



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 04/06/2021

ITEM NO: 6

DATE: March 30, 2021

TO: Mayor and Town Council

FROM: Laurel Prevetti, Town Manager

SUBJECT: Authorize the Town Manager to Execute a Certificate of Acceptance and Notice of Completion for the Public Right-of-Way Improvements Completed by Davidon Homes for the Highlands of Los Gatos on 15700 Shady Lane, and Authorize the Town Clerk to Submit for Recordation

RECOMMENDATION:

Staff recommends that the Town Council authorize the Town Manager to execute a Certificate of Acceptance and Notice of Completion (Attachment 1) for the public right-of-way (ROW) improvements completed by Davidon Homes for the Highlands of Los Gatos on 15700 Shady Lane, and authorize the Town Clerk to submit for recordation.

BACKGROUND:

On December 19, 2005, the Town Council approved a request for a zoning change for the 66.2 acres of land at the terminus of Shady Lane from HR-2½ to HR-2½:PD to allow for its subdivision into 19 single-family residential lots. Subsequently, on January 17, 2006, Council adopted Ordinance 2147, thereby approving Planned Development application PD-04-3. The adopted ordinance also allowed for the construction of improvements as outlined in the Planned Development application.

On June 2, 2008, the Town Council approved the final map for Tract 9969 – Highlands of Los Gatos, accepting the dedications of easements and public ROW.

DISCUSSION:

The public ROW improvements included pavement, curb, gutter, and utilities. On January 1, 2019, Davidon Homes and the Town entered into a Public Improvement Acceptance Agreement for the remediation, construction, and completion of the off-site public improvements. Faithful

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Senior Civil Engineer

Reviewed by: Town Manager, Parks and Public Works Director, Town Engineer

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DISCUSSION (continued):

performance and labor and materials bonds were collected from Davidon Homes to ensure completion of the improvements.

Davidon Homes has now completed the work for the public improvements per the conditions of the agreement, and staff is recommending project acceptance. Ten percent of the faithful performance bond shall be retained for a period of one-year as a guaranty from any defective materials and workmanship. The execution and recordation of the Certificate of Acceptance and Notice of Completion is required to finalize the Town's acceptance of the public ROW improvements.

CONCLUSION:

Authorize the Town Manager to execute a Certificate of Acceptance and Notice of Completion for the Public ROW improvements completed by Davidon Homes for the Highlands of Los Gatos on 15700 Shady Lane, and authorize the Town Clerk to submit the documents to the County for recordation.

FISCAL IMPACT:

The improvements are within the public ROW dedicated to and accepted by the Town through the subdivision process and the approval of the final map. These improvements become part of the Town's infrastructure to be maintained after the expiration of the one-year warranty period.

ENVIRONMENTAL ASSESSMENT:

An Environmental Impact Report (EIR) for the project was certified by Town Council on December 19, 2005.

Attachment:

1. Certificate of Acceptance and Notice of Completion