File #: 19-0135

AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION

DATE: 2/20/2019

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:
City Council consideration of accepting the public landscape improvements associated with Tract Map 37057; Release the appropriate improvement and grading securities to VD Corona Kellogg LLC, a California Limited Liability Company; and Appropriate $3,857 to the Maintenance Services' operating budget from the CFD 2017-2 Valencia Special Tax B Fund 238.

RECOMMENDED ACTION:
That the City Council accept the public landscape improvements associated with Tract Map 37057 and take the following actions:

1. Retain twenty-five percent of the Faithful Performance Security for one year beyond the 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 (1001064435).

2. 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 (1001064435).

3. Release the Rough Grading and Erosion Control Securities (1001064436 and DEP17-0083).

4. Appropriate $3,857 to the Maintenance Services' operating budget from the CFD 2017-2 Valencia Special Tax B Fund 238.

ANALYSIS:
On May 17, 2017, the City Council approved the final Tract Map (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 17, 2017, the City entered into Public Improvement and

Rough Grading Agreements to secure the rough grading and improvements associated with the Tract Map 37057.

All of the public landscape improvements have been completed and inspected to City specifications at this time.

Twenty-five percent 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 February 20, 2020. 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 site has been graded in accordance with all City Standards and the approved Grading Plan. Therefore, it is appropriate to release the Rough Grading and Erosion Control Securities at this time.

An appropriation of $3,857 is being recommended to provide for maintenance of the public landscaping area for the remainder of Fiscal Year 2018-19. Maintenance items include landscape maintenance, reclaimed water utility, electrical costs, irrigation repairs/supplies, and pest control.

COMMITTEE ACTION:
Not applicable.

STRATEGIC PLAN:
Not applicable.

FISCAL IMPACT:
All applicable fees have been paid by the developer. The maintenance of the public landscaping will be funded through the Community Facilities District No. 2017-2 (CFD 2017-2) Valencia Special Tax B Fund 238. Approval of the recommended actions will result in an appropriation of $3,857 to the Maintenance Services' operating budget from the CFD 2017-2 Valencia Special Tax B Fund 238 for the remainder of Fiscal Year 2018-19. Future funding requests will be submitted during the budget process.

Fund	07/01/18 Fund Balance	Budgeted Revenues/ Sources	Budgeted Expenditures/ Uses	Fund Balance Impacts	06/30/19 Est. Fund Balance
CFD 2017-2 Valencia Special Tax Fund B 238	($1,250)	$9,726	($4,311)	($3,857) Appropriation	$308

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 California Environmental Quality Act (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 and replaces 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 environmental analysis is required.

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

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

REVIEWED BY: NELSON D. NELSON, P.E., PUBLIC WORKS DIRECTOR

REVIEWED BY: KIM SITTON, FINANCE MANAGER

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER

Attachment:

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

EXHIBIT "A"

VAN DAELE RESIDENTIAL DEVELOPMENT

TTM 37057

Path: G:\Land Dev\Land Dev\Tracts & Parcels\T37057 - Van Daele-Kellogg and Santana\Bond and Fee\T37057.mxd

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