

**RESOLUTION NO. \_\_\_\_\_ (2024 SERIES)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN LUIS OBISPO, CALIFORNIA, ACCEPTING THE PUBLIC  
IMPROVEMENTS, CERTIFYING COMPLETION OF THE PRIVATE  
IMPROVEMENTS, AND CONDITIONALLY AUTHORIZING RELEASE OF  
THE SECURITIES FOR TRACT 2428-PHASE 3 (3000 CALLE MALVA)**

**WHEREAS**, the City Council made certain findings concerning Tract 2428, as prescribed in Resolution No. 10514 (2014 Series); and

**WHEREAS**, the City Council approved the final map Phase 3 for Tract 2428 per Resolution No. 10971 (2019 Series); and

**WHEREAS**, the subdivider has satisfactorily completed the required Phase 3 public improvements in accordance with City standards, specifications, and the subdivision agreement; and has requested that the City accept of these public improvements for maintenance and operation by the City; and

**WHEREAS**, the subdivider has satisfactorily completed the Phase 3 private improvements in accordance with City standards, specifications and the approved plans, and has requested that the City certify completion of these private improvements; and

**WHEREAS**, the subdivider has on file the appropriate securities to guarantee the completion of the remaining Phase 3 subdivision improvements as shown on the approved plans.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of San Luis Obispo as follows:

**SECTION 1.** The City Council hereby accepts the public improvements for Phase 3.

**SECTION 2.** The City Council certifies completion of the Phase 3 private improvements.

**SECTION 3.** The Faithful Performance securities guaranteeing completion of the on-site and off-site public improvements and remaining private improvements may be reduced to the approval of the City Engineer upon submittal of the following items:

1. Progress record drawings for the completed improvements; and
2. Certification by the Engineer of Record for the completion of the public and private improvements.

**SECTION 4.** The corresponding Labor & Materials security may be released after 90 days from the date of acceptance of the improvements or 60 days after the recordation of a notice of completion in accordance with Section 66499.7(h) of the California Government Code.

**SECTION 5.** The security guaranteeing the workmanship and materials may be released by the Director of Public Works upon the successful completion of the 12-month warranty time period from the date of acceptance of the improvements.

Upon motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and on the following roll call vote:

- AYES:
- NOES:
- ABSENT:

The foregoing resolution was adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Mayor Erica A. Stewart

ATTEST:

\_\_\_\_\_  
Teresa Purrington  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
J. Christine Dietrick  
City Attorney

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on \_\_\_\_\_.

\_\_\_\_\_  
Teresa Purrington  
City Clerk