



Legislation Details (With Text)

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Title: Accept Certain (Water Quality) Park Improvements and Accept a Guarantee and Warranty Bond for the LeBard Redevelopment Project (Tract 17801) at 20461 Craimer Lane

Attachments: 1. Att#1 (Location Map Lebard), 2. Att#2 (LeBard Park Imps Acceptance (TR 17801), 3. Att#3 (Guarantee Warranty Bond LeBard), 4. Att#4 (Easement Const Maint Agreement Regarding Tract 17801)

Date	Ver.	Action By	Action	Result
12/16/2019	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

SUBMITTED TO: Honorable Mayor and City Council Members

SUBMITTED BY: Oliver Chi, City Manager

PREPARED BY: Tom Herbel PE, Acting Director of Public Works

Subject:

Accept Certain (Water Quality) Park Improvements and Accept a Guarantee and Warranty Bond for the LeBard Redevelopment Project (Tract 17801) at 20461 Craimer Lane

Statement of Issue:

HB Homes Management, LLC, the developer of the LeBard Redevelopment Project (Tract 17801), has completed certain required park improvements (detention basin and water quality swale) and is now requesting the City's acceptance of said improvements with their submittal of a Guarantee and Warranty Bond.

Financial Impact:

Not Applicable.

Recommended Action:

A) Accept certain park improvements (detention basin and water quality swale) for the LeBard Redevelopment Project (Tract 17801) and instruct the City Clerk to record the Acceptance of Public Park Improvements (Tract 17801) form (Attachment 2) with the Orange County Recorder; and,

B) Accept Guarantee and Warranty Bond No.36K012696 (Attachment 3); the security furnished for guarantee and warranty of certain park improvements (detention basin and water quality swale), and instruct the City Clerk to file the bond with the City Treasurer; and,

C) Instruct the City Clerk to notify the developer, HB Homes Management, LLC, of this action, and the City Treasurer to notify the Surety, the Ohio Casualty Insurance Company, of this action.

Alternative Action(s):

Deny the recommended actions. Denying the recommended actions may violate the Subdivision Map Act whereby:

Section 66499.9 of the State of California Government Code, requires the guarantee and warranty of the work for a period of one year following completion and acceptance of the improvement(s), against any defective work, labor and materials furnished. Denying the acceptance of the Guarantee and Warranty Bond may place undue burden and costs upon the City for correcting any defective work, labor and material provided by the subdivider.

Analysis:

On February 4, 2019, the City approved and executed an Easement, Construction and Maintenance Agreement Regarding Tract Map No. 17801 (Attachment 4), wherein the developer agreed to construction of a detention basin and a water quality swale that will serve the LeBard Redevelopment Project (Tract 17801) at 20461 Craimer Lane. This agreement requires said park improvements be constructed, accepted by the City, and secured by a one-year guarantee and warranty bond prior to issuance of the first grading permit for the project-related residential subdivision.

Staff has determined that certain park improvements (detention basin and water quality swale) have been constructed in substantial compliance with the approved plans and specifications, and recommends acceptance of these improvements.

A Guarantee and Warranty Bond is also being submitted for City Council acceptance, as a surety against all defects in workmanship and materials for a one-year period beginning on the date of the City's acceptance.

PROJECT DATA:

DEVELOPER: HB Homes Management, LLC, 9140 Trask Avenue, Suite 202, Garden Grove, CA 92844

ENGINEER: Thanh Nguyen, HD Engineering, Inc., 9392 Meridian Lane, Garden Grove, CA 92841

SURETY: The Ohio Casualty Insurance Company, 2710 Gateway Oaks Drive, Suite 150N, Sacramento, CA 95833-3505

Public Works Commission Action: Not required.

Environmental Status:

The recommended actions are ministerial acts, and are exempt from the requirements of the California Environmental Quality Act, pursuant to State CEQA Guidelines, California Administrative Code, Title 14, Chapter 3, Section 15268(b).

Strategic Plan Goal:

Enhance and maintain infrastructure

Attachment(s):

1. Location Map
2. Acceptance of Public Park Improvements (Tract 17801)
3. Guarantee and Warranty Bond No.36K012696
4. Executed Easement, Construction and Maintenance Agreement Regarding Tract Map No. 17801