

# OAKLAND CITY COUNCIL

78208

RESOLUTION No. \_\_\_\_\_

C.M.S.

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

**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

**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 31<sup>st</sup> 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, NOV 18 2003, 20\_\_\_\_\_


**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

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