



Staff Report

Date: September 13, 2016

To: City Council

From: Valerie J. Barone, City Manager

Reviewed by: Victoria Walker, Director of Community and Economic Development
Robert Ovadia, City Engineer

Prepared by: Kevin Marstall, Current Development Manager
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Subject: **Considering adoption of Resolution No. 16-69 accepting deferred improvements for Tract 9162, Copperleaf Subdivision, and releasing the Obligation of the Reduced Faithful Performance Bond**

Report in Brief

On January 12, 2016, the City Council adopted Resolution No. 16-05, accepting the public improvements for Tract 9162, Copperleaf Subdivision, and releasing obligation of the bonds posted with the Subdivision Agreement, with the exception of the final slurry seal, removal & replacement of one concrete cross-gutter, and re-stripping. Construction of all these deferred improvements has now been completed.

Recommended Action

Staff recommends that the City Council adopt Resolution 16-69, accepting the deferred improvements constructed for Tract 9162, Copperleaf Subdivision, and releasing the obligation of the reduced faithful performance bond.

Background

On July 22, 2014, the City Council adopted Resolution No. 14-49 approving the Final Map for Tract 9162, Copperleaf Subdivision, an eleven-lot single-family residential development located on a 2.5 acre parcel, at 3319 Walnut Avenue (Assessor's Parcel Number 113-133-008), and the related Subdivision Agreement. The subdivision agreement required the construction of public improvements as well as other private improvements to serve the subdivision.

On January 12, 2016, the City Council adopted Resolution No. 16-05, accepting the public improvements for Tract 9162, Copperleaf Subdivision, and releasing obligation of the bonds posted with the Subdivision Agreement, with the exception of the final slurry seal, removal & replacement of one concrete cross-gutter, and re-striping. The developer posted the required warranty bond in the amount of 15% of the cost of improvements to cover a one-year warranty period, as well as a reduced Faithful Performance Bond in the amount of the cost of the deferred improvements, to be completed in the spring of 2016.

Analysis

Construction of the deferred improvements for Tract 9162 has been completed. Staff inspected the improvements for compliance with the approved plans, adopted conditions of approval, the City's Standard Plans and Specifications, and the Municipal Code. The developer previously posted the required warranty bond in the amount of 15% of the cost of improvements to cover a one-year warranty period in which defects must be corrected by the developer.

Financial Impact

The Public Works Department will maintain the public improvements on the fronting public street, Walnut Avenue, including the reconstructed concrete cross-gutter. Maintenance of the public streets is primarily funded with Gas Tax (revenue from State gas tax) and Measure J funds (revenue from the County half-cent sales tax on gasoline). Maintenance of the private street improvements within and along Copperleaf Court is the responsibility of the Homeowner's Association of Subdivision 9162.

Public Contact

The City Council Agenda was posted.

Attachments

1. Resolution No. 16-69
2. Vicinity Map

BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

A Resolution Accepting Deferred Improvements for
Tract 9162 Copperleaf Subdivision

Resolution No. 16-69

WHEREAS, on January 12, 2016, the Council adopted Resolution No. 16-05 accepting the public improvements for Tract 9162, Copperleaf Subdivision, and releasing obligation of the bonds posted with the Subdivision Agreement, with the exception of the final slurry seal, removal & replacement of one (1) concrete cross-gutter, and re-striping; and

WHEREAS, the developer posted the required warranty bond in the amount of 15% of the cost of improvements to cover a one-year warranty period in which defects must be corrected by the developer, as well as a reduced Faithful Performance Bond in the amount of the cost of the deferred improvements, to be completed in the Spring; and

WHEREAS, construction of the deferred public and private improvements, including the final slurry seal, removal & replacement of one (1) concrete cross-gutter, and re-striping are completed and have been recommended for acceptance by the City Engineer.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES
RESOLVE AS FOLLOWS:

Section 1. Accepts the deferred improvements constructed for Tract 9162, Copperleaf Subdivision, including final slurry seal, concrete cross-gutter, and final striping required for the development.

Section 2. Releases obligation of the reduced Faithful Performance Bond posted to guarantee the deferred improvements.

Section 3. The City Clerk shall cause a certified copy of this resolution attested to under her seal to be recorded in the office of the Contra Costa County Recorder.

Section 4. This resolution shall become effective immediately upon its passage and adoption.

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2 **PASSED AND ADOPTED** by the City Council of the City of Concord on September 13,
3 2016, by the following vote:

4 **AYES:** Councilmembers -

5 **NOES:** Councilmembers -

6 **ABSTAIN:** Councilmembers -

7 **ABSENT:** Councilmembers -

8 **I HEREBY CERTIFY** that the foregoing Resolution No. 16-69 was duly and regularly
9 adopted at a regular meeting of the City Council of the City of Concord on September 13, 2016.

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12 By _____
13 Joelle Fockler, MMC
14 City Clerk

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APPROVED AS TO FORM:

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18 Susanne Meyer Brown
19 City Attorney

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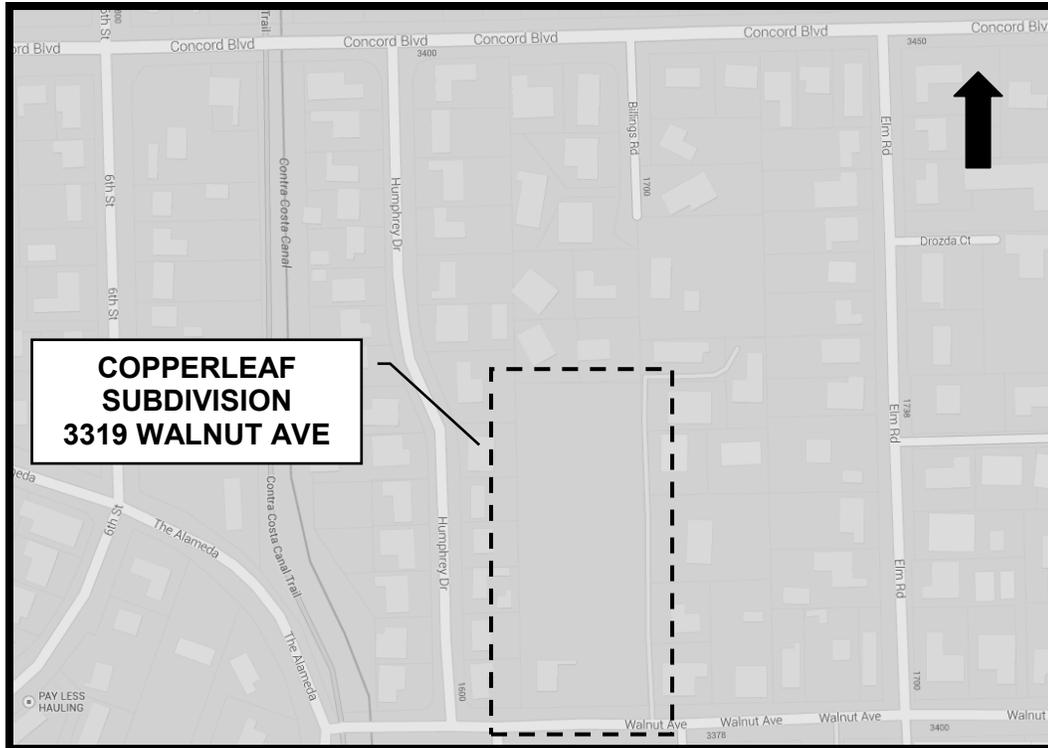
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LOCATION MAP
No Scale