



Agenda Report

File #: 19-0761

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 09/04/2019

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration of accepting the Zone 5 Emergency Booster Station public improvements associated with Tract Map 36541-1 and release the appropriate Improvement Securities - Ryland Homes of California, Inc., a Delaware Corporation.

RECOMMENDED ACTION:

That the City Council:

1. Accept the Zone 5 Emergency Booster Station Public Improvements associated with Tract Map 36541-1.
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 (30009183-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 (30009183-LM).

ANALYSIS:

On June 21, 2017, Ryland Homes of California, Inc., a subsidiary to CalAtlantic Group, Inc., and original owner of Tract Map 36541-1, entered into an Improvement Agreement with the City to secure the construction of the Zone 5 Emergency Booster Station. CalAtlantic Group, Inc., was subsequently acquired by Lennar Homes of California, Inc., the current developer of this project. Tract Map 36541-1 is the first phase of the Tentative Tract Map 36541 subdivision of approximately 311 acres into 237 single-family residential lots located south of Green River Road and west of Paseo Grande, known as "Sierra Bella," as shown on Exhibit "A."

The improvements secured by this agreement have now been completed and inspected to ensure

conformance 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 September 4, 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.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

All applicable fees have been paid by the developer. The operation and maintenance of the Zone 5 Emergency Booster Station has been allocated under the GL Key 57050330 for Water Utility Facility Maintenance for Fiscal Year 2019-20. Future funding requests will be submitted during the budget process.

ENVIRONMENTAL ANALYSIS:

Per Sections 15162 and 15163 of the State Guidelines for Implementing CEQA, no subsequent environmental evaluation is required when an EIR has been certified for a project and no substantial changes have been made to the project. An addendum to the Sierra Bella Specific Plan Environmental Impact Report (SPA12-005) was prepared in accordance with the California Environmental Quality Act "CEQA" and certified by the City Council on May 1, 2013.

Additionally, 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 a ministerial permit. 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: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: MITCHELL LANSDELL, ACTING CITY MANAGER

Attachments:

1. Exhibit "A" - Location Map

Owner: Lennar Homes of California
980 Montecito Drive, #302
Corona, CA 92879
(951) 817-3542

Engineer: Proactive Engineering West
25109 Jefferson Avenue, Suite 200
Murrieta, CA 92562