

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. 2019/166

IN THE MATTER OF: Accepting completion of improvements for Drainage Improvement Agreement and release of cash deposit for faithful performance for drainage acceptance DG04-00051 (cross-reference subdivision SD80-06013) for a project developed by SDC Delta Coves, LLC, a Delaware Limited Liability Company, as recommended by the Public Works Director, Bethel Island area. (District III)

WHEREAS, the Public Works Director has notified this Board that the improvements for drainage acceptance DG04-00051 have been completed as provided in the Drainage Improvement Agreement with SDC Delta Coves, LLC, a Delaware Limited Liability Company, heretofore approved by this Board in conjunction with the filing of the Subdivision Map.

WHEREAS, these improvements are approximately located near Delta Coves Drive, Gateway Road, Windsweep Road, and Stone Road.

NOW, THEREFORE, BE IT RESOLVED that the improvements have been COMPLETED as of May 21, 2019, thereby establishing the six-month terminal period for the filing of liens in case of action under said Drainage Improvement Agreement:

DATE OF AGREEMENT: October 19, 2012

NAME OF SURETY: Lexon Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$634,000.00, Bond No. 1075680 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 the improvements have been constructed in accordance with the Drainage Improvement Agreement and are COMPLETE BUT NOT ACCEPTED. Bethel Island Municipal Improvement District shall accept and maintain the improvements.

BE IT FURTHER RESOLVED that there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$3,175.00 cash security for performance (Auditor's Deposit Permit No. 617180, dated November 6, 2012) plus interest in accordance with Government Code Section 53079, if appropriate, to SDC Delta Coves, LLC, a Delaware Limited Liability Company, pursuant to the requirements of the Ordinance Code; and the Drainage Improvement Agreement and surety bond, Bond No. 1075680, dated October 19, 2012 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: May 21, 2019

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

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

Contact: Randolph Sanders (925)313-2111

cc: Jocelyn LaRocque - Engineering Services, Randolph Sanders- Engineering Services, Chris Lau - Maintenance, Chris Hallford -Mapping, Mike Mann- Finance, Trixie Gothro - Design & Construction, Renee Hutchins - Records, Karen Piona- Record, SDC Delta Coves, LLC, Lexon Insurance Company