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Contra Costa County

To: Board of Supervisors

From: Julia R. Bueren, Public Works Director/Chief Engineer

Date: March 10, 2015

Subject: Initiating proceedings for reversion to acreage of subdivision SD03-08811, El Sobrante area. (District I)

#### **RECOMMENDATION(S):**

ADOPT Resolution No. 2015/71 initiating proceedings for reversion to acreage of subdivision SD03-08811, subdivided by Christine Lee, as recommended by the Public Works Director, El Sobrante area. (District I)

### **FISCAL IMPACT:**

100% Developer Fees and/or Bond Proceeds.

#### **BACKGROUND:**

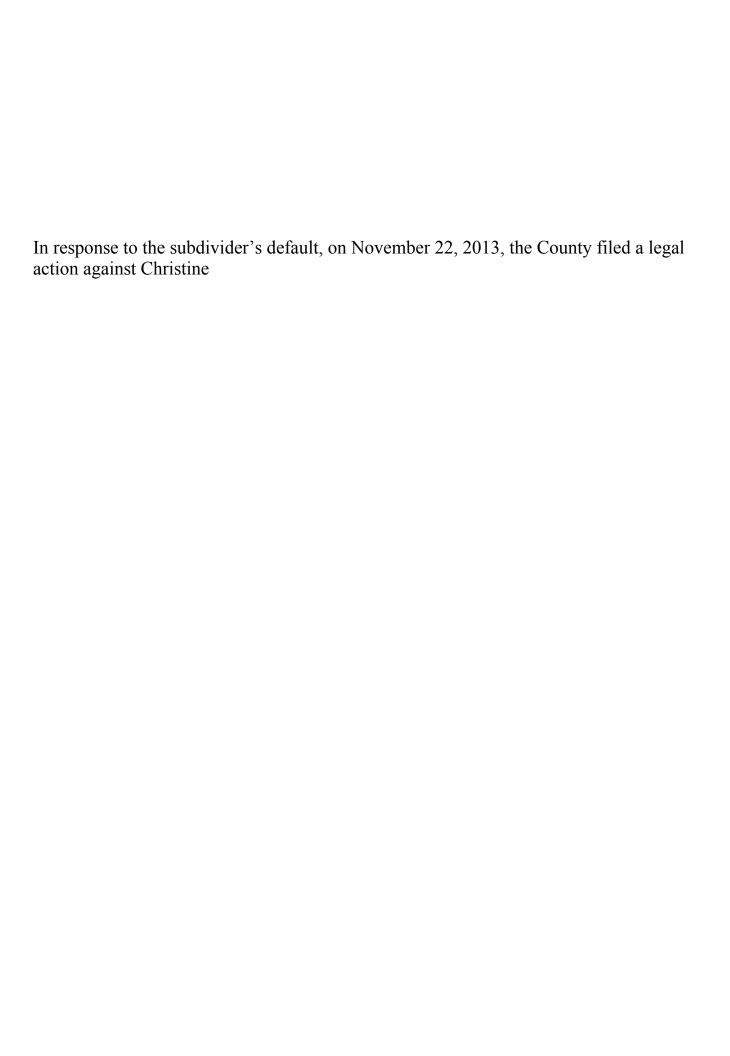
925-313-2315

On December 4, 2007 (Resolution No. 2007/697), the Board approved recordation of the Final Map and execution of the Subdivision Agreement for subdivision SD03-08811 and the associated subdivision bonds, the subdivider, being Christine Lee, for a five-lot split of a property located on Kelvin Road in the El Sobrante area. The Subdivision Agreement required the subdivider to complete the improvements within two years of execution. Subsequently, the Board has not approved an extension to the Subdivision Agreement.

The subdivider failed to install any of the road and drainage improvements required for the subdivision.

✓ APP	ROVE	OTHER
Action of Board On: 03/10/2015 APPROVED AS RECOMMENDED OTHER		
Clerks Notes:		
VOTE OF SUPERVISORS		
ANT		
AYE:	John Gioia, District I Supervisor	
	Candace Andersen, District II Supervisor	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.
	Mary N. Piepho, District III Supervisor	ATTESTED: March 10, 2015
	Karen Mitchoff, District IV Supervisor	· ·
ABSENT:		David Twa, County Administrator and Clerk of the Board of Supervisors
ABSELVI.	Federal D. Glover, District V Supervisor	
	Supervisor	By: Stacey M. Boyd, Deputy
Contact:	Jocelyn A. B. LaRocque,	2). 2 20) u, 2 eputy

cc: County Counsel, D. Schmidt, W. Lai, Division Manager, Engineering Services, Engineering Services, Originator, J. A.B. LaRocque, Engineering Services, J. Capozzo, Design/Construction, DCD - Planning, Christine Lee, 5654 Mission Street, #c, San Francisco, CA 94112, Sure Tec Insurance Company 3033 Fifth Avenue, Suite 300, San Diego, CA 92103, Laura P. Nash, Robins Kaplan, LLP 2049 Century Park East, Ste 3400, LA, CA 90067, Records



# **BACKGROUND: (CONT'D)**

Lee and SureTec Insurance Company. On December 16, 2014, the Board authorized County Counsel to negotiate and execute a Settlement Agreement with SureTec Insurance Company. On February 9, 2015, the Settlement Agreement was executed. The Settlement Agreement requires the Public Works Department, within 180 days, to make a presentation to the Board for reversion of the subdivision.

The reversion to acreage would merge the five parcels back into one parcel, with the ownership of the resulting property under the current owner, Han Myint. The process would be completed in accordance with Government Code sections 66499.11 through 66499.20.1 and Title 9 of the County Ordinance Code.

# **CONSEQUENCE OF NEGATIVE ACTION:**

The reversion to acreage of the subdivision would not take place, and the litigation between the County and SureTec Insurance Company would proceed.

# CHILDREN'S IMPACT STATEMENT:

Not applicable.

#### **ATTACHMENTS**

Resolution No. 2015/71