



# *CITY COUNCIL AGENDA REPORT*

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MEETING DATE: JULY 15, 2008

ITEM NUMBER:

**SUBJECT:** RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS06-00298 FOR STREET IMPROVEMENTS AND CORNER MONUMENTATION FOR TRACT 16937 LOCATED AT 2501 HARBOR BOULEVARD, COSTA MESA, CALIFORNIA.

**DATE:** JULY 3, 2008

**FROM:** PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

**PRESENTATION BY:** PETER NAGHAVI, DIRECTOR OF PUBLIC SERVICES

**FOR FURTHER INFORMATION CONTACT:** ERNESTO MUÑOZ, CITY ENGINEER, 714-754-5335

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## **RECOMMENDED ACTION**

Release the Performance and Labor and Material Bonds (Certificate No. 8848255) in the amount of \$115,572.86 for street improvements, and (Certificate No. 8848256) for setting corner monuments in the amount of \$6,600 to Richmond American Homes of California Inc, (Developer), 5171 California Avenue, Suite 120, Irvine, CA 92617.

## **BACKGROUND**

On July 18, 2006, the City Council approved the Final Map for Tract No.16937 for the construction of a 37 detached common interest units, 10 lots subdivision. The City Engineer required the setting of durable monuments at corners of exterior and interior lots. The Performance Bond in the amount of \$6,600 was received and accepted by the Public Services Department as a guarantee for the setting of the monuments. Also, on July 7, 2006, the Engineering Division issued Encroachment Permit No. PS06-00298 to Richmond American Homes of California Inc, (Developer), for the construction of street improvements within Harbor Boulevard. The Encroachment Permit allowed the construction of sidewalk, curb and gutter, drive approach, and modifications to a traffic signal. The Performance and Labor and Materials Bonds in the amount of \$115,572.86 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, and all of the monuments have been set by the Engineer. Therefore, staff recommends that the Performance and Labor and Material Bonds in the amounts of \$115,572.86 and \$6,600 each be released to Richmond American Homes of California Inc.

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**ERNESTO MUÑOZ**

City Engineer

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**PETER NAGHAVI**

Director of Public Services

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City Attorney  
Staff