

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE ACCEPTING PUBLIC AND ONSITE IMPROVEMENTS AS AGREED UPON IN THE PUBLIC AND ONSITE IMPROVEMENT AGREEMENT BETWEEN THE CITY AND SHAWKI DEYN PROPERTIES, LLC., FOR KAMILAH DEYN TOWNHOMES, TRACT NO. 1592

WHEREAS, on July 5, 2016, the City Council approved the Tentative Subdivision Map by Resolution No. 130-16 (CM), for the Kamilah Deyn Townhomes located at 221 Airport Boulevard, Watsonville; and

WHEREAS, on October 9, 2018, the City Council approved a time extension of the Tentative Subdivision Map by Resolution No. 162-18 (CM); and

WHEREAS, on June 8, 2021, the City Council approved a Public and On-Site Improvement Agreement between the City and Developer Shawki Deyn Properties, LLC., for the Kamilah Deyn Townhomes, Tract No. 1592 by Resolution No. 161-21 (CM) and the Final Subdivision Map by Resolution No. 162-21; and

WHEREAS, the Improvement Agreement called for the Developer to provide Faithful Performance and Labor Materials Securities and a Clean Up Deposit that were to remain in place until the improvements were accepted by the City Council; and

WHEREAS, the Improvement Agreement called for the Developer to provide a Defective Materials and Workmanship (Warranty) Bond for one year after acceptance of the work by the City Council; and

WHEREAS, construction of the Public and On-Site Improvements, as described in the Improvement Agreement between the City and Developer and approved by Council on June 8, 2021 and by Resolution No. 161-21 (CM) are complete and approved by city staff.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. On July 5, 2016, the City adopted a Mitigated Negative Declaration for the Kamilah Deyn Townhomes Project, Tract Number 1592, to allow construction of forty-eight (48) townhome units and the relocation and rehabilitation of an existing school house to a residential unit on a 2.65 acre parcel located at 221 Airport Boulevard, Watsonville (APN 015-371-01). No changes to the Negative Declaration are necessary because this action merely accepts the Public and On-Site Improvements and authorizes refunding a deposit. It proposes no changes to the project that would require additional environmental analysis, and none of the conditions described in CEQA Guidelines Section 15162 for the preparation of a subsequent EIR have been met.

No substantial changes involving new significant environmental effects or a substantial increase in the severity of previously identified significant effects are proposed, and there has been no change in circumstances. There is no new information about the project that could not have been known at the time of the original project approval that indicates any new significant environmental effects or effects that will be substantially more severe, nor are there new mitigation measures that would substantially reduce one or more significant effects on the environment, or mitigation measures previously found to be infeasible that would, in fact, be feasible and would substantially reduce one or more significant effects of the project. Therefore, nothing further is required under CEQA.

2. The Public and On-Site Improvements, as described in the Improvement Agreement between the City and Developer and approved on June 8, 2021, and by Resolution No. 161-21 (CM) are accepted by the City Council.

3. The Faithful Performance and Labor Materials Securities required in the Improvement Agreement can be released and the remaining portion of the Clean Up Deposit required in the Improvement Agreement can be refunded to the Developer.

4. The Defective Materials and Workmanship (Warranty) Bond required in the Improvement Agreement shall be provided by the Developer for a period of one (1) year after approval of this Resolution.

5. The City Manager is authorized and directed to refund the Developer the remaining portion of the Clean Up Deposit.
