City Council Meeting
10-10-05
Item
3.B.7.

Council Agenda Report

To: Mayor Stern and the Honorable Members of the City Council

Prepared by: Claudio Sanchez, Deputy City Engineer

Reviewed by: Yugal K. Lall, Public Works Director

Approved by: Katie Lichtig, City Manager

Date prepared: September 22, 2005 Meeting date: October 10, 2005

Subject: Zumirez Drive Realignment Project – Completion of Contract and Acceptance of Work

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RECOMMENDED ACTION: 1) Accept the work performed by PALP, Inc. dba Excel Paving Company on the Zumirez Drive Realignment Project (Project No. 2002) as complete and authorize the Public Works Director to submit for recordation a Notice of Completion for the project; and 2) adopt Resolution 05-49 memorializing the acceptance of the road easement granted by Thomas William Antario for the realigned portion of Zumirez Drive.

FISCAL IMPACT: This project is in the Adopted Budget for Fiscal Year 2004-2005. The project is funded in part by a grant from the Metropolitan Transportation Authority (MTA) 1999 Call for Projects in the amount of $450,000 and a City match of $242,307 from Proposition C funds for a total of $692,307. Additionally, Caltrans has agreed to contribute $120,000 to the project for the traffic signal improvements. A Memorandum of Understanding (MOU) with Caltrans is in the process of being prepared and will be brought to the City Council for action at a future date.

At the February 14, 2005 City Council meeting, the Council awarded a contract in the amount of $409,715 to Excel Paving for construction of the project. Change orders totaling $44,170.70 were issued on the project for a final construction contract amount of $453,885.70. No additional funds are requested as the project was completed within the budgeted amount.

DISCUSSION: The purpose of the Zumirez Drive Realignment project was to align the north and south segments of Zumirez Drive at the Pacific Coast Highway intersection to

eliminate the offset of these segments of Zumirez Drive. The elimination of the road offset creates a safer intersection for both motorists and pedestrians.

On February 14, 2005, the City Council awarded a contract to Excel Paving for construction of the project. Construction commenced on March 1, 2005 and all work was completed on June 24, 2005 with the exception of some surveying work. The Contractor has been notified that the surveying work needs to be completed and the Contractor is proceeding to perform the work. The City is holding retention monies in the amount of $22,694.29 which should cover the City's expenses for performing the survey work should the Contractor be unable to complete it.

The Zumirez Drive Realignment Project included the installation of a traffic signal and lighting facilities. These additions require that the agreement with Caltrans for cost sharing of the State Highway electrical facilities within the City be revised to incorporate the new traffic signal and lighting facilities. City Council approval of the revised cost sharing agreement with the State is included as Item 3.B.5. on the October 10, 2005 agenda.

STAFF FOLLOW-UP: Upon acceptance by the City Council of the work associated with this contract, staff will request the recordation of a Notice of Completion with the County Registrar/Recorder's office which will allow the City to then release the retention monies following a 35-day holding period. Staff will also file all the appropriate documents to close out the project with the Metropolitan Transportation Authority. Staff will continue to work with Caltrans to expedite the processing and completion of the MOU.

ATTACHMENT:
1.) Resolution No. 05-49

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Attachment 1

RESOLUTION NO. 05-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU MEMORIALIZING THE ACCEPTANCE OF AN EASEMENT FOR ZUMIREZ DRIVE FOR THE ZUMIREZ DRIVE REALIGNMENT PROJECT

The City Council of the City of Malibu does hereby find, order, and resolve as follows:

SECTION 1. Recitals.

A. The City proposed a project known as Zumirez Drive Realignment (Project No. 2002) to realign the south segment of Zumirez Drive with the north segment at the Pacific Coast Highway intersection to improve the safety of motorists and pedestrians.

B. The Zumirez realignment project required a road easement to accomplish the work.

C. The City entered into a settlement agreement with Thomas William Antario for a road easement within property owned by Antario.

