

**THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA**

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

Adopted this Resolution on 05/21/2019 by the following vote:

**AYE:** ☒ 5 **John Gioia**  
**Candace Andersen**  
**Diane Burgis**  
**Karen Mitchoff**  
**Federal D. Glover**

**NO:** ☐

**ABSENT:** ☐

**ABSTAIN:** ☐

**RECUSE:** ☐



**Resolution No. 2019/24**

IN THE MATTER OF accepting completion of improvements for subdivision SD17-09299 for a project 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)

The Public Works Director has notified this Board that the improvements in subdivision SD17-09299 have been completed as provided in the Subdivision Agreement with Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation, theretofore approved by this Board in conjunction with the filing of the Subdivision Map.

WHEREAS these improvements are located on Bergamot Lane, Thyme Way and Photinia Court.

NOW, THEREFORE, BE IT RESOLVED that the improvements have been COMPLETED as of May 21, 2018, thereby establishing the six month terminal period for the filing of liens in case of action under said Subdivision Agreement:

DATE OF AGREEMENT: October 24, 2017

NAME OF SURETY: Philadelphia Indemnity Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$555,000.00, Bond No. PB00579800079 issued by the above surety be RETAINED for the six month lien guarantee period until November 21, 2019, at which time the Board AUTHORIZES the release of said surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that Bergamot Lane, Thyme Way and Photinia Court for the hereinafter described improvements, as shown and dedicated for public use on the Final Map of subdivision SD17-09299, filed, in Book 533 of Final Maps at Page 48, Official Records of Contra Costa County, State of California, are ACCEPTED AS COMPLETE.

Road Name: Bergamot Lane

Length (miles): 0.04

Road/ROW Width: 36'/46'

Road Name: Thyme Way

Length (miles): 0.08

Road/ROW Width: 36'/46'

Road Name: Photinia Court

Length (miles): 0.04

Road/ROW Width 36'/46'

BE IT FURTHER RESOLVED that upon acceptance by the Board of Supervisors, the San Ramon City Council shall accept the improvements for maintenance and ownership in accordance with the Dougherty Valley Memorandum of Understanding.

BE IT FURTHER RESOLVED that the beginning of the warranty period is hereby established, and the \$12,000.00 cash deposit (Auditor's Deposit Permit No. 744864, dated September 1, 2017) made by Shapell Industries Inc., a Delaware Corporation and the performance/maintenance surety bond rider for \$164,700.00 Bond No. PB00579800079 issued by Philadelphia Indemnity Insurance Company be RETAINED pursuant to the requirements of Section 94-4.406 of the Ordinance Code until release 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.

**Contact: Randolph Sanders (925)313-2111**

**ATTESTED: May 21, 2019**

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

  
By: Stacey M. Boyd, Deputy

**cc:** Jocelyn LaRocque- Engineering Services, Randolph Sanders- Engineering Services, Renee Hutchins - Records, Karen Piona- Record, Trixie Gothro - Design & Construction, Chris Hallford -Mapping, Sheriff - Patrol Division Commander, CHP, Chris Low - City of San Ramon, Shapell Homes, a Division of Shapell Industries, Inc., Philadelphia Indemnity Insurance Company, T-September 6, 2019, Alex Lopez - Engineering Services