

ITEM 4.12

CITY MANAGER'S REPORT NOVEMBER 13, 2023 CITY COUNCIL REGULAR MEETING

ITEM: **ACCEPT PUBLIC IMPROVEMENTS ASSOCIATED WITH EP NO. 2019-35, LOCATED AT 231 AND 240 TOWNE CENTRE DRIVE FROM BLUE MOUNTAIN CONSTRUCTION SERVICES, INC.**

RECOMMENDATION: **Adopt Resolution Accepting Public Improvements Associated with Encroachment Permit No. 2019-35, Located at 231 and 240 Towne Centre Drive, from Blue Mountain Construction Services, Inc.**

SUMMARY:

Blue Mountain Construction Services, Inc., (Blue Mountain, Inc.) the developer of the Towne Centre Apartments located at 231 and 240 Towne Centre Drive, completed the public improvements associated with Encroachment Permit No. (EP) 2019-35. A Vicinity Map is included in Attachment "B".

Staff has inspected the improvements and they have been deemed complete and in accordance with the approved plans and specifications by the City Engineer. The approximate value of the improvements constructed is \$93,000, as shown in the GASB 34 Report included as Attachment "C".

Blue Mountain, Inc. submitted lien releases confirming all sub-contractors and suppliers have been paid in full and a one-year warranty bond (based on 10% of the GASB 34 Report) for the improvements to be accepted.

Staff requests City Council accept the public improvements associated with the EP 2019-35.

BACKGROUND:

The City of Lathrop Planning Commission approved the Administrative Application No 16-84 (AA-16-84) and Minor Variance No 17-18 (MV-17-18) on July 25, 2017 to construct a new 62-unit apartment complex with public improvements on an approximately 2.5 acre site for the Towne Centre Apartments (Phase 1) at 240 Towne Centre Drive. Phase 1 consisted of three, 3-story buildings including two commercial store fronts, a recreation room/club house (cabana), swimming pool with spa, patio area with outdoor furniture, 112 vehicle parking stalls.

The City of Lathrop Planning Commission approved the Site Plan Review No 18-72 (SPR-18-72) by Resolution 18-28 on September 19, 2018 to construct a new 84-unit apartment complex with public improvements on an approximately 3.4 acre site for the Towne Centre II Apartments (Phase 2) at 231 Towne Centre Drive.

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Phase 2 consisted of three 3-story and two 2-story buildings, including 178 vehicle parking stalls.

The Conditions of Approval (COAs) associated with the entitlements of the projects required the installation of frontage improvements along Towne Centre Drive, including but not limited to paving, landscaping, lighting, and sidewalk.

Construction of the utility and frontage improvements is complete, and the approximate value of the improvements proposed to be accepted is \$93,000, as shown in the GASB 34 Report. These improvements have been inspected by staff and have been deemed complete to approved plans and to City specifications by the City Engineer. Blue Mountain, Inc. provided a performance bond (No. 7000001020) with EP 2019-35 in the amount shown in Table 1 below that guaranteed the construction of the offsite improvements. The performance bond will be released and replaced with the warranty bond upon acceptance of the improvements.

Table 1

Description	Performance Bond	Warranty Bond Number & Amount
Encroachment Permit 2019-35	7000001020 \$107,200	\$9,300

REASON FOR RECOMMENDATION:

Staff has inspected the improvements listed in the GASB 34 Report and they have been deemed complete in accordance with the approved plans and specifications by the City Engineer. Blue Mountain, Inc. has submitted lien releases for the improvements being accepted. Staff has received the one-year warranty bond and as-built drawings for said improvements.

FISCAL IMPACT:

The GASB 34 report attached details the \$93,000 expended on the improvements proposed to be accepted. The future operating and maintenance costs of these improvements will be funded by the Council approved Community Facilities District 2004-01.

The one-year warranty bond covers any repairs or replacements that become necessary during the one-year period, beginning with this acceptance, due to defective materials or workmanship in connection with the completed improvements.

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ATTACHMENTS:

- A. Adopt Resolution Accepting Public Improvements Associated with Encroachment Permit No. 2019-35, Located at 231 and 240 Towne Centre Drive, from Blue Mountain, Inc.
- B. Vicinity Map
- C. GASB 34 Report – 231 and 240 Towne Centre Drive

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CONSTRUCTION SERVICES, INC.

