

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 2/14/03
Department Name: Public Health
Department No.: 041
Agenda Date: 3/11/03
Placement: Administrative
Estimate Time: 5 min
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Roger E. Heroux
Public Health Department

STAFF CONTACT: Paul Jenzen, Senior Environmental Health Specialist, 346-8461
Environmental Health Services

SUBJECT: Release of Subdivision Improvement Bond for TM 14,281 (Pozatto)

Recommendation(s):

That the Board of Supervisors:

- 1) Release the following four securities which were issued to guarantee the construction of an approved private sewage collection system and lift station to serve residential lots created by TM 14,281, the Pozzato Subdivision, located at 1330 La Riata Lane in the Goleta Area:
 - a) Mid-State Bank Irrevocable Letter of Credit Number 99-94-0026 (Faithful Performance Bond for the private sewage collection system), in the amount of \$72,000, dated June 28, 1999 and,
 - b) Mid-State Bank Irrevocable Letter of Credit Number 99-94-0024 (Faithful Performance Bond for the private lift station), in the amount of \$75,250, dated June 28, 1999 and,
 - c) Mid State Bank Irrevocable Letter of Credit (Labor and Materials for the private sewage collection system) in the amount of \$72,000 dated June 28, 1999 and,
 - d) Mid State Bank Irrevocable Letter of Credit (Labor and Materials for the private sewage lift station) in the amount of \$75,000 dated June 28, 1999.
- 2) Accept replacement letters of credit submitted by the developer (Mid-State Bank Irrevocable Letters of Credit Numbers 99-94-0026 and 99-94-0024) equal to 15% of the faithful performance bonds for the private sewage collection system and private sewage lift station.

Alignment with Board Strategic Plan:

This action is primarily aligned with the Board of Supervisors County Goal II, Community Health and Safety, a Safe and Healthy Community in Which to Live, Work and Visit.

Executive Summary and Discussion:

Tract Map 14,281 is a twenty-six-lot subdivision located on the west side of San Antonio Creek Road adjacent to La Riata Lane in the Goleta Area. Because a gravity flow sewer main was not available to the

project and the Goleta Sanitary District would not accept a lift station, a private sewage collection system and private sewage lift station were required to serve the project. As provided in the conditions of approval for this project, the developer was required to bond for the construction of the private sewage collection system and private sewage lift station.

Sid Goldstein, a registered civil engineer, conducted an inspection of the private sewage collection system and the private sewage lift station, on May 15, 2002. It was found that the collection system and lift station was constructed as per the plans submitted to Environmental Health Services.

The Subdivision Map Act (Government Code Section 66499.7(b)) provides for the release of improvement labor and materials security if no liens have been placed on the property by any labor or materials suppliers, prior to the deadline for placing such claims. This filing period has expired and the subdivider has provided a "Certification of No Liens", indicating that the labor and materials suppliers have been paid and no claims of lien have been recorded. Therefore, Environmental Health Services recommends that the Irrevocable Letters of Credit for Labor and Materials and for Faithful Performance be released and replaced with a surety equal to 15% of the original amount. The amount of the new surety is \$10,800.00 dollars and \$11,287.00. This new surety will be retained for a period of one year from the date of acceptance of the collection system and lift station to satisfy the Subdivision Map Act provisions for improvement bonds.

Mandates and Service Levels:

No change in programs or service level.

Fiscal and Facilities Impacts:

None

Special Instructions:

Send one copy of the Minute Order to Paul Jenzen at Environmental Health Services.

Concurrence:

Not Applicable.

Attachment:

Copies of irrevocable letters of credit for TM 14, 281