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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 07/14/2020 by the following vote:

John Gioia
Candace Andersen
Diane Burgis
Karen Mitchoff
Federal D. Glover

AYE: 5
NO:
ABSENT:
ABSTAIN:
RECUSE:



Resolution No. 2020/174

IN THE MATTER OF accepting completion of private improvements for the Subdivision Agreement and release of cash security for faithful performance for minor subdivision MS16-00004 for a project developed by Gary and Cheryl Spitz, as recommended by the Public Works Director, Alamo area. (District II)

WHEREAS, the Public Works Director has notified this Board that the private improvements in minor subdivision MS16-00004 have been completed as provided in the Subdivision Agreement with Gary and Cheryl Spitz, heretofore approved by this Board in conjunction with the filing of the Subdivision Map.

WHEREAS, these private improvements are approximately located near Livorna Heights Rd at Livorna Rd.

NOW, THEREFORE, BE IT RESOLVED that the private improvements have been COMPLETED as of July 14, 2020, thereby establishing the six month terminal period for the filing of liens in case of action under said Subdivision Agreement:

DATE OF AGREEMENT: March 27, 2018

NAME OF SURETY: Developers Surety and Indemnity Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$11,000.00, Bond No. 651463P issued by the above surety be RETAINED for the six month lien guarantee period until January 14, 2021, at which time the Board AUTHORIZES the release of said surety less the amount of any claims on file.

BE IT FURTHER RESOLVED that there is no warranty period required, and the Public Works Director is AUTHORIZED to refund the \$21,000.00 cash security for performance (Auditor's Deposit Permit No. DP755290, dated February 7, 2018) plus interest in accordance with Government Code Section 53079, if appropriate, to Gary and Cheryl Spitz, pursuant to the requirements of the Ordinance Code; and the surety bond, Bond No. 651463P, dated February 8, 2018 is 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: July 14, 2020

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

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

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

cc: Larry Gossett- Engineering Services, Randolf Sanders- Engineering Services, Jocelyn LaRocque- Maintenance, Ronald Lai, Engineering Services, Cinda Tovar- Design & Construction, Chris Hallford -Mapping, Michael Mann- Finance, Gary and Cheryl Spitz, Developers Surety & Indemnity Company, T-04/14/2021