



CITY COUNCIL AGENDA REPORT

MEETING DATE: AUGUST 7, 2012

ITEM NUMBER:

SUBJECT: REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS11-00506 FOR STREET IMPROVEMENTS AT 1512 BRISTOL STREET, COSTA MESA, CALIFORNIA

DATE: JULY 26, 2012

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: ERNESTO MUNOZ, PUBLIC SERVICES DIRECTOR

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

RECOMMENDED ACTION:

Refund cash deposit in connection with Encroachment Permit No. PS11-00506 in the amount of \$14,077 to PGMC Inc, PO Box 5183, Culver City, California 90231.

BACKGROUND:

The Engineering Division issued Encroachment Permit No. PS11-00506 to PGMC Inc, (Contractor) for the construction of street improvements within Bristol Street and Santa Ana Avenue. The Encroachment Permit allowed the reconstruction of two drive approaches, sidewalk and curb and gutter. The cash deposit in the amount of \$14,077 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 \$14,077 be released and refunded to PGMC Inc.



FARIBA FAZELI
Interim City Engineer



ERNESTO MUNOZ
Public Services Director



COLLEEN O'DONOGHUE
Assistant Finance Director

DISTRIBUTION: Chief Executive Officer
 City Attorney
 City Clerk
 Staff