



## Agenda Report

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**File #:** 19-0242

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### **AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION**

**DATE:** 3/20/2019

**TO:** Honorable Mayor and City Council Members

**FROM:** Public Works Department

**SUBJECT:**

City Council consideration of Grading and Improvement Agreements for 1042 East Third Street - Right Solutions LLC, a California Limited Liability Company.

**RECOMMENDED ACTION:**

That the City Council authorize the Mayor to execute Grading and Improvement Agreements between the City and Right Solutions LLC, a California Limited Liability Company.

**ANALYSIS:**

Right Solutions LLC is the owner of a vacant lot located at 1042 East Third Street in the SF (Single Family) Zone, as shown on Exhibit "A." The owner is proposing to construct a single-family residence on the 0.17-acre lot.

The owner will enter into an Improvement Agreement with the City and post sufficient securities to guarantee construction of the public street and drainage improvements associated with the project.

In compliance with Grading Ordinance No. 2568, the owner will also enter into a Grading Agreement to secure the precise grading operations, which include drainage improvements. A cash deposit has been posted to guarantee erosion control. The grading design conforms to the Grading Ordinance, and is consistent with sound engineering standards and practices. The elevation design minimizes significant height and slope differentials from surrounding properties, while maintaining the City's obligation to protect the health and safety of citizens and property.

Securities have been posted as follows:

PGR150049	Faithful Performance		Labor and Materials	
	Security No.	Amount	Security No.	Amount
Public Improvements	72114942	\$24,200	72114942	\$12,100
Grading and Drainage	72114942	\$4,000	N/A	N/A
Erosion Control	Cash Deposit	\$2,500	N/A	N/A

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

All applicable fees have been paid by the developer as follows:

PGR150049	Fee Type	Amount
1042 E. Third Street - Precise Grading and Erosion Control	Plan Check	\$2,288

**ENVIRONMENTAL ANALYSIS:**

Per Section 15268 of the Guidelines for implementing the California Environmental Quality Act (CEQA), and Section 3.02 of the City's Local CEQA Guidelines, infill single family residential development on a single lot in the SF Zone is not subject to discretionary review and is therefore defined as a ministerial project and exempt from CEQA. Additionally, this action is exempt pursuant to Section 15061(b)(3) of CEQA Guidelines, 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 approves agreements that provide security to guarantee completion of improvements that are required in connection with a ministerial permit, and there is no possibility that approving these agreements will have a significant effect on the environment. Therefore, 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:** KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

**SUBMITTED BY:** MICHELE NISSEN, ACTING CITY MANAGER

**Attachments:**

1. Exhibit "A" - Location Map
2. Agreements

Owner: Right Solutions, LLC  
1601 N. Main Street  
Santa Ana, CA 92701  
(714) 227-8333

Engineer: Design Concepts  
4091 Riverside Drive, Suite 110  
Chino, CA 90220  
(909) 591-3939