

12) **TR 28214-9 Alberhill Haul Route**

Approve the request for the haul route, including hours of operation for Tract 28214-9 Alberhill residential development and approve and authorize the Mayor and City Manager to execute the haul route Agreement for Construction of Improvements.



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Remon Habib, City Engineer

Date: May 23, 2023

Subject: TR 28214-9 Alberhill Haul Route

Recommendation

Approve the request for the haul route, including hours of operation for Tract 28214-9 Alberhill residential development and approve and authorize the Mayor and City Manager to execute the haul route Agreement for Construction of Improvements.

Background

In August 2010, the City Council adopted Ordinance 1271. The Ordinance requires all projects with transportation of earth materials over 5,000 cubic yards to have their haul routes approved by the City Council. Pulte Home Company LLC (Pulte) requests approval of a haul route to be used during the subject development's export phase.

Discussion

On October 25, 2022, City Council approved a haul route exporting 100,000 cubic yards of earthwork. Applicant only exported approximately 20,000 cubic yards out of the approved amount. The haul route permit has expired on December 26th, 2022. The applicant has conveyed to staff that the recipient site/project has been unable to receive additional materials at the time the permit was active. Delays due to a very active rain season were also conveyed as a factor by the applicant.

The applicant is now able to resume hauling operations and export the remaining materials. Pulte Homes who is the builder at Alberhill Ranch intends to export approximately 80,000 cubic yards of material to the disposal site at the County of Riverside's Clinton Keith Road Extension Project in Murrieta, CA. Contera Construction Company has contracted with Pulte to carry out the export operation. One (1) haul route will be used for loaded and unloaded trucks at this site. Mailer notifications to addresses within a three-hundred-foot radius as stipulated by the City Ordinance were sent out on May 11 by the applicant.

Alberhill Haul Route

Travel from Export Site (Loaded Trucks)

- North on Terra Cotta
- Right onto Nichols Road
- Right onto Interstate 15
- Exit Interstate 15 at Clinton Keith Road to Clinton Keith Road Extension project site

Return to Export Site (Unloaded Trucks):

- North onto Interstate 15
- Exit Interstate 15 at Nichols Road
- Left onto Nichols Road
- Left onto Terra Cotta Road to the project site

The approved hours of work will be from 8:00 am to 4:00 pm, Monday thru Friday, to minimize the impact on rush hour traffic. Once commenced, the export will continue for up to 140 trips per day for approximately 41 working days. Contera Construction Company has provided a video log of the condition of the haul route before the start of work. Pulte posted a \$5,000 cash deposit refundable upon completing hauling and cleanup activities.

Conditions for this hauling process are as follows:

1. Provide equipment in the form of a front-end loader or two (2) skid steer loaders, including operator, trailer and tow vehicle, street sweeper, and dump truck, to respond within 30-minutes of any report spill along the haul route.
2. Distribute the haul route and hours of operations to all haul truck operators before hauling operations.
3. Provide "Slow Trucks" signs at designated locations as approved by the City Engineer.
4. Provide a flagman to aid with traffic control at the entrance to the project site.
5. Provide dust control measures, including water trucks at receiving locations.
6. Daily sweeping of all impacted roads at the discretion of the City Engineering Inspector.
7. Provide documentation that the trucks being used have passed CHP and/or DMV inspections within the past 12 months.
8. Violations of any of these conditions will result in the stoppage of work until a Safety and Compliance meeting can be held with the Inspector and City Engineer.

Fiscal Impact

Pulte will be responsible for any damage occurring to the City streets and has placed security with the City to guarantee such.

Attachments

Attachment 1 - Haul Route Questionnaire

Exhibit A - Haul Route Exhibit

Attachment 2 - Haul Route Agreement





City of Lake Elsinore
Department of Public Works
130 S Main Street, Lake Elsinore, CA
951-674-3124 fax 951-674-8761

Haul Route Questionnaire

Must be completed for Import/Export over 2,500 cubic yards

Job Address: SE Corner of Terra Cotta Road & Nichols Rd.

