



## Legislation Text

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### **AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION**

DATE: 8/15/2018

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

**SUBJECT:**

City Council consideration to accept the Public Improvements associated with 810 East Grand Boulevard; and release the appropriate Improvement and Grading Securities - Jimmy Diaz and Thao Thanh Pham-Diaz.

**RECOMMENDED ACTION:**

That the City Council accept the improvements associated with 801 East Grand Boulevard, and take the following actions:

1. Retain twenty-five percent of the Faithful Performance Security for one (1) 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 (DEP16-0038).
2. Retain the Labor and Material Security for six (6) months beyond the acceptance of the improvements, and automatically release the security unless any claims are filed (DEP16-0039).
3. Release the Grading and Erosion Control Securities (DEP16-0040 and DEP16-0041).

**ANALYSIS:**

On April 20, 2016, the City entered Grading and Public Improvement Agreements with Jimmy Diaz and Thao Thanh Pham-Diaz, the owners of a vacant lot located at 801 East Grand Boulevard in the Single Family District of the Downtown Corona Revitalization Specific Plan (SP-98-01). The owners constructed a two-story single-family residence on the 0.34-acre lot as approved by Planning Commission on May 11, 2015 (ARC15-001).

All of the precise grading and public improvements secured by these agreements have been completed and inspected to City specifications.

Twenty-five percent of the Faithful Performance Security will be retained for a period of one (1) 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 August 15, 2019. City staff must release the Faithful Performance Security one (1) 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 (6) months, in accordance with the State Subdivision Map Act.

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

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL 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. The owner will be responsible for maintenance of the landscaping within the City rights of way fronting the project.

**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 releases the current securities associated with the property. Since there is no possibility that adopting this action will have a significant effect on the environment, no environmental analysis is required.

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**SUBMITTED BY:** DARRELL TALBERT, CITY MANAGER

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