



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Kevin Sin, Senior Civil Engineer
Art Vela, Director of Public Works

MEETING DATE: May 14, 2024

SUBJECT: Consideration of Completion of Various Improvements Related to the Atwell Specific Plan Development and Authorization of the 90% Bond Exoneration

RECOMMENDATION:

Accept as complete various improvements related to the Atwell Specific Plan Development and authorize the 90% bond exoneration.

BACKGROUND:

On December 10, 2019, City Council adopted Resolution 2019-151 approving Final Tract Map No. 37298-1 (Apex Street, Atwell Drive, Creekside Avenue, Highland Springs Avenue, Landmark Way, Meadowline Way and Wilson Street), releasing the map for recordation; authorizing staff to sign the subdivision improvement agreement and final tract map; and accepting the Performance and Labor and Material Bond for public improvements.

On September 8, 2020, City Council adopted Resolution 2020-114 approving Final Tract Map Nos. 37390, 37390-1, 37390-2 and 37390-F (Phase 1B - PA 6, PA 7 and PA 8), releasing the maps for recordation; authorizing staff to sign the subdivision improvement agreements and final tract maps; and accepting various Performance and Labor and Material Bonds for public improvements.

On September 13, 2022, City Council adopted Resolution 2022-122 approving Final Tract Map Nos. 37389-1, 37389-2, 37389-3 and 37389-5 (Meadowline Way, Apex Street, Highland Home Road, and project entries from Meadowline Way and Highland Home Road; PA 10, PA 11, PA 30 and PA 5A), releasing the maps for recordation; authorizing staff to sign the subdivision improvement agreements and final tract maps; and accepting various Performance and Labor and Material Bonds for public improvements. The lot dedication for the Wilson Sewer Lift Station to the City of Banning for construction, operations and maintenance was accepted by the City Council on February 9, 2021.

As conditions of approval for the Atwell Specific Plan development, Tri Pointe Homes was required to sign subdivision improvement agreements and to submit bonds to assure the City that the required public improvements are constructed according to City standards and specifications.

These public improvements included street, storm drain, sewer, water and a sewer lift station associated with tracts 37390, 37390-1, 37390-2 and 37390-F (Phase 1B and PA 7); tract 37389-1 (Highland Home Road); and tract 37298-1 (Apex Street) of the Atwell Specific Plan Development.

JUSTIFICATION:

Staff has verified through inspections that the required public improvements were completed per City standards and specifications and recommends that City Council accept the improvements as complete and authorize the 90% bond exoneration for the following bonds:

<u>Bond #</u>	<u>Bond Amount</u>	<u>Improvements</u>
CMS0339970	\$669,622.00	Phase 1B Storm Drain
CMS0339971	\$652,059.20	Phase 1B Open Space Drain
CMS0339953	\$659,260.50	PA 7 Sewer
CMS0339954	\$1,467,539.15	PA 7 Street
CMS0339955	\$705,076.50	PA 7 Water
30164654	\$1,121,753.13	Highland Home Road Storm Drain
30164655	\$645,374.25	Highland Home Road Water
30164658	\$354,855.50	Highland Home Road Sewer
30164657	\$325,427.00	Highland Home Road Non-pot Water
CMS331784	\$118,841.00	Apex Storm Drain
CMS331785	\$161,172.50	Apex Sewer
PB03010408214	\$1,874,500.00	Wilson Sewer Lift Station Mechanical
PG03010408215	\$123,200.59	Wilson Sewer Lift Station Civil

The remaining 10% of the bond amounts will remain for a period of 12 months (maintenance period) at which point the 10% balance will be released and the improvements will become City owned and maintained improvements.

FISCAL IMPACT:

None.

ALTERNATIVES:

Do not accept staff's recommendation and provide staff with additional direction.

ATTACHMENTS:

1. [Attachment 1a - Atwell Phase 1B SD and OS SIA and Bonds.pdf](#)
2. [Attachment 1b - TR 37390 \(Phase 1B STORM DRAIN PLAN\).pdf](#)
3. [Attachment 2a - Atwell PA 7 SIA and Bonds.pdf](#)
4. [Attachment 2b - TR 37390-2 \(PA 7\) WATER PLAN.pdf](#)
5. [Attachment 2c - TR 37390-2 \(PA 7\) SEWER PLAN.pdf](#)
6. [Attachment 2d - TR 37390-2 \(PA 7\) STREET PLAN.pdf](#)
7. [Attachment 3a - Tr 37389-1 HHR SIA and Bonds.pdf](#)
8. [Attachment 3b - TR 37389-1 OFF-SITE SEWER HHR PLAN.pdf](#)
9. [Attachment 3c - TR 37389-1 STREET HHR PLAN.pdf](#)
10. [Attachment 3d - TR 37389-1 WATER HHR South PLAN.pdf](#)
11. [Attachment 4a - Tr 37298-1 SIA and Bonds \(Apex SD and Sewer\).pdf](#)
12. [Attachment 4b - Tr 37298-1 STORM DRAIN PLAN.pdf](#)
13. [Attachment 4c - Tr 37298-1 SEWER-WATER PLAN.pdf](#)
14. [Attachment 5a - Wilson Sewer Lift Station SIA and Bonds.pdf](#)
15. [Attachment 5b - Tr 37389-1 Wilson Sewer Lift Sta Mech Imp Plan.pdf](#)
16. [Attachment 5c - Tr 37389 PGD PA11-LIFTSTA Delta-1 Plan.pdf](#)