



CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 3, 2010

ITEM NUMBER: _____

SUBJECT: RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS07-00655 FOR STREET IMPROVEMENTS FOR PARCEL MAP 2006-258 LOCATED AT 227 MONTE VISTA AVENUE, COSTA MESA, CALIFORNIA.

DATE: JULY 22, 2010

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

RECOMMENDED ACTION

Release the Performance and Labor and Material Bonds (Certificate No. 4363913) in the amount of \$10,321 for street improvements to 227 Monte Vista, LLC (Developer), 1421 N. Wanda Road, Unit 160, Orange, CA 92867.

BACKGROUND

On January 8, 2007, the Planning Commission approved the Parcel Map 2006-258 to subdivide a parcel into four (4) single-family residential lots. The Engineering Division issued Encroachment Permit No. PS07-00655 to Nicholson Construction Company, (Contractor), for the construction of street improvements within Monte Vista Avenue and Norse Street. The Encroachment Permit allowed the construction of new sidewalk, curb and gutter, drive approaches, curb drains, and paving a portion of the cul-de-sac. The Performance and Labor and Materials Bonds in the amount of \$10,321 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 amounts of \$10,321 each be released to 227 Monte Vista, LLC.

ERNESTO MUÑOZ
City Engineer

PETER NAGHAVI, DIRECTOR
Public Services Department

DISTRIBUTION: City Manager
City Clerk
City Attorney
Staff