



STAFF REPORT

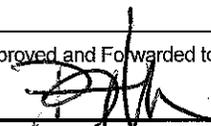
Date: Tuesday, September 27, 2016

To: Bryan H. Montgomery, City Manager

From: Kevin Rohani, Public Works Director/City Engineer

Subject: Acceptance of Subdivision Improvements Associated with Subdivision 8916 Heartwood Estates located west of Main Street and north of Laurel Road east of Mellowood Drive

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Background and Analysis

On October 8, 2013 the City Council adopted Resolution 84-13 approving the Frontage Improvement Agreement for Subdivision 8916, a 41-lot residential subdivision west of Main Street, north of Laurel Road and east of Mellowood Drive. In 2012 Claremont Homes acquired Lots 1-12, 26-30, 33, and 38-4. The Frontage Improvement Agreement outlined the responsibility of Claremont Homes, Inc. to construct the remaining punch list items in tract in the Heartwood Estates subdivision. The improvements also included Main Street frontage improvements, which consisted of widening a 400 foot segment along the west side of Main Street, south of Almondtree Lane.

On January 28, 2015 the Frontage Improvement Agreement was executed. Claremont Homes, Inc. agreed to complete the public improvements estimated to be \$275,000.00.

Claremont Homes, Inc. has since completed all of the required improvements for Subdivision 8916 and constructed the remaining houses within the subdivision. At this time, Claremont Homes has requested that the City accept the improvements for maintenance. The Public Works and Engineering staff has completed a final inspection of all public improvements and has found them to be in substantial compliance with the approved plans. Acceptance of the improvements will begin a one-year warranty period, and at the end of that time, Claremont Homes, Inc. will be required to repair any defective construction. A warranty bond in the amount of 10% of the total cost of the improvements will be provided to the City prior to releasing the original bonds, to ensure that Claremont Homes, Inc. completes any required warranty repairs.

Fiscal Impact

Upon acceptance of the improvements, the City will be obligated to maintain them. Preventative street maintenance for public roadway and storm drains are currently funded using Gas Tax, Measure C and Stormwater Utility Assessments.

Staff Recommendation

Staff recommends that the City Council adopt the Resolution accepting the subdivision improvements associated with Subdivision 8916 and beginning the one-year warranty period for the Improvements.

Attachments

- 1) Resolution Accepting the Improvements

RESOLUTION NO. ___-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY, CALIFORNIA, ACCEPTING THE SUBDIVISION IMPROVEMENTS ASSOCIATED WITH SUBDIVISION 8916 AND BEGINNING THE ONE-YEAR WARRANTY PERIOD FOR THE SUBDIVISION IMPROVEMENTS

WHEREAS, on October 8, 2013 the City of Oakley adopted Resolution 84-13 authorizing the City Manager to enter into a Frontage Improvement Agreement with Claremont Homes, Inc. for public improvements associated with Subdivisions 8916; and

WHEREAS, on January 28, 2015 the Frontage Improvement Agreement was executed and Claremont Homes, Inc. agreed to complete the public Improvements agreed upon to be \$275,000.00; and

WHEREAS, Claremont Homes, Inc. has completed the Subdivision Improvements associated with Subdivision 8916 as required in the above referenced agreement; and

WHEREAS, the City of Oakley Public Works and Engineering staff has inspected the Subdivision Improvements and have determined that said improvements have been constructed in substantial compliance with the approved improvements plans for Subdivision 8916; and

WHEREAS, the City Clerk's Statement on the Subdivision 8916 Final Map states that the City Council did accept, subject to improvement, any streets, roads, avenues, or easements shown on the map as dedicated to public use.

NOW THEREFORE, the City Council of the City of Oakley hereby resolves as follows:

- a) The Subdivision Improvements associated with Subdivision 8916 have been accepted for public maintenance, including the following streets within the project boundaries: a portion of Mellowood Drive, Heartwood Drive, Heartwood Court, a portion of Clearwood Drive, Clearwood Way and Main Street; and
- b) The one-year warranty period required by the agreement for Subdivision Improvements has begun as of the date of adoption of this resolution and that Claremont Homes, Inc. shall repair any defective subdivision improvements associated with Subdivision 8916, as identified by City personnel, so long as the defective improvements are identified within one-year of the date of adoption of this resolution; and
- c) In accordance with the City Clerk's Statement on the Subdivision 8916 Final Map, the roads, avenues, or easements shown on the map as dedicated to public use are accepted.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on September 27, 2016 by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

Kevin Romick, Mayor

ATTEST:

Libby Vreonis, City Clerk

Date