



Staff Report

File #: 24-0006

REQUEST FOR CITY COUNCIL ACTION

DATE: 01/03/2024

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

SUBJECT:

RELEASE OF IMPROVEMENT SECURITY POSTED BY TRI POINTE HOMES INC, A DELAWARE CORPORATION FOR TRACT MAP 36355 LOCATED ON THE NORTH AND SOUTH SIDE OF FOOTHILL PARKWAY, EAST OF STATE STREET (APPLICANT: TRI POINTE HOMES INC)

EXECUTIVE SUMMARY:

This staff report asks the City Council to accept the public improvements and release the appropriate improvement securities associated with Tract Map 36355. The developer has completed the street improvements associated with the development and is requesting the release of the posted securities.

RECOMMENDED ACTION:

That the City Council:

- a. Accept the street improvements associated with Tract Map 36355.
- b. Retain twenty-five percent (25%) of the Faithful Performance Security for one year beyond the acceptance of the improvements as security for repair and replacement of any improvements that fail to meet City standards at the end of the one-year period. (Bond No. PB03010401999).
- c. Retain the Labor and Material Security for six months beyond the acceptance of the improvements and automatically release the security, unless claims are filed. (Bond No. PB03010401999).

BACKGROUND & HISTORY:

Tract Map 36355 is the subdivision of 21.70 acres, creating one 16.87-acre lot for condominium purposes, and seven lettered lots for roadway, open space and flood control purposes totaling 4.83

acres. The map facilitated the construction of 146 single family residential units, approved by the City Council on January 20, 2016.

Tri Pointe Homes Inc. entered into Public Improvement Agreements with the City and posted bonds for the development of Tract Map 36355 on May 20, 2015.

ANALYSIS:

The improvements secured by these agreements have been completed and inspected to ensure conformity with City specifications.

Twenty-five percent (25%) of the Faithful Performance Security for the public improvements will be retained for a period of one year to guarantee repair or replacement of any improvements that fail before the end of one year. Any written claims against the performance security must be made before the one-year guarantee period, which is set to expire on January 3, 2025. City Staff will 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, according to the State Subdivision Map Act.

The following is a summary of the securities:

Security	Security No.	Faithful Performance	Security No.	Labor & Materials
Street Improvements DWG# 14-043S PIM 140024	PB03010401999	\$ 1,731,000	PB03010401999	\$ 865,500

FINANCIAL IMPACT:

All applicable fees have been paid by the developer. It is the City’s responsibility to begin the maintenance of the public improvements one year after the date of acceptance.

ENVIRONMENTAL ANALYSIS:

This specific action before the 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 the current securities associated with the property and there is no possibility that this action will have a significant effect on the environment.

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PREPARED BY: JESSICA KANG, ASSOCIATE ENGINEER

REVIEWED BY: JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

Attachments:

1. Exhibit 1 - Location map