

**CITY OF OAKLAND
COUNCIL AGENDA REPORT**

OFFICE OF THE CITY CLERK
2003 NOV -6 PM 6:05

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: November 18.2003

RE: RESOLUTION APPROVING THE FINAL MAP OF TRACT 7419, A 31-LOT SUBDIVISION LOCATED BETWEEN 66TH STREET AND 67TH STREET WEST OF SAN PABLO AVENUE, OAKLAND, ALAMEDA COUNTY, CALIFORNIA, ACCEPTING OFFERS FOR DEDICATION CONTAINED THEREON AND AUTHORIZING THE SUPERINTENDENT OF STREETS TO ENTER INTO AN AGREEMENT WITH PULTE HOME CORPORATION FOR IMPROVEMENTS TO BE CONSTRUCTED IN SAID SUBDIVISION; FIXING THE AMOUNT OF SECURITY TO GUARANTEE THE FAITHFUL PERFORMANCE OF SUCH AGREEMENT AND ADOPTING PLANS AND SPECIFICATIONS FOR SUCH IMPROVEMENTS

SUMMARY

Approval of this resolution will facilitate the recordation of a final map of Tract 7419 creating 31 lots located between 66th and 67th Streets west of San Pablo Avenue and authorize the Director of Building Services to enter into a subdivision agreement with the subdivider of Tract 7419 to defer completion of required public improvements until after recordation of the final map. The subdivider of Tract 7419 has petitioned the City to allow deferral of completion of required subdivision improvements for a maximum of one year. The subdivider has agreed to post the improvement bonds and pay all the necessary fees prior to the recordation of the final map.

Staff recommends that the City Council authorize the approval of the final map and allow the Director of Building Services to enter into an agreement with the subdivider for construction of the subdivision improvements as set forth in the approved plans and specifications, and to establish the amount of security required to guarantee completion of the improvements. This provision complies with Chapter 5 (Improvement Security) of the Subdivision Map Act.

FISCAL IMPACT

There is no fiscal impact if the City Council approves the resolution. The cost for the subdivision improvements and review fees will be borne by the subdivider.

Item No. 17
City Council
November 18.2003

BACKGROUND

Tract 7419 is a 31-lot subdivision located between 66th and 67th Streets west of San Pablo Avenue. The site is approximately 124,304 square feet and is located partially in both the cities of Oakland and Emeryville. Tract 7419 will provide home ownership opportunity to low and medium income households. The subdivider of Tract 7419 requested to defer the subdivision improvements in order to expedite the starting date of the building construction. The subdivider will be required to pay all the fees and post subdivision bonds to insure completion of the required subdivision improvements and payment of labor and material suppliers.

SUSTAINABLE OPPORTUNITIES:

Economic: The project will offer employment opportunities to Oakland residents.

Environmental: The subdivider will be required to adhere to Best Management Practices during project construction. Measures to control erosion, contamination of storm water runoff, dust, noise, and heavy equipment emissions will be required. In addition, alternate pipe materials in lieu of PVC pipe will be required for construction of storm drain mains and sanitary sewer mains.

Social Equity: The project will improve the aesthetics of the area and provide a pedestrian friendly environment.

DISABILITY AND SENIOR CITIZEN ACCESS

The subdivider will be required to construct new concrete sidewalks complying with current Americans with Disability Act and City Standards, along 66th and 67th Streets.

RECOMMENDATION AND RATIONALE

Since the subdivider has agreed to post the required improvement security and pay all the necessary fees, staff recommends that the City Council approve the resolution.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends approval of the resolution.

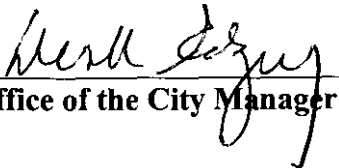
Respectfully submitted,



Claudia Cappio, Development Director,
Community and Economic Development
Agency

Prepared by: Calvin N. Wong

APPROVED AND FORWARDED
TO THE CITY COUNCIL



Office of the City Manager

OAKLAND CITY COUNCIL

OFFICE OF THE CITY ATTORNEY
OAKLAND CITY CLERK
2003 NOV -6 PM 6:05

RESOLUTION No. _____ C.M.S.

