

RESOLUTION NO. 2019-058

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK ACCEPTING THE VAST OAK PHASE 1 (VAST OAK WEST) IN-TRACT RECYCLED WATER AND IN-TRACT JOINT TRENCH/ STREETLIGHT IMPROVEMENTS AND DIRECTING RELATED ACTIONS

WHEREAS, on June 24, 2015 the City Council of the City of Rohnert Park adopted Resolution 2015-116, Authorizing and Approving the Public Improvement Agreement for the Vast Oak Phase 1 In-Tract Recycled Water System, In-Tract Joint Trench and Streetlighting System and Phase 1 Off-site Joint Trench and Streetlighting System by and between the City of Rohnert Park and the University District LLC and Vast Oak Properties L.P. (Agreement); and

WHEREAS, the Agreement, with an effective date of June 23, 2015, was recorded on October 1, 2015 as Instrument No. 2015086193 in the Official Records of the County of Sonoma; and

WHEREAS, the Agreement includes construction of in-tract recycled water and joint trench/ streetlight improvements as well as off-site joint trench/ streetlight improvements on Rohnert Park Expressway, each of which are guaranteed by separate surety bonds; and

WHEREAS, University District LLC and Vast Oak Properties L.P (Developer) have completed the construction of the in-tract improvements for Vast Oak Phase 1 In-Tract Recycled Water System, In-Tract Joint Trench and Streetlighting System and Phase 1 Off-site Joint Trench and Streetlighting in accordance with the plans and specifications for the work and have requested the City to accept the work; and

WHEREAS, the off-site portion of the improvements have not been completed; and

WHEREAS, the Developer has submitted cost documentation for the in-tract improvements which substantiates an asset value of \$1,715,410 including a value of \$94,560 for the recycled water infrastructure and \$1,620,850 for the in-tract streetlight infrastructure; and

WHEREAS, accepting the completed improvements is the final action anticipated by the Public Improvement Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rohnert Park that the City Engineer is authorized and directed to execute and file the Notice of Completion and related documents for the in-tract portion of Vast Oak Phase 1 In-Tract Recycled Water System, In-Tract Joint Trench and Streetlighting System and Phase 1 Off-site Joint Trench and Streetlighting System, on behalf of the City of Rohnert Park, in substantially similar form to Exhibit A which is attached to this Resolution and incorporated by this reference.

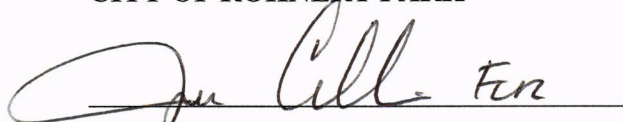
BE IT FURTHER RESOLVED that upon the expiration of the statutory lien period associated with the recording of the Notice of Completion, the City Manager is hereby authorized and directed to execute the Notice of Acceptance for the in-tract portion of the Vast Oak Phase 1 In-Tract Recycled Water System, In-Tract Joint Trench and Streetlighting System and Phase 1 Off-site Joint Trench and Streetlighting System in substantially similar form to Exhibit B, attached to this Resolution and incorporated by this reference.

BE IT FURTHER RESOLVED THAT the Public Improvement Agreement for the Vast Oak Phase 1 In-Tract Recycled Water System, In-Tract Joint Trench and Streetlighting System and Phase 1 Off-site Joint Trench and Streetlighting System will remain in effect until completion of the off-site portion of the improvements, that the off-site portion of the improvements is not being accepted by this Resolution, and that surety bonds for the off-site improvements will be held until completion of this work.

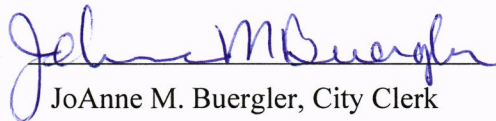
BE IT FUTHER RESOLVED that upon certification of the City Manager, the Finance Director is authorized and directed to take the actions necessary to accept the Vast Oak Phase 1 in-tract recycled water system, as a capital asset of the City with a current book value of \$94,560 and the Vast Oak Phase 1 joint trench and streetlight system, as a capital asset of the City with a current book value of \$1,620,850.

DULY AND REGULARLY ADOPTED this 14th day of May, 2019.

