

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

Adopted this Resolution on 04/16/2019 by the following vote:

**AYE:**

**NO:**

**ABSENT:**

**ABSTAIN:**

**RECUSE:**



**Resolution No. 2019/114**

IN THE MATTER OF: Accepting completion of warranty period for road acceptance, and release of cash deposit for faithful performance, for road acceptance RA07-01234 (cross-reference subdivision SD13-09247), for a project developed by Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, San Ramon area. (District II)

WHEREAS, on March 27, 2018, this Board resolved that the improvements in road acceptance RA07-01234 were completed as provided in the Road Improvement Agreement with Shapell Industries, Inc., a Delaware Corporation 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:

1. REFUND the \$1,507,300.00 cash deposit (Auditor's Deposit Permit No. 720350, dated September 22, 2016) plus interest to Shapell Industries, Inc., a Delaware Corporation 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 civil improvements for maintenance in accordance with Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that the warranty period has been completed and the Road Improvement Agreement and surety bond, Bond No. 2202339 dated August 29, 2016, issued by North American Specialty Insurance 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: Randolph Sanders (925)313-2111**

**ATTESTED: April 16, 2019**

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

By: , Deputy

**cc:** Jocelyn LaRocque- Engineering Services, Randolph Sanders- Engineering Services, Trixie Gothro - Design & Construction, Alex Lopez - Engineering Services, Chris Hallford -Mapping, Ruben Hernandez - DCD, Chris Low - City of San Ramon, Shapell Industries, Inc., a Delaware Corp., North American Specialty Insurance Company