

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 05/12/2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2009/198

Accepting completion of warranty period and release of cash deposit for faithful performance for the Subdivision Agreement (Right-of-Way Landscaping), for PA 03-00015 (cross-reference SD 03-08509), for project being developed by Windemere BLC Land Company, LLC, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District III)

On August 7, 2007, this Board resolved that the landscape improvements in PA 03-00015 were completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Windemere BLC Land Company, LLC and now on the recommendation of the Public Works Director;

The Board hereby FINDS that the improvements have satisfactorily met the guaranteed performance standards for the period following completion and acceptance. NOW THEREFORE BE IT RESOLVED that the Public Works Director is AUTHORIZED to:

- REFUND the 43,300.00 cash deposit (Auditor's Deposit Permit No. 451038, dated September 12, 2005) plus interest to Windemere BLC Land Company, LLC in accordance with Government Code Section 53079 (if appropriate), Ordinance Code Section 94-4.406, and the subdivision agreement.

BE IT FURTHER RESOLVED that upon completion of the warranty and maintenance period, the San Ramon City Council shall accept the landscape improvements for maintenance in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Subdivision Agreement (Right-of-Way Landscaping) and surety bond, Bond No. 8821653, dated July 13, 2005, issued by Fidelity and Deposit Company, are exonerated.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: J. LaRocque 313-2315

ATTESTED: May 12, 2009

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: J. Carlson, Engineering Services, - M. Valdez, M&T Lab, , -K. Guruwaya, Construction, , - P. Edwards, Engineering Services,, -C. Sumpter Current Planning, Department of Conservation and Development, C. Taylor, Windemere BLC, Land Company LLC, , C. Low, City of San Ramon,