Legal Description Tract/Parcel: 28214-9 Lot(s): _____

☐ Import: _____ cubic yards

☒ Export: 80,000 cubic yards

From: Prop above
address

To: Clinton Keith Rd Ext. Murrieta, CA
address

Loaded Truck Route: Exit site on Terra Cotta Rd, turn right / Right on Nichols / South on 15 Fwy to Bundy Cyn
East on Bundy Cyn to 215 South to jobsite at Clinton Kieth Road Extension Project.

Empty Truck Route: From 15 Fwy exit at Nichols Rd / Left on Nichols / Left on
Terra Cotta Road into project site.

Location of Staging Area: On project site
street name, onsite, etc

Max Number of Trucks Staged: 15 - 20

Type of Truck: ☒ Bottom Dump ☐ 10 Wheeler Dump ☐ 5-Axle
☐ 18-Wheeler ☐ Truck and Trailer

Total # of trips per day: 140 Truck Capacity: 14 Total of cy per day: 1,960
(a) cubic yards (b) (a) x (b) = c

Total # of hauling days: approx 41 Total Export/Import: 80,000

Proposed Hauling Days:


M	<input checked="" type="checkbox"/>	T	<input checked="" type="checkbox"/>	W	<input checked="" type="checkbox"/>	Th	<input checked="" type="checkbox"/>	F	<input type="checkbox"/>
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check
Hours: From 8:00 am To 4:00 pm

Owner's Name: Pulte Homes/Matt Matson **Phone:** 562-441-2050
Address: 27401 Los Altos, Ste. 400, Mission Viejo, CA 92691

Applicant's Name: Jason Varela / Contera Const **Phone:** 951-695-2800
Address: 28545 Old Town Front St., Ste. 201, Temecula, CA 92590

Hauling Contractor's Name: Contera Const (above) **Phone:** _____
Address: _____


Applicant's Signature

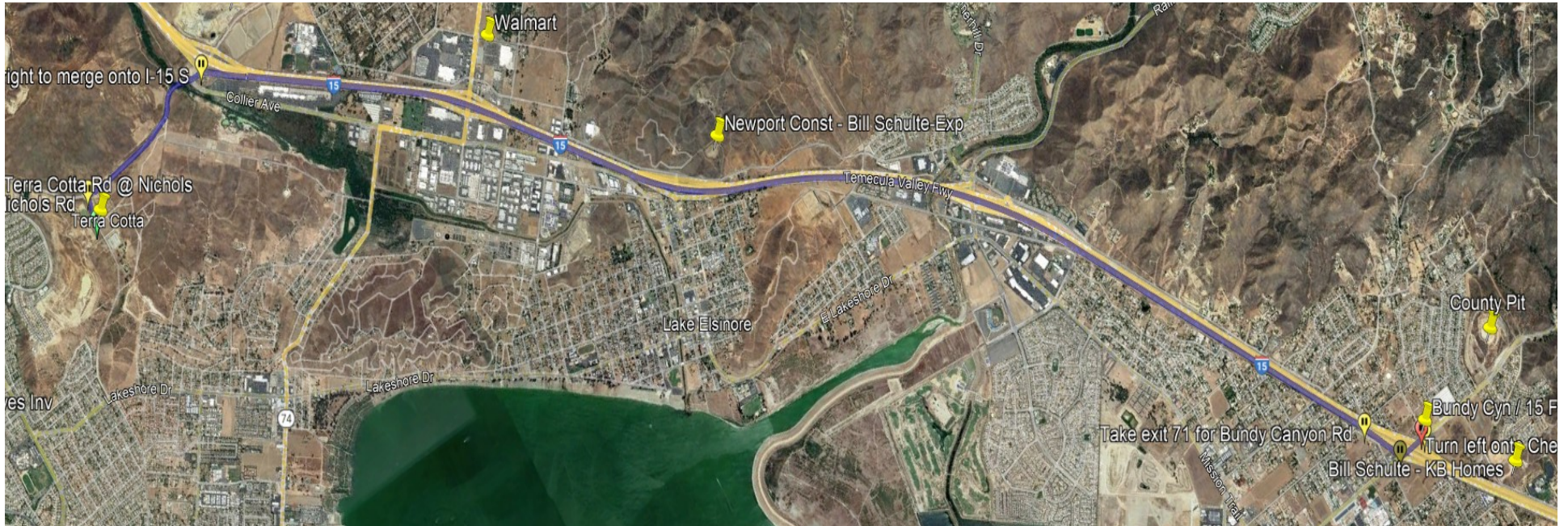
Jason Varela
Print Name

5/4/23
Date

Project Name: TR 28214-9 ALBERHILL ROUGH GRADE / ALBERHILL RANCH

Grading Permittee: Pulte Group / Matthew Matson

Trucking Contractor: Contera Construction Corporation / Jason Varela



Proposed Route:

