



AGENDA ITEM SUMMARY FORM

MEETING DATE: May 24, 2022

PREPARED BY: Walter E. Reeves jr., AICP, Development Services Director

AGENDA CONTENT: Discussion and possible action to provide staff direction on amending the public acceptance process.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: N/A **FUNDS REQUESTED:** N/A

FUND: N/A

EXECUTIVE SUMMARY:

City Council has indicated that staff should consider amending Section 23-98 regarding the acceptance of public improvements. Staff has examined that section and feels that amending the public acceptance process will not require an extensive amendment of Section 23-98.

The acceptance of public improvements currently is a two-step process, as articulated in Section 23-98. The first step is a preliminary acceptance of public improvements that is an administrative where the City Engineer recommends acceptance to the City Manager and the City Manager approves the preliminary acceptance. This preliminary acceptance requires a one-year maintenance bond. The second step is final acceptance. City Council accepts the public improvements after recommendation from the City Engineer and City Manager. The final acceptance also requires posting of a one-year maintenance bond. The required maintenance bond is \$25,000 or 20% of the construction costs of the improvements, whichever is greater.

Processing this amendment gives the City an opportunity to amend its regulations to reflect the desires of the City moving forward. To process an amendment to the public acceptance process, staff needs Council direction on the following questions:

1. Does the Council wish to make the maintenance bond a two-year, rather than one-year, maintenance bond?
2. Does the Council wish to increase the amount of the maintenance bond?
3. Does the Council wish to make acceptance of the public improvements an administrative act by the staff, or continue the current process of acceptance by the Council?

Staff has researched other cities in the area (Attachment 1) which provides a comparison of their respective requirements.

RECOMMENDATION:

Staff recommends that the public acceptance process be amended to reflect:

1. A two-year maintenance bond.
2. The maintenance bond be 100% of the cost of the public improvements.
3. The acceptance be a staff administered process.