

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 10/07/2014 by the following vote:

AYE: John Gioia, District I Supervisor Candace Andersen, District II Supervisor Mary N. Piepho, District III Supervisor Karen Mitchoff,  
District IV Supervisor Federal D. Glover, District V Supervisor

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2014/360

IN THE MATTER OF accepting completion of landscape improvements for the Subdivision Agreement (Right-of-Way Landscaping) for PA06-00039 (cross-reference subdivision SD04-08856), for a project being 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 near Park Loop Road / Dougherty Road.

The Public Works Director has notified this Board that the Right-of-Way Landscaping Improvements for PA06-00039 (cross-reference subdivision SD04-08856), have been completed as provided in the Subdivision Agreement (Right-of-Way 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 October 7, 2014 thereby establishing the six-month terminal period for the filing of liens in case of action under said Subdivision Agreement (Right-of-Way 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 \$ 5,691,000.00, Bond No. 929 569 050 issued by the above surety be RETAINED for the six month lien guarantee period until April 7, 2015, at which time the Board AUTHORIZES the release of said surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that the Right-of-Way Landscaping improvements on Rancho San Ramon Park are ACCEPTED AS COMPLETE.

BE IT FURTHER RESOLVED that upon acceptance by the Board of Supervisors, 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 beginning of the warranty and maintenance period is hereby established, and the \$114,000.00 cash deposit (Auditor's Deposit Permit No. 630700, dated May 2, 2013) made by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, and the performance / maintenance surety bond rider for \$1,690,200.00, Bond

No. 929 569 050 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.

**Contact: Jocelyn 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: October 7, 2014**

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

By: Stacey M. Boyd, Deputy

**cc:** Engineering Services, J. A.B. LaRocque, Engineering Services, W. Lai, Design/Construction, S. Reed, Engineering Services, J. Capozzo, Mapping Division, C. Hallford, T - 8-7-15, Shapell Homes, Lori Stritt, 2000 Crow Cyn Pl. Ste. 500, SR 94583, City of San Ramon, C. Low