

RESOLUTION NO. 2015-063

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK ACCEPTING THE DOWDELL AVENUE IMPROVEMENTS - PROJECT 2011-11 AND DIRECTING RELATED ACTIONS

WHEREAS, on October 8, 2013, the City Council of the City of Rohnert Park adopted Resolution 2013-138, Authorizing and Approving the Off-Site Public Improvements and Public Facilities Fee Credit Agreement and Termination and Supersession of the Deferred Improvement Agreement by and between the City of Rohnert Park and the Spanos Corporation (the "Agreement"); and

WHEREAS, the Agreement assigned to the Spanos Corporation the duty of installing public improvements, specifically the extension of Dowdell Avenue between Martin Avenue and Business Park Drive in two segments known as the "South Segment" and the "North Segment"; and

WHEREAS, the extension of Dowdell Avenue between Martin Avenue and Business Park Drive is included in the City's Public Facilities Finance Plan and the Agreement describes the Spanos Corporation's eligibility for Public Facilities Fee Credits for the cost of the work up to a maximum amount of \$2,700,248; and

WHEREAS, a portion of the Public Facilities Fee Credit was provided to the Spanos Corporation at the start of the construction project with the remainder due upon successful completion of the both the North and South Segments; and

WHEREAS, Spanos Corporation has completed the construction of both the North and South Segments in accordance with the plans and specifications for the work and has requested the City to accept the work; and

WHEREAS, Spanos Corporation has also submitted documentation of its construction costs and requested release of its remaining Public Facilities Fee Credits; and

WHEREAS, filing the Notice of Completion is the final step in the City's process to accept ownership of the improvements; and

WHEREAS, the extension of Dowdell Avenue between Martin Avenue and Business Park Drive was included within the scope of the Final Environmental Impact Report for the Stadium Lands Planned Developed Area, which was certified by the City Council with June 10, 2008 by Resolution 2008-086.

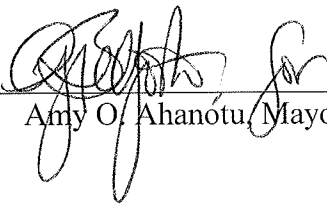
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park hereby accepts the Dowdell Avenue Improvements and approves the Notice of Completion, in substantially similar form to Exhibit A, which is attached to this Resolution and incorporated by this reference.

BE IT FURTHER RESOLVED that the City Engineer is hereby authorized and directed to file the Notice of Completion and to execute documents pertaining to the same for and on behalf of the City of Rohnert Park and to complete the review of the Spanos Corporation's documentation and certify the construction costs eligible for Public Facilities Fee Credits.

BE IT FUTHER RESOLVED that upon certification of the City Engineer, the Finance Director is authorized and directed to take the actions necessary to accept the Dowdell Avenue Improvements as a capital asset of the City and release any remaining fee credits up to the cumulative maximum amount of \$2,700,248.

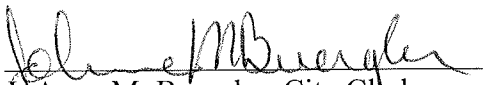
DULY AND REGULARLY ADOPTED this 14th day of April 2015.

CITY OF ROHNERT PARK



Amy O. Ahanotu, Mayor

ATTEST:



JoAnne M. Buergler, City Clerk

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

**CERTIFICATE OF COMPLETION
THE DOWDELL AVENUE IMPROVEMENTS
PROJECT NO. 2011-11**

I, Mary Grace Pawson, City Engineer of the City of Rohnert Park, California, do hereby certify that the work and improvements hereinafter described, the contract for doing which was entered into by and between the City of Rohnert Park and Spanos Corporation dated September 23, 2013, was completed to my satisfaction on April 14, 2015.

That said work and improvements generally consisted of the construction of Dowdell Avenue from Martin Avenue to Business Park Drive, as more particularly described in the plans and specifications approved by the Deputy City Engineer of Rohnert Park on _____.

DATED: April 15, 2015

City Engineer

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

**NOTICE OF COMPLETION
THE DOWDELL AVENUE IMPROVEMENTS
PROJECT NO. 2011-11**

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 15th day of April, 2015, 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 an Off-Site Public Improvements and Public Facilities Fee Credit Agreement and Termination and Supersession of Deferred Public Improvement Agreement between the City of Rohnert Park and Spanos Corporation dated September 23, 2013 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 14, 2015, and that the name of the surety on the contractor's bond for labor and materials on said project is International Fidelity Insurance Company

That said work and improvements generally consisted of the construction of Dowdell Avenue from Martin Avenue to Business Park Drive, as more particularly described in the plans approved by the Deputy City Engineer of the City of Rohnert Park on _____.

Dated: April 15, 2015

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 15th day of April, 2015, at Rohnert Park, California.

CITY OF ROHNERT PARK

Mary Grace Pawson, P.E.

City Engineer