



## Agenda Report

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**File #:** 19-0414

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

**DATE:** May 1, 2019

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

**FROM:** Public Works Department

**SUBJECT:**

City Council consideration of accepting the public improvements associated with 2304 State Street, and release the appropriate Grading and Improvement Securities - Amer Koder Makkawi.

**RECOMMENDED ACTION:**

That the City Council:

1. Accept the public improvements associated with 2304 State Street.
2. 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 (390582S-FP).
3. 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 (390582S-LM).
4. Release the Precise Grading and Erosion Control Securities (390583S-FP and DEP16-0031).

**ANALYSIS:**

On April 6, 2016, Amer Koder Makkawi, the owner of the property located at 2304 State Street entered into Grading and Improvement Agreements with the City to demolish an existing 1,113 square-foot single-family residence and construct a new 3,340 square-foot single-family residence with a 1,200 square-foot casita on 0.28-acres in the R1-8.4 (Single Family Residential) zone. The project is located on the west side of State Street and south of Ontario Avenue, as shown on Exhibit "A."

All of the grading and improvements secured by these agreements have now been completed and

inspected to ensure conformation with City specifications.

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 May 1, 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 precise graded in accordance with all City Standards and the approved Grading Plan. Therefore, it is appropriate to release the Precise Grading and Erosion Control Securities at this time.

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

All applicable fees have been paid by the owner. It is the City's responsibility to begin the maintenance of the public improvements one year after the date of acceptance. Costs for maintaining the public improvements will be included in the Maintenance Services' Annual Operating Budget.

**ENVIRONMENTAL ANALYSIS:**

This action 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 security associated with the grading and public improvements. 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

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DIRECTOR

**REVIEWED BY:** MICHELE NISSEN, ASSISTANT CITY MANAGER

**SUBMITTED BY:** MITCHELL LANSDELL, ACTING CITY MANAGER

**Attachment:**

1. Exhibit "A" - Location Map

Owner: Amer Koder Makkawi  
150247 Leffingwell Road  
La Mirada, CA 90638

Engineer: SPB Engineering, Inc.  
1391 Windermere Lane  
Tustin, CA 92780