CITY OF ROHNERT PARK


Gina Belforte, Mayor

ATTEST:


JoAnne M. Buerger, City Clerk



Attachments: Exhibit A and B

ADAMS: Aye BELFORTE: Aye MACKENZIE: Aye CALLINAN: Aye STAFFORD: Aye
AYES: (5) NOES: (0) ABSENT: (0) ABSTAIN: (0)

EXHIBIT A TO RESOLUTION

**CERTIFICATE OF COMPLETION
VAST OAK PHASE 1 IN-TRACT RECYCLED WATER SYSTEM, AND IN-TRACT
JOINT TRENCH AND STREETLIGHTING SYSTEM (PARTIAL COMPLETION)**

I, Mary Grace Pawson, City Engineer of the City of Rohnert Park, California, do hereby certify that the in-tract portions of the work and improvements hereinafter described, the contract for doing which was entered into by and between the City of Rohnert Park and the University District LLC and Vast Oak Property L.P. dated June 23, 2015, was completed to my satisfaction on May 14, 2019.

That said work and improvements generally consisted of the construction of neighborhood recycled water, joint trench and streetlighting improvements within the boundaries of Vast Oak Properties Phase 1 (Final Maps Vast Oak Phases 1-A, 1-B, 1-C, and 1-D), as more particularly described in the plans and specifications approved by the City Engineer of Rohnert Park on April 8, 2015, July 10, 2015, and July 22, 2015. Those portions of the offsite joint trench and streetlight improvements on Rohnert Park Expressway included in this agreement are not complete and are not covered by this action.

DATED: _____, 2019

City Engineer

EXHIBIT A TO RESOLUTION

Return to:
City Engineer
City of Rohnert Park
130 Avram Avenue
Rohnert Park, CA 94928

**NOTICE OF COMPLETION
VAST OAK PHASE 1 IN-TRACT RECYCLED WATER SYSTEM AND IN-TRACT
JOINT TRENCH AND STREETLIGHTING SYSTEM (PARTIAL COMPLETION)**

NOTICE IS HEREBY GIVEN by the City of Rohnert Park, owner, a municipal corporation located in Sonoma County, State of California, with its principal offices at City Hall, 130 Avram Avenue, Rohnert Park, California 94928 of the following:

That I, Mary Grace Pawson, City Engineer of the City of Rohnert Park, California on the 14 day of May, 2019, did file with the City Clerk of the City of Rohnert Park, my Certificate of Completion of the following described work, which was completed under a Public Improvement Agreement between the City of Rohnert Park and University District LLC and Vast Oak Property L.P. dated June 23, 2015 and in accordance with the plans and specifications for said work filed with the City Clerk and approved by the Rohnert Park City Council.

That said work and improvements were completed on April 23, 2019, and that the name of the surety on the contractor's bond for labor and materials on said project is Continental Casualty Company (Bond No. 929615758).

That said work and improvements generally consisted of the construction of in-tract recycled water, joint trench and streetlighting improvements within the boundaries of Vast Oak Properties Phase 1 (Final Maps Vast Oak Phases 1-A, 1-B, 1-C, and 1-D), as more particularly described in the plans and specifications approved by the City Engineer of Rohnert Park on April 8, 2015, July 10, 2015, and July 22, 2015. Those offsite portions of the joint trench and streetlight improvements included in this Agreement are not complete and not covered by this action.

Dated: May 14, 2019.

CITY OF ROHNERT PARK

Mary Grace Pawson, P.E.
City Engineer

The undersigned certifies that she is authorized to and does make this verification on behalf of the City of Rohnert Park; that she has read the foregoing notice and knows the contents thereof; and that the undersigned declares under penalty of perjury that the foregoing is true and correct to the best of her knowledge.

Executed on this 14 day of May, 2019, at Rohnert Park, California.

CITY OF ROHNERT PARK

Mary Grace Pawson, P.E.
City Engineer

By: Darrin Jenkins, City Manager
Authorized by City Council Resolution
 2019- adopted on May 14, 2019

By: _____
JoAnne Buergler, City Clerk

[illegible]

On _____, 20____, before me, _____,
_____, the undersigned, personally appeared _____,
_____;

- () personally known to me
- () proved to me on the basis of satisfactory evidence

Signature _____