



CITY COUNCIL AGENDA REPORT

MEETING DATE: SEPTEMBER 20, 2016

ITEM NUMBER: **CC-5**

SUBJECT: REFUND OF CASH DEPOSIT IN CONNECTION WITH ENCROACHMENT PERMIT NO. PS15-00689 FOR PARKWAY IMPROVEMENTS AT 1726 SUPERIOR AVENUE, COSTA MESA, CALIFORNIA

DATE: SEPTEMBER 8, 2016

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: JAMES G. ROSS, INTERIM PUBLIC SERVICES DIRECTOR

FOR FURTHER INFORMATION CONTACT: BALTAZAR MEJIA, CITY ENGINEER,
(714) 754-5291

RECOMMENDED ACTION:

Refund cash deposit in connection with Encroachment Permit No. PS15-00689 in the amount of \$56,336.52 to Walgreens Family of Companies, 106 Wilmot Rd, Deerfield, IL 60015.

BACKGROUND:

The Engineering Division issued Encroachment Permit No. PS15-00689 to Bergman KPRS (Contractor) for parkway improvements at 1726 Superior Avenue. The Encroachment Permit allowed for the construction of drive approaches, curb & gutter, sidewalk, utilities installation and repaving of the street. The cash deposit in the amount of \$56,336.52 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 \$56,336.52 be released and refunded to Walgreens Family of Companies (Developer).

JAMES G. ROSS

Interim Public Services Director

BALTAZAR MEJIA

City Engineer

COLLEEN O'DONOGHUE

Assistant Finance Director