

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE July 1, 2008

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval and Acceptance of the Subdivision Improvements for Marquette Estates, in Riverbank

STAFF RECOMMENDATIONS:

1. Find that all subdivision improvements required for the Subdivision, Marquette Estates, by the Subdivision Improvement Agreement, executed by Greg Avery, and the Stanislaus County Board of Supervisors, on June 6, 2006 have been constructed to the satisfaction of Stanislaus County. Also, find that the said agreement was recorded on June 7, 2006, as Document No. 2006-0085288-00, and filed with the Stanislaus County Clerk Recorders Office.
2. Accept all streets, avenues, roads, and the drainage system within Marquette Estates Subdivision, Marquette Estates, for maintenance by Stanislaus County.

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FISCAL IMPACT:

The ongoing maintenance costs of the storm drainage basin and storm drainage system and maintenance of the public roads will be the fiscal responsibility of the Department of Public Works.

BOARD ACTION AS FOLLOWS:

No. 2008-511

On motion of Supervisor Grover, Seconded by Supervisor DeMartini
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini and Chairman Mayfield

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

Christine Ferraro
CHRISTINE FERRARO TALLMAN, Clerk

ATTEST:

File No.

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3. Pursuant to section 66499.7(a) of the Subdivision Map Act, authorize the release of Performance Bond No. 568296S issued by The Insko Insurance Services, Inc. in the amount of \$318,522.00 for faithful performance of the Subdivision Improvement Agreement.
4. Pursuant to section 66499.7(b) of the Subdivision Map Act, upon receipt of a Mechanic's Lien Guarantee, authorize the release of Labor and Materials Bond No. 568296S, issued by The Insko Insurance Services, Inc. in the amount of \$159,261.00 for payment of labor and materials. The Mechanic's Lien Guarantee must be dated a minimum of 61 days after the filing of the appropriate Notice of Completion; be in the amount of \$31,852.20; be prepared by a title company; be to the benefit of Stanislaus County; and state that there are no liens of record.

DISCUSSION:

Marquette Estates, is a 6-lot subdivision located on Eleanor Road in the East Riverbank area. The final map was approved and filed pursuant to Resolution No. 2006-426 and approved by the Stanislaus County Board of Supervisors on June 6, 2006. All improvements required by the Subdivision Improvement Agreement have been installed to Stanislaus County standards. Because the improvements have been constructed, it is reasonable for the Board to authorize the release of the Performance Bond at this time and Labor and Materials Bond upon receipt of the Mechanic's Lien Guarantee.

There will be a year warranty period after acceptance of this subdivision prior to Public Works assumes the maintenance for this subdivision.

Curb, gutter, sidewalk, and street lights are not included in this project due to the location of the project and the zoning designating the area as an A-2 district, or agricultural area. The Subdivision Ordinance 20.56.120 exempts A-2 agricultural parcels abutting a public maintained street or highway from such improvements.

There will be a year warranty period after acceptance of this subdivision prior to Public Works assuming the maintenance for this subdivision.

POLICY ISSUES:

This action is consistent with the Board's policy of providing a safe community, a healthy community, and a well-planned infrastructure system. This action is consistent with the Board's policy of providing a safe community, a healthy community, and a well-planned infrastructure system.

STAFFING IMPACT:

There is no staffing impact associated with this item.