

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

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

Adopted this Resolution on 04/10/2018 by the following vote:

AYE: **John Gioia**
Candace Andersen
Karen Mitchoff
Federal D. Glover

NO:

ABSENT: **Diane Burgis**

ABSTAIN:

RECUSE:



Resolution No. 2018/126

IN THE MATTER OF: Accepting completion of landscape improvements for a Subdivision Agreement (Right-of-Way Landscaping) for park acceptance PA14-00042 (cross-reference subdivision SD05-08971), for a project being developed by Toll Brothers, Inc., as recommended by the Public Works Director, San Ramon (Dougherty Valley) area. (District II)

WHEREAS, these improvements are approximately located near Main Branch Road. The Public Works Director has notified this Board that the right-of-way landscaping improvements for park acceptance PA14-00042 (cross-reference subdivision SD05-08971), have been completed as provided in the Subdivision Agreement (Right-of-Way Landscaping) with Toll Brothers, Inc., heretofore approved by this Board;

NOW, THEREFORE, BE IT RESOLVED that the landscape improvements have been COMPLETED as of April 10, 2018, 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: March 20, 2018

NAME OF SURETY: Western Surety Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$318,000.00, Bond No. 58727561 issued by the above surety be RETAINED for the six-month lien guarantee period until October 20, 2018, 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 park acceptance PA14-00042, as shown as Parcel B Final Map of subdivision SD05-08971, filed September 23, 2013, in Book 517 of maps at Page 43, Official Records of Contra Costa County, State of California, and offered for dedication for park purposes by separate instrument 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 \$7,000.00 cash deposit (Auditor's Deposit Permit No. 695177, dated October 6, 2015) made by Toll Brothers, Inc., and the performance/maintenance surety bond for \$628,000.00, Bond No. 58727561 issued by Western Surety Company be RETAINED pursuant to the requirements of Section 94-4.406 of the Ordinance Code until released by this Board.

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: April 10, 2018

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

Contact: Lori Leontini (925) 313-2352

By: *June McHuen*
 June McHuen, Deputy

cc: Jocelyn LaRocque, Dante Morabe- Design & Construction, Lori Leontini, Chris Lau, Maintenance, Chris Hallford, Mapping, C. Low, City of San Ramon, T-03/20/2020, Toll Brothers, Inc, Western Surety Company