

City of La Quinta

CITY COUNCIL MEETING: September 15, 2015

STAFF REPORT

AGENDA TITLE: ADOPT RESOLUTION TO EXTEND TIME TO COMPLETE ON-SITE IMPROVEMENTS FOR CITRUS EL DORADO LOCATED SOUTH OF AVENUE 50, WEST OF JEFFERSON STREET

RECOMMENDATION

Adopt a resolution to extend the time to complete on-site improvements, as specified in the approved Subdivision Improvement Agreement, for Tract Map No. 32751, Citrus El Dorado.

EXECUTIVE SUMMARY

- The developer, Citrus El Dorado, LLC, has requested City Council approval of a time extension of the Subdivision Improvement Agreement to September 15, 2016 to complete on-site improvements.
- The remaining on-site improvements include the final on-site street paving, adjustment of the manholes and valves to grade, and survey monuments.
- There have been no public requests for completion of the on-site improvements; therefore, staff recommends that the extension to September 15, 2016 be approved.

FISCAL IMPACT

None. Bonds of sufficient value are currently in place to secure the incomplete improvements.

BACKGROUND/ANALYSIS

On May 1, 2007, City Council approved Tract Map No. 32751 for the Citrus El Dorado development, located south of Avenue 50 and west of Jefferson Street (Attachment 1). The developer has constructed all on-site improvements except the final lift of pavement for the private street, adjustment of the manholes and valves to grade, and the survey monuments. In a letter dated July 16, 2015 (Attachment 2), the developer believes the remaining improvements will be constructed twelve to eighteen months from July 2015. Staff has received no public requests regarding completion of these on-site improvements, and no residents currently live on the private street; therefore, approval is recommended to extend the Subdivision Improvement Agreement to September 15, 2016.

ALTERNATIVES

Council may choose to not grant the time extension and require the improvements to be built now; however, since no requests for the required improvements have been received and requiring the improvements may create an unnecessary hardship for the developer, this alternative is not recommended.

Report prepared by: Bryan McKinney, P.E., Principal Engineer

Report approved by: Timothy R. Jonasson, P.E.
Public Works Director/City Engineer

Attachments: 1. Vicinity Map
 2. Letter from Scott Shaddix

RESOLUTION NO. 2015 -

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, GRANTING EXTENSION OF TIME TO SEPTEMBER 15, 2016 FOR THE COMPLETION OF THE ON-SITE IMPROVEMENTS AS SPECIFIED IN THE SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT MAP NO. 32751, CITRUS EL DORADO

WHEREAS, the City Council approved the Subdivision Improvement Agreement (SIA) for Tract Map No. 32751, on May 1, 2007; and

WHEREAS, Section 6. Completion of Improvements, of the approved SIA requires that the developer begin construction of the improvements within ninety days and complete the construction within twelve months after the approval of the Agreement; and

WHEREAS, the recent six year recession caused multiple developer delays and hardship resulting in an extended gap in time since the last Council-approved extension to September 20, 2012; and

WHEREAS, the developer, Citrus El Dorado, LLC, requested a time extension; and

WHEREAS, Section 8. Time Extension, of the approved SIA allows for, at the City Council's sole and absolute discretion, an extension of time for completion of the improvements with additions or revisions to the terms and conditions of the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of La Quinta, California, as follows:

SECTION 1. The time for the completion of the on-site improvements as required by the approved SIA is extended to September 15, 2016.

SECTION 2. The time extension for completing the on-site improvements shall expire when City offices close for regular business on September 15, 2016 if the installation of the on-site improvements has not been completed.

SECTION 3. The provided security amount as required in the approved SIA is satisfactory. No additional securities are required.

SECTION 4. All other terms, responsibilities and conditions as listed in the approved SIA shall remain in full force and effect.

PASSED, APPROVED and ADOPTED at a regular meeting of the La Quinta City Council held on this 15th day of September 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LINDA EVANS, Mayor
City of La Quinta, California

ATTEST:

