



## Legislation Details (With Text)

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**File #:** 17-599      **Version:** 1      **Name:**

**Type:** Agreement      **Status:** Passed

**File created:** 3/23/2017      **In control:** City Council

**On agenda:** 4/5/2017      **Final action:** 4/5/2017

**Title:** City Council consideration to authorize the Mayor to execute an Improvement Agreement for 910 Ontario Avenue - Cirks Construction Inc.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - Location Map, 2. Improvement Agreement, 3. Cirks Construction Agreement - Executed 4.5.2017

Date	Ver.	Action By	Action	Result
4/5/2017	1	City Council	approved	

### AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

**DATE:** 4/5/2017

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

**FROM:** Public Works Department

**SUBJECT:**

City Council consideration to authorize the Mayor to execute an Improvement Agreement for 910 Ontario Avenue - Cirks Construction Inc.

**RECOMMENDED ACTION:**

That the City Council authorize the Mayor to execute an Improvement Agreement between the City and Cirks Construction Inc.

**ANALYSIS:**

Ontario and Buena Vista Associates LLC, a California Limited Liability Company, is the owner of the property located at 910 Ontario Avenue, and are leasing the property to Halferty Development Company, who has constructed a 16,124 square-foot drive-through pharmacy in the C-3 General Commercial Zone. The project site is located at the southwest corner of Ontario and Buena Vista Avenues, as shown on Exhibit "A," and is completing construction of the landscaping.

The contractor, Cirks Construction Inc., will enter into an Improvement Agreement with the City, and post sufficient securities to guarantee construction of required off-site public landscaping improvements fronting the project.

Securities have been posted as detailed below:

	Faithful Performance		Labor and Materials	
	Security No.	Amount	Security No.	Amount
Public Improvements - Landscaping	RCB006184	\$15,600.00	RCB006184	\$15,600.00

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

All applicable fees have been paid by the developer.

**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 an agreement that provide security to guarantee completion of public improvements that are required in connection with a ministerial permit, and there is no possibility that approving this agreement 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

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