



**SAN BENITO COUNTY
AGENDA ITEM
TRANSMITTAL FORM**

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District No. 2
Vice Chair

Peter Hernandez
District No. 3
Chair

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District No. 5

Item Number: 3.22

MEETING DATE: 08/09/2022

DEPARTMENT: RESOURCE MANAGEMENT AGENCY

AGENDA ITEM PREPARER: Angelika Rangel

DEPT HEAD/DIRECTOR: Steve Loupe

SUBJECT:

RESOURCE MANAGEMENT AGENCY- S. LOUPE, ASSISTANT DIRECTOR PUBLIC WORKS

Approve the indemnification and hold harmless agreement with Anderson Homes regarding their completion of the remaining construction items at the Santana Ranch Community Park. SBC FILE NUMBER: 105

AGENDA SECTION:

CONSENT AGENDA

BACKGROUND/SUMMARY:

The Santana Ranch developer is requesting approval of an indemnification and hold harmless agreement.

As part of the Project, the developer has agreed to construct a 5.8 acre community park within the Project area ("Park"), which is in the final stages of construction, but not yet complete. Notwithstanding the fact that the Park is not yet completed, the grant deed transferring ownership of the Park to the County was recorded by the County on July 6, 2022.

The remaining work on the Park, which the developer has agreed to complete, includes, but is not necessarily limited to, the County's "punch list" as well as energizing the Park. The primary remaining item of work requiring completion is the installation of cabling and trenching that will occur after PG&E provides electrical components to the developer.

Prior to completion of the remaining work, the County has opened the Park to the public.

The developer is willing to continue performing the work, following the opening of the Park to the public, provided the County agrees to indemnify and hold the developer harmless from any liability arising from the fact that the Park is being opened to the public prior to the completion of the Work.

RESOLUTION OR ORDINANCE NEEDED FOR THIS ITEM:

No

CONTRACT NEEDED FOR THIS ITEM:

Yes

CONTRACT AND RFP HISTORY:

This is a new agreement.

LAST CONTRACT AMOUNT OR N/A:

N/A

STATE IF THIS IS A NEW CONTRACT/ HOW MANY PAST AMENDED CONTRACTS/ OR N/A:

This is a new contract.

STRATEGIC PLAN GOALS: 1. Operational Development & Excellence

Yes

STRATEGIC PLAN GOALS: 2. Planning And Sustainable Growth

No

STRATEGIC PLAN GOALS: 3. Technology

No

STRATEGIC PLAN GOALS: 4. Community Engagement

No

STRATEGIC PLAN GOALS: 5. Health & Safe Community

Yes

BUDGETED:

No

BUDGET ADJUSTMENT NEEDED:

No

SOURCE OF FUNDING:

N/A

UNFUNDED MANDATE:

No

SBC BUDGET LINE ITEM NUMBER:

N/A

CURRENT FY COST:

N/A

STAFF RECOMMENDATION:

Staff respectfully recommends that the Board approve the indemnification and hold harmless agreement with Anderson Homes regarding their completion of the remaining construction items at the Santana Ranch Community Park.

ATTACHMENTS:

[Contract - Indemnification & Hold Harmless Agreement Re Santana Ranch Community Park](#)