

CITY OF YUBA CITY
STAFF REPORT

Date: November 6, 2007
To: Honorable Mayor & Members of the City Council
From: Public Works
Presentation by: George Musallam, Public Works Director

Summary

Subject: River Valley Commercial Center

- Recommendation:**
- a. Adopt a resolution accepting certain street and related improvements pursuant to the River Valley Commercial Amended Subdivision Agreement #1 and authorize the developer to file a Notice of Completion. [located south of State Route 20 at Harter Parkway]
 - b. Authorize payment of \$40,000 to Roy and David Lanza per the Settlement Agreement and Release dated March 2006.

Fiscal Impact: \$40,000 – Account No. 921026 (Residential Street Rehabilitation)

Background:

The River Valley Commercial Center, developed by Roy Lanza, is an 11-parcel community commercial subdivision located south of State Route 20 at Harter Parkway. The Tentative Map was approved by the Planning Commission on September 8, 2004, Council approved a Subdivision Agreement providing for the public improvements on July 5, 2006, and an Amended Subdivision Agreement was approved on July 17, 2007, to extend the deadline for the completion of the required improvements.

Analysis:

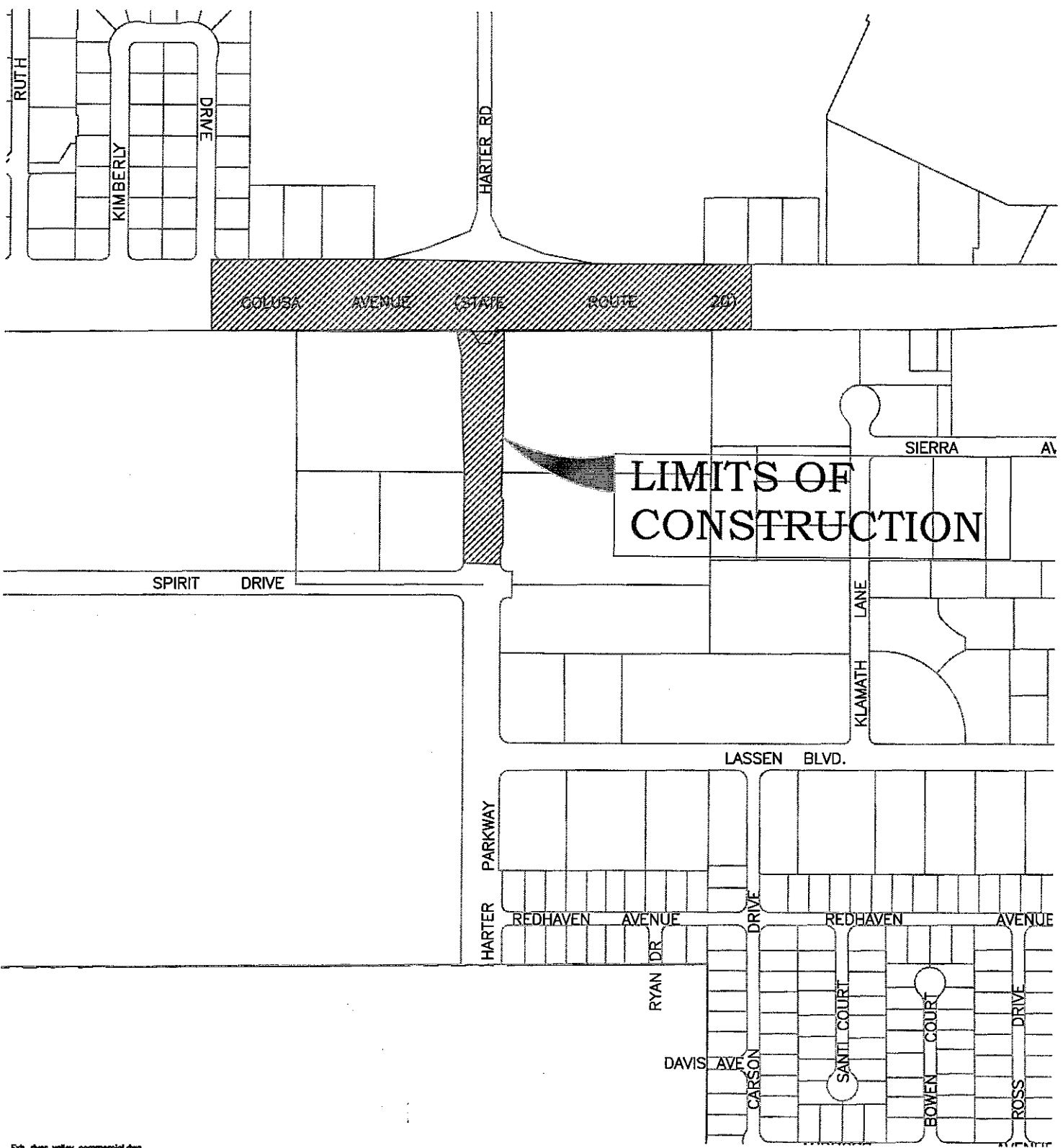
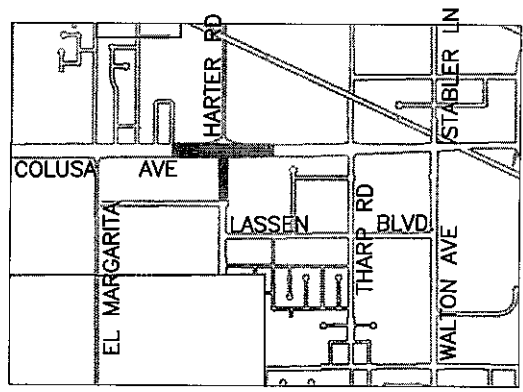
All required improvements have been constructed in conformance with the approved plans and specifications. The south leg of the Harter Parkway/State Route 20 intersection is scheduled to open on November 6th. Upon acceptance of the improvements, the developer will provide a maintenance bond in the amount of \$53,250, which will be in effect for one year from the date of acceptance.

