



Staff Report

File #: 21-0596

REQUEST FOR CITY COUNCIL ACTION

DATE: 06/16/2021

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

Acceptance of reclaimed water public improvements on Promenade Avenue associated with Parcel Map 35661 and release of appropriate Public Improvement, Rough Grading, and Off-site Grading Securities.

EXECUTIVE SUMMARY:

The reclaimed water public improvements on Promenade Avenue, rough grading, and HOA off-site precise grading improvements associated with Parcel 35661 have been completed. The proposed action will accept the reclaimed water improvements and release the appropriate securities provided by the developer, Vista Monterey 91 LLC, a Delaware Limited Liability Company.

RECOMMENDED ACTION:

That the City Council:

- a. Accept the Reclaimed Water Public Improvements on Promenade Avenue associated with Parcel Map 35661.
- b. Retain twenty-five percent (25%) of the Faithful Performance Security for one year beyond 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 (800018762).
- c. 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 (800018762).
- d. Release the Rough Grading Security associated with Parcel Map 35661 (800018782) and retain the Erosion Control Security for the on-going precise grading activities.

- e. Release the HOA Off-site Precise Grading and Erosion Control Securities associated with Parcel Map 35661 (PGR170029 - R8006).

BACKGROUND & HISTORY:

On May 21, 2008, the City Council approved Parcel Map 35661 to subdivide approximately 20.15 acres into two lots to accommodate a 442-unit apartment community in the High-Density Residential (HDR-23) designation of the Northeast Corona Specific Plan (SP81-02). The project is located on a vacant parcel of infill property that extends between Promenade Avenue and the 91 Freeway, west of the existing Corona Hills Plaza shopping center, as shown on Exhibit "1." On May 17, 2017, City Council approved agreements for public improvements and survey monumentation, which included reclaimed water improvements on Promenade Avenue associated with drawing number 17-003U. On January 17, 2018, City Council approved agreements for rough grading operations and retaining wall construction associated with the development. On August 15, 2018, City Council approved an agreement for HOA Off-site Precise Grading operations associated with the development.

ANALYSIS:

All of the reclaimed water public improvements on Promenade Avenue, rough grading, and HOA off-site precise grading 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 for the reclaimed water improvements 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 on June 16, 2022. 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, in accordance with the State Subdivision Map Act.

The site has been rough graded in accordance with all City Standards and the approved Grading Plan. Therefore, it is appropriate to release the Rough Grading Security at this time. The Erosion Control Security must be retained for the on-going precise grading activities.

The HOA off-site area has been graded in accordance with all City Standards and the approved Grading Plan. Therefore, it is appropriate to release the associated Grading and Erosion Control Securities at this time.

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 (1) year after the date of acceptance.

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 May 21, 2008, in accordance with Section 15070 of the State CEQA Guidelines and Section 6.02 of the City's Local Guidelines for Implementing CEQA.

PREPARED BY: CHRISTOPHER HORN, P.E., SENIOR CIVIL ENGINEER

REVIEWED BY: SAVAT KHAMPHOU, ACTING PUBLIC WORKS DIRECTOR

Attachments:

1. Exhibit 1 - Location Map