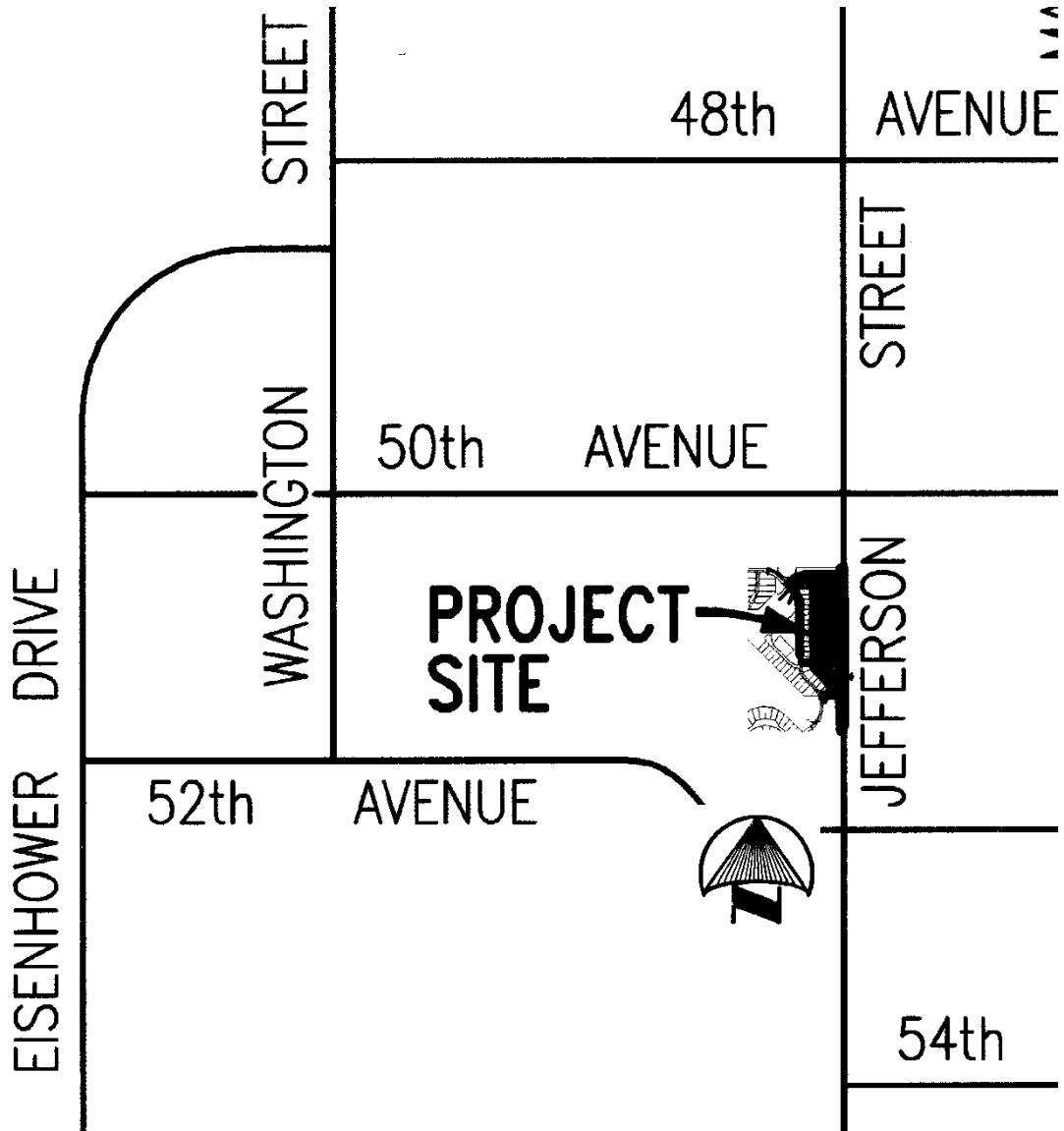
SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

TM 32751 CITRUS EL DORADO



VICINITY MAP

NOT TO SCALE

Citrus El Dorado LLC

July 16, 2015

CERTIFIED MAIL 7009 2820 0004 1352 3516

Timothy R. Jonasson, City of La Quinta
Public Works Director/City Engineer:
78495 Calle Tampico
La Quinta, CA 92253

Subject: Subdivision Improvement Agreement Extension Request, Tract # (32751)

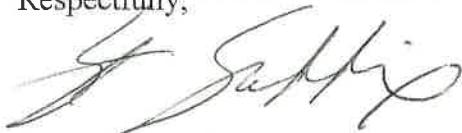
Dear, Timothy R. Jonasson

We are in receipt of Rutan & Tucker LLP June 25, 2015 communication to Citrus El Dorado response letter to the City of La Quinta letter dated May 14, 2015 your letter intended as a courtesy reminder that the City of La Quinta had adopted a resolution to extend the time for completion of the on-site improvements as specified in the approved Subdivision Improvement Agreement (SIA) and we request the City of La Quinta grant Tract Map No. 32751 a time extension for the remaining improvements and punch list items dated June 23, 2015.

We believe that all items remaining will be completed approximately 12-18 months from July 15, 2015.

Once again I appreciate the City of La Quinta consideration to this extension request. If you have any questions or concerns regarding this time extension request, please contact myself at 714-624-9401 or you may email sshaddix@craftsmenhomes.com.

Respectfully,



Scott N. Shaddix, Member
Citrus El Dorado, LLC

Cc: Bryan McKinney, City of La Quinta
William H. Burke, Rutan & Tucker, LLP

