



## Legislation Details (With Board Report)

**File #:** 20-731      **Name:** a. Accept as complete East Garrison Subdivision Phase 2 Infrastructure Improvements;  
b. Approve the release of the Security Bond for Faithful Performance and Laborers and Materialmen Bond No. 0190352 (\$520,000 remainder) in accordance with Government

**Type:** General Agenda Item      **Status:** Passed - RMA Administration

**File created:** 9/9/2020      **In control:** Board of Supervisors

**On agenda:** 9/29/2020      **Final action:** 9/29/2020

**Title:** a. Accept as complete East Garrison Subdivision Phase 2 Infrastructure Improvements;  
b. Approve the release of the Security Bond for Faithful Performance and Laborers and Materialmen Bond No. 0190352 (\$520,000 remainder) in accordance with Government Code Section 66499.7 after the specified passage of time for recording claims or liens; and  
c. Accept Maintenance Bond No. 21BSBIJ9666, in the amount of \$104,000, for the accepted sidewalk infrastructure improvements.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A- Location Map, 3. Attachment B-Security Bond for Faithful Performance, 4. Attachment C-Security for Laborers and Materialmen, 5. Attachment D-07-23-2020 Whitson Engineers Letter, 6. Attachment E-Maintenance Bond No. 21BSBIJ9666, 7. Item No. 34 Completed Board Order

Date	Ver.	Action By	Action	Result
9/29/2020	1	Board of Supervisors		

a. Accept as complete East Garrison Subdivision Phase 2 Infrastructure Improvements;  
b. Approve the release of the Security Bond for Faithful Performance and Laborers and Materialmen Bond No. 0190352 (\$520,000 remainder) in accordance with Government Code Section 66499.7 after the specified passage of time for recording claims or liens; and  
c. Accept Maintenance Bond No. 21BSBIJ9666, in the amount of \$104,000, for the accepted sidewalk infrastructure improvements.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Accept as complete East Garrison Subdivision Phase 2 Infrastructure Improvements;  
b. Approve the release of the Security Bond for Faithful Performance and Laborers and Materialmen Bond No. 0190352 (\$520,000 remainder) in accordance with Government Code Section 66499.7 after the specified passage of time for recording claims or liens; and  
c. Accept Maintenance Bond No. 21BSBIJ9666, in the amount of \$104,000, for the accepted sidewalk infrastructure improvements.

### SUMMARY/DISCUSSION:

The recommended action will allow the County to accept as complete the East Garrison Phase 2 Project (Project) infrastructure improvements and approve the release of the remaining balance of two bonds associated with construction and the acceptance of a Maintenance Security Bond for the accepted sidewalk infrastructure improvements. Attachment A provides a location map for the Project.

On March 1, 2016, the Monterey County Board of Supervisors accepted a completed portion of the Project's Infrastructure Improvements, including road, drainage, and infrastructure improvements with the exception of the concrete sidewalks fronting the residential lots, which would be constructed when the houses on those lots were completed. The bonds (Attachments B and C) were reduced from \$5,569,000 to \$520,000.

The Subdivider's Engineer provided a letter advising of the completion of the Project's infrastructure improvements according to the approved plans (Attachment D-7/23/20 Whitson Engineers Letter Advising Completion). On August 28, 2020, RMA-Special Districts determined that the Project's sidewalk improvements were constructed in accordance with the Improvement Plans and as specified in the implementation agreements. In accordance with the Board of Supervisors' approval of the Phase 2 Final Map, Improvement Plans, and Subdivision Improvement Agreement, the County is obligated to accept the completed sidewalk improvements. Accordingly, RMA-Special Districts recommends the acceptance of the completed improvements for Phase II by the County and the release of the two subdivision improvement bonds associated with construction.

Upon acceptance by the County, a Warranty Security, in the amount of \$104,000, is required for the Project's sidewalk infrastructure improvements. The Developer has provided this security (Attachment E-Maintenance Bond No. 21BSBIJ9666) in accordance with the Subdivision Improvement Agreement for the continued maintenance and repair of the improvements. The Warranty Security is released one (1) year from the date of acceptance of the improvements by the County if the improvements continue to function satisfactorily.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel reviewed the recommendation as to form. RMA-Special Districts verified that the Project's improvements were completed in accordance with the approved construction drawings and associated conditions of approval.

FINANCING:

All costs for construction of the Phase II improvements, and the County's review thereof, have been funded by the Subdivider. This action will not impact the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Acceptance of the infrastructure of the East Garrison Phase 2 Project's subdivision and sidewalk improvements supports the Board of Supervisors' Strategic Initiatives for Economic Development, Infrastructure, and Public Safety. Sidewalks enhance economic development and the well-being of Monterey County residents by providing for attractive, well-maintained public infrastructure and improving public safety.

Economic Development  
Administration  
Health & Human Services

Infrastructure

Public Safety

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Reviewed by: Melanie Beretti, Property Administration/Special Programs Manager  
Approved by: Shawne Ellerbee, Assistant Director of Resource Management Agency  
Approved by: Carl P. Holm, AICP, RMA Director

Attachments:  
Attachment A-Location Map

Attachment B-Security Bond for Faithful Performance No. 0190352  
Attachment C-Security Bond for Laborers and Materialmen No. 0190352  
Attachment D-7/23/20 Whitson Engineers Letter Advising Completion  
Attachment E-Maintenance Bond No. 21BSBIJ9666  
(Attachments are on file with the Clerk of the Board)