





# City of Riverside Administrative Manual

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Policy Owner(s): Public Works

Approved:

  
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Department  
  
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City Manager City Manager

**SUBJECT:**

**Completion of Off-Site Improvements**

**PURPOSE:**

To establish a procedure for assuring completion of off-site improvements.

**POLICY:**

Public Works and Parks, Recreation and Community Services Departments are responsible for reviewing, coordinating and processing their respective requests for time extensions for the installation of off-site improvements required as a condition of approval of a Parcel Map, Subdivision, Zoning Case, Conditional Use Permit, Plot Plan or Building Permit; and for obtaining completion of required improvements.

**PROCEDURE:**

Responsibility	Action
Public Works and/or Parks Department	<ol style="list-style-type: none"> <li>1. Makes field inspection, if necessary, and determines if a time extension will be offered, or if the work must be finished by the existing deadline.               <ol style="list-style-type: none"> <li>a) If no on-site development has taken place, a time extension can be offered, except that the developer may be required to complete all or a portion of the improvements should conditions warrant installation. Among the conditions would be possible safety hazards, possible drainage problems, to coordinate installation with adjoining projects, or a public need for the installation of the improvements.</li> <li>b) <b>If development has taken place on-site, improvements are required to be completed before occupancy is allowed.</b></li> </ol> </li> <li>2. If deemed appropriate by staff, a time extension not to exceed one year may be offered. If a time extension is to be offered, the amount of the existing agreement and security will be checked to verify that they are sufficient to cover the estimated construction costs should the City make demand on the security and let a contract to have the required improvements installed.               <ol style="list-style-type: none"> <li>a) Usually the existing agreement may be extended up to three years</li> </ol> </li> </ol>

**PROCEDURE:**

<b>Responsibility</b>	<b>Action</b>
	before an estimate is prepared. If construction costs accelerate quickly, earlier revised estimates may be warranted.
	<ul style="list-style-type: none"> <li>b) If a portion of the improvements are installed or are currently under construction, an updated agreement and security may be unnecessary.</li> <li>c) If the security is not in a sufficient amount to cover the cost of off-site improvements, a new agreement and security rather than a time extension is required of the developer.</li> </ul>
	3. First Letter: Notifies developer 90 days prior to expiration of agreement and relates his responsibility to: <ul style="list-style-type: none"> <li>a) Complete the required improvements on time.</li> <li>b) Complete the required improvements on time or request a time extension on the form supplied by the department.</li> <li>c) Complete the required improvements on time or request to execute an updated agreement and submit updated agreement and bond forms as provided.</li> </ul>
Developer	4. a) Submits a request for an extension of time, or a new agreement and security. If a new agreement and security are accepted, the previous security is released by the City.
Public Works and/or Parks Department	b) Reviews request for time extension. The department director approves or denies the request for a time extension. If the time requested seems excessive, a portion of the time may be granted. A letter is mailed to the developer granting or denying the time extension request and states the new completion date. A copy is mailed to the security company when applicable.
Developer	c) May appeal to the City Council for further consideration of his time extension request if it is denied by the department director.
City Clerk	d) Places the appeal for time extension on the next regular City Council agenda.
Public Works and/or Parks Department	e) Notifies the applicant of the date that Council will hear the request.
City Council	f) Takes appropriate action.
	5. Second Letter (demand): If the City's requests remain unsatisfied, demand is made to the surety approximately thirty days prior to the expiration of the allotted time in accordance with the wording of the agreement and security.

**PROCEDURE:**

**Responsibility**

**Action**

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6. If there are no results from the demand letter, the file is referred to the Legal Department for action or assistance in collection.
    - a) If the security company forwards the amount of the demand or if the security is a cash deposit, time certificate, or Passbook, the funds are deposited into the appropriate account towards the completion of the improvements.
    - b) An estimate to complete the improvements is prepared for the Legal Department's use in filing suit if the security company fails to perform or pay, or if suit must be filed against the developer.
  7. When the amount of funds received from the security is substantially the amount of the estimate to complete the improvements, the project is advertised for bid and the improvements are completed.
    - a) If the costs after completion of the improvements are less than the deposit, the balance is refunded.
    - b) If there is a balance due, the information is forwarded to the Legal Department for action and collection.
  8. When the funds received after the Legal Department has made all attempts to collect the full estimate amount are substantially less than needed, a decision is made as to what portion of the improvements would be installed.