

ATTACHMENT 1

RESOLUTION R2025-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, ACCEPTING PUBLIC IMPROVEMENTS FOR THE YOSEMITE GREENS (TRACT 4081); APPROVING EXONERATION OF THE PERFORMANCE BOND; APPROVING EXONERATION OF THE LABOR AND MATERIALS BOND SIX (6) MONTHS AFTER THE DATE OF ACCEPTANCE; AND APPROVING EXONERATION OF THE WARRANTY BOND TWELVE (12) MONTHS AFTER THE DATE OF ACCEPTANCE

WHEREAS, General Plan Housing Element Policy H-P-27 states that, “The City shall promote the expeditious processing and approval of residential projects that meet General Plan policies and City regulatory requirements”; and

WHEREAS, D.R. Horton CA2, Inc. (Developer), has requested the City Council of the City of Manteca, a Municipal Corporation (City), accept the public improvements for the Yosemite Greens (Tract 4081); and

WHEREAS, the General Plan Public Facilities and Services Element Goal PF-5 states that, “The City’s public services and facilities will support economic development and residential growth in the City”; and

WHEREAS, the public improvements have been inspected, tested and completed to the satisfaction of the Engineering Department of the City; and

WHEREAS, the Developer has paid to the City their fair share construction cost, that includes a 25% markup for inflation, of \$902,364.16 for future improvements to the Drain 5 canal in accordance to the conditions of approval; and

WHEREAS, when the Drain 5 canal improvement work is eventually completed in the future, if the actual construction cost is less than what was paid to the City, any remaining balance will be refunded the Developer; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manteca, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council’s adoption of this Resolution.

ATTACHMENT 1

2. The City Council hereby finds that the public improvements for the Yosemite Greens (Tract 4081) are complete and are hereby accepted.
3. The City Council hereby assumes all future maintenance of the completed public improvements.
4. The Faithful Performance Bond in the amount of \$5,424,334.36 on deposit with the City, is hereby exonerated upon receipt by City of Warranty Bond in the amount of \$542,433.44 as provided in the Improvement Agreement between City and Developer.
5. The City Engineer is hereby authorized to exonerate the Labor and Materials Bond in the amount of \$2,712,167.18 six months after acceptance of said improvements if no claims have been filed.
6. The City Engineer is hereby authorized to exonerate the Warranty Bond twelve (12) months after the date of acceptance, upon re-inspection of the improvements which are found to be in good condition or after any defects have been repaired, as determined by the City Engineer.
7. The City Clerk is hereby instructed to record this Resolution with the San Joaquin County Recorder's Office.
8. This Resolution shall take effect immediately upon adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Manteca at a public meeting of said City Council held on the 16th day of September, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
GARY SINGH
Mayor

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk