



Legislation Text

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File #: 20-0787, Version: 1

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**AGENDA REPORT  
REQUEST FOR CITY COUNCIL ACTION**

DATE: 09/16/2020

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

**SUBJECT:**

City Council consideration of public improvements and releasing appropriate Improvement Securities associated with Tract Map 36541-1 - Ryland Homes of California, Inc., a Delaware Corporation.

**RECOMMENDED ACTION:**

**That the City Council:**

- a. Accept the Bridge Public Improvements associated with Tract Map 36541-1.
- b. Accept the Retaining Walls Public Improvements associated with Tract Map 36541-1.
- c. 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 (929634480 FP and 929634481 FP).
- d. 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 (929634480 LM and 929634481 LM).

**ANALYSIS:**

On April 18, 2018, the City Council approved Tract Maps (TMs) 36541-1, 36541-2, and 36541 (Final) for the subdivision of approximately 311 acres into 237 single-family residential lots in the Sierra Bella Specific Plan. The project is located south of Green River Road, beyond Calle Del Oro, and west of Paseo Grande, as shown on Exhibit "A."

On September 21, 2016, Ryland Homes of California, Inc., a subsidiary to CalAtlantic Group, and

original owner of the tract, entered into Improvement Agreements with the City to secure the construction of the required bridge and retaining walls in the public right-of-way associated with the development.

The bridge and retaining wall improvements secured by these agreements have now been completed and inspected to ensure conformation with City specifications.

Twenty-five percent (25%) 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 September 16, 2021. 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:**

It is the City's responsibility to begin the maintenance of the public improvements one (1) year after the date of acceptance. Funding for necessary maintenance of the bridge and wall improvements will be included in the CFD 2017-2 Special Tax B, Fund 238 Budget.

**ENVIRONMENTAL ANALYSIS:**

Per Sections 15162 and 15163 of the State Guidelines for Implementing California Environmental Quality Act (CEQA), no subsequent environmental evaluation is required when an Environmental Impact Report (EIR) has been certified for a project and no substantial changes have been made to the project. An addendum to the Sierra Bella Specific Plan EIR (SPA12-005) was prepared in accordance with CEQA and certified by the City Council on May 1, 2013.

Furthermore, this specific action before Council is exempt pursuant to Section 15061(b)(3) of the Guidelines for the 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.

**PREPARED BY:** MICHELE HINDERSINN, P.E., SENIOR CIVIL ENGINEER

**REVIEWED BY:** TOM KOPER, P.E., ACTING PUBLIC WORKS DIRECTOR

**REVIEWED BY:** ROGER BRADLEY, ASSISTANT CITY MANAGER

**SUBMITTED BY:** JACOB ELLIS, CITY MANAGER

**Attachments:**

1. Exhibit A - Location Map

**Owner:** Lennar Homes of California  
980 Montecito Drive, #302  
Corona, CA 92879  
(951) 817-3542

**Engineer:** Proactive Engineering West  
25109 Jefferson Avenue, Suite 200  
Murrieta, CA 92562