



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 3/1/2022

ITEM NO: 9

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DATE: February 24, 2022  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Public Right-of-Way Improvements for 15630 and 15632 Los Gatos-Almaden Road, Completed by DBI Construction, Inc., and Authorize the Town Clerk to Submit for Recordation

**RECOMMENDATION:**

Staff recommends that the Town Council authorize the Town Manager to execute a Certificate of Acceptance and Notice of Completion (Attachment 1) for the public right-of-way improvements for 15630 and 15632 Los Gatos-Almaden Road, completed by DBI Construction, Inc., and authorize the Town Clerk to submit for recordation.

**BACKGROUND:**

On April 2, 2019, the Development Review Committee approved the Subdivision Application M-18-006 for a 0.54-acre lot located at 15630 Los Gatos-Almaden Road, and Architecture and Site Applications S-18-035 and S-18-036 to construct two single-family residences on lands (zoned R-1:8) to be subdivided. On December 1, 2020, the Town Council approved the Parcel Map for the site, accepting public right-of-way and public service easement dedications.

**DISCUSSION:**

The public right-of-way improvements for the residential development included installation of new curb, gutter, and sidewalk and roadway pavement restoration. On March 17, 2021, DBI Construction, Inc., and the Town entered into a Subdivision Improvement Agreement for the

**PREPARED BY:** Mike Weisz  
Senior Civil Engineer

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, Finance Director and Director of Parks and Public Works

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DISCUSSION (continued):

construction of the public improvements. Faithful performance and labor and materials bonds were required from DBI Construction, Inc., to ensure completion of the improvements.

DBI Construction, Inc., has now completed the work per the conditions of the agreement, and staff is recommending project acceptance. Ten percent of the faithful performance bond shall be retained for a period of two years as a guaranty from any defective materials and workmanship. The execution and recordation of the Certificate of Acceptance and Notice of Completion is required to finalize the Town's acceptance of the public right-of-way improvements.

CONCLUSION:

Authorize the Town Manager to execute a Certificate of Acceptance and Notice of Completion for the Public right-of-way improvements for 15630 and 15632 Los Gatos-Almaden Road, completed by DBI Construction, Inc., and authorize the Town Clerk to submit the documents to the County Clerk-Recorder's Office for recordation.

FISCAL IMPACT:

The improvements are within the public right-of-way and will become part of the Town's infrastructure to be maintained after the expiration of the two-year warranty period.

ENVIRONMENTAL ASSESSMENT:

The project is Categorically Exempt pursuant to the California Environmental Quality Act Guidelines - Section 15315: Minor Land Divisions and Section 15303: New Construction or Conversion of Small Structures.

Attachment:

1. Certificate of Acceptance and Notice of Completion