



## Legislation Details (With Text)

**File #:** 19-0359      **Version:** 1      **Name:**  
**Type:** Release of Security      **Status:** Passed  
**File created:** 4/4/2019      **In control:** City Council  
**On agenda:** 4/17/2019      **Final action:** 4/17/2019  
**Title:** City Council consideration of accepting the public improvements associated with Ontario Avenue, Kellogg Avenue, and Fullerton Avenue, and release the appropriate Improvement Securities - Crossroads Christian Church and Crossroads Christian Schools.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Staff Report with Attachment

Date	Ver.	Action By	Action	Result
4/17/2019	1	City Council	accepted	

### AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

**DATE:** 4/17/2019

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

**FROM:** Public Works Department

**SUBJECT:**

City Council consideration of accepting the public improvements associated with Ontario Avenue, Kellogg Avenue, and Fullerton Avenue, and release the appropriate Improvement Securities - Crossroads Christian Church and Crossroads Christian Schools.

#### RECOMMENDED ACTION:

That the City Council:

1. Accept the public improvements associated with Ontario Avenue, Kellogg Avenue, and Fullerton Avenue completed by Crossroads Christian Church and Crossroads Christian Schools.
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 (Bond Nos.1115151 FP and

1115152 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 (Bond Nos. 1115151 LM and 1115152 LM).
4. Appropriate \$7,500 to the Maintenance Services' operating budget from the CFD 2001-1 Maintenance Fund 249.

**ANALYSIS:**

Crossroads Christian Church (Church) and Crossroads Christian Schools (School), which are affiliated but separate legal entities, are the owners of the properties located at 2331 Kellogg Avenue and 2380 Fullerton Avenue, respectively, as shown on Exhibit "A."

On June 19, 2002, City Council conditionally approved a Modification to Conditional Use Permit (CUPM) 94-008 permitting construction of a 4,400 square-foot building on the Church property to be used as an educational facility, a 55,000 square-foot building to be used as the church's interim sanctuary and gym, and a 10,000 square-foot expansion to the interim sanctuary building, which will ultimately serve as the church's permanent sanctuary. On July 2, 2003, the City Council conditionally approved CUP 03-003 permitting construction on the School property of a 35,600 square-foot building to be used as a school for preschool and lower elementary school children, and a 50,454 square-foot building to be used as a school for upper elementary and junior high school students. Incident to and as a condition of approval to these actions, the Church and School were required to construct certain public improvements along Ontario Avenue, Kellogg Avenue, and Fullerton Avenue.

On December 17, 2014, Crossroads Christian Church and Crossroads Christian Schools entered into an agreement with the City to complete the non-master planned public improvements along Ontario Avenue, Kellogg Avenue, and Fullerton Avenue, which were required in conjunction with the above listed approvals.

All of the 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 April 17, 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 new landscape area in the median and the southerly side of Ontario Avenue between Kellogg Avenue and Fullerton Avenue was confirmed to be annexed into Community Facilities District No. 2001-1 (CFD2001-1) Annexation No.11. The maintenance of the public landscaping will be funded through the CFD 2001-1 Maintenance Fund 249. Approval of the recommended actions will result in an appropriation of \$7,500 to the Maintenance Services' operating budget from Fund 249 for the remainder of Fiscal Year 2018-19. Future funding requests will be submitted during the budget process.

Fund	07/01/18 Fund Balance	Budgeted Revenues/ Sources	Budgeted Expenditures/ Uses	Fund Balance Impacts	06/30/19 Est. Fund Balance
CFD 2001-1 Fund 249	\$4,877,297	\$750,289	(\$1,792,298)	(\$7,500) Appropriation	\$3,827,788

**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. Environmental impacts associated with the required public improvements were considered in the Mitigated Negative Declarations prepared and adopted for CUPM 94-008 and CUP 03-003.

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 the 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 DIRECTOR

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

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

**Attachment:**

1. Exhibit "A" - Location Map

Developer: Crossroads Christian Church  
2331 Kellogg Avenue  
Corona, CA 92881

Developer: Crossroads Christian Schools of Corona  
2380 Fullerton Avenue  
Corona, CA 92881