

Legislation Details (With Text)

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On agenda: 7/26/2017 **Final action:** 7/26/2017
Title: Approve and Accept the Improvements within Tract Map 36832-1 and Authorize the Release of Subdivision Agreement Securities (Stanton Place 2014, LLC, Subdivider).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Vicinity Map for Tract No. 36832-1, 2. Resolution, 3. Notice of Completion

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 7/26/2017 | 1 | City Council | approved | Pass |

City Council

MEETING DATE: 7/26/2017

TITLE:

Approve and Accept the Improvements within Tract Map 36832-1 and Authorize the Release of Subdivision Agreement Securities (Stanton Place 2014, LLC, Subdivider).

FROM:

John A. Corella, P.E. - City Engineer

RECOMMENDATION:

City Staff recommends the City Council adopt a Resolution approving the public and private improvements within Tract 36832-1; accept the public improvements into the City maintained street system; authorize the recordation of a Notice of Completion for the Project; authorize release of the Subdivision Improvement Agreement securities as specified in the Resolution; and, authorize the Mayor to sign the Resolution on behalf of the City Council.

BACKGROUND:

Tentative Tract 36832 was approved by the City Planning Commission in December, 2014, as a 17-lot single family subdivision located between McCallum Way and Elizabeth Road, west of Landau Blvd.

In August, 2015, the Subdivider, Stanton Place 2014, LLC, was given Final Map approval by the City Council of Tract No. 36832-1 (Project), of a 4 lot first increment map of the Tentative Tract. The Project included a number of public and private improvements to be constructed as a Condition of the

Approval of the Final Map.

The Subdivider executed a Subdivision Improvement Agreement and posted improvement securities in the form of corporate surety bonds as authorized in the State Subdivision Map Act.

The agreement and securities were posted to guarantee the completion of certain public improvements to Elizabeth Road, including curb, gutter, paving, sidewalks, and driveways, and on-site improvements, including boundary walls and utility services, and other improvements at the site as required by the Planning Commission Conditions of Approval.

DISCUSSION:

All the required improvements have been satisfactorily completed as required by the Subdivision Improvement Agreement. The improvements to Elizabeth Road along the Project frontage will be accepted into the City maintained street system upon adoption of the attached Resolution.

A Notice of Completion (NOC) has been prepared, and will be recorded upon Council approval of the Resolution. Upon its recordation, a 90-day period begins, as provided by the State Civil Code, during which any claims for unpaid labor or materials may be filed. If none, then the security posted for labor and materials will be released in full at the end of the 90 days by the City Engineer.

The securities posted by the Subdivider to be released in accordance with the terms of the Subdivision Improvement Agreement and as outlined in the Resolution are as follows, which are in the form of corporate surety bonds issued by Indemnity Company of California:

For faithful performance: \$120,767, Bond No. 802827-P

For labor and materials: \$ 60,384, Bond No. 802827-P

The Subdivider has posted a one-year warranty bond of \$ 12,077, to guarantee repair of any defects in materials or workmanship in the improvements. This security is also in the form of a surety bond, which will be released by the City Engineer in one year provided no claims have been filed or problems arise due to problems with materials or workmanship.

Lastly, all the required monuments for the Project were set for this first Final Map increment, and the Engineer of Record submitted evidence that he had been compensated for those services. In accordance with the Subdivision Improvement Agreement, the \$ 5,000 cash security for monuments has already been released.

FISCAL IMPACT:

There will be a very minor fiscal impact upon the City due to the added maintenance and labor costs to maintain the additional public improvements constructed by this Project.

ATTACHMENTS:

1. Vicinity Map of Tract 36832-1

2. Resolution
3. Notice of Completion