



CITY COUNCIL AGENDA REPORT

MEETING DATE: MARCH 4, 2014

ITEM NUMBER:

SUBJECT: REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS13-00456 FOR PARKWAY IMPROVEMENTS AT 3180 AIRWAY AVENUE, COSTA MESA, CALIFORNIA

DATE: FEBRUARY 20, 2014

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:

Refund cash deposit in connection with Encroachment Permit No. PS13-00456 in the amount of \$18,896.59 to Synder Langston, 17962 Cowan, Irvine, CA 92614.

BACKGROUND:

The Engineering Division issued Encroachment Permit No. PS13-00456 to Synder Langston (Contractor) for parkway improvements construction at 3180 Airway Avenue. The Encroachment Permit allowed the construction of (2) drive approaches, sidewalk, curb & gutter and (1) street cut. The cash deposit in the amount of \$18,896.59 was received and accepted by the Public Services Department as a guarantee for the construction of parkway 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 \$18,896.59 be released and refunded to Synder Langston (Developer).

FARIBA FAZELI
City Engineer

ERNESTO MUNOZ
Public Services Director

STEPHEN DUNIVENT
Interim Finance Director

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