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THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

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

Adopted this Resolution on 08/16/2016 by the following vote:

AYE: ☐ 5 **John Gioia**
Candace Andersen
Mary N. Piepho
Karen Mitchoff
Federal D. Glover

NO: ☐

ABSENT: ☐

ABSTAIN: ☐

RECUSE: ☐



Resolution No. 2016/495

IN THE MATTER OF: Accepting completion of landscape improvements for a Subdivision Agreement (Right-of-Way Landscaping) for SD06-09035, for a project being developed by Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, as recommended by the Public Works Director, Danville area. (District II)

WHEREAS, these improvements are approximately located near Charbray Street.

The Public Works Director has notified this Board that the Right-of-Way Landscaping improvements for SD06-09035, 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 August 16, 2016, 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: February 17, 2011

NAME OF SURETY: The Continental Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$253,500.00, Bond No. 929 518 814 issued by the above surety be RETAINED for the six-month lien guarantee period until February 16, 2017, 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 for SD06-09035, as shown and dedicated for public use on the Final Map of Subdivision SD06-09035, filed September 29, 2010, in Book 512 of maps at Page 33, Official Records of Contra Costa County, State of California, are ACCEPTED AS COMPLETE.

BE IT FURTHER RESOLVED that there is no warranty and maintenance period required, and the Public Works Director is AUTHORIZED to refund the \$5,000.00 cash security for performance (Auditor's Deposit Permit No. 571871, dated March 8, 2011) plus interest in accordance with Government Code Section 53079, if appropriate, to Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, pursuant to the requirements of the Ordinance Code; and the Subdivision Agreement (Right-of-Way Landscaping) and performance surety for \$502,000.00, Bond No. 929 518 814, dated February 17, 2011 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.

ATTESTED: August 16, 2016

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

Contact: Jocelyn LaRocque, 925-313-2315

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

cc: S. Reed, Design/Construction, L. Lorentini, Engineering Services, C. Hallford, Mapping Division, C. Low, City of San Ramon

