



Legislation Text

---

File #: 22-0678, Version: 1

---

**REQUEST FOR CITY COUNCIL ACTION**

DATE: 08/17/2022

TO: Honorable Mayor and City Council Members

FROM: Planning and Development Department

SUBJECT:

Acceptance of the public improvements and release of the securities for the property located at 3745 Temescal Canyon Road.

**EXECUTIVE SUMMARY:**

The City Council will consider accepting the public improvements and releasing the appropriate securities to the property owner of 3745 Temescal Canyon Road. The property was recently developed with an industrial building, and the property owner has completed the associated grading and public improvements required for the project.

**RECOMMENDED ACTION:**

**That the City Council:**

- a. Accept the public improvements associated with 3745 Temescal Canyon Road.
- b. Retain twenty-five percent (25%) of the Faithful Performance Security for one year beyond the acceptance of the improvements as security for repair and replacement of any improvements that fail to meet City standards at the end of the one-year period. (Security No. 367276S).
- c. Retain the Labor and Material Security for six months beyond the acceptance of the improvements and automatically release the security unless claims are filed. (Security No. 367276S).
- d. Release the securities posted with the City for precise grading and erosion control (Receipts R11394 and R11395).

## BACKGROUND & HISTORY:

The property located at 3745 Temescal Canyon Road is 1.51 acres and contains a newly constructed 23,063 square foot industrial building. The zoning of the property is General Manufacturing (M-2) and is designated General Industrial in the City of Corona General Plan.

On February 20, 2019, the property owners, Larry and Kristine Hauptert, doing business as REXCO, entered into a Grading Agreement with the City to commence the precise grading and construction of the industrial building. On April 17, 2019, the owners entered into an Improvement Agreement with the City for the construction of public street, sewer, and water improvements associated with the project. The property owners paid the corresponding fees and posted securities associated with these agreements.

The grading and public improvements associated with the development of the site have been completed and inspected by City staff to ensure conformity with City specifications.

## ANALYSIS:

The site has been graded in accordance with all City standards and the approved grading plans. Therefore, it is appropriate to release the Grading and Erosion Control Securities associated with these agreements at this time.

Per Corona Municipal Code 16.24.030, twenty-five percent (25%) of the Faithful Performance Security for the public improvements 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 shall be made prior to the one-year guarantee period, which is set to expire on August 17, 2023. City staff will 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 after the City's acceptance of the improvements, in accordance with the State Subdivision Map Act.

The following is a summary of the securities to be released by the City.

Grading Security	Receipt No.	Faithful Performance	Receipt No.	Erosion Control
Precise Grading and Drainage Improvements DWG# 18-033P (PWGR2018-0027)	R11394	\$25,800	R11395	\$4,800

Public Improvement Securities	Security No.	Faithful Performance	Security No.	Labor & Materials
-------------------------------	--------------	----------------------	--------------	-------------------

Street Improvements DWG# 18-033S (PWIM2019-0001)	367276S	\$73,400	367276S	\$36,700
---	---------	----------	---------	----------

**FINANCIAL 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.

**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 commonsense exemption 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 is to release the public improvement and grading securities posted for the project. There is no possibility that this action will have a significant effect on the environment. Therefore, no further environmental analysis is required.

**PREPARED BY:** CHRISTOPHER HORN, P.E., ACTING DEVELOPMENT SERVICES MANAGER

**REVIEWED BY:** JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

**Attachments:**

1. Exhibit 1 - Location map