



**Fremont City Council**

3300 Capitol Avenue  
Fremont, CA 94538

**SCHEDULED**

Meeting: 06/04/19 07:00 PM

Div/Dept: Public Works

Category: Agreements and Contracts

**STAFF REPORT (ID # 3778)**

Sponsors:

DOC ID: 3778

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**TRACT 8390 - Approval of Final Map, Agreements for Construction of Public and Private Street Improvements, and Dedication of Land and Public Easements for Tract 8390, located at 39009 Cindy Street**

**Contact Persons:**

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**Executive Summary:** The purpose of this report is to approve Final Tract Map 8390 and improvement agreements for public and private infrastructure associated with 10 single family residential units development, commonly known as Cindy Street Homes, and located in City Council District 3

**BACKGROUND:** On March 20, 2018, the City Council approved Vesting Tentative Tract Map 8390 for the 2.59 acre property at 39009 Cindy Street in the Irvington Community Plan Area. This project will be built in two phases per the approved Vesting Tentative Tract Map. This Final Tract Map 8390 for phase 1 creates 14 lots to allow construction of 10 single family residential units, 3 common area lots and reserves one lot (Lot 11) for re-subdivision in phase 2. Phase 2 will include the demolition of the existing wireless facility and its associated ground equipment on-site to facilitate the construction of the remainder of 11 single family residential units by re-subdividing Lot 11. The developer is Golden Estate Development, LLC.

**DISCUSSION/ANALYSIS:** The Final Map is in conformance with the Vesting Tentative Map and the developer has complied with all Tentative Map Conditions of Approval. The Final Map and Improvement Plans have been reviewed and are now ready for City Council approval.

The developer has signed the Public Improvement Agreement and has posted performance and labor and material bonds each in the amount of \$803,000 to guarantee construction of the public improvements (Mowry Avenue, Cindy Street and Serra Place). Public improvements include curb, gutter, sidewalk, driveway, pavement, landscaping, signing and striping and other miscellaneous items of work as identified on the approved improvement plans.

The developer has signed the Private Improvement Agreement and has posted performance and labor and material bonds each in the amount of \$1,212,000 to guarantee construction of the private and common area improvements (Parcels A to C). Private improvements include the construction of one private street (Bernadine Dutra Common), installation of stormwater facilities to serve the residents, and other miscellaneous items of work as identified on the approved improvement plans.

**FISCAL IMPACT:** None.

**ENVIRONMENTAL REVIEW:** On March 20, 2018 the City Council adopted a Mitigated Negative Declaration for the project and found that there was no substantial evidence that the project would have a significant effect on the environment. The Final Map and Improvement Plans are consistent with the original project description, scope of work, and identified mitigations of the adopted Mitigated Negative Declaration. No further environmental review is required.

**ATTACHMENTS:**

- Site Plan (1 sheet) - Final Tract Map 8390
- Draft Resolution- Tract 8390

**RECOMMENDATION:** Adopt a resolution to:

1. Approve the Final Map and the Improvement Plans for Tract 8390.
2. Approve the Agreement for Public Improvements entitled "Public Improvement Agreement, Tract 8390", with the developer, Golden Estate Development, LLC, and authorize the City Manager to execute the agreement on behalf of the City.
3. Approve the Agreement for Private Improvements entitled "Private Improvement Agreement, Tract 8390", with the developer, Golden Estate Development, LLC, and authorize the City Manager to execute the agreement on behalf of the City.
4. Accept the developer's offer of dedication of real property interests, as identified on the Final Map, provided that the acceptance of any property on which the developer is required to construct public improvements shall be conditioned upon the developer's completion of the improvements to the satisfaction of the City Engineer.