D. Under the terms of the Settlement Agreement and Mutual Release dated November 22, 2002 between Thomas William Antario and the City of Malibu, a permanent easement was granted to the City by Antario. The road easement document was submitted to the Los Angeles County Registrar Recorders office for recordation on April 8, 2003

E. The easement has not been formally accepted by Resolution and it is desired to memorialize the acceptance of the easement granted by Antario to the City.

SECTION 2. The City Council does hereby memorialize the acceptance of the road easement for Zumirez Drive granted by Thomas William Antario as described and shown in Exhibit A.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED on _____, 2005.

_____
ANDY STERN, Mayor

ATTEST:

_____
LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:

_____
CHRISTI HOGIN, City Attorney

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EXHIBIT "A"

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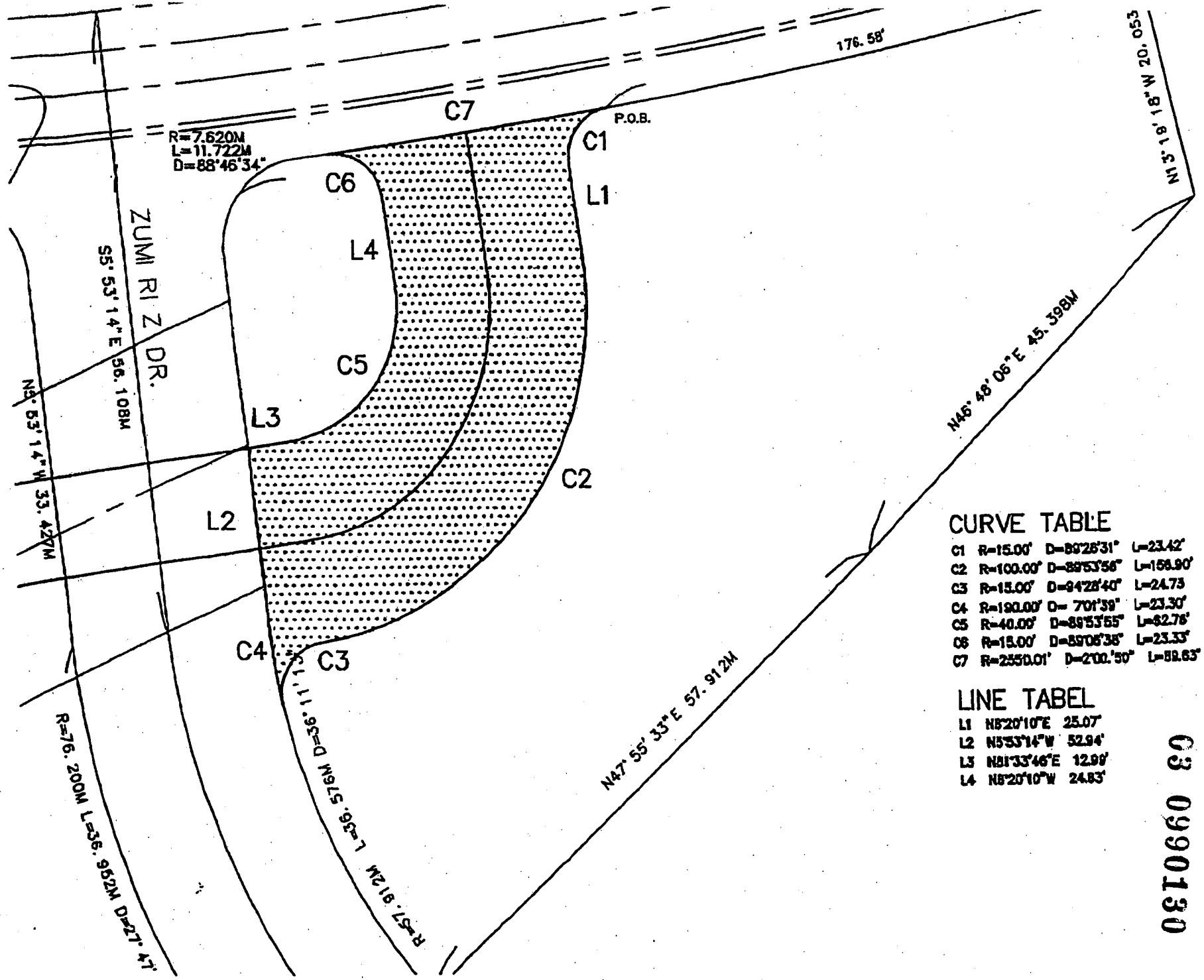
LEGAL DESCRIPTION

