

## MEMORANDUM

Date: Tuesday, September 23, 2014

To: Bryan H. Montgomery, City Manager

From: Kevin Rohani, Public Works Director/City Engineer

Subject: Acceptance of Park Improvements associated with Subdivision 8955, Summer Lake- Phase 2, Parcel C (Lakeside Park) and Parcel I (Leeward Park)

Approved and Forwarded to City  
Council:

  
Bryan H. Montgomery, City Manager

### **Background and Analysis**

Shea Homes is required to develop certain public improvements to the approved Subdivision 8955, Summer Lake - Phase 2, which includes public parks. Shea Homes entered into Subdivision Improvement Agreements for the development and construction of Lakeside Park and Leeward Park, which outlined the reasonable conditions and responsibilities of the developer. Shea Homes was responsible for the full cost of the construction of the two parks.

When park improvements have been completed and are in conformance with the approved plans and agreement, the park is accepted by City Council, along with accepting the park for maintenance. Subdivision 8955 Summer Lake Phase 2 public park improvements for Lakeside Park (Parcel C) and Leeward Park (Parcel I) are now complete and ready to be accepted.

### **Fiscal Impact**

Upon acceptance of the parks, the City will incur annual costs associated with the ongoing maintenance of the parks. LLD Zone 3-26 was formed for this subdivision in order to pay for these maintenance costs and the necessary funds are available.

### **Summary**

The landscaping and other ancillary improvements to Lakeside and Leeward parks are complete. They were inspected by staff and were determined to substantially conform to the approved plans and specifications, including planting, materials, construction, irrigation and equipment. With these park improvements now complete, it is requested that the two parks be formally accepted and that the City will begin maintenance on October 6, 2014. Shea Homes is responsible for a twelve (12)

month warranty period for all equipment, furnishings, trees, and hardscape at the both parks.

**Recommendation**

Staff recommends that the City Council Adopt the Resolution accepting Lakeside Park and Leeward Park as complete, accepting the necessary maintenance of the improvements by the City, direct the City Clerk to file this resolution with the Recorder of Contra Costa County, and authorize the City Manager or his designee to execute an Agreement regarding acceptance of the parks with Shea Homes.

**Attachments**

- 1) Resolution
- 2) Park Map

RESOLUTION NO. \_\_-14

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY  
ACCEPTING BOTH LAKESIDE PARK AND LEEWARD PARK AS COMPLETED  
AND THEIR LANDSCAPE IMPROVEMENTS FOR MAINTENANCE BY THE CITY**

**WHEREAS**, on October 8, 2013, by Resolution No. 85-13 and Resolution No. 86-13, City Council approved separate Subdivision Improvement Agreements with Shea Homes for the development of Lakeside Park and Leeward Park within Subdivision 8955, Summer Lake - Phase 2; and

**WHEREAS**, the required public park landscape improvements have been completed and constructed in substantial conformance with the approved park improvement plans; and

**WHEREAS**, pursuant to the approved plans and specifications, all equipment, furnishings, trees, irrigation and hardscape warranties for the two parks shall be guaranteed by Shea Homes through June 30, 2015, and all shrubs for six months;

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Oakley that the Subdivision 8955 Summer Lake Phase 2 public park improvements for Lakeside Park (Parcel C) and Leeward Park (Parcel I) constructed by the developer Shea Homes are hereby accepted as complete; accepts the landscaping and park improvements for maintenance; directs the City Clerk to file this resolution with the Recorder of Contra Costa County, and authorizes the City Manager or his designee to execute an Agreement regarding acceptance of the two parks with Shea Homes.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 23rd of September, 2014 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTENTIONS:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date

# SUMMER LAKE

