## THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 02/14/2012 by the following vote:

AYES:	SEAL
NOES:	
ABSENT:	
ABSTAIN:	
RECUSE:	COUNT

## Resolution No. 2012/56

IN THE MATTER OF accepting completion of warranty period and release of cash deposit under the Drainage Improvement Agreement for DG 05-00058 (cross-reference subdivision SD 05-08984), for project being developed by O'Brien at Pacheco, LLC, as recommended by the Public Works Director, Pacheco area. (District V)

WHEREAS, on December 16, 2008, this Board resolved that the improvements for DG 05-00058 (cross-reference subdivision SD 05-08984) were completed as provided in the Drainage Improvement Agreement with O'Brien at Pacheco, LLC, and now on the recommendation of the Public Works Director;

WHEREAS, 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 \$9,540.00 cash deposit (Auditor's Deposit Permit No. 477233, dated January 25, 2007) plus interest in accordance with Government Code Section 53079, if appropriate, to O'Brien at Pacheco, LLC, pursuant to the Drainage Improvement Agreement and Ordinance Code Section 94 4.406.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Drainage Improvement Agreement and performance/maintenance surety bond issued by International Fidelity Insurance Company, Bond No. 0442426 (M), dated November 13, 2008, 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: ATTESTED: February 14, 2012

, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: