



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 2/1/2022

ITEM NO: 3

DATE: January 21, 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 Completed by Cashmere Bouquet 1031, LLC, for 258 Union Avenue, 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 (ROW) improvements completed by Cashmere Bouquet 1031, LLC, for 258 Union Avenue, and authorize the Town Clerk to submit for recordation.

BACKGROUND:

On March 27, 2019, the Planning Commission approved Architecture and Site Application S-18-033, Conditional Use Permit Application U-18-010, Subdivision Application M-18-004, and Mitigated Negative Declaration ND-19-001 to construct a mixed-use commercial building with three attached multi-family condominiums, six detached single-family condominiums, and alternating use of parking on a 0.75-acre property zoned C-1.

On November 19, 2019, the Town Council approved the final map for Tract No. 10514, accepting the dedications of easements.

DISCUSSION:

The public right-of-way improvements included pavement, curb, gutter, detached sidewalk with landscaped park strip, and reservation of width for a future Class II bike lane. On December 17, 2019, Cashmere Bouquet 1031, LLC, and the Town entered into a Subdivision Improvement

PREPARED BY: Mike Weisz
Senior Civil Engineer

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

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DISCUSSION (continued):

Agreement for the construction and completion of the off-site public improvements. Faithful performance and labor and materials bonds were collected from Cashmere Bouquet 1031, LLC, to ensure completion of the improvements.

Cashmere Bouquet 1031, LLC, has now completed the work for the public improvements 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 ROW improvements completed by Cashmere Bouquet 1031, LLC, for 258 Union Avenue, and authorize the Town Clerk to submit the documents to the County 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:

An Initial Study and Mitigated Negative Declaration were prepared for the project by the Town's Environmental Consultant, EMC Planning Group Inc.

Attachment:

1. Certificate of Acceptance and Notice of Completion