

RESOLUTION NO. 2019-091

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
AUTHORIZING AND APPROVING A NOTICE OF COMPLETION OF STORM
DRAIN, TRAFFIC SIGNAL AND RELATED INTERSECTION IMPROVEMENTS AND
ACCEPTING STORM DRAIN, TRAFFIC SIGNAL AND RELATED INTERSECTION
IMPROVEMENTS**

WHEREAS, the City of Rohnert Park, a California municipal corporation ("City"), and Costco Wholesale Corporation, a Washington Corporation ("Developer") entered into that certain Disposition and Development Agreement ("Development Agreement"), dated November 27, 2001; and

WHEREAS, Developer has completed construction of Improvements in accordance with provisions of *Section 4.11 Certain Improvements to be Constructed by Costco* of the Development Agreement; and

WHEREAS, Developer has submitted cost documentation for the Improvements, and the City has reviewed and audited Developer's final cost accounting which substantiates an asset value of \$453,644.00; and

WHEREAS, accepting the completed improvements and filing the Notice of Completion is required by the Development Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park as follows:

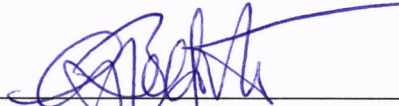
1. The City Engineer is authorized and directed to execute and file the Notice of Completion and related documents for the Storm Drain, Traffic Signal and Related Intersection Improvements, on behalf of the City of Rohnert Park, in substantially similar form to Exhibit A which is attached to this Resolution and incorporated by this reference.

2. 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 Acceptance for the Storm Drain, Traffic Signal and Related Intersection Improvements in substantially similar form to Exhibit B, attached to this Resolution and incorporated by this reference.

3. Upon certification of the City Manager, the Finance Director is authorized and directed to take the actions necessary to accept the Storm Drain, Traffic Signal and Related Intersection Improvements, defined in the Development Agreement, as capital assets of the City with a current book value of \$453,644.00.

DULY AND REGULARLY ADOPTED this 23rd day of July, 2019.

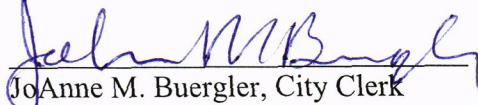
CITY OF ROHNERT PARK



Gina Belforte, Mayor



ATTEST:


JoAnne M. Buerger, City Clerk

Attachments: Exhibit A and Exhibit B

ADAMS: Aye MACKENZIE: Absent STAFFORD: Aye CALLINAN: Aye BELFORTE: Aye
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

**CERTIFICATE OF COMPLETION
STORM DRAIN, TRAFFIC SIGNAL AND RELATED INTERSECTION
IMPROVEMENTS**

I, Mary Grace Pawson, City Engineer of the City of Rohnert Park, California, do hereby certify that the work and improvements hereinafter described, the agreement for doing which was entered into by the City of Rohnert Park ("City") and Costco Wholesale Corporation ("Developer"), dated November 27, 2001, was completed to my satisfaction on June 30, 2019.

That said work and improvements generally consisted of the construction of installation of a storm drain system from the southwesterly corner of the Costco property to and including an outfall in Hinebaugh Creek, and a traffic signal and other improvements installed at the intersection of Redwood Drive and Martin Avenue as more particularly described in the plans and specifications approved by the City Engineer of Rohnert Park on July 18, 2002.

DATED: _____, 2019

City Engineer

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

**NOTICE OF COMPLETION
STORM DRAIN, TRAFFIC SIGNAL AND RELATED INTERSECTION
IMPROVEMENTS**

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 23rd day of July, 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 Disposition and Development Agreement between the City of Rohnert Park ("City") and Costco Wholesale Corporation ("Developer"), dated November 27, 2001 as more particularly described in the plans and specifications approved by the City Engineer of Rohnert Park on July 18, 2002

That said work and improvements were completed on July 23, 2019

That said work and improvements generally consisted of installation of a storm drain system from the southwesterly corner of the Costco property to and including an outfall in Hinebaugh Creek, and a traffic signal and other improvements installed at the intersection of Redwood Drive and Martin Avenue, as more particularly described in the plans and specifications approved by the City Engineer of Rohnert Park on July 18, 2002.

Dated: July 23, 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 23rd of July, 2019 at Rohnert Park, California.

CITY OF ROHNERT PARK

Mary Grace Pawson, P.E.
City Engineer

EXHIBIT B RESOLUTION NO. 2019-091

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Rohnert Park
130 Avram Avenue
Rohnert Park, California 94928

(Space Above This Line for Recorder's Use Only)
Exempt from recording fee per Gov. Code § 27383.

**CERTIFICATE OF ACCEPTANCE
FOR STORM DRAIN, TRAFFIC SIGNAL AND RELATED INTERSECTION IMPROVEMENTS**

This is to certify that the interest in certain infrastructure described as:

Installation of a storm drain system from the southwesterly corner of the Costco property (APN 143-040-107) to and including an outfall in Hinebaugh Creek, and a traffic signal and other improvements installed at the intersection of Redwood Drive and Martin Avenue is hereby accepted by the City Manager on behalf of the grantee pursuant to authority conferred by Resolution No. 2019-__ of the City Council of the City of Rohnert Park adopted on _____, 2019.

Dated: _____

CITY OF ROHNERT PARK

Darrin Jenkins
City Manager

Authorized by Rohnert Park City Council Resolution No.
_____ adopted _____, 2019.

ATTEST:

By:
JoAnne Buergler, City Clerk

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____)

On _____ before me, _____
(insert name and title of the officer) personally appeared _____

_____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)