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Title: Approve an Amendment to the subdivision agreement and a bond reduction for Tract Map 5224 Brentwood Ranch and set the new bond amount at \$728,000. (Council District 2).

Sponsors: Public Works Department

Indexes:

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Attachments: 1. 19-11626 First Amendment & Exhibits Tract 5224, 2. 19-11626 Second Amendment & Exhibits Tract 5224, 3. 19-11626 Bond Reduction Resolution No. 2008-100

Date	Ver.	Action By	Action	Result
12/12/2019	1	City Council	approved	

REPORT TO THE CITY COUNCIL

December 12, 2019

FROM: SCOTT L. MOZIER, PE, Public Works Director
Public Works Department

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Public Works Department, Traffic Operations and Planning Division

SUBJECT

Approve an Amendment to the subdivision agreement and a bond reduction for Tract Map 5224 Brentwood Ranch and set the new bond amount at \$728,000. (Council District 2).

RECOMMENDATION

Staff recommends that City Council approves an amendment to the subdivision agreement and a bond reduction for Tract Map 5224, Brentwood Ranch and set the new bond amount at \$728,000.

EXECUTIVE SUMMARY

Council Resolution 2008-100 delegated the authority to the Public Works Director and the City Engineer to prepare and execute a single one-time amendment to any existing subdivision agreement for the purpose of providing partial acceptance of public improvements that are required by the subdivision agreement. Resolution 2008-100 also provided the authority for staff to process a one-time reduction in the amount of the performance security associated with the work. The public

improvements for Tract Map 5224, located near Veterans Boulevard and Barstow Avenue, were completed in 2010 except for the frontage landscaping on Veterans Boulevard. A bond reduction for Tract 5224 was processed in 2009 that lowered the bond amount from \$3.4 million to \$1.2 million when the majority of the public improvements were completed. DeYoung Properties has requested that they be allowed to process a second bond reduction on Tract 5224 to \$728,000. They would like to delay the landscaping along the Veterans Boulevard frontage until the street is open to traffic.

BACKGROUND

All subdivisions are required by the State Subdivision Map Act and the Municipal Code to complete the required public improvements or post security to guarantee that the infrastructure improvements are completed. DeYoung Homes entered into a subdivision agreement in 2005 and posted a bond for approximately \$3.4 million as security for Tract 5224. In 2009, DeYoung requested and was approved for a reduction in the bond to \$1.2 million, consistent with Council Resolution No. 2008-100. This tract is located west of State Route 99 on the northeast corner of Bryan Avenue and Barstow Avenue. Veterans Boulevard bisects the tract, and has been constructed with the exception of the required landscaping, but is currently closed to traffic. DeYoung has requested that they be allowed to postpone the Veterans Boulevard landscaping until the roadway is open to traffic, currently scheduled for 2023. Staff agrees because there is little benefit to the traveling public, and because the new landscaping will result in an unnecessary increase in the maintenance costs for property owners through the Community Facilities District.

Council Resolution 2008-100 delegated the authority to the Public Works Director and the City Engineer to prepare and execute a single one-time amendment to any existing subdivision agreement for the purpose of providing partial acceptance of public improvements that are required by the subdivision agreement. Resolution 2008-100 also provided the authority for staff to process a one-time reduction in the amount of the performance security associated with the work. This subdivision has already processed one bond reduction, so Council approval is needed for staff to be able to process a second amendment to the subdivision agreement and bond reduction.

ENVIRONMENTAL FINDINGS

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378 this item does not qualify as a "project" as defined by CEQA.

LOCAL PREFERENCE

Not applicable because this is not a competitive bid.

FISCAL IMPACT

There will be no impact to the General Fund as a result of the recommended action.

Attachments:

First Amendment and Exhibits Tract 5224
Second Amendment and Exhibits Tract 5224
Bond Reduction Resolution NO. 2008-100