RESOLUTION APPROVING FINAL MAP OF TRACT 7419, A 31-LOT SUBDIVISION LOCATED AT 66th STREET, OAKLAND, ALAMEDA COUNTY, CALIFORNIA, AND ACCEPTING OFFERS FOR DEDICATION CONTAINED THEREON AND AUTHORIZING THE SUPERINTENDENT OF STREETS TO ENTER INTO AN AGREEMENT WITH PULTE HOMES CORPORATION FOR IMPROVEMENTS TO BE CONSTRUCTED IN SAID SUBDIVISION; FIXING THE AMOUNT OF SECURITY TO GUARANTEE THE FAITHFUL PERFORMANCE OF SUCH AGREEMENT AND ADOPTING PLANS AND SPECIFICATIONS FOR SUCH IMPROVEMENTS

WHEREAS, that certain map entitled "Tract 7419, Oakland, Alameda County, California", has been presented to the Council for its approval; and

WHEREAS, the City Planning Commission did on the 19th day of February 2003, approve a tentative map of said Tract 7419; and

WHEREAS, said proposed final map was referred to the Director of Building Services, who has been authorized to perform the functions of the Superintendent of Streets and Ex-officio City Engineer for the purpose of reviewing subdivision maps, and he has certified to this Council that said proposed final map is substantially the same as the tentative map approved by the City Council, and that said proposed final map complies with all of the provisions of the "Subdivision Map Act" and the local ordinances of the City of Oakland applicable thereto, and that said proposed final map is technically correct; and

WHEREAS, The Subdivider, Pulte Homes Corporation, a Michigan corporation, desires to postpone the improvements proposed to be constructed in said proposed subdivision to a time subsequent to the approval of the final map thereof; and

WHEREAS, The Subdivider, Pulte Homes Corporation, a Michigan corporation has executed an agreement with the City of Oakland, for the doing of said work and has deposited with the City Clerk a surety bond or other evidence of security in the amount of \$692,000.00 as a guarantee that the required local improvements will be constructed in accordance with the plans and specifications; and has deposited with the City Clerk an additional bond in the amount of \$346,000.00 securing payment to the contractor, his subcontractors and all persons renting equipment or furnishing labor and materials to them; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970, the guidelines as prescribed by the secretary of resources and the City's environmental review regulations have been satisfied in that the project is exempt pursuant to Section 15332 of the California Environmental Quality Act therefore, be it

17
ORA/COUNCIL
NOV 18 2003

RESOLVED: That the Council of the City of Oakland consents to the postponement of the construction of such improvements, and the Superintendent of Streets is hereby authorized and empowered to enter into an agreement with the Subdivider for the construction within said proposed subdivision of those certain improvements set forth in the plans and specifications therefore, filed in the Office of the City Clerk on the 1st day of November 2003, said work to be completed on or before the 31st day of December 2004, provided, however, the date for the completion of such improvements may be extended by the City Council upon recommendation of the Superintendent of Streets; and be it

FURTHER RESOLVED: That upon execution of the agreement referred to above, said final map be and the same is hereby approved; that the strips of land designated upon said Final Map and offered for dedication for public utility purposes, be and the same are hereby accepted: that the City Clerk is hereby authorized, empowered and directed to endorse the approval and acceptance thereof of this Council upon said final map; and be it

FURTHER RESOLVED: That the plans and specifications prepared by KCA Engineers Inc., Consulting Engineers for the Subdivider and approved by the City Engineer and filed in the office of the City Clerk on the 1st day of November 2003, for the above-mentioned improvements are hereby approved and adopted as the plans and specifications for such proposed improvements; and be it

FURTHER RESOLVED: That the City Council finds and determines that this action complies with CEQA.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20

PASSED BY THE FOLLOWING VOTE

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

17
ORA/COUNCIL
NOV 18 2003