



Agenda Report

File #: 20-0750

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 09/02/2020

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration of public improvements and releasing appropriate Improvement and Survey Monumentation Securities associated with Tract Map (TM) 37057 - VD Corona Kellogg, LLC, a California Limited Liability Company.

RECOMMENDED ACTION:

That the City Council:

- a. Accept the Off-Site Public Improvements.
- b. Accept the On-Site Public and Private Improvements.
- c. Retain twenty-five percent (25%) of the Faithful Performance Security for one year beyond acceptance of the improvements as security for repair or replacement of any improvements that fail to meet City Standards at the end of the one-year period (1001064431 FP, 1001064432 FP, and 1001064433 FP).
- d. Retain the Labor and Material Security for six months beyond the acceptance of the improvements, and automatically release the security, unless any claims are filed (1001064431 FP, 1001064432 FP, and 1001064433 FP).
- e. Release the Survey Monumentation Security (1001064434) associated with Tract Map 37057.

ANALYSIS:

On May 17, 2017, the City Council approved the final TM 37057 for the development of 92 detached single-family condominium homes on approximately 12.13 acres in the Medium Density Residential (MDR) land use designation of the Corona Vista Specific Plan. VD Corona Kellogg, LLC, is the

developer of TM 37057, which is located at the northeast corner of Kellogg Street and Santana Way, as shown on Exhibit "A." Also on May 27, 2017, VD Corona Kellogg, LLC, entered into on-site and off-site Public Improvements, on-site Private Improvements, Public Landscape Improvements, Rough Grading, and Survey Monuments Agreements with the City associated with the development of the project. The rough grading and public landscape securities were released by City Council on February 20, 2019.

All of the improvements secured by these agreements have now been completed and inspected to ensure conformation with City specifications.

Twenty-five percent (25%) of the Faithful Performance Security will be retained for a period of one-year to guarantee repair or replacement of any improvements that fail prior to the end of the one-year period. Any written claims against the performance security must be made prior to the one-year guarantee period, which is set to expire September 2, 2021. City staff must release the Faithful Performance Security one year after acceptance of the improvements by the City Council, pursuant to California Government Code Section 66499.9 (c).

It is necessary to retain the Labor and Material Security for a period of six months, in accordance with the State Subdivision Map Act.

The survey monuments have been set in accordance with the Subdivision Map Act and all City Standards, and the City has been provided with evidence that the surveyor has been paid. Therefore, it is appropriate to release the Survey Monumentation Security at this time.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

Funding for necessary maintenance of the public improvements has been included in the CFD 2017-2 Special Tax B, Fund 238 of the Fiscal Year 2021 Budget.

ENVIRONMENTAL ANALYSIS:

In accordance with Section 15063 of the State Guidelines for the California Environmental Quality Act (CEQA), the City prepared an initial study to determine if the project would have a significant effect on the environment. The initial study was prepared in accordance with Section 15063 and per the City's Local Guidelines for Implementing CEQA. The initial study identified environmental effects that were determined not to be significant and identified potentially significant effects that were capable of being mitigated to less than significant. Therefore, the City adopted a Mitigated Negative Declaration and Mitigation Monitoring Plan on November 2, 2016, in accordance with Section 15070 of the State CEQA Guidelines and Section 6.02 of the City's Local Guidelines for Implementing CEQA.

However, this specific action before Council is exempt pursuant to Section 15061(b)(3) of the

Guidelines for the CEQA, which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action merely releases the current securities associated with the property. Since there is no possibility that adopting this action will have a significant effect on the environment, no further environmental analysis is required.

PREPARED BY: MICHELE HINDERSINN, P.E., SENIOR CIVIL ENGINEER

REVIEWED BY: TOM KOPER, P.E., ACTING PUBLIC WORKS DIRECTOR

REVIEWED BY: ROGER BRADLEY, ASSISTANT CITY MANAGER

SUBMITTED BY: JACOB ELLIS, CITY MANAGER

Attachments:

1. Exhibit A - Location Map

Owner: VD Corona Kellogg, LLC
2900 Adams Street, Suite C-25
Riverside, CA 92504

Engineer: Proactive Engineering Consultants, Inc.
200 South Main Street, Suite 300
Corona, CA 92882