Exit Project—Right/North on Terra Cotta Rd

Right/East—Nichols Road

Right (South) - 15 Freeway to Bundy Canyon, east to Project in French Valley

Return : Same Route / Reversed

Note: Haul will be exporting to Riverside County TLMA Clinton Keith Road Extension Project.

**AGREEMENT
FOR
CONSTRUCTION OF IMPROVEMENTS**

WHEREAS, the undersigned, Pulte Home Company, LLC, whose business address is 27401 Los Altos, Ste. 400, Mission Viejo, CA 92691 herein referred to as "Contractor", has submitted to the City of Lake Elsinore for its approval a haul route plan for the project known as Alberhill Ranch TR28214-9; and,

WHEREAS, Contractor desires to enter into an agreement and to furnish security in compliance with the City of Lake Elsinore Municipal Code LEMC 15.72.065. ;

NOW, THEREFORE, in consideration of the approval of said Haul Route plan by the City, and as a condition of such approval, the Contractor promises and agrees at his own expense to adhere to the requirements of said condition and submits with this agreement, security for all costs and expense of in repairing any damage to streets or other public facilities and the removal of any deposits of earth materials or other debris resulting from the permitted operations.

The above enumeration of items is understood to be only a general designation of the work and improvements, and not a binding description thereof.

It is further understood and agreed that upon default of any obligation hereunder and at any time after any such default, the City may make written demand upon the Contractor and surety to immediately remedy the default or complete the work. If said remedial activities or completion of work are not commenced within sixty (60) days after such demand is made and are not thereafter diligently prosecuted to completion and fully completed within one hundred twenty (120) days after the making of such demand (or such other time as may be contained in said demand), the City may then complete or arrange for completion of all remaining work or conduct such remedial activity as in the sole judgment of the City may be required, all at the full expense and obligation of the Contractor and surety and all without the necessity of giving any further notice to the Contractor or surety before the City performs or arranges for performance of any work, and whether or not the Contractor or surety have constructed any of the requirements at the time. In the event the City elects to complete or arrange for completion of remaining work, the City Engineer, upon such election, may require all work by the Contractor or surety to cease in order to

permit adequate coordination by the City for completing any remaining work not yet completed.

The contractor shall provide security in the form of cash and in the amount of Five Thousand Dollars (\$5,000.00) in compliance with the terms of approval. For purposes of enforcing this agreement, the term "city" includes the city council, the city manager, the city attorney, city engineer, or any of them, or any of their authorized representatives.

In WITNESS WHEREOF, the Contractor has caused this agreement to be executed this 16th day of May, 2023.

FOR: Pulte Home Company, LLC

Type or Print name of company on line above

SIGNED: 

Type name & title here: Matthew D. Matson, Manager Land Planning & Entitlement

SIGNED: 

Type name & title here: Patric Lynam, manager of Land Development

CITY OF LAKE ELSINORE

BY: _____

Natasha Johnson, Mayor
CITY OF LAKE ELSINORE

ATTEST:

APPROVED BY:

Candice Alvarez, City Clerk
CITY OF LAKE ELSINORE

Jason P. Simpson, City Manager
CITY OF LAKE ELSINORE

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

On 5.16.23 before me, Michelle A. Calligos
Date Here Insert Name and Title of the Officer

personally appeared Patric Lynam & Matthew D. Matson
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he/she~~ they executed the same in ~~his/her~~ their authorized capacity(ies), and that by ~~his/her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Michelle A. Calligos
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Agreement For construction Improvement

Document Date: 5.16.23 Number of Pages: 2

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____