



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 1, 2012
TO: Mayor and Councilmembers
FROM: Engineering Division, Public Works Department
SUBJECT: State Route 225 Relinquishment Update

RECOMMENDATION: That Council:

- A. Receive an update on the State Route 225 Relinquishment; and
- B. Provide direction to City staff and the City Attorney regarding the State Route 225 Relinquishment and negotiations with Caltrans for the transfer of State Route 225 to the City.

EXECUTIVE SUMMARY:

Pursuant to Council direction, Public Works staff and Caltrans have been working for several years on issues related to relinquishing State Route 225 (SR 225) from Caltrans to the City. SR 225 consists of approximately 4.6 miles of roadway from the intersection of Castillo and Montecito Streets, west along Cliff Drive, then north along Las Positas Road to where it intersects US Highway 101 (see Attachment 1).

DISCUSSION:

Background

On January 24, 2012, staff provided Council with an update on the SR 225 Relinquishment. As reported in the January 24, 2012, meeting minutes, Council directed staff to move forward with the SR 225 Relinquishment subject to the following conditions:

- 1) Resolution of the City Attorney's concerns with liability and litigation related to the roadway;
- 2) Caltrans' completion of required drainage improvements or agreement to fund the City's estimate for this work;
- 3) Satisfactory negotiation with Caltrans on the assessment of the Las Positas Bridge overcrossing and the completion of needed repairs to this structure; and
- 4) That staff would return to Council for additional direction if necessary.

Generally, the meeting included discussion regarding the apparent financial and legal concerns including one-time and ongoing costs, and liability issues.

SR 225 Liability and Litigation Concerns

The City Attorney continues to have a concern about City tort liability regarding the City's acceptance of the relinquishment of SR 225 from Caltrans, in particular with respect to certain SR 225 intersections which, according to City records, have a high rate of accidents. As a result, the City Attorney's Office has recommended that the relinquishment of SR 225 to the City be expressly conditioned upon either the State agreeing to defend and indemnify the City with respect to those accidents or Caltrans agreeing to fund a reserve amount to cover the potential tort liability which would accrue to the City in taking title to SR 225. In addition, the City Attorney's Office suggests that Caltrans should agree to cooperate with the City in preserving the original Caltrans SR 225 design and maintenance records, which records will be necessary for the City to substantiate any design immunity defense applicable under the Government Tort Claims Act in the event of a lawsuit involving a serious accident on SR 225. However, to date Caltrans has responded that they are unwilling to consider any commitment to indemnify the City from SR 225 claims or litigation. As a result, the City Attorney is recommending that the City Council direct City staff and the City Attorney's office to continue their discussions with Caltrans for an appropriate form of indemnification of the City and concerning the transfer of SR 225 tort claim and litigation history records, as well as design and maintenance records to the City.

Updated Relinquishment Information

Following the Council meeting of January 24, 2012, there have been some significant developments as identified below:

On February 24, 2012, a meeting was held that included City staff, Mayor Schneider, Assemblyman Das Williams, and the Caltrans District 5 Director and members of his staff, to discuss the key SR 225 Relinquishment issues. The meeting proved very productive and subsequently, Caltrans updated and increased their drainage repairs estimate. Staff and Caltrans mutually agreed on a drainage repair estimate of \$819,000 (Attachment 2). The 2011 City estimate was \$804,075. Further, in a letter dated March 8, 2012, Caltrans notified the City that they would retain the Las Positas Road railroad bridge within their jurisdiction and it would not be included in the SR 225 Relinquishment boundaries (Attachment 3).

Additional City Improvements and Cost Considerations

As previously identified in the Council Agenda Report of January 24, 2012, if relinquishment were to occur, additional currently unfunded future costs are anticipated to be incurred by the City as described in detail in prior reports to Council.

- 1.) One Time City Expense for Traffic Signal Controller Conversion is approximately \$112,300.
- 2.) Ongoing Annual SR 225 Maintenance is approximately \$367,000 per