



TO THE HONORABLE MAYOR AND COUNCIL:

DATE: October 13, 2008

SUBJECT: ADOPTING RESOLUTION NO. 08-59, ACCEPTING THE IMPROVEMENTS FOR TRACT 9039, WISTERIA SUBDIVISION, ASSESSOR'S PARCEL NOS. 111-222-017, 111-222-004, 111-221-008 AND 111-221-002; AND RELEASING THE OBLIGATION OF THE BONDS POSTED WITH THE SUBDIVISION AGREEMENT

Report in Brief

The Wisteria Subdivision, located at 2611 Willow Pass Road and 1935 & 1954 Beach Street, consists of four parcels totaling 2.56 acres which have been subdivided into 39 single-family residential lots. Construction of the required improvements for Tract 9039, Wisteria Subdivision, has been completed. 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 developer.

Staff recommends that the Council adopt Resolution No. 08-59, accepting the improvements for Tract 9039, Wisteria Subdivision, Assessor's Parcel Nos. 111-222-017, 111-222-004, 111-221-008 and 111-221-002; and releasing the obligation of the bonds posted with the Subdivision Agreement.

Background

On October 10, 2006, the City Council approved the Final Map for Tract 9039, Wisteria Subdivision, through the adoption of Resolution No. 06-65.

The Wisteria Subdivision, located at 2611 Willow Pass Road and 1935 & 1954 Beach Street, consists of four parcels totaling 2.56 acres, Assessor's Parcel Numbers 111-222-017, 111-222-004, 111-221-008 and 111-221-002, which have been subdivided into 39 single-family residential lots. Prior to recording the Final Map, the developer signed the Subdivision Agreement, paid the applicable fees and posted the required securities.

Discussion

Construction of the required improvements for Tract 9039, Wisteria Subdivision, has been completed. The improvements included public sidewalk along Willow Pass Road and Port Chicago Highway, median improvements (landscape and hardscape) along Willow Pass Road, and undergrounding of overhead utilities along Willow Pass Road. Staff inspected the improvements for compliance with the approved plans, related conditions of approval, 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 developer.

**ADOPTION OF RESOLUTION NO. 08-59 ACCEPTING THE IMPROVEMENTS
FOR TRACT 9039, WISTERIA SUBDIVISION, ASSESSOR'S PARCEL
NOS. 111-222-017, 111-222-004, 111-221-008 and 111-221-002; AND
RELEASING THE OBLIGATION OF THE BONDS POSTED
WITH THE SUBDIVISION AGREEMENT**

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Fiscal Impact

The developer has paid the applicable fees as part of the Subdivision Agreement. The Public Works Department will maintain the public improvements. Maintenance of the public streets is included in the City's Pavement Management Program, which is mainly funded with Gas Tax and Measure C funds. Maintenance of the sanitary sewer system is funded by the Annual Sewer Levy and charges approved by the City Council.

Public Contact

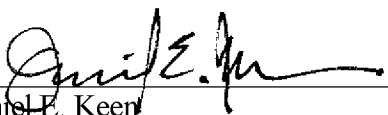
Posting of the Council Agenda.

Recommendation for Action

Staff recommends the City Council adopt Resolution No. 08-59 accepting the improvements for Tract 9039, Wisteria Subdivision, Assessor's Parcel Nos. 111-222-017, 111-222-004, 111-221-008 and 111-221-002; and release the obligation of the bonds posted with the Subdivision Agreement.

Prepared by: Laurel Purewal
Administrative Analyst

Reviewed by: Alex Pascual, PE
Director of Building, Engineering &
Neighborhood Services



Daniel E. Keen
City Manager

Enclosures: Attachment 1: Resolution No. 08-59
Attachment 2: Vicinity Map

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

**A Resolution Accepting Improvements for Tract No.
9039, Wisteria Subdivision, Assessor’s Parcel Nos.
111-222-017, 111-222-004, 111-221-008 and 111-221-
002**

Resolution No. 08-59

WHEREAS, on October 10, 2006, the Council adopted Resolution No. 06-65 approving the Final Map for Tract 9039, Wisteria Subdivision; and

WHEREAS, construction of the public improvements, including road and street improvements, median improvements, undergrounding of overhead utilities, drainage facilities, sidewalks, curbs, gutters, street signs, sewer work, and other public improvements required for the development 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 public improvements for Tract 9039, Wisteria Subdivision, including road and street improvements, drainage facilities, sidewalks, curbs, gutters, utilities, street signs, sewer work, and other public improvements required for the development.

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

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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1 **PASSED AND ADOPTED** by the City Council of the City of Concord on October 13, 2008 by the
2 following vote:

3 **AYES:** Councilmembers -

4 **NOES:** Councilmembers -

5 **ABSTAIN:** Councilmembers -

6 **ABSENT:** Councilmembers -
7

8 **I HEREBY CERTIFY** that the foregoing Resolution No. 08-59 was duly and regularly
9 adopted at a regular meeting of the City Council of the City of Concord on October 13, 2008.
10

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12
13 By _____
14 Mary Rae Lehman
15 City Clerk

16 **APPROVED AS TO FORM:**
17

18
19 _____
20 Craig Labadie
21 City Attorney

22 cc: County Recorder's Office
23 New America Homes. (Developer)
24
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26
27
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Wisteria Subdivision



VICINITY MAP

Not to scale

