



CITY COUNCIL AGENDA REPORT

MEETING DATE: NOVEMBER 15, 2004

ITEM NUMBER: _____

SUBJECT: RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NUMBERS PS03-00021 AND PS03-00051 (PA-02-34) FOR STREET IMPROVEMENTS LOCATED AT 3333 SUSAN STREET, COSTA MESA, CALIFORNIA

DATE: NOVEMBER 4, 2004

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: WILLIAM J. MORRIS, DIRECTOR OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUNOZ, CITY ENGINEER, 714-754-5343

RECOMMENDATION:

Release the Performance and Labor and Material Bonds (Certificate No. 103921369) in the amount of \$176,920 each to Oltman's Construction Co., (Developer), 10005 Mission Hill Road, Whittier, California 92608.

BACKGROUND:

On September 9, 2002, the Development Services Department approved a development application to allow construction of three (3) industrial buildings. The Encroachment Permits allowed construction of street improvements including: curb & gutter, sidewalk, curb drains, utility trenches, storm drain connections, and street resurfacing. The Performance and Labor and Material Bonds in the amount of \$176,920 each were received and accepted by the Public Services Department as a guarantee for the construction of the improvements.

ANALYSIS:

All of the Engineering Division's conditions of development for the project have been met and the work has been completed and accepted by the Public Services Department.

ALTERNATIVES CONSIDERED:

The alternative to this Council action would be to retain the Performance and Labor and Material Bonds. Costa Mesa Municipal Code Section 15-32 states, "The condition of said bond shall be that the applicant will perform the work authorized by any permit issued pursuant to this chapter in a good and workmanlike manner and to the satisfaction of the City Engineer." These conditions have been met; therefore, retention of the bonds would be in violation of the Municipal Code.

FISCAL REVIEW:

There is no fiscal impact to the City relative to this item.

LEGAL REVIEW:

There is no legal review required relative to this item.

CONCLUSION:

All of the required improvements have been constructed by the Developer. Therefore, staff recommends that the Performance and Labor and Material Bonds in the amount of \$176,920 each be released to Oltman's Construction Co.

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

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Deputy City Clerk
City Attorney
Staff