



COUNCIL REPORT

DATE: October 22, 2024
CATEGORY: Consent
DEPT.: Public Works
TITLE: **1885 Miramonte Avenue—Public Improvements**

RECOMMENDATION

Accept the public improvements for the development at 1885 Miramonte Avenue for maintenance throughout their useful life.

BACKGROUND AND ANALYSIS

The “acceptance” of developer-installed improvements signifies that the developer has satisfactorily completed improvements in the City’s right-of-way. Once accepted, the City takes ownership of and maintenance responsibility for the improvements.

This development project at 1885 Miramonte Avenue included two new buildings totaling 97,000 square feet to replace two existing buildings on an existing private school campus. The public improvement plans were approved for construction on January 11, 2023.

The public improvements include:

Quantity	Unit	Item Description
1	EA	Fire Hydrant
1	EA	6” Gate Valve
39	LF	6” Fire Service
39	LF	4” Water Service
1	EA	3” Water Meter
5	EA	City Streetlights
2	EA	LED/Audible Pedestrian Safety Systems

The public improvements for the development project have been completed to the satisfaction of the City Engineer and are in accordance with the City’s standard policy to accept the improvements for maintenance.

FISCAL IMPACT

The public improvements for this development were paid for by the developer.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$250 from a party, participant, or agent of a party or participant in the proceeding within the last 12 months. A city official is similarly prohibited from accepting, soliciting, or directing a campaign contribution exceeding \$250 from a party, participant, or agent of a party or participant to any proceeding involving a license, permit, or other entitlement for use for 12 months after a final decision is rendered in said proceeding.

Please refer to the “X” in the checklist below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

SUBJECT TO THE LEVINE ACT

- Land development entitlements
- Other permit, license, or entitlement for use
- Contract or franchise

EXEMPT FROM THE LEVINE ACT

- Competitively bid contract
- Labor or personal employment contract
- General policy and legislative actions

For more information about the Levine Act, please see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html.

ALTERNATIVES

Determine that the recommended improvements are not complete or in conformance with City standards and do not accept the improvements.

PUBLIC NOTICING

Agenda posting. A copy of the Council report was sent to the developer, Jason D. Curtis.

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