

**TO:** James L. App, City Manager

**FROM:** Ed Gallagher, Community Development Director

**SUBJECT:** Acceptance of Public Improvements – Tract 3024, Phase 1  
(Oak Park Housing)

**DATE:** September 16, 2014

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**Needs:** That the City Council authorize the acceptance of public improvements resulting from the development of Tract 3024, Phase 1 into the City’s maintenance system.

- Facts:**
1. On December 4, 2012, the City Council accepted Tract 3024, Phase 1, for recordation and executed a Subdivision Improvement Agreement with the Developer of this subdivision.
  2. This subdivision is located along the east side of Park Street, from 28<sup>th</sup> Street to 30<sup>th</sup> Street, see attached Vicinity Map.
  3. The public improvements in Tract 3024, Phase 1, have been constructed to the satisfaction of City staff.
  4. The Subdivider has constructed the following streets in Tract 3024, Phase 1, 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>
29 <sup>th</sup> Street	Park Street	Alley	0.09
30 <sup>th</sup> Street	Pine Street	Alley	0.04
Pine Street	29 <sup>th</sup> Street	30 <sup>th</sup> Street	0.08
Alley	28 <sup>th</sup> Street	30 <sup>th</sup> Street	0.14

5. The Subdivider, Oak Park Development, has posted bonds that guarantee completion of improvements in Tract 3024, Phase 1.

**Analysis  
And**

**Conclusion:** The public improvements, which the developer was required to install for this subdivision, have been completed. Further, the City will, at a minimum, 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. 14-xxx accepting the public improvements of Tract 3024, Phase 1, into the City's maintenance system; or
- b. Amend, modify or reject the above option.

Attachments: (2)

1. Vicinity Map
2. Resolution







RESOLUTION NO. 14-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 3024, PHASE 1, CONSTRUCTED PURSUANT TO THE SUBDIVISION IMPROVEMENT AGREEMENT (OAK PARK DEVELOPMENT)

WHEREAS, Tract 3024, Phase 1, was accepted December 4, 2012, for recordation, and a Subdivision Improvement Agreement was entered into; and

WHEREAS, all public improvements required as Conditions of Approval for Tract 3024, Phase 1, have been constructed in compliance with the improvement plans and all applicable City Standards, and the City Engineer has recommended to the Council the acceptance of such public improvements; and

WHEREAS, the Subdivider has constructed, installed or completed the following streets in Tract 3024, Phase 1, 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>
29 <sup>th</sup> Street	Park Street	Alley	0.09
30 <sup>th</sup> Street	Pine Street	Alley	0.04
Pine Street	29 <sup>th</sup> Street	30 <sup>th</sup> Street	0.08
Alley	28 <sup>th</sup> Street	30 <sup>th</sup> Street	0.14

WHEREAS, The Subdivider has posted improvement securities for Tract 3024, Phase 1. Therefore, in accordance with the Subdivision Agreement in place for Tract 3024, Phase 1, the Subdivider has requested that the City accept said public improvements and authorize the release of improvement securities furnished by the Subdivider.

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 3024, Phase 1, be accepted into the City's maintenance system, approximately 0.35 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 \$170,304; the payment bond for \$851,519 and the performance bond for \$1,703,038 guaranteeing construction of these public improvements may be released in accordance with the terms of the Subdivision Improvement Agreement for Tract 3024, Phase 1.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 16<sup>th</sup> day of September, 2014 by the following vote:

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

\_\_\_\_\_  
Duane Picanco, Mayor

ATTEST:

\_\_\_\_\_  
Caryn Jackson, Deputy City Clerk