



Legislation Details (With Text)

**File #:** 18-1564      **Version:** 1      **Name:**  
**Type:** Agreement      **Status:** Passed  
**File created:** 2/26/2018      **In control:** City Council  
**On agenda:** 3/7/2018      **Final action:** 3/7/2018  
**Title:** City Council consideration to authorize the Mayor to execute Grading and Improvement Agreements and appropriate funds from a General Fund Deposit Account to the Overlook Street Improvements Capital Improvement Project for 1740 Duncan Way - Wise Move, Inc.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - Location Map - 1740 Duncan Way\_MH.pdf, 2. Agreement for Public Improvements and Subdivision & Grading Improvements Per Bond\_1740 Duncan Way\_MH.pdf, 3. Agreement for Grading, Erosion Control & Drainage and Subdivision & Grading Improvements Perf Bond\_1740 Way, MH.pdf, 4. Receipt\_R4664\_1740 Duncan Way\_MH.pdf

Date	Ver.	Action By	Action	Result
3/7/2018	1	City Council	approved	

**AGENDA REPORT  
REQUEST FOR CITY COUNCIL ACTION**

**DATE:** 3/7/2018

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

**FROM:** Public Works Department

**SUBJECT:**

City Council consideration to authorize the Mayor to execute Grading and Improvement Agreements and appropriate funds from a General Fund Deposit Account to the Overlook Street Improvements Capital Improvement Project for 1740 Duncan Way - Wise Move, Inc.

**RECOMMENDED ACTION:**

That the City Council:

1. Authorize the Mayor to execute Grading and Improvement Agreements between the City and Wise Move, Inc.
2. Authorize the increase of revenue in the General Fund in the amount of \$9,234.01 and appropriate the same amount to the Overlook Street Improvements Capital Improvement Project within the General Fund.

**ANALYSIS:**

Wise Move, Inc. is the owner of a vacant lot located at 1740 Duncan Way in the R1-14.4 (Single-Family Residential) Zone, as shown on Exhibit “A.” The owner is proposing to construct a single-family residence on the 0.15-acre lot.

The owner will enter into an Improvement Agreement with the City and post sufficient securities to guarantee construction of water and sewer public 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:

PGR170009	Faithful Performance		Labor and Materials	
	Security No.	Amount	Security No.	Amount
Public Improvements	HA-10-A197-0009	\$7,800	HA-10-A197-0009	\$3,900
Grading and Drainage	HA-10-A197-0008	\$5,000	N/A	N/A
Erosion Control	Cash Deposit	\$2,500	N/A	N/A

In lieu of constructing the street improvements along the project’s frontage to Duncan Way, the owner has paid a fair share to the City for the future construction as part of the Overlook Street Improvements Capital Improvement Project (CIP). This CIP was established to facilitate construction and/or pavement rehabilitation of various roads in the specific area bordered by Nelson Street, State Street, Liberty Avenue, and Duncan Way in the Overlook area. The property at 1740 Duncan Way lies within this specific location, therefore it is appropriate for these funds to be placed in the CIP and used for the road construction and/or pavement rehabilitation.

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

The recommended actions will result in the appropriation of \$9,234.01 from the General Fund to the Overlook Street Improvements Capital Improvement Project. These funds, received as a deposit in the amount of \$9,234.01, will be recorded as revenue in the General Fund.

Account Description	Fund	Project	Amount
Fair Share Receipt (AEC308 - R4664)	110	68330	\$9,234.01

GENERAL FUND	
--------------	--

Budget Workshop May 24, 2017 - Estimated Revenue Over Expenditures	(\$2,172,529)
Previously approved budget adjustments (net)	413,542
Mid-Year Revised Revenue Projections	<u>804,199</u>
Current Estimated Revenue Over Expenditures	(954,788)
Overlook Street Improvements - Revenue Increase	9,234
Overlook Street Improvements - Appropriation	<u>(9,234)</u>
<b>Estimated Amount from Budget Balancing Measures Reserve</b>	<b>(\$954,788)</b>
Budget Balancing Measures Reserve - Estimated for 07/01/17 (Updated)	\$28,945,252
Use of Budget Balancing Measures Reserve - 12/20/17	(8,300,000)
Estimated Use of Budget Balancing Measures Reserve FY 2017-18	<u>(954,788)</u>
<b>Budget Balancing Measures Reserve - Estimated Balance 06/30/18</b>	<b>\$19,690,464</b>
<i>*Approved through Council Action or other operational process.</i>	

**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 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:** DARRELL TALBERT, CITY MANAGER

Exhibit "A" - Location Map

Owner: Wise Move, Inc  
 41215 Via Del Toronjo  
 Temecula, CA 92592

Engineer: Majestic Design 3D  
 P.O. Box 223  
 Temecula, CA 92593