

**CITY OF DANA POINT**  
**AGENDA REPORT**

<b>Reviewed By:</b>	
DH	x
CM	x
CA	x

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**DATE: MAY 28, 2003**

**TO: CITY MANAGER/CITY COUNCIL**

**FROM: ROBERT A. WARREN, DIRECTOR OF PUBLIC SERVICES AND ENGINEERING SERVICES**

**SUBJECT: ADOPTION OF A RESOLUTION APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE URBAN WATER DIVERSION PROJECT CONSTRUCTED ADJACENT TO COAST HIGHWAY BETWEEN DOHENY PARK ROAD AND CAMINO CAPISTRANO (CITY LIMIT) AND STATUS REPORT ON THE ALIPAZ STORM DRAIN TREATMENT PROJECT**

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**RECOMMENDED ACTION:**

That the City Council (1) adopt a resolution entitled:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE URBAN WATER DIVERSION PROJECT CONSTRUCTED ADJACENT TO COAST HIGHWAY BETWEEN DOHENY PARK ROAD AND CAMINO CAPISTRANO (CITY LIMIT)**

and (2) direct that any project savings be transferred to the Capital Improvement Program (CIP) Reserves.

**ISSUES:**

A contract for the construction of the Golden Lantern Landscaped Median Project was awarded on December 12, 2002. The work has been satisfactorily completed, and staff has confirmed that the work does comply with the contract documents. Since the work has been completed, it would be appropriate for the City Council to approve a Notice of Completion.

**BACKGROUND:**

The City Council approved a Consultant Services Agreement with Willdan on March 14, 2000 for the design of this project. Staff worked with Willdan to complete that design

effort. The City was, also, required to undertake an intensive permitting effort as part of the design. The permits that were secured are as follows:

1. Metrolink Right-of-Entry Permit
2. County of Orange Encroachment Permit
3. California Department of Fish and Game Permit
4. California Regional Water Quality Control Board Permit
5. United States Department of Army Permit
6. State of California Department of Parks and Recreation Access Permit
7. Capistrano Bay District Access Permit

The permits and authorizations for the project were acquired prior to the start of construction.

Staff advertised and received construction bids for the Urban Runoff Diversion Project on October 29, 2002. Based on the bid results, the City awarded a contract to Paulus Engineering, Incorporated for the construction of the project.

In addition, the City was required to enter into a license agreement with OCTA for the diversions constructed in OCTA right-of-way. The license agreement was approved by the City Council on December 12, 2002.

Further, the City was required to enter into an agreement with the South Coast Water District (SCWD) to accept urban runoff in the district's sewer system. The agreement was approved by the City Council on December 12, 2002.

### **DISCUSSION:**

The City's contractor, Paulus Engineering, Incorporated, has completed the construction of the Urban Runoff Diversion Project and the necessary maintenance of the landscaping within the allotted contract time. The City Engineer and City Inspector have inspected the work and confirmed that the project was constructed in accordance with the approved plans and specifications. Therefore, staff recommends that the City Council approve the Notice of Completion, Action Document A.

A similar project that was previously completed in Dana Point was the Alipaz Storm Drain Treatment Project. That project location is in the Alipaz Street right-of-way, approximately 1,000 feet south of Stonehill Drive. The Alipaz Storm Drain Treatment Project was a project that involved the construction of the following improvements:

1. Storm Drain Diversion (low-flow diversion) to direct urban runoff from an existing 327 acre tributary-area 96-inch storm drain to a City of San Juan Capistrano sewer along San Juan Creek. The diversion can only operate from April 15<sup>th</sup> to October 15<sup>th</sup>.

2. Solids Removal System to capture trash, debris and sediments. The flows are directed through this system prior to being diverted. This unit operates year-round to collect solids.
3. Storm Drain Transition Structure to direct flow into solids removal system and low-flow diversion.
4. Flow metering system and water sampling unit.

The City of Dana Point worked with the City of San Juan Capistrano (SJC) to accept the urban runoff. SJC allowed the City to divert the flow to their sewer line, as the City of Dana Point does not own sewer facilities.

In the month of April, the following flows were diverted:

4/24/03	0.0 gallons
4/25/03	26,169.0 gallons
4/26/03	45,036.1 gallons
4/27/03	51,964.8 gallons
4/28/03	56,489.5 gallons
4/29/03	64,153.6 gallons
4/30/03	61,498.8 gallons

The total flow for the month of April 2003 was 305,332.8 gallons. In addition, the City has removed over 28 cubic yards of debris, trash and sediment, which amounts to approximately 33 tons of material (December 2002 – April 2003). The solids removal system has only been in operation since December 2002.

Although the Urban Water Diversion Project won't divert as great a volume of urban runoff to the sewer treatment plant due to a smaller tributary drainage area, it will prevent all of the bacteria-laden non-stormwater flows from reaching the ocean.

#### **NOTIFICATION/FOLLOW-UP:**

Caltrans  
County of Orange

#### **STRATEGIC PLAN IMPLEMENTATION:**

In compliance with the Strategic Plan Initiative to restore and maintain the integrity of our ocean waters and beaches, this project implements the tactical element of achieving greater diversion of urban runoff.

**FISCAL IMPACT:**

The total project budget is \$704,625 from the following sources:

General Fund	\$471,000.00
TEA Funds	\$150,000.00
County of Orange	<u>\$ 83,625.00</u>
 Total Available Funding	 \$704,625.00

The following project costs have been encumbered to date:

Willdan, Project Management	\$ 2,010.00
Arrow Tech Survey	\$ 14,500.00
Bush and Associates, Survey	\$ 4,100.00
PBS&J, Project Management	\$ 20,097.00
Willdan, Design	\$ 38,210.00
UPS	\$ 10.43
Consolidated Reprographics, printing	\$ 1,975.00
Metrolink, permit and coordination fees	\$ 1,573.82
Metrolink, permit and coordination fees	\$ 138.65
Associated Laboratories	\$ 8,958.00
LSA, environmental studies	\$ 4,800.00
Department of Fish and Game	\$ 772.75
Regional Water Quality Control Board	\$ 500.00
Construction:	\$ 374,099.55
Construction Management:	\$ 84,849.60
Materials Testing:	\$ 8,000.00
Surveying:	\$ 18,500.00
Construction Support Services	\$ 11,760.00
OCTA License Fee	\$ 1,000.00
Capistrano Bay District	<u>\$ 50,000.00</u>
 Total Costs to Date: (Previous Council Actions)	 \$ 645,854.80

Therefore, the project was completed on time and under budget. The City may not receive all of the TEA funding shown as available funding. Therefore, the expected savings is currently estimated to be less than \$30,000. All project savings will be directed to the Capital Improvement Program reserves.

**ALTERNATIVE ACTIONS:**

1. Other alternatives as deemed appropriate by City Council.

**ACTION DOCUMENTS:**

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**SUPPORTING DOCUMENTS:**

None

**Action Document A – Resolution**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA APPROVING A NOTICE OF COMPLETION FOR THE CONSTRUCTION OF THE URBAN WATER DIVERSION PROJECT CONSTRUCTED ADJACENT TO COAST HIGHWAY BETWEEN DOHENY PARK ROAD AND CAMINO CAPISTRANO (CITY LIMIT)**

THE CITY COUNCIL OF THE CITY OF DANA POINT, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the City of Dana Point has entered into an agreement with Paulus Engineering, Incorporated for the construction of the Urban Runoff Diversion Project, and

WHEREAS, the Director of Public Works and Engineering Services has evaluated the work and cost figures and recommends approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dana Point as follows:

Section 1. That the work required to be performed by said Contractor has been completed.

Section 2. That the work is hereby accepted and approved.

Section 3. That the City Clerk is directed to certify the Resolution and to forthwith forward a “Notice of Completion” to the Recorder of the County of Orange for recording.

Section 4. That the City Clerk is directed to release security posted for the completion of the project thirty-five (35) days after recordation of the Notice of Completion by the County of Orange Recorder, provided that no stop notices have been filed against said contractor.

PASSED, APPROVED, AND ADOPTED this 28th day of May, 2003.

\_\_\_\_\_  
WILLIAM L. OSSENMACHER, MAYOR

ATTEST:

\_\_\_\_\_  
Susan A. Ramos, City Clerk

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF DANA POINT )

I, Susan A. Ramos, City Clerk of the City of Dana Point, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. \_\_\_\_\_ adopted by the City Council of the City of Dana Point, California, at a regular meeting thereof held on the 28<sup>th</sup> day of May, 2003, by the following vote:

AYES:

NOES:

ABSENT:

(SEAL)

\_\_\_\_\_  
SUSAN A. RAMOS, CITY CLERK

**Action Document B – Notice of Completion**

Recording Fees Exempt per Government Code Section 6103

Recording Requested by:

Public Works Department  
City of Dana Point  
33282 Golden Lantern  
Dana Point, California

When Recorded Please Mail to:

CITY CLERK  
CITY OF DANA POINT  
33282 GOLDEN LANTERN  
DANA POINT, CA 92629

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This Space for Recorder's Use Only

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN that a contract was heretofore awarded by the City Council of the City of Dana Point, California, to Paulus Engineering, Incorporated, for the performance of the following work:

**Urban Runoff Diversion Project**

Said work was completed on \_\_\_\_\_, 2003, by said company; was completed in accordance with City standards and to the satisfaction of the Director of Public Works and Engineering Services of the City of Dana Point; and was accepted by the City Council of the City of Dana Point, owner, at a regular meeting thereof held on the 28th day of May, 2003, by Resolution No. \_\_\_\_\_.

Upon said contract, surety was given by Greater American Insurance Company, Bond No. 5443715 as required by law.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2003, at Dana Point, California.

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Susan A. Ramos, City Clerk

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF DANA POINT )

I, Susan A. Ramos, City Clerk of the City of Dana Point, California, do hereby certify that the foregoing Notice of Completion is true and correct, and that said Notice of Completion was duly and regularly ordered to be recorded in the Office of the Orange County Recorder by said City Council.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2003, at Dana Point, California.

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Susan A. Ramos, City Clerk