



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

**File #:** 17-0395      **Name:** Saddle Road Minor Subdivision Bond Release

**Type:** General Agenda Item      **Status:** Passed

**File created:** 4/17/2017      **In control:** Board of Supervisors

**On agenda:** 5/2/2017      **Final action:** 5/2/2017

**Title:**

- a. Accept the Saddle Road Group Minor Subdivision Water System Improvement Project (PLN 050469) as complete and direct the Director of Health to execute and record the proposed Notice of Completion; and
- b. Approve release of a portion of the Faithful Performance Security in the amount of \$18,325.72 held in Bank of America Certificate of Deposit account 00818-05430; and
- c. Approve release of a portion of the Faithful Performance Security in the amount of \$9,569.48 held in Union Bank Certificate of Deposit account 0102228467; and
- d. Approve release of the Labor and Materials Security in the amount of \$22,921.51 held in Bank of America Certificate of Deposit account 00818-05430 in accordance with Government Code Section 66499.7(h), which in this instance will be 60 days after the Notice of Completion is recorded; and
- e. Approve release of the Labor and Materials Security in the amount of \$9,154.49 held in Union Bank Certificate of Deposit account 0102228467 in accordance with Government Code Section 66499.7(h), which in this instance will be 60 days after the Notice of Completion is recorded.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Subdivision Improvement Agreement, 3. Consulting Engineer Inspection Letter, 4. As-Built Water System Improvement Plans, 5. Proposed Notice of Completion, 6. Completed Board Order

| Date     | Ver. | Action By            | Action   | Result |
|----------|------|----------------------|----------|--------|
| 5/2/2017 | 1    | Board of Supervisors | approved |        |

- a. Accept the Saddle Road Group Minor Subdivision Water System Improvement Project (PLN 050469) as complete and direct the Director of Health to execute and record the proposed Notice of Completion; and
- b. Approve release of a portion of the Faithful Performance Security in the amount of \$18,325.72 held in Bank of America Certificate of Deposit account 00818-05430; and
- c. Approve release of a portion of the Faithful Performance Security in the amount of \$9,569.48 held in Union Bank Certificate of Deposit account 0102228467; and
- d. Approve release of the Labor and Materials Security in the amount of \$22,921.51 held in Bank of America Certificate of Deposit account 00818-05430 in accordance with Government Code Section 66499.7(h), which in this instance will be 60 days after the Notice of Completion is recorded; and
- e. Approve release of the Labor and Materials Security in the amount of \$9,154.49 held in Union Bank Certificate of Deposit account 0102228467 in accordance with Government Code Section 66499.7(h), which in this instance will be 60 days after the Notice of Completion is recorded.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Accept the Saddle Road Group Minor Subdivision Water System Improvement Project (PLN 050469) as complete and direct the Director of Health to execute and record the proposed Notice of Completion; and
- b. Approve release of a portion of the Faithful Performance Security in the amount of \$18,325.72 held in Bank of America Certificate of Deposit account 00818-05430; and

- c. Approve release of a portion of the Faithful Performance Security in the amount of \$9,569.48 held in Union Bank Certificate of Deposit account 0102228467; and
- d. Approve release of the Labor and Materials Security in the amount of \$22,921.51 held in Bank of America Certificate of Deposit account 00818-05430 in accordance with Government Code Section 66499.7(h), which in this instance will be 60 days after the Notice of Completion is recorded; and
- e. Approve release of the Labor and Materials Security in the amount of \$9,154.49 held in Union Bank Certificate of Deposit account 0102228467 in accordance with Government Code Section 66499.7(h), which in this instance will be 60 days after the Notice of Completion is recorded.

**SUMMARY/DISCUSSION:**

The Board of Supervisors approved the Final Map and Subdivision Improvement Agreement (“Agreement”) for the Saddle Road Subdivision on May 11, 2010. The Agreement required provision of a Faithful Performance Security, and a Labor and Materials Security in an amount totaling \$96,228. Security was provided by a Certificate of Deposit (“CD”) with Bank of America in the amount of \$68,764.53, and by a CD with Union Bank in the amount of \$27,463.47.

The sub divider has completed the water infrastructure improvements required by the Agreement. The sub divider’s consulting engineer has inspected the infrastructure improvements and has certified that completion is in conformance with the approved plans. The final documentation for proof of completion was submitted to the Monterey County Health Department, Environmental Health Bureau on March 23, 2017.

The Faithful Performance Security portion of the CDs totaled \$64,152; and a portion in the amount of \$27,895.20 can now be released in accordance with Government Code Section 66499.7(a) of the Subdivision Map Act. A balance of \$36,256.80 will be retained to cover the Warranty Security required by the Agreement and will remain in the CDs with the Bank of America and Union Bank, or will be replaced with another approved security in the same amount and filed with the Clerk to the Board of Supervisors as specified in the Agreement. Any interest paid to the accounts is the property of the owner. The Warranty Security will be released after the period of one (1) year if the water system improvements continue to function satisfactorily.

The Labor and Materials Security portion of the CDs, in the amount of \$32,076, can be released in accordance with Government Code Section 66499.7(h) of the Subdivision Map Act after the passage of time within which claims of lien are required to be recorded, which in this instance is sixty (60) days after the notice of completion is recorded.

While this work is not directly in support of a Health Department strategic initiative, it is in support of one or more of the ten essential health services, specifically, 6. Enforce laws and regulations that protect health and ensure safety.

**OTHER AGENCY INVOLVEMENT:**

County Counsel has reviewed the Board Report and associated documents.

**FINANCING:**

There is no Net County Contribution of discretionary funds resulting from this Board action. The cost of bond release processing is funded with developer fees.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

Check the related Board of Supervisors Strategic Initiatives:

Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Robin Kimball, Management Analyst I, x1297

Approved by: Elsa Jimenez, Director of Health, x4526

Attachments:

Subdivision Improvement Agreement is on file with the Clerk of the Board

Consulting Engineer Inspection Letter is on file with the Clerk of the Board

As-Built Water System Improvement Plans is on file with the Clerk of the Board

Proposed Notice of Completion is on file with the Clerk of the Board