In March 2006, a Settlement Agreement and Release was entered into by the City and Roy Lanza and David Lanza for events that occurred in association with the subject project. The Settlement Agreement was executed primarily due to two items: 1) Plugging the sewer line constructed by Lanza in Harter Parkway which resulted in sewage backing up in the sewer line at the Walmart development to the north, and 2) the need to realign Harter Parkway south of State Route 20 after a portion had already constructed in order to correctly align with Harter Parkway to the north, which was constructed as part of the Walmart development.



SCALE: 1" = 400'

RIVER VALLEY COMMERCIAL LIMITS OF IMPROVEMENTS



RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
ACCEPTING CERTAIN STREET AND RELATED IMPROVEMENTS
PURSUANT TO THE RIVER VALLEY COMMERCIAL AMENDED
SUBDIVISION AGREEMENT #1 DATED JULY 17, 2007, BETWEEN
THE CITY OF YUBA CITY AND ROY LANZA, AND DIRECTING THE
DEVELOPER TO FILE THE NOTICE OF COMPLETION.**

WHEREAS, the City of Yuba City has heretofore contracted with Roy Lanza, for certain work pursuant to that River Valley Commercial Amended Subdivision Agreement #1 dated July 17, 2007, between the City of Yuba City and Roy Lanza; and

WHEREAS, said work of improvements called for by said Agreement for street and related improvements was completed to the satisfaction of the City, a maintenance bond insuring the work of improvements from a maintenance standpoint for a period of one (1) year from and after completion.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the City Council of the City of Yuba City hereby accepts the work performed on those certain improvements, the subject of the Amended Subdivision Agreement #1 between the City of Yuba City and Roy Lanza, and authorizes and directs the developer to execute and record a Notice of Completion in connection with said work of improvement.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 6th day of November 2007.

AYES:

NOES:

ABSENT:

MAYOR

ATTEST:

CITY CLERK