



## Staff Report

**TO:** Mayor, and City Council Members  
**FROM:** Jeff Hart, Public Works Director  
**DATE:** April 6, 2021  
**SUBJECT:** **Approve Lien Release for RSI Communities California LLC, for Tract Map Nos. 27971-4, 27971-6, and 27971-8; Located within the Olivewood Specific Plan**

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### **Background and Analysis:**

The City requires all developers to provide security for public improvements consisting of, but not limited to, street improvements, sewer improvements, storm drain improvements, and survey monument improvements.

On December 16, 2016, the City entered into lien contracts with RSI Communities Heartland (RSI) for Tract Map Nos. 27971-4, 27971-6, and 27971-8 (Tracts). Pursuant to the lien contract and Government Code Section 66499(a)(4), a lien was attached to the properties in an amount necessary to secure and discharge all obligations contained in the respective lien contracts.

Per Government Code Section 66499, “the local agency may at any time release all or any portion of the property subject to any lien or security interest created by this subdivision or subordinate the lien or security interest to other liens or encumbrances if it determines that security for performance is sufficiently secured by a lien on other property or that the release or subordination of the lien will not jeopardize the completion of agreed upon improvements.”

Therefore, subject to Government Code Section 66499, RSI is requesting the release of the liens associated with the Tracts. RSI has provided alternative security in the form of bonds and Subdivision Improvement Agreements for each of the improvements with the respective Tracts. The bonds and agreements were accepted by Council on October 20, 2020. Table 1 provides a summary of the provided bonds.



Figure 1 – Tract Map Nos. 27971-4, 27971-6, & 27971-8; located in the Olivewood Specific Plan

Table 1 ~ Bond Summary			
Tract	Improvement	Lien instrument number	Bond Number
27971-4	Street	2017-0076558	PB03010407102
27971-4	Sewer	2017-0076558	1154350
27971-4	Survey Monuments	2017-0076558	1155911
27971-6	Street	2017-0076560	PB03010407116
27971-6	Sewer	2017-0076560	1154351
27971-6	Survey Monuments	2017-0076560	1155913
27971-8	Street	Performance & Payment	PB03010407117
27971-8	Sewer	Performance & Payment	1154353
27971-8	Survey Monuments	Performance & Payment	1155914

Subsequently, City staff recommends that City Council approve the release of the liens.

**Fiscal Impact:**

The cost of preparing the staff report is estimated to be \$1,000.

**Recommended Action:**

Approve Lien Release for RSI Communities California LLC, for Tract Map Nos. 27971-4, 27971-6, and 27971-8; located within the Olivewood Specific Plan

**Attachments:**

- A. Release of Lien 2017-0076558
- B. Release of Lien 2017-0076560
- C. Release of Lien 2017-0076562