

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

DEPT: Public Works

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE February 3, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval and Acceptance of the Subdivision Improvements for Olive Ranch Estates Phase I and Phase II in East Oakdale

STAFF RECOMMENDATIONS:

1. Find that all subdivision improvements required for the Olive Ranch Estates Phase I and Phase II Subdivision by the Subdivision Improvement Agreement, executed by Lance Jagger of Country Oak Properties and the Stanislaus County Board of Supervisors, on December 5, 2000 have been constructed to the satisfaction of Stanislaus County. Also, find that the said agreement was recorded on December 6, 2000 as Document No. 2000-0103882-00, and filed with the Stanislaus County Clerk Recorder's Office.
2. Accept all streets, avenues, roads, and the drainage system within Olive Ranch Estates Phase I and Phase II for maintenance by Stanislaus County.

Continued on Page 2

FISCAL IMPACT:

County Service Area No. 16 - Olive Ranch, has been formed to provide a funding mechanism to pay for the ongoing maintenance of the storm drain facilities. As the owner of record of the storm drain parcel, Public Works will be responsible for any current and future direct assessments associated with the parcel (010-068-007). The maintenance of the public roads will be the fiscal responsibility of the Department of Public Works.

BOARD ACTION AS FOLLOWS:

No. 2009-94

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

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

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

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval and Acceptance of the Subdivision Improvements for Olive Ranch Estates Phase I and Phase II in East Oakdale

3. Pursuant to section 66499.7(a) of the Subdivision Map Act, authorize the release of Bond No. 876633S issued by The Insko Dico Group in the amount of \$15,000 for the 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. 876633S issued by the Insko Dico Group in the amount \$7,500 for labor and materials for the improvements. The Mechanic's Lien Guarantee must be dated a minimum of 61 days after the filing of the appropriate Notice of Completion, be prepared by a title company, be to the benefit of Stanislaus County, and state that there are no liens of record.
5. Authorize the Auditor-Controller to remove the direct assessments for parcel 010-068-007 from the tax roll for the years 2002 through 2007.

DISCUSSION:

The Olive Ranch Subdivision, Phases I and II, is a 30-lot subdivision located in the East Oakdale area, connecting Wild Oak Drive, in between Dillwood Road and Orange Blossom Road. The final map for Phase I was approved and filed pursuant to Resolution No. 2000-959 and approved by the Stanislaus County Board of Supervisors on December 5, 2000. The final map for Phase II was approved and filed pursuant to Resolution No. 2001-642 and approved by the Stanislaus County Board of Supervisors on August 28, 2001.

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. 876633 issued by The Insko Dico Group in the amount of \$15,000 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. 876633S issued by the Insko Dico Group in the amount \$7,500 for payment of labor and materials, contingent on the receipt of the Mechanic's Lien Guarantee to the Department of Public Works.

The delay in acceptance of this subdivision was due to the non-responsiveness of the developer in regards to providing a maintenance guarantee. A maintenance guarantee is required to ensure proper operations of facilities during the first year of use. Reassignment of staff within Public Works resulted in acceptance of the subdivision being delayed further. The delay resulted in non-payment of property tax assessments by the property owner for the years 2002-2007. If the acceptance had been completed in a timely manner, the direct assessments for parcel 010-068-007, a storm drain basin, would have been the responsibility of Public Works. Removing direct assessments and associated penalties from the tax role will facilitate Public Works bringing those assessments current. The total amount of the assessments for 2002-2007 is \$2,020.32.

Approval and Acceptance of the Subdivision Improvements for Olive Ranch Estates Phase I and Phase II in East Oakdale

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

H:\SERVICES\2008 Board Items\Olive Ranch Estates I and II\Olive Ranch Board Item

Olive Ranch Estates Phase I and Phase II



-  Olive r.shp
-  Parcels.shp
-  Roads.shp
-  River
-  Cities.shp
-  CERES
-  COUNTY
-  HUGHSON
-  MODESTO
-  NEWMAN
-  OAKDALE
-  PATTERSON
-  RIVERBANK
-  TURLOCK
-  WATERFORD
-  County Outline

