



## **CITY OF MENIFEE**

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SUBJECT: Improvement Agreements, Bonds, and License Agreement for Tract Map 37671, Banner Park South, by Pulte Homes Company, LLC

MEETING DATE: March 5, 2025

TO: Mayor and City Council

PREPARED BY: Crystal Nguyen, Senior Engineer

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

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### **RECOMMENDED ACTION**

1. Approve and authorize the City Manager to execute subdivision improvement agreements to guarantee the completion of required park landscape and streetscape improvements associated with Tract Map 37671, Banner Park South, located south of Domenigoni Parkway and west of Briggs Road; and
2. Approve and authorize the Mayor to execute a license agreement authorizing the Banner Park Community Association to perform maintenance on designated irrigation facilities within public right-of-way and public properties.

### **DISCUSSION**

Tract Map (TM) 37671 is a three-phased map comprising the development known as Banner Park South ("Project") by Pulte Homes Company, LLC ("Developer"). The Project is located south of Domenigoni Parkway and west of Briggs Road. TM 37671-1, the first phase, is a proposed subdivision of 12.10 gross acres of land into 51 total lots for residential use, along with five lots for park and open space purposes. TM 37671-2, the second phase, is a proposed subdivision of 24.62 gross acres of land into 78 total lots for residential use, along with four lots for open space purposes. TM 37671-F (also known as TM 37671), the third and final phase, is a proposed subdivision of 12.64 gross acres of land into 53 total lots for residential use, along with two lots for open space purposes.

The Developer is now requesting approval of two associated subdivision improvement agreements (SIAs) for landscaping at the public parks and along the proposed streets, as required by the Project's conditions of approval. The SIAs require that securities are posted to guarantee

the completion of the required improvements within 24 months from the date of City Council approval.

Staff have reviewed the Developer's request and determined that the SIAs meet the requirements of the Project's conditions of approval. A summary of the bonds being posted to guarantee the required improvements are shown in Tables 1 and 2 below.

**TABLE 1 – PARK LANDSCAPE IMPROVEMENTS**

Improvement	Security	Faithful Performance	Labor & Materials
Landscape, IP24-039L	SU1208452	\$ 2,253,500	\$ 1,126,750
<b>TOTAL</b>		<b>\$ 2,253,500</b>	<b>\$ 1,126,750</b>

**TABLE 2 – STREET LANDSCAPE IMPROVEMENTS**

Improvement	Security	Faithful Performance	Labor & Materials
Landscape, IP23-022L	SBP150699_094	\$ 1,039,500	\$ 519,750
Landscape, IP23-023L	SBP150699_097	\$ 1,540,500	\$ 770,250
Landscape, IP23-024L	SBP150699_095	\$ 734,500	\$ 367,250
Landscape, IP23-025L	SBP150699_096	\$ 379,000	\$ 189,500
<b>TOTAL</b>		<b>\$ 3,693,500</b>	<b>\$ 1,846,750</b>

The Project's conditions of approval also require that the Developer annex certain public facilities and open spaces into the City's community facilities district (CFD) for maintenance purposes. The Project was previously annexed into CFD 2017-1 as Annexation No. 23 with specific areas of maintenance responsibility designated for the City and other areas designated to be maintained by the Banner Park Community Association, the development's homeowner association ("HOA").

Due to the location of some of the HOA-maintained landscape, irrigation facilities must be located within public right-of-way and public properties within TM 37671. The attached license agreement ("License Agreement") is proposed to permit the HOA to install and maintain irrigation facilities, including water lines and meters, at specific locations in the public right-of-way and public properties to serve the HOA green space. Per the License Agreement, the HOA would be responsible for the full costs of installation, maintenance, and repair of any HOA-maintained irrigation facilities located within the public right-of way or public property. The HOA would also be responsible to restore any City-maintained landscape impacted by HOA maintenance activities.

If approved, the proposed License Agreement would take effect immediately and the Developer would amend the Covenants, Conditions and Restrictions (CC&Rs) for TM 37671. An amendment to reflect the License Agreement would be recorded with the Riverside County Clerk Recorder's Office.

## **STRATEGIC PLAN OBJECTIVE**

Safe and Vibrant Community

### **FISCAL IMPACT**

There is no fiscal impact associated with the recommended action. The Developer has paid all necessary fees associated with review of the agreements and bonds. Upon completion of the improvements, and subsequent acceptance by the City, ongoing maintenance costs for the improvements would be supported through future fiscal year budgets in maintenance CFD 2017-1 Annexation 23, Zone 23.

### **ATTACHMENTS**

1. Project Map
2. Agreement – Park Landscape
3. Bond - Park Landscape
4. Agreement – Street Landscape
5. Bonds – Street Landscape
6. License Agreement