

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

Return To: **PUBLIC WORKS DEPT. 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 02/26/2013 by the following vote:

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

NOES: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐

Resolution No. 2013/99

IN THE MATTER OF accepting completion of the warranty period and release of the cash deposit under the Road Improvement Agreement for road acceptance RA 09-01245 (cross-reference subdivision SD 07-08970), 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 on January 10, 2012, this Board resolved that the improvements for road acceptance RA 09-01245 (cross-reference subdivision SD 07-08970) were completed as provided in the Road Improvement Agreement with Shapell Homes, 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 \$18,000.00 cash deposit (Auditor's Deposit Permit No. 546040, dated March 18, 2010) plus interest in accordance with Government Code Section 53079, if appropriate, to Shapell Homes, pursuant to the Road Improvement Agreement and Ordinance Code Section 94 4.406.

BE IT FURTHER RESOLVED that upon completion of the warranty and maintenance period, the San Ramon City Council shall accept the 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 Road Improvement Agreement and performance/maintenance surety bond issued by The Continental Insurance Company, Bond No. 9294938848, dated March 5, 2010, are EXONERATED.

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: February 26, 2013

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

Stacey M. Boyd
By: STACEY M. BOYD, Deputy

cc: PWD Finance, PWD Design/Construction, PWD Engineering Services, Current Planning, DCD, C. Low, City of San Ramon, Shapell Homes 100 N. Milpitas, Milpitas, CA 95035, Continental Insur. Co. 4150 N. Drinkwater, Blvd. Ste. 410 Scottsdale, AZ 85251