

RESOLUTION NO. 2022-06

A RESOLUTION OF THE ALBANY CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ACCEPT THE IMPROVEMENTS PERFORMED IN THE LOWER SOLANO CURB RAMPS PROJECT (CIP NO. 25011) AND AUTHORIZING STAFF TO FILE THE NOTICE OF COMPLETION

WHEREAS, in December of 2019, the Albany City Council approved a settlement agreement to resolve injunctive relief claims made under the Americans with Disabilities Act (ADA) in two pending lawsuits; and

WHEREAS, the cases against the City (Galpern v. City of Albany and Saraswati v. City of Albany) both requested that the court issue an injunction ordering the City to make corrective repairs to its curb ramps to meet current ADA accessibility standards; and

WHEREAS, the City of Albany is a member of the "Alameda County Urban County," and therefore receives annual allocations from the Community Development Block Grant (CDBG), administered by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, as part of the updated Capital Improvement Plan for Fiscal Years 2019/20 through 2023/24, adopted in November 2020, Council reaffirmed a total appropriation of \$571,705.50 in CDBG funding to be assigned for the Lower Solano Curb Ramps Project (CIP No. 25011), as initially approved in Resolution No. 2020-94; and

WHEREAS, the Project consists of a complete re-design and rebuild of ten (10) curb ramps and corrective repairs on thirty-four (34) existing curb ramps, bringing all curb ramps in the Project area to current ADA accessibility standards; and

WHEREAS, Contract No. C20-65 was awarded to Villalobos & Associates (Resolution No. 2020-94) for the construction of the Project, with one change order added for drainage improvements required as discovered during construction; and

WHEREAS, the project is now complete and a Notice of Completion is required to be filed with the County Recorder's Office.

NOW, THEREFORE, BE IT RESOLVED, that the Albany City Council hereby authorizes the City Manager to accept the improvements completed in the Lower Solano Avenue Curb Ramps Project (Contract No. C20-65) and authorizes staff to file the Notice of Completion with the County Recorder's Office.

PRESTON JORDAN, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706 (510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2022-06

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 18th day of January, 2022, by the following votes:

AYES: Council Members Gary, McQuaid, Nason, Tiedemann and Mayor Jordan

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 19th

day of January, 2022.

Anne Hsu

CITY CLERK

Recorded at the request of:
 CITY OF ALBANY

When Recorded, Mail to:
 City Clerk
 City of Albany
 1000 San Pablo Avenue
 Albany, CA 94706

(Space Above for Recorder's Use)

NOTICE OF COMPLETION AND ACCEPTANCE OF PUBLIC WORK

Notice is hereby given by the City of Albany, a municipal corporation, located in Alameda County, State of California, with its principal offices at City Hall, 1000 San Pablo Avenue, Albany, CA 94706, of the following:

That it has caused the construction and installation of the following described public work upon the following described real property; and the furnishing of all labor, materials, methods or processes, implements, tools, machinery, equipment, transportation, and services necessary to accomplish same, to wit:

Contract No. C20-65, Lower Solano Avenue Curb Ramps Project including but not limited to 48 curb ramps on Solano Avenue from Kains Avenue to Masonic Avenue, including striping restoration and drainage improvements.

That the said City of Albany is in possession of said real property and owns a fee simple estate or an easement for public use therein;

That said work was done in accordance with plans and specifications therefore approved and adopted by said City of Albany, and said work was done pursuant to a public works contract dated September 21, 2020, duly awarded by said City of Albany to Villalobos & Associates, 4885 Bucknall Road, San Jose CA 95130, and was accepted by the City Council of the City of Albany as complete on January 18, 2022.

That the undersigned certifies that he is authorized to and does make this verification on behalf of the City of Albany; that he has read the foregoing notice and knows the contents thereof; and that the undersigned declares under penalty of perjury that the foregoing is true and correct to the best of his knowledge.

| Executed on | , 2022 at Albany, California. |
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| | CITY OF ALBANY A Municipal Corporation |
| | By Mark Hurley, Public Works Director City of Albany |