

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

DEPT: Public Works *slm*

BOARD AGENDA # \*C-1

Urgent

Routine

AGENDA DATE October 28, 2008

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval and Acceptance of the Subdivision Improvements for Varni Brothers Vesting Tentative Parcel Map 2001-30, in North Modesto

STAFF RECOMMENDATIONS:

1. Find that all subdivision improvements required for the Varni Brothers Vesting Tentative Parcel Map by the Subdivision Improvement Agreement, executed by John D. Varni, Sr., and Fred A. Varni, and the Stanislaus County Board of Supervisors, on June 13, 2006 have been constructed to the satisfaction of Stanislaus County. Also, find that the said agreement was recorded on June 15, 2006, as Document No. 2006-0089880-00, and filed with the Stanislaus County Clerk Recorders Office.
2. Accept all streets, avenues, roads, and the drainage system within Varni Brothers Vesting Tentative Parcel Map 2001-30 for maintenance by Stanislaus County.

Continued on Page 2

FISCAL IMPACT:

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

BOARD ACTION AS FOLLOWS:

No. 2008-742

On motion of Supervisor O'Brien, Seconded by Supervisor Monteith

and approved by the following vote,

Ayes: Supervisors: O'Brien, Monteith, and Vice-Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Grover, and Mayfield

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval and Acceptance of the Subdivision Improvements for Varni Brothers Vesting Tentative Parcel Map 2001-30, in North Modesto

3. Pursuant to section 66499.7(a) of the Subdivision Map Act, authorize the release of Bond No. 5016486 issued by Bond Safeguard Insurance Company in the amount of \$189,866 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 release of Bond No. 5016486 issued by Bond Safeguard Insurance Company in the amount of \$94,933 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 \$94,933; be prepared by a title company; be to the benefit of Stanislaus County; and state that there are no liens of record.

**DISCUSSION:**

Varni Brothers Vesting Tentative Parcel Map is an 5-lot subdivision located on Bitritto Way in the North Modesto area. The final map was approved and filed pursuant to Resolution No. 2006-454 and approved by the Stanislaus County Board of Supervisors on June 13, 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.

All Department of Public Works inspection fees have been paid. The subdivider has provided Bond No. 5016486 issued by Bond Safeguard Insurance Company in the amount of \$189,866 to secure faithful performance, which can now be released with the Board's authorization. The Department requests the Board authorize the release of Bond No. 5016486 issued by Bond Safeguard Insurance Company in the amount of \$94,933 for payment of labor and materials, contingent on the receipt of the Mechanics Lien Guarantee to the Department of Public Works.

**POLICY ISSUES:**

The Board should consider if the recommended action is consistent with their priorities 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.

AH:jg

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CHARITY WY

BITRITTO WY

KIERNAN AVE

GALAXY WY

MC HENRY AVE

CLARIBEL RD



# Varni Brothers PM 2001-30