APPROVALS:



Veronica Albarran
Junior Engineer

10/16/2023
Date



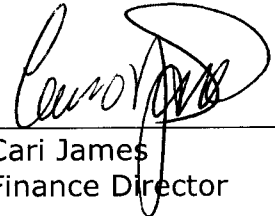
Ken Reed
Senior Construction Manager

10-20-23
Date



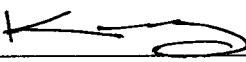
Brad Taylor
City Engineer

10/16/2023
Date



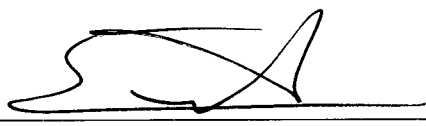
Cari James
Finance Director

10/26/2023
Date




Michael King
Assistant City Manager

10/17/2023
Date



Salvador Navarrete
City Attorney

10-16-2023
Date



Stephen J. Salvatore
City Manager

11-16-23
Date

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ACCEPTING PUBLIC IMPROVEMENTS ASSOCIATED WITH ENCROACHMENT PERMIT NO. 2019-35, LOCATED AT 231 AND 240 TOWNE CENTRE DRIVE, FROM BLUE MOUNTAIN CONSTRUCTION SERVICES, INC.

WHEREAS, the City of Lathrop Planning Commission approved the Administrative Application No 16-84 (AA-16-84) and Minor Variance No 17-18 (MV-17-18) on July 25, 2017 to construct a new 62-unit apartment complex with associated improvements for the Towne Centre Apartments (Phase 1) at 240 Towne Centre Drive; and

WHEREAS, the City of Lathrop Planning Commission approved the Site Plan Review No 18-72 (SPR-18-72) by Resolution 18-28 on September 19, 2018 to construct a new 84-unit apartment complex with associated improvements for the Towne Centre II Apartments at 231 Towne Centre Drive; and

WHEREAS, the Conditions of Approval (COAs) associated with the entitlements of the projects required the installation of frontage improvements along Towne Centre Drive, including but not limited to paving, landscaping, lighting, and sidewalk; and

WHEREAS, construction of the utility and frontage improvements are complete and the approximate value of the improvements proposed to be accepted is \$93,000, as shown in the GASB 34 Report; and

WHEREAS, Blue Mountain Construction Services, Inc. (Blue Mountain, Inc.) provided a performance bond (No. 7000001020) with Encroachment Permit No. (EP) 2019-35 in the amount shown in Table 1 below that guaranteed the construction of the offsite improvements. The performance bond will be released and replaced with the warranty bond by the City Engineer upon acceptance of the improvements

Table 1

Description	Performance Bond	Warranty Bond Number & Amount
Encroachment Permit 2019-35	7000001020 \$107,200	\$9,300

; and

WHEREAS, staff has inspected the improvements listed in the GASB 34 Report and they have been deemed complete and in accordance with the approved plans and specifications by the City Engineer; and

WHEREAS, Blue Mountain, Inc. has submitted lien releases for the improvements being accepted; and

WHEREAS, the City's maintenance costs will increase because of the additional improvements that have to be maintained. The future operating and maintenance costs of these improvements will be funded by the Council approved Community Facilities District 2004-01.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby accept the public improvements associated with EP No. 2019-35 from Blue Mountain, Inc. located at 231 and 240 Towne Centre Drive.

PASSED AND ADOPTED by the City Council of the City of Lathrop this 13th day of November 2023, by the following vote:

AYES:

NOES:

ABSTAIN:


ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas
City Clerk

APPROVED AS TO FORM:



Salvador Navarrete
City Attorney



SCALE: 1" = 100'
DATE: OCTOBER 26, 2023

**CITY OF LATHROP
PROJECT ACCEPTANCE
(GASB 34 REPORT)**

Submitted by: _____

Date: 10/13/2023

Project Name: Towne Centre Apartments Offsite Improvement Plans

<u>Item</u>	<u>Unit</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Amount</u>
Concrete Sidewalk	SF	6,420	\$ 8.00	\$ 51,360.00
Driveway Approach	EA	3	\$ 3,276.00	\$ 9,828.00
Handicap Ramps	EA	3	\$ 1,460.00	\$ 4,380.00
Traffic Striping & Signing	LF	330	\$ 5.00	\$ 1,650.00
18" Storm Drain Pipe	LF	54	\$ 54.00	\$ 2,916.00
Manholes (type II)	EA	1	\$ 3,000.00	\$ 3,000.00
8" Sanitary Sewer Pipe	LF	43	\$ 32.00	\$ 1,376.00
8" Water Line (including all appurtenances)	LF	203	\$ 32.00	\$ 6,496.00
1-1/2" Water Service	EA	1	\$ 1,500.00	\$ 1,500.00
2-1/2" Water Service	EA	1	\$ 2,000.00	\$ 2,000.00
3-1/2" Water Service	EA	4	\$ 2,000.00	\$ 8,000.00
			Total	\$ 93,000.00

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