

# THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA

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

Adopted this Resolution on 09/13/2022 by the following vote:

**AYE:** ☒ 5  
**NO:** ☐  
**ABSENT:** ☐  
**ABSTAIN:** ☐  
**RECUSE:** ☐

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



## Resolution No. 2022/303

IN THE MATTER OF accepting completion of landscape improvements for the Subdivision Agreement (Right-of-Way Landscaping) for subdivision SD06-09134 for a project being 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)

WHEREAS, the Public Works Director has notified this Board that the Right-of-Way Landscaping Improvements for SD06-09134, 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, as recommended by the Public Works Director, San Ramon (Dougherty Valley) area, heretofore approved by this Board;

WHEREAS, these improvements are approximately located near Dougherty Road.

NOW, THEREFORE, BE IT RESOLVED that the landscape improvements have been COMPLETED as of September 13, 2022, 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 : July 9, 2013

NAME OF SURETY: The Continental Insurance Company

BE IT FURTHER RESOLVED the payment (labor and materials) surety for \$225,000.00, Bond No. 929 569 041 issued by the above surety be RETAINED for the six month lien guarantee period until February 13, 2023 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 SD06-09134, as shown and dedicated for public use on the Final Map of Subdivision SD06-09134, filed July 29, 2013, in Book 517 of maps at Page 1-13, Official Records of Contra Costa County, State of California, 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 Right-of-Way Landscaping improvements are ACCEPTED AS COMPLETE. Upon approval by the Board of Supervisors, the developer, Shapell Homes, a Division of Shapell Industries, Inc., a Delaware Corporation shall retain the landscape improvements for maintenance and ownership in accordance with the geologic hazard abatement district (GHAD) plan of control, and until accepted by the GHAD or the City of San Ramon.

BE IT FURTHER RESOLVED that there is no warranty and maintenance period required, and the Public Works Director is AUTHORIZED to refund the \$4,500.00 cash security for performance (Auditor's Deposit Permit No. 629652, dated April 18, 2013) 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 surety bond, Bond No. 929 569 041, dated March 15, 2013 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: September 13, 2022

Monica Nino, County Administrator and Clerk of the Board of Supervisors

Contact: Larry Gossett (925)313-2016

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