



CITY COUNCIL AGENDA REPORT

MEETING DATE: MAY 3, 2005

ITEM NUMBER: _____

SUBJECT: REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS04-00744 FOR OFF-SITE IMPROVEMENTS LOCATED AT 2463 SANTA ANA AVENUE, COSTA MESA, CALIFORNIA

DATE: APRIL 21, 2005

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:

Refund cash deposit in connection with Encroachment Permit No. PS04-00744 in the amount of \$6,827.00 to Joe Cefalia, 1312 Dover Drive, Newport Beach, California 92660.

BACKGROUND:

On November 1, 2004, the Public Services Department approved an Encroachment Permit for off-site improvements for the modification of the driveway approach, sidewalk, parkway drains and curb & gutter. The work was required due to the conditions of development for ZA-03-79, the construction of a new 2,850 sq. ft. single-family residence. The cash deposit in the amount of \$6,827.00 was received and accepted by the Public Services Department as a guarantee for the construction of the improvements.

ANALYSIS:

All of the Engineering Division's requirements 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 cash deposit. The Costa Mesa Municipal Code Section 15-32(b) states, "The condition of said bond (or cash deposit) 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 cash deposit would be in violation of the Municipal Code.

FISCAL REVIEW:

Funds have been placed on deposit and are available for refund.

LEGAL REVIEW:

There is no legal review required relative to this item.

CONCLUSION:

All of the required improvements have been constructed by the Contractor. Therefore, staff recommends that the cash deposit in the amount of \$6,827.00 be released and returned to Mr. Joe Cefalia.

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

MARC R. PUCKETT
Finance Director

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