



CITY COUNCIL AGENDA REPORT

MEETING DATE: MARCH 20, 2007

ITEM NUMBER: _____

SUBJECT: RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS05-00279 FOR STREET IMPROVEMENTS LOCATED AT 3180 RED HILL AVENUE, 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

Release the Performance and Labor and Material Bonds (Certificate No. 839561S) in the amount of \$22,715 each to Spiegel Development, Inc (Contractor), 13369 Ventura Boulevard, Sherman Oaks, California 91423.

BACKGROUND

On May 10, 2005, the Engineering Division issued Encroachment Permit No. PS05-00279 to Spiegel Development (Contractor) for the construction of street improvements within Red Hill and McCormick Avenue. The Encroachment Permit allowed the construction of sidewalk with tree wells and root barriers, two driveway approaches, and a curb drain. The Performance and Labor and Materials Bonds in the amount of \$22,715 each were 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 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 \$22,715 each be released to Spiegel Development, Inc. (Contractor).

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

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