



CITY COUNCIL AGENDA REPORT

MEETING DATE: JUNE 7, 2011

ITEM NUMBER:

SUBJECT: REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS10-00433 FOR STREET IMPROVEMENTS AT 185 E. 17TH STREET, COSTA MESA, CALIFORNIA

DATE: MAY 26, 2011

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: PETER NAGHAVI, DIRECTOR, PUBLIC SERVICES DEPARTMENT

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

RECOMMENDED ACTION:

Refund cash deposit in connection with Encroachment Permit No. PS10-00433 in the amount of \$7,648 to Savant Construction, 13830 Mountain Avenue, Chino, California 91710.

BACKGROUND:

On August 17, 2010, the Engineering Division issued Encroachment Permit No. PS10-00433 to Savant Construction (contractor) for the construction of street improvements within 17th Street and Orange Avenue. The Encroachment Permit allowed the construction of four drive approaches, curb and gutter, sidewalk, and a street cut. The cash deposit in the amount of \$7,648 was received and accepted by the Public Services Department as a guarantee for the construction of street 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 \$7,648 be released and refunded to Savant Construction.

ERNESTO MUÑOZ
City Engineer

PETER NAGHAVI, DIRECTOR
Public Services Department

COLLEEN O'DONOGHUE
Assistant Finance Director

DISTRIBUTION: Chief Executive Officer
 City Attorney
 Development Services Director
 City Clerk
 Staff