



Mendocino County

Legislation Details (With Text)

File #: 18-2117 **Version:** 1 **Name:**
Type: Resolution-Agreement **Status:** Adopted
File created: 9/6/2018 **In control:** Transportation
On agenda: 10/2/2018 **Final action:**
Title: Adoption of Resolution Approving Subdivision Road Maintenance & Repair Agreement for Tract 245, Vichy Springs Community Homes Subdivision Unit 2, Phase 2, Accepting Subdivision Roads Ardesch Court and Perrier Court within Phase 2 of Vichy Springs Community Homes Subdivision Unit 2, Tract 245, into the County Maintained Road System, and Releasing Subdivision Improvement Agreement Surety and Subdivision Monumentation Agreement Surety (Ukiah Area)
Sponsors: Transportation
Indexes:
Code sections:
Attachments: 1. Resolution 18-152, 2. Agreement 18-143, 3. Letter, 4. Inspection Letter

Date	Ver.	Action By	Action	Result
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To: Board of Supervisors

From: Transportation

Meeting Date: October 2, 2018

Department Contact: Howard N. Dashiell

Phone: 463-4363

Item Type: Consent Agenda

Time Allocated for Item: N/A

Agenda Title:

Adoption of Resolution Approving Subdivision Road Maintenance & Repair Agreement for Tract 245, Vichy Springs Community Homes Subdivision Unit 2, Phase 2, Accepting Subdivision Roads Ardesch Court and Perrier Court within Phase 2 of Vichy Springs Community Homes Subdivision Unit 2, Tract 245, into the County Maintained Road System, and Releasing Subdivision Improvement Agreement Surety and Subdivision Monumentation Agreement Surety (Ukiah Area)

Recommended Action/Motion:

Adopt Resolution approving Subdivision Road Maintenance & Repair Agreement for Tract 245, Vichy Springs Community Homes Subdivision Unit 2, Phase 2, accepting subdivision roads Ardesch Court and Perrier Court within Phase 2 of Vichy Springs Community Homes Subdivision Unit 2, Tract 245, into the County Maintained Road System, and releasing Subdivision Improvement Agreement Surety and Subdivision Monumentation Agreement Surety (Ukiah Area); and authorize Chair to sign same.

Previous Board/Board Committee Actions:

By Resolution Number (No.) 04-213 (December 14, 2004), the Board of Supervisors (BOS) approved the final map for Vichy Springs Community Homes Unit 2, Tract 245, BOS Agreement No. 04-257, a Subdivision

Improvement Agreement, and BOS Agreement No. 04-258, a Subdivision Monumentation Agreement. By Resolution No. 09-225 (October 6, 2009), the Board approved BOS Amendment No. 1 to said BOS Agreement Nos. 04-257 and 04-258 for extension of time. By Resolution No. 10-187 (November 30, 2010), the Board approved Amendment No. 2 to said BOS Agreement Nos. 04-257 and 04-258 for extension of time. By Resolution No. 13-055 (May 21, 2013), the Board approved Amendment No. 3 to said BOS Nos. 04-257 and 04-258 for extension of time. By Resolution No. 14-074 (June 3, 2014), the Board accepted the subdivision roads Tehuacan Road, Bartlett Court, and Celestin Court within Phase 1 of Vichy Springs Community Homes Subdivision Unit 2, Tract 245, into the County Maintained Road System. By Resolution No. 14-165 (December 16, 2014), the Board approved BOS Amendment No. 4 to said BOS Agreement Nos. 04-257 and 04-258 for extension of time. On February 6, 2018, by order of the Chair, an ad hoc committee was formed to perform inspection of the completed street improvements for Phase 2 of Vichy Springs Community Homes Subdivision Unit 2.

Summary of Request:

The tentative map for Vichy Springs Community Homes Unit 2 was conditionally approved on September 16, 2004 by the Planning Commission with approval upheld by the Board of Supervisors on appeal on October 26, 2004. The property is located on the south side of Vichy Springs Road, County Road (CR) 215, approximately 1.25 miles east of its intersection with Redemeyer Road, CR 215A. The final map for Vichy Springs Community Homes Unit 2 was recorded on December 20, 2004. The subdivision improvements were secured by a Subdivision Improvement Agreement (BOS 04-257) and performance surety in the appropriate amount. Since the execution of the Subdivision Improvement Agreement, four amendments to the Subdivision Improvement Agreement for time extensions have been granted by the Board.

The street improvements and monumentation for Phase 2 of Vichy Springs Community Homes Unit 2, consisting of Ardesch Court and Perrier Court, have now been completed in substantial compliance with the approved improvement plans and final map. The improved streets are to be accepted into the County Maintained Road System. Ardesch Court and Perrier Court have been offered for dedication on the Final Map for Vichy Springs Community Homes Subdivision Unit 2, Tract 245, filed for record at Maps, Drawer 72 Pages 8 through 24, at Mendocino County Records.

County Code Section 17-78(B) requires that, before subdivision streets can be accepted into the County Maintained Road System, the street improvements be inspected by the County Engineer (or his designee) and two members of the Board of Supervisors, appointed by the Chair. The County Engineer/Director of Transportation recommends that the subdivision streets listed above be accepted into the County Maintained Road System. He has inspected them along with the Ad Hoc Board Committee (Supervisor Gjerde and Supervisor McCowen) and found them to be in good condition and in substantial compliance with the Subdivision Improvement Plans. A letter, recommending acceptance, from the Ad Hoc Committee to the full Board is included with these documents.

It is also recommended that the requirement for a 24 month Road Maintenance Agreement and Surety be required upon release of the Subdivision Improvement Agreement Surety. In accordance with the requirements of County Code Section 17-74 (F), the subdivider must enter into such an agreement with the County, secured by a bond in the amount of not less than five percent of the estimated cost of street improvements, in this case, not less than \$41,778.

In accordance with the conditions of approval of the tentative map, the Department of Transportation (DOT) recommends approval of a Subdivision Road Maintenance Agreement (DOT Agreement No. 180071), secured by a bond in the amount of \$41,778 and acceptance of the subdivision roads into the County Maintained Road System. Since the required improvements and subdivision monumentation have been completed in conformance with the approved plans, specifications and final map, it is also appropriate to authorize the Clerk of the Board to release the Subdivision Improvement Agreement Surety and the Subdivision Monumentation Agreement Surety in accordance with the schedule prescribed in the attached Resolution.

Alternative Action/Motion:

Do not adopt the Resolution and provide direction to staff.

Supplemental Information Available Online at: N/A

Fiscal Impact:

Source of Funding: N/A

Current F/Y Cost: N/A

Budgeted in Current F/Y: N/A

Annual Recurring Cost: N/A

Supervisory District: District 1

Vote Requirement: Majority

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Steve Dunncliff, Deputy CEO

CEO Review: Yes

CEO Comments:



FOR COB USE ONLY

Executed By: Meribeth Dermond Final Status: Adopted

Date: **OCTOBER 3, 2018**

Executed Item Number: Resolution Item Number: 18-152

Executed Item Number: Agreement Item Number: 18-143

Note to Department Number of

Original Agreements Returned to

Dept: Two Original Agreement

Delivered to Auditor? Yes