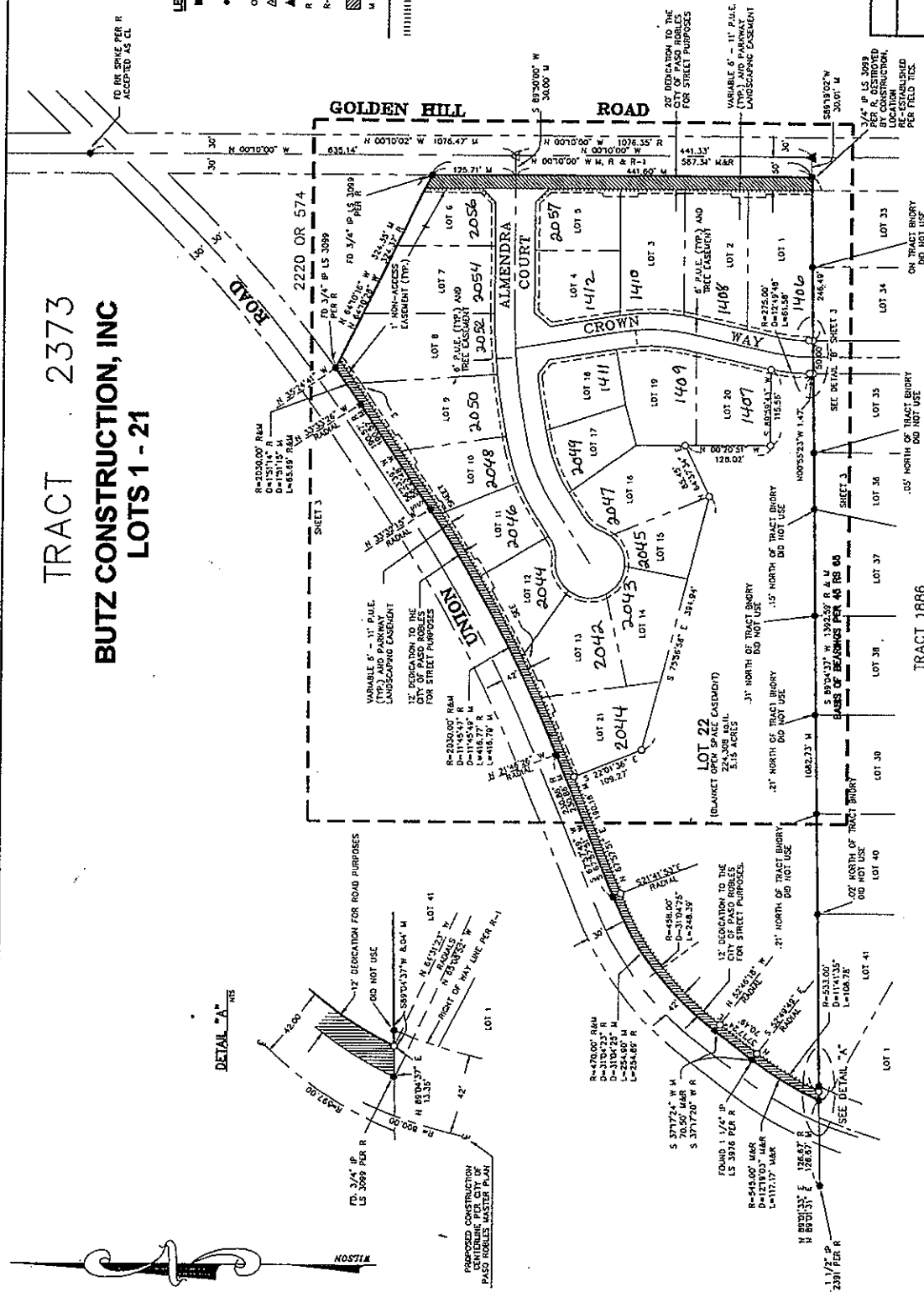
- LEGEND**
- FOUND 6" x 6" CONCRETE STATE HIGHWAY RW MONUMENT PER R
 - FOUND 5/8" REBAR CAP LS 5032 PER 17 UB 1, OR AS OTHERWISE NOTED
 - SET 5/8" REBAR LS 5071
 - △ SET BRASS CAP IN WELL MON. STAMPED LS 5071
 - ▲ FOUND BRASS CAP IN WELL PER R-1
 - R 45 LS 65
 - R-1 15 UB 1, 10 FT. OF CORRECTION DOC. NO. 1084-2464-43
 - ▨ ORDER OF DEDICATION
 - M MEASURED
 - BOUNDARY
 - ||||| NON-ACCESS EASEMENT



TRACT NO. 2373

LEGAL DESCRIPTION: A PORTION OF LOT 12 OF THE RANCHO SANTA ISABEL, IN THE CITY OF PASO ROBLES, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA AS RECORDED BY A MAPS 28.

APR: 032-362-016
DATE: APRIL 2001
FILENAME: P-137 FINAL MAP 100 SCALE SHEET
FIELD NO: 149 FD 1
SCALE: 1"=100'
SHEET: P-137
PAGE: 2 OF 4



GRAPHIC SCALE
(IN FEET)
1 Inch = 100.0'

BASIS OF BEARINGS
BASIS OF BEARINGS FOR THIS SURVEY IS TWO FOUND MONUMENTS ON THE MOST SOUTHERLY CORNER OF LOT 12 RANCHO SANTA ISABEL BEARING N 89°04'37" E PER 45 LS 65 AS SHOWN ON SHEET 2.

TRACT 1886

ON TRACT BERRY DO NOT USE

.15' NORTH OF TRACT BERRY DO NOT USE

.15' NORTH OF TRACT BERRY DO NOT USE

.02' NORTH OF TRACT BERRY DO NOT USE

.21' NORTH OF TRACT BERRY DO NOT USE

.02' NORTH OF TRACT BERRY DO NOT USE

.15' NORTH OF TRACT BERRY DO NOT USE