PARCEL 1

A PORTION OF LOT 41 IN TRACT NO. 12778 AS RECORDED IN BOOK 262 AT PAGE 41-43 OF OFFICIAL RECORDS IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 41 THENCE WESTERLY ALONG A CURVE CONCAVE NORTH, HAVING A RADIUS OF 2550.01 FEET, A ARC LENGTH OF 176.58 FEET THRU A CENTRAL ANGLE OF 3°-58'-03" TO A POINT ON THE NORTHERLY LINE OF LOT 41; SAID POINT BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTHERLY ALONG A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 15.00 FEET, A ARC LENGTH OF 23.27 FEET, THRU A CENTRAL ANGLE OF 89°-26'-31"; THENCE S 8°-20'-10" E, A DISTANCE OF 25.07 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWEST HAVING A RADIUS OF 100.00 FEET, THRU A CENTRAL ANGLE OF 89°-53'-56", A ARC LENGTH OF 156.90 FEET TO A POINT OF REVERSE CURVE; THENCE SOUTHERLY ALONG A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 15.00 FEET, THRU A CENTRAL ANGLE OF 94°-28'-40", A ARC LENGTH OF 24.73 FEET TO A POINT ON A CURVE ON THE WESTERLY LINE OF LOT 41; THENCE NORTHERLY ALONG A CURVE ON THE WESTERLY LINE OF LOT 41 CONCAVE EAST HAVING A RADIUS OF 190.00 FEET, THRU A CENTRAL ANGLE OF 7°-01'-39", A ARC LENGTH OF 23.30 FEET; THENCE N 5°-53'-14" W, A DISTANCE OF 52.94 FEET; THENCE N 81°-33'-46" E, A DISTANCE OF 12.99 FEET; THENCE ALONG A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 40.00 FEET, THRU A CENTRAL ANGLE OF 89°-53'-56", A ARC LENGTH OF 62.76 FEET; THENCE N 8°-20'-10" W, A DISTANCE OF 24.89 FEET; THENCE ALONG A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET, THRU A CENTRAL ANGLE OF 89°-06'-38", A ARC LENGTH OF 23.33 FEET TO A POINT ON THE NORTH LINE OF LOT 41; THENCE ALONG A CURVE CONCAVE NORTH HAVING A RADIUS OF 2550.01, THRU A CENTRAL ANGLE OF 2°-00'-50", A ARC LENGTH OF 89.63 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 9,975.27 SQ. FEET.



CURVE TABLE

C1	R=15.00'	D=89°28'31"	L=23.42'
C2	R=100.00'	D=89°53'56"	L=156.90'
C3	R=15.00'	D=94°28'40"	L=24.73
C4	R=190.00'	D= 7°01'39"	L=23.30'
C5	R=40.00'	D=89°53'55"	L=62.78'
C6	R=15.00'	D=89°06'38"	L=23.33'
C7	R=2550.01'	D=2°00'50"	L=89.63'

LINE TABEL

L1	N5°20'10"E 25.07'
L2	N5°53'14"W 52.94'
L3	N81°33'46"E 12.99'
L4	N5°20'10"W 24.83'

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Exhibit A