




**SAN RAFAEL CITY COUNCIL AGENDA REPORT**

**Department: Public Works**  
**April Miller, Public Works Director**

**Prepared by: Theo Sanchez, Associate Civil Engineer**      **City Manager Approval:** 

**TOPIC:            ROTARY MANOR CULVERT REPLACEMENT PROJECT**

**SUBJECT:        ACCEPT COMPLETION OF THE ROTARY MANOR CULVERT REPLACEMENT PROJECT, CITY PROJECT NO. 11371, AND AUTHORIZE THE CITY CLERK TO FILE THE NOTICE OF COMPLETION**

**RECOMMENDATION:**  
Accept completion of the Rotary Manor Culvert Replacement Project and authorize the City Clerk to file the Notice of Completion.

**BACKGROUND:**  
Rotary Manor, located at 1821 Fifth Avenue, is a senior community housing facility. A culvert exists underneath this property and conveys flows along a historic waterway representing the upper reaches of present-day San Rafael Creek.

The corrugated metal pipe segment of this culvert needed replacement. On [July 10<sup>th</sup>, 2023](#), the City Council awarded the construction contract to Maggiora & Ghilotti, Inc. in the amount of \$788,700 and approved a construction contingency of \$121,300 for a total appropriation of \$900,000. Construction began on September 5<sup>th</sup>, 2023, and was completed on January 26<sup>th</sup>, 2024.

**ANALYSIS:**  
Pursuant to Civil Code Section 3093, the City is required to record a Notice of Completion upon City acceptance of the improvements. This acceptance initiates a period during which project subcontractors may file Stop Notices seeking payment from the City from the funds owed to the Contractor for the project work.

**FISCAL IMPACT:**  
No fiscal impact is associated with this report.

**RECOMMENDED ACTION:**  
Accept completion of the Rotary Manor Culvert Replacement Project and authorize the City Clerk to file the Notice of Completion.

**ATTACHMENTS:**  
1. Notice of Completion

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**FOR CITY CLERK ONLY**

**Council Meeting:**  
  
**Disposition:**

Recording Requested By:  
The City of San Rafael

When Recorded Mail To:  
Lindsay Lara, City Clerk  
1400 Fifth Avenue  
San Rafael, CA 94901

EXEMPT FROM RECORDING FEES PER  
GOVERNMENT CODE §27383

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE

**NOTICE OF COMPLETION**  
Civil Code §§ 8182, 8184, 9204, and 9208

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the agent of the owner of the Project described below.
2. Owner's full name is the City of San Rafael ("City")
3. City's address is 1400 Fifth Ave, San Rafael, CA 94901
4. The nature of City's interest in the Project is:  
\_\_ Fee Ownership      \_\_ Lessee      X Other Public Right of Way Easement
5. Construction work on the Project performed on City's behalf is generally described as follows: Replacement of an existing corrugated metal pipe with a new reinforced concrete box culvert on the Rotary Manor property.
6. The name of the original Contractor for the Project is: Maggiora & Ghilotti, Inc. located at 555 DuBois St, San Rafael CA 94901
7. The Project was accepted as complete on: Feb 5, 2024
8. The Project is located at: 1821 Fifth Ave, San Rafael CA 94901

Verification: In signing this document, I, the undersigned, declare under penalty of perjury under the laws of the State of California that I have read this notice, and I know and understand the contents of this notice, and that the facts stated in this notice are true and correct.

\_\_\_\_\_  
Date and Place

\_\_\_\_\_  
Signature

April Miller, Director of Public Works  
Name and Title

*EXEMPT FROM NOTARY ACKNOWLEDGMENT REQUIREMENTS PER  
GOVERNMENT CODE § 27287 AND CIVIL CODE § 9208*