

REPORT OF GENERAL MANAGER

NO. 02-325


DATE September 4, 2002

CD. 3, 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: Release of Money Withheld Under Contract No. 2878;  
Sepulveda Dam Recreation Area-Hjelte Restroom/Concession  
(#1806A); Povac Investments, Inc.

J. Combs \_\_\_\_\_ H. Fujita \_\_\_\_\_  
A. Coroalles \_\_\_\_\_ \*R.Fawcett ~~EDP~~  
J. Duggan \_\_\_\_\_ M. Matthews \_\_\_\_\_  
J. Kolb \_\_\_\_\_

  
\_\_\_\_\_  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

It is recommended that the funds in the amount of \$4,422.27 previously withheld to satisfy the claim from Standard Concrete Products, Inc., and \$3,978.46 balance remaining from Stop Notice filed by Westside Wholesale Electric & Lighting, Inc. (Westside) be released to Povac Investments, Inc.

SUMMARY:

The Department is in receipt of communications from Kamine Ungerer, LLP on behalf of Povac Investments, Inc., for the Sepulveda Dam Recreation Area - Hjelte Restroom/Concession, requesting that funds in the amount of \$4,422.27 and \$3,978.46, previously withheld in connection with Stop Notices filed by Standard Concrete Products, Inc., and Westside be released.

At its meeting held March 21, 2001, the Board accepted the work on this project as complete and Povac Investments, Inc. was furnished with a letter of completion. Standard Concrete Products, Inc. was required to perfect its Stop Notice claim within 180 days of the Board's acceptance of the project, which time has expired with no such action taken.

REPORT OF GENERAL MANAGER

PG. 2

NO. 02-325

Westside perfected their stop notice by filing suit on March 16, 2001. On August 8, 2001 the Board accepted the assignment and release of funds in the amount of \$45,000.00. Westside was furnished with a letter informing them that Superior Court records show this case was dismissed on September 24, 2001. As a result, the Board will move to release funds held pursuant to Stop Notices. As stated on the letter, Westside was to respond by August 20, 2002, which time has expired with no such action taken

Upon the advice of the City Attorney, it is now in order to release the subject funds to Povac Investments, Inc.

Prepared by Petrona Johnson