



STAFF REPORT

SAUSALITO CITY COUNCIL

AGENDA TITLE:

Accept roadway improvements Gordon Street

RECOMMENDED MOTION:

Adopt resolution accepting roadway improvements.

SUMMARY

Jim Schuricht, of 20 Gordon Street, recently completed construction of roadway improvements fulfilling terms of a Subdivision Improvement Agreement that was executed in 2005. Mr. Schuricht submitted to the City assurances (totaling \$6,500 in value) when the agreement was signed to guarantee performance.

Mr. Schuricht is requesting release of the assurances for said work. Before that is done the City Council needs to accept the improvements. The purpose of this item is to accept the Public Improvements and to authorize the release of said assurances.

BACKGROUND

Jim Schuricht was allowed to subdivide 16 Gordon Street into two lots. The Planning Commission approved the Tentative Map on September 10, 2003. Between that time and February 15, 2005, Mr. Schuricht prepared a Parcel Map and Improvement Plans.

The Subdivision Map Act allows developers to build required public improvements before the Subdivision Map is recorded. More commonly though, the Map Act allows a developer to record a map without building the improvements, provided that a Subdivision Agreement is executed. Mr. Schuricht executed a Subdivision Agreement with the City on February 15, 2005. With the agreement, Mr. Schuricht submitted an assurance worth \$6,500.

The new improvements built with this Subdivision included sidewalk, curb and gutter, drainage improvements, and roadway pavement. The full improvements were recently completed with the completion of a new home at 20 Gordon. Having met the terms of the Subdivision Agreement, Mr. Schuricht is requesting the City accept the improvements and release his bonds.

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ISSUES

The City of Sausalito's Subdivision Ordinance is silent on the process of closing out Subdivision Agreements. The California Subdivision Map Act does have processes outlined for releasing assurances. Section 66499.7(a) of the Map Act allows for the release of assurances, in whole or in part, upon the completion of improvements and acceptance by the local agency.

Mr. Schuricht has completed the roadway improvements in substantial compliance with approved improvement plans. It is appropriate that the improvements be accepted for public use. When approved, Staff will release 90% of the amount. The remaining amount will be held for one year as a maintenance assurance.

FISCAL IMPACT

None, the requested action has no fiscal impact to the General Fund. There will likely be added obligations with regard to the maintenance of the street. Those costs should be offset by the additional property tax revenue created when the new lot was authorized.

STAFF RECOMMENDATIONS

Adopt the attached resolution:

1) Accepting the public improvements associated with the 16 Gordon Subdivision, and 2) Authorizing the release of performance securities in accordance with terms of the Subdivision Agreement and provisions of the Subdivision Map Act.

ATTACHMENTS

Resolution

PREPARED BY:

REVIEWED BY:

Todd Teachout, City Engineer

Mary Wagner
City Attorney

SUBMITTED BY:

Adam Politzer

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City Manager

RESOLUTION _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
ACCEPTING PUBLIC IMPROVEMENTS ALONG 16 AND 20 GORDON STREET AND
AUTHORIZING THE RELEASE OF PERFORMANCE SECURITIES.

WHEREAS, Jim and Kathleen A. Schuricht (the Schurichts) were granted approval to subdivide 16 Gordon Street into two lots and construct new homes on these lots, and

WHEREAS, the Schurichts were also required to construct roadway and frontage improvements along Gordon Street, and

WHEREAS, the California Subdivision Map act allowed the Schurichts to enter into a Subdivision Agreement to assure completion of said required improvements, and

WHEREAS, in conjunction with executing the Subdivision Agreement, the Schurichts submitted \$6,500 (six thousand five hundred dollars) as a performance assurance, and

WHEREAS, the Schurichts have completed construction of said required improvements, and

WHEREAS, the Schurichts have requested the City accept the improvements and release assurances.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sausalito:

1. Accepts the roadway and frontage improvement constructed in general conformance with approved improvement plans for 16 Gordon Street.
2. Authorizes the release of assurance funds in accordance with the terms of the Subdivision Agreement executed February 15, 2005.

AYES: Councilmembers:
 NOES: Councilmembers:
 ABSTAIN: Councilmembers:

 Mayor, City of Sausalito

ATTEST:

 City Clerk