



CITY COUNCIL AGENDA REPORT

MEETING DATE: JANUARY 3, 2012

ITEM NUMBER:

SUBJECT: REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS10-00548 FOR STREET IMPROVEMENTS ALONG BRISTOL STREET AND ANTON BOULEVARD, COSTA MESA, CALIFORNIA

DATE: DECEMBER 15, 2011

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: ERNESTO MUNOZ, INTERIM DIRECTOR, PUBLIC SERVICES DEPARTMENT

FOR FURTHER INFORMATION CONTACT: FARIBA FAZELI, INTERIM CITY ENGINEER, (714) 754-5335

RECOMMENDED ACTION:

Refund cash deposit in connection with Encroachment Permit No. PS10-00548 in the amount of \$10,000 to FJS Cable Engineering Inc, 14340 Bolsa Chica Road, Suite G, Westminster, California 92683.

BACKGROUND:

On October 22, 2010, the Engineering Division issued Encroachment Permit No. PS10-00548 to FJS Cable Engineering (Applicant) on behalf of Team Fishel (Contractor) for the installation of conduits, manholes, handholes, and a vault within the public right-of-way for Abovenet Inc. The Encroachment Permit allowed the reconstruction of sidewalk, and repair of all trenches per City standards. The cash deposit in the amount of \$10,000 was received and accepted by the Public Services Department as a guarantee for the construction of street improvements.

ANALYSIS:

All Conditions of Approval for the project and 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 \$10,000 be released and refunded to FJS Cable Engineering Inc.

FARIBA FAZELI
Interim City Engineer

ERNESTO MUÑOZ, Interim Director
Public Services Department

BOBBY YOUNG
Finance & I.T. Director

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