

Recorded at the request of: **BOARD OF SUPERVISORS**

Return To: **PUBLIC WORKS DEPARTMENT ENGINEERING SERVICES**

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

Adopted this Resolution on 01/07/2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

Resolution No. 2014/6

IN THE MATTER OF accepting completion of landscape improvements for the Drainage Improvement Agreement (for landscaping) for DG11-0069, (cross-reference subdivision SD04-8856), for a project developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS these improvements are approximately located along West Branch Alamo Creek near the northern intersection of Bollinger Canyon Road and Dougherty Road.

The Public Works Director has notified this Board that the landscaping improvements for DG11-0069 (cross-reference subdivision SD04-8856), have been completed as provided in the Drainage Improvement Agreement (for landscaping) with Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, heretofore approved by this Board;

NOW, THEREFORE, BE IT RESOLVED that the landscape improvements have been COMPLETED as of January 7, 2013 thereby, establishing the six-month terminal period for the filing of liens in case of action under said Drainage Improvement Agreement (for Landscaping):

DATE OF AGREEMENT: December 17, 2013

NAME OF SURETY: The Continental Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$83,000, Bond No. 929 541 373 issued by the above surety be RETAINED for the six-month lien guarantee period until June 17, 2014, at which time the Clerk of the Board is AUTHORIZED to release the surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that the Landscaping improvements along West Branch Alamo Creek near the northern intersection of Bollinger Canyon Road and Dougherty Road are ACCEPTED AS COMPLETE. Upon acceptance by the Board of Supervisors, the developer, Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, shall maintain the landscape improvements for 5 years in accordance with the Gale Ranch Mitigation Monitoring Plan.

BE IT FURTHER RESOLVED that the beginning of the warranty and maintenance period is hereby established, and the \$ 1,700 cash deposit (Auditor's Deposit Permit No. 593201, dated December 20, 2011) made by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, and the performance/maintenance surety bond rider for \$ 24,645, Bond No. 929 541 373 issued by The Continental Insurance Company be RETAINED pursuant to the requirements of Section 94 4.406 of the

Ordinance Code until release by this Board.

All deposit permits are on file with the Public Works Department.

Contact: J. LaRocque, (925) 313-2315

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.

ATTESTED: January 7, 2014

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

By: , Deputy

cc: Engineering Services, J. Hernandez, Design/Construction, M & T Lab, Records Division, C. Low, City of San Ramon, Shapell Homes, 100 N. Milpitas, 95035, Continental Insur. Co. 4150 DrinkwaterBlvd. Ste. 410, Scottsdale 85251