

CITY OF ALAMEDA RESOLUTION NO. _____

APPROVING A FINAL MAP AND AUTHORIZING EXECUTION OF A
SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 8524, BAY
37 AS A CONDITION TO FINAL MAP APPROVAL

WHEREAS, Pulte Homes Company, LLC submitted an application for Tract 8524, Bay 37 to subdivide Parcel One and Parcel Two of Parcel Map 11038 for condominium purposes within the Alameda Landing Waterfront Residential project at 2800 Fifth Street; and

WHEREAS, on October 14, 2019, the Planning Board held a duly noticed public hearing and adopted Resolution No. PB-19-22 recommending approval of a Tentative Map for Tract No. 8524; and

WHEREAS, on November 19, 2019, pursuant to Resolution No. 15609, the City Council approved Tentative Tract Map 8524; and

WHEREAS, the City Engineer has determined that the Final Map for Tract No. 8524 is substantially in accordance with the previously approved tentative subdivision map approved by the City Council and complies in all manners with the provisions of California Government Code sections 66410 et seq. (Subdivision Map Act) and the City of Alameda's local subdivision ordinance (Alameda Municipal Code (AMC) Article VI); and

WHEREAS, Pulte Homes Company, LLC has hired a competent design professional, who is licensed by the State of California to practice civil engineering, to prepare plans and specifications for the construction of required public infrastructure improvements in the public right of way; and

WHEREAS, the City Engineer has approved the plans and specifications prepared by CBG Civil Engineers entitled "Bay 37 – Phase 1, Tract 8524 Improvement Plans" permitted as PWD19-0021 and filed in the office of the Public Works Director; and

WHEREAS, pursuant to Government Code section 66462 and AMC section 30-85.3, as a condition precedent to approval of the Final Map for Tract 8524, Pulte Homes Company, LLC has executed a Subdivision Improvement Agreement ("SIA") to assure the timely construction, unconditional warrantee, and prescribed maintenance of all required public infrastructure improvements; and

WHEREAS, pursuant to Government Code section 66499 and AMC section 30-85.3, and as required by the SIA, Pulte Home Company, LLC has deposited adequate security in the form of surety bonds, and in sufficient amounts as estimated by the City Engineer, to secure Pulte Homes Company's performance of the required public infrastructure improvements identified in the SIA; and

WHEREAS, the City's approval of Final Map Tract 8524 is a ministerial action that is exempt from the requirements of California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080(b)(1) and CEQA Guidelines section 15268, and as a

separate and independent basis, will not result in new environmental impacts beyond those identified in previously approved documents; and

WHEREAS, on October 6, 2020, the City Council reviewed Tract Map No. 8524 and all pertinent maps, documents, and exhibits.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alameda that the Final Map for Tract 8524 conforms to all the requirements in Government Code sections 66410 et seq., AMC Article VI, and CEQA, and is hereby approved; and

BE IT FURTHER RESOLVED, that all parcels of land offered in fee, subject to improvement, and with the exception of the easement designated as East Bay Municipal Utility District (EBMUD), all easements offered are accepted on behalf of the public for use in conformity with the terms of the offers of dedication; and

BE IT FURTHER RESOLVED, that the easement designated as EBMUD is rejected on behalf of the City of Alameda; and

BE IT FURTHER RESOLVED, that the approval of the Final Map and the acceptance of said parcels of land and easements are conditioned upon completion to the satisfaction of the City Engineer of public improvements as required by the SIA; and

BE IT FURTHER RESOLVED, that the City Engineer and City Clerk are hereby authorized to endorse the Final Map for Tract 8524; and

BE IT FURTHER RESOLVED, that the agreement for construction and completion of the public improvements in Tract 8524 pursuant to the SIA and all its terms and conditions be, and hereby are, approved and the City Manager and the City Clerk are authorized and directed to execute and attest to, respectively, said agreement on behalf of the City of Alameda; and

BE IT FURTHER RESOLVED, that upon said executions of the Final Map and SIA, the City Engineer is hereby authorized to release the Final Map and SIA for recording with the Alameda County Clerk – Recorder; and

BE IT FURTHER RESOLVED, that the security guaranteeing full and faithful performance of said public improvements, labor, and materials are hereby approved as sufficient in amount.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 6th day of October 2020, by the following vote to wit:

Ayes:

Noes:

Absent:

Abstentions:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 7th day of October 2020.

Lara Weisiger, City Clerk
City of Alameda

Approved as to form:

Yibin Shen, City Attorney
City of Alameda