

## **RESOLUTION NO. 2016-32**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK ACCEPTING THE CARSLON AVENUE IMPOVEMENTS AND DIRECTING RELATED ACTIONS**

**WHEREAS**, on April 28, 2015, the City Council of the City of Rohnert Park adopted Resolution 2015-081, 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 Reserve LLC (the "Agreement"); and

**WHEREAS**, the Agreement assigned to the Reserve LLC the duty of installing public improvements, specifically the extension of Carlson Avenue between Labath and Dowdell Avenues and sidewalk extensions along Dowdell Avenue; and

**WHEREAS**, improvements to Dowdell Avenue are included in the City's Public Facilities Finance Plan and the Agreement describes the Reserve LLC's eligibility for Public Facilities Fee Credits for the cost of the work up to a maximum amount of \$50,950.00; and

**WHEREAS**, Reserve LLC has completed the construction of both Carlson Avenue and the sidewalk extensions on Dowdell Avenue in accordance with the plans and specifications for the work and has requested the City to accept the work; 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 Carlson Avenue between Labath and Dowdell Avenue and the sidewalks on Dowdell Avenue were 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 Carlson Avenue Improvements, as described in the Agreement and including the Dowdell Avenue sidewalk extensions, 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.


**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 Carlson Avenue Improvements, as defined in the Agreement and including the Dowdell Avenue sidewalk extensions, as a capital asset of the City.

DULY AND REGULARLY ADOPTED this 12<sup>th</sup> day of April 2016.

CITY OF ROHNERT PARK

  
Gina Bellforte, Mayor

ATTEST:

  
JoAnne M. Buerger, City Clerk

Attachments: Exhibit A and Exhibit B

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

**CERTIFICATE OF COMPLETION  
THE CARLSON AVENUE 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 contract for doing which was entered into by and between the City of Rohnert Park and the Reserve LLC dated May 21, 2015, was completed to my satisfaction on April 12, 2016.

That said work and improvements generally consisted of the construction of two-thirds of Carlson Avenue's width from Labath Avenue to Martin Avenue and sidewalk extensions on Dowdell Avenue, as more particularly described in the plans and specifications approved by the City Engineer of Rohnert Park on \_\_\_\_\_.

DATED: April 13, 2016

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City Engineer

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

**NOTICE OF COMPLETION  
THE CARLSON AVENUE 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 13<sup>th</sup> day of April, 2016, 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 Reserve LLC dated May 21, 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 12, 2016, and that the name of the surety on the contractor's bond for labor and materials on said project is Insko Insurance Services Inc. Underwriting Manager for Developers Surety and Indemnity Company Indemnity Company of California.

That said work and improvements generally consisted of the construction of two-thirds of the width of Carlson Avenue from Labath Avenue to Dowdell Avenue and sidewalk extensions on Dowdell Avenue, as more particularly described in the plans approved by the City Engineer of the City of Rohnert Park on \_\_\_\_\_.

Dated: April 13, 2016

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 13<sup>th</sup> day of April, 2016, at Rohnert Park, California.**

CITY OF ROHNERT PARK

\_\_\_\_\_  
Mary Grace Pawson, P.E.

City Engineer

Signature \_\_\_\_\_