



Item Number: 8

**City Council / Board of Directors**

**Consent Calendar**

**Meeting of: September 19, 2023**

**Submitted By:**

Fredy Bonilla, Acting City Engineer

**Subject:**

Release of the Faithful Performance Securities for Tract Map No. 15396

**Recommendation:**

That the Honorable City Council approve the release of the Faithful Performance Securities for the water, sewer, and drainage improvements for Tract Map No. 15396

**Fiscal Impact:**

If approved, a reimbursement of \$27,605.60 will be issued from the Engineering's Deposit Trust Account No. 600-23130. Since this is a trust account, there will be no net fiscal impact to the budgeted Engineering Department accounts.

**Strategic Plan Goal:**

This item aligns with "Goal E Invest in Infrastructure" in the City of Victorville Strategic Plan 2023-2026. Although this is not a Capital Improvement Project, we apply the same strategy to private development projects as they are essential in meeting the community's needs.

**Background:**

Tract Map No. 15396 (Tract 15396) is a subdivision of 95 single-family lots, located at the northeast corner of Mesa Linda Avenue and Ava Loma Street. On September 1, 2020, the City Council approved a Subdivision Improvement Agreement (SIA) with Legacy Homes and accepted cash as security for the required public improvements which include improvement of the streets, water, drainage, sewer systems, and the Landscape Maintenance Assessment District (LMAD) improvements along Mesa Linda Avenue.

**Discussion:**

At the September 6, 2022, City Council meeting, an 80-percent reduction of the public improvements Faithful Performance security for the water, sewer, and drainage improvements was approved and the improvements were accepted by the City Council.

At the March 7, 2023, City Council meeting, the Labor & Materials securities for the water, sewer, and drainage improvements was fully released in accordance with Victorville Municipal Code 17.64.070(3). The remaining 20-percent of the Faithful Performance security was held for a one-year warranty period in accordance with Victorville Municipal Code Section 17.64.070 (4). Since the one-year period was completed as of September 6, 2023, staff recommends the full release of the Faithful Performance security.

At the July 18, 2023, City Council meeting, an additional 20-percent reduction of the public improvements Faithful Performance security for the LMAD improvements and the improvements were accepted by the City Council. Although the improvements are complete, the remaining 20-percent of the Faithful Performance security and the entirety of the Labor and Materials security for the LMAD improvements are still being held in accordance with the Victorville Municipal Code. Currently the only outstanding improvements for Tract 15396 are the street improvements. Since the construction of single-family homes is still ongoing, this will be deferred until the tract is fully developed.

Staff remains available for any questions the Council may have.

**Attachments:**    A. Vicinity Map  
                              B. Security Table  
                              C. Security Deposit