



CITY COUNCIL AGENDA REPORT

MEETING DATE: NOVEMBER 5, 2013

ITEM NUMBER:

SUBJECT: RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS11-00170 FOR STREET IMPROVEMENTS FOR PARCEL MAP 2007-231 LOCATED AT 3128 RED HILL AVENUE, COSTA MESA, CALIFORNIA.

DATE: OCTOBER 24, 2013

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: ERNESTO MUNOZ, PUBLIC SERVICES DIRECTOR

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

RECOMMENDED ACTION

Release the Faithful Performance Bond (Certificate No. 786227S) in the amount of \$26,326 and Labor and Material Bond (Certificate No. 786227S) in the amount of \$13,163 for street improvements; and Monumentation Bond (Certificate No. 786228S) in the amount of \$500 for setting corner monuments to BKM 3128 Redhill Associates, LLC (Developer), 3090 Pullman Street, Costa Mesa, California 92626.

BACKGROUND

On February 25, 2008, the Planning Commission approved the Parcel Map 2007-231 to subdivide a 5-acre industrial property into two lots. The Engineering Division required the setting of durable monuments at corners of exterior and interior lots. The Performance Bond in the amount of \$500 was received and accepted by the Public Services Department as a guarantee for the setting of the monuments. Also, the Engineering Division issued Encroachment Permit No. PS11-00170 to Bluefin Construction (Contractor), for the construction of street improvements within Baker Street. The Encroachment Permit allowed the construction of sidewalk, curb and gutter and (3) drive approaches. The Performance and Labor and Materials Bonds in the amounts of \$26,326 and \$13,163 respectively 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 \$26,326, and \$13,163 respectively, and the bond for setting corner monuments in the amount of \$500 be released to BKM 3128 Redhill Associates, LLC.

FARIBA FAZELI
City Engineer

ERNESTO MUNOZ
Public Services Director

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Staff