



CITY COUNCIL AGENDA REPORT

MEETING DATE: MARCH 20, 2007

ITEM NUMBER: _____

SUBJECT: REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS07-00058 FOR STREET IMPROVEMENTS LOCATED AT 292 KNOX PLACE, COSTA MESA, CALIFORNIA

DATE: MARCH 8, 2007

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:

Refund cash deposit in connection with Encroachment Permit No. PS07-00058 in the amount of \$7,310 to Gary Gonzalez (Homeowner), 292 Knox Place, Costa Mesa, California 92627.

BACKGROUND:

On January 26, 2007, the Engineering Division issued Encroachment Permit No. PS07-00058 to John Dickens Concrete (Contractor) for the construction of street improvements within Knox Place. The Encroachment Permit allowed the relocation of an existing drive approach, construction of sidewalk, and curb and gutter. The cash deposit in the amount of \$7,310 was received and accepted by the Public Services Department as a guarantee for the construction of the improvements.

ANALYSIS:

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 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:

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 cash deposit in the amount of \$7,310 be released and refunded to Gary Gonzalez (Homeowner).

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

MARC R. PUCKETT
Director of Finance

DISTRIBUTION: City Manager
 City Attorney
 City Clerk
 Staff

RefundCashDeposit292KnoxReport

Date 03/01/07

Time 1:30 p.m.