



CITY COUNCIL AGENDA REPORT

MEETING DATE: APRIL 4, 2006

ITEM NUMBER: _____

SUBJECT: RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS03-00707 FOR STREET IMPROVEMENTS LOCATED AT 373 MONTE VISTA AVENUE, COSTA MESA, CALIFORNIA

DATE: MARCH 23, 2006

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

RECOMMENDED ACTION

Release the Performance and Labor and Material Bonds (Certificate No. SU 5003781) in the amount of \$27,349.60 each to Joe Cefalia, PO Box 551, Newport Beach, California 92661.

BACKGROUND

On November 12, 2003, the Engineering Division issued Encroachment Permit No. PS03-00707 to Joe Cefalia for the construction of street improvements within Monte Vista Avenue. The Encroachment Permit allowed the construction of three driveway approaches, residential sidewalk, wheelchair ramp, curb and gutter, and resurfacing the street. The Performance and Labor and Material Bonds in the amount of \$27,349.60 each were received and accepted by the Public Services Department as a guarantee for the construction of the improvements.

ANALYSIS AND DISCUSSION

All conditions of the Encroachment Permit 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 conditions of the Encroachment Permit have been completed by the Contractor. Therefore, staff recommends that the Performance and Labor and Material Bonds in the amount of \$27,349.60 each be released to Joe Cefalia.

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

DISTRIBUTION: City Manager
City Clerk
City Attorney
Staff