Council was apprised that at the last regular Planning Commission meeting, on August 8, 1983, Mr. Howard Arnaiz asked the Planning Commission to approve a Parcel Map which did not include the required cul-de-sac at the north end of Awani Drive. The Planning Commission indicated to Mr. Arnaiz that they could take no action unless the City Council changed their position on the need for the cul-de-sac and officially abandoned the public right-of-way.

A letter from the Sanguinetti & Arnaiz Development Company, Inc., requesting the City Council to abandon the unimproved public right-of-way located at the north end of Awani Drive was presented for Council's perusal. Awani Drive is located in the Mokelumne Village subdivision.

The unimproved cul-de-sac right-of-way fronts the City's old dumpsite (SOL) which was purchased by Howard Arnaiz in July 1982. A copy of the bidding documents which clearly indicates on page 3 that the new owner of the property (Howard Arnaiz) is responsible for the completion of the cul-de-sac at the end of Awani Drive was presented for Council's perusal. Mr. Arnaiz's bid transmittal indicating that his bid is being submitted in accordance with the conditions contained in the bidding document was also presented. Also presented was a copy of the plot plan that went with the bidding documents to show the bidders the exact parcel which they were acquiring and that the parcel did not include the future cul-de-sac right-of-way. It is felt that there is no question that Mr. Arnaiz purchased the City property knowing full well that he would have to construct a standard City cul-de-sac at the end of Awani Drive. It was made very clear to all parties bidding on the City's SOL that it would be their responsibility to construct the cul-de-sac improvements. If the Council now changes that requirement, then there is a real question whether that is fair to the other bidder. The estimated cost of the improvements is approximately $15,000. If this change was made prior to the bidding, it certainly appears that the bids the City received may have been $15,000 higher.

responded to questions as were posed by the Council...

ABANDONMENT OF AWANI DRIVE

A very lengthy discussion followed with questions being directed to Staff and again to Mr. Arnaiz.

RES. NO. 83-93

On motion of Council Member Pinkerton, Snider second, Council adopted Resolution No. 83-93 indicating its intention to abandon a portion of Awani Drive. The motion carried by the following vote:

Ayes: Council Members - Pinkerton, Snider, and Olson (Mayor)

Noes: Council Members - Murphy

Absent: Council Members - Reid