

TO: James L. App, City Manger
FROM: Robert A. Lata, Community Development Director
SUBJECT: Acceptance of Public Improvements – Tract 2411, (CS Nino Construction)
DATE: January 18, 2005

Needs: That the City Council authorize the acceptance of public improvements resulting from the development of Tract 2411 into the City's maintenance system.

Facts:

1. On May 18, 2004, the City Council accepted Tract 2411 for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
2. This subdivision is located on the west side of Vine Street, between 36th Street and Fein Street (see Vicinity Map).
3. The public improvements on Vine Street adjacent to Tract 2411 have been constructed to the satisfaction of City staff.

**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.

Options: Based upon completion of construction of all required public improvements to the satisfaction of the City:

- a. Adopt Resolution No. 05-xx accepting the public improvements of Tract 2411 into the City's maintenance system.
- b. Amend, modify, or reject the above option.

Attachments: (2)

1. Vicinity Map
2. Resolution

RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2411 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 2411 was accepted May 18, 2004, 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 improvements along Vine Street in accordance with the Subdivision Improvement Agreement, the improvement plans and all applicable City Standard; 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. Upon completion of all public improvements to the satisfaction of the City Engineer, that the public improvements constructed as required for Tract 2411 be accepted into the City's maintenance system, 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 \$61,607 the payment bond \$308,035 and the performance bond \$616,070 guaranteeing construction of these public improvements may be released.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 18th day of January 2005 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

VICINITY MAP
TRACT 2411
CS NINO CONSTRUCTION, INC.

