



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution Granting Acceptance of Public Improvements and Approving Reduction of Faithful Performance Bond for Public Improvements for the McCarthy Creekside Phase 1 – Buildings A, B and F Subdivision at 625 North McCarthy Boulevard by The McCarthy Ranch Limited Partnership, and Granting Authorization to the City Engineer to Release the Performance Bond After the One-year Warranty Period.
Category:	Consent Calendar-Community Development
Meeting Date:	8/20/2019
Staff Contact:	Steve Erickson, 408-586-3301
Recommendation:	<p>Adopt a resolution:</p> <ol style="list-style-type: none"> 1) Granting acceptance of public improvements for the McCarthy Creekside Phase 1 – Buildings A, B and F Subdivision at 625 North McCarthy Boulevard, Tract 10393, Public Improvement Plan No. 2-1213 & 2-1222; 2) Approving a reduction in the faithful performance bond to \$60,300, which shall be subject to and in effect for the duration of a one-year warranty period; and 3) Granting authorization to the City Engineer to release the performance bond after the one-year warranty period, without further City Council action provided all required warranty work is completed to the satisfaction of the City Engineer.

Background:

On November 15, 2016, the City Council approved the Final Map, public improvement plans and the Subdivision Improvement Agreement for Tract 10393 for the McCarthy Creekside Phase 1 – Buildings A, B and F Subdivision located at 625 North McCarthy Boulevard by The McCarthy Ranch Limited Partnership.

Public improvements installed with the project included the installation of new sidewalk along North McCarthy Boulevard between Ranch Drive and Dixon Landing Road, installation of driveway ramps, utility services, street lights, landscaping and other miscellaneous items of work.

Analysis:

The developer has completed all public improvements in accordance with the approved public improvement plans, and the improvements are now ready for acceptance and commencement of the 1-year warranty period. Staff recommends the City Council adopt a resolution to accept the public improvements, reduce the performance Bond to \$60,300 which is 10% of the security's original value, and authorize the City Engineer to release the performance bond after the one-year warranty period once all required warranty work is satisfactorily completed.

Policy Alternatives:

Alternative 1:

Do not approve resolution granting acceptance of installed public improvements.

Pros: None

Cons: The Subdivision Improvement Agreement between the City and Developer requires the City to accept installed public improvements passing inspection and meeting the requirements of the Agreement and the approved plans and specifications.

Reason not recommended: Granting acceptance of installed public improvements would allow the City to own and maintain the improvements and would ensure the City is in compliance with the terms of the agreement with the Developer.

Fiscal Impact:

None.

California Environmental Quality Act:

Granting acceptance of public improvements and reducing faithful performance bond for public improvements are not considered projects under CEQA as there will be no direct or reasonably foreseeable indirect physical change in the environment.

Recommendation:

Adopt a resolution:

- 1) Granting acceptance of public improvements for the McCarthy Creekside Phase 1 – Buildings A, B and F Subdivision at 625 North McCarthy Boulevard, Tract 10393, Public Improvement Plan No. 2-1213 & 2-1222;
- 2) Approving a reduction of the faithful performance bond to \$60,300, which shall be subject to and in effect for the duration of one-year warranty period; and
- 3) Granting authorization to the City Engineer to release the performance bond after the one-year warranty period, without further City Council action provided all required warranty work is completed to the satisfaction of the City Engineer.

Attachments:

Resolution