



# CITY COUNCIL AGENDA REPORT

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MEETING DATE: APRIL 19, 2016

ITEM NUMBER: **CC-10**

**SUBJECT:** RELEASE OF BONDS IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS14-00134 FOR STREET IMPROVEMENTS AND CORNER MONUMENTATION FOR TRACT 17198 LOCATED AT 2013-2029 ANAHEIM AVENUE, COSTA MESA, CALIFORNIA.

**DATE:** APRIL 7, 2016

**FROM:** PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

**PRESENTATION BY:** ERNESTO MUNOZ, PUBLIC SERVICES DIRECTOR

**FOR FURTHER INFORMATION CONTACT:** BALTAZAR MEJIA, ACTING CITY ENGINEER  
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## **RECOMMENDATION:**

Release the Performance and Labor and Material Bonds (Certificate No. PB10163700220) in the amounts of \$21,612.00 each for street improvements and (Certificate No. PB10163700221) for setting corner monuments in the amount of \$3,000.00 to CMA 26 Group, LLC (Developer), 16580 Aston, Irvine, California 92606.

## **BACKGROUND:**

On February 4, 2014, the City Council approved Final Map Tract No.17198 for a one (1) lettered lot subdivision to construct 26 residential units. The Engineering Division required the setting of durable monuments at corners of exterior and interior lots. The Performance Bond in the amount of \$3,000.00 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. PS14-00134 to Brandywine Homes (Contractor) for the construction of street improvements within Anaheim Avenue. The Encroachment Permit allowed for the construction of curb and gutter, sidewalk, two drive approaches, curb drain and utility connections. The Performance and Labor and Materials Bonds in the amounts of \$21,612.00 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 and all of the monuments have been set by the Engineer. Therefore, staff recommend that the Performance and Labor and Material Bonds in the amounts of \$21,612.00 each, and the bond for setting corner monuments in the amount of \$3,0000.00 be released to CMA 26 Group, LLC.

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**ERNESTO MUNOZ**  
Public Services Director

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**BALTAZAR MEJIA**  
Acting City Engineer

DISTRIBUTION: Chief Executive Officer  
Assistant CEO  
City Attorney  
Staff