



TO THE HONORABLE MAYOR AND COUNCIL:

DATE: January 12, 2016

SUBJECT: ADOPT RESOLUTION NO. 16-05 ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 9162, COPPERLEAF SUBDIVISION AND RELEASING THE OBLIGATION OF THE BONDS POSTED WITH THE SUBDIVISION AGREEMENT

Report in Brief

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. All subdivision improvements have been constructed, with the exception of the final slurry seal, removal & replacement of one (1) concrete cross-gutter, and re-striping.

Staff recommends that the City Council adopt Resolution No. 16-05, (Attachment 1) accepting the public improvements for Tract 9162, Copperleaf Subdivision; and releasing obligation of the bonds posted with the Subdivision Agreement.

Background

On July 22, 2014, the Council approved the Final Map for Tract 9162, Copperleaf Subdivision, through the adoption of Resolution No. 14-49. The subdivision is 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), see Attachment 2, Vicinity Map. Prior to recordation of the Final Map, a Subdivision Agreement was executed and bonds were provided to secure required improvements, including road and street improvements, new drainage facilities, sanitary sewer facilities and street lights. Also covered by the bonds were private improvements, including a private road, street lights, storm drains, storm water treatment system and landscaping.

Discussion

Construction of the required improvements for Tract 9162 has been completed, with the exception of the final slurry seal, removal & replacement of one (1) concrete cross-gutter, and re-striping. 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 has 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

**ADOPTION OF RESOLUTION NO. 16-05 ACCEPTING THE IMPROVEMENTS
FOR TRACT 9162, COPPERLEAF SUBDIVISION, ASSESSOR'S PARCEL
NO. 113-133-008; AND RELEASING THE OBLIGATION
OF THE BONDS POSTED WITH THE SUBDIVISION AGREEMENT**

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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.

Fiscal Impact

The Public Works Department will maintain the public improvements on the fronting public street, Walnut Avenue. The public storm drain system maintenance is funded by the City's storm water parcel fee. 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 sanitary sewer system is funded by the City's Annual Sewer Levy charged to each parcel at rate annually approved by the City Council. Maintenance of the private street and private storm drain improvements including treatment areas within and along Copperleaf Court are the responsibility of the Homeowner's Association of Subdivision 9162.

Public Contact

Posting of the Council Agenda.

Recommendation for Action

Staff recommends that the City Council adopt Resolution No. 16-05, accepting the public improvements constructed for Tract 9162, Copperleaf Subdivision, Assessor's Parcel No. 113-133-008; and releasing the obligation of the bonds posted with the Subdivision Agreement.

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Attachment 1: Resolution No. 16-05

Attachment 2: Vicinity Map

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

A Resolution Accepting Public Improvements for
Tract 9162 Copperleaf Subdivision

Resolution No. 16-05

WHEREAS, on July 22, 2014, the Council adopted Resolution No. 14-49 approving the Final Map for Tract 9162, Copperleaf Subdivision; and

WHEREAS, Council accepted the dedication of right-of-way offered to the City and the public utility easements offered to the public, subject to construction of public improvements; and

WHEREAS, construction of the public and private improvements, including drainage facilities, sanitary sewer facilities, street improvements and other public improvements required for the development are substantially 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 public improvements constructed for Tract 9162, Copperleaf Subdivision, including sanitary sewer facilities, street improvements and other public improvements required for the development.

Section 2. Releases obligation of the bonds posted with the Subdivision Agreement.

Section 3. Accepts the required warranty bond, as well as reduced Faithful Performance Bond for 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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PASSED AND ADOPTED by the City Council of the City of Concord on January 12, 2016,
by the following vote:

AYES: Councilmembers -

NOES: Councilmembers -

ABSTAIN: Councilmembers -

ABSENT: Councilmembers -

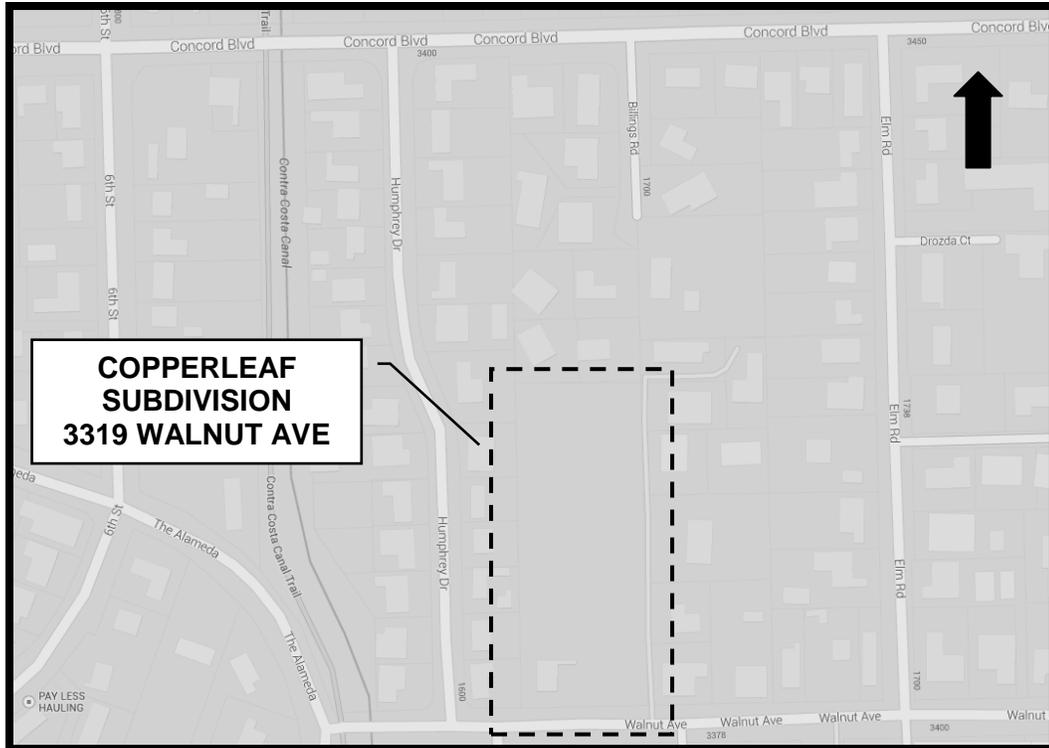
I HEREBY CERTIFY that the foregoing Resolution No. 16-05 was duly and regularly
adopted at a regular meeting of the City Council of the City of Concord on January 12, 2016.

By _____
Joelle Fockler, CMC
City Clerk

APPROVED AS TO FORM:

Brian Libow, Interim City Attorney

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LOCATION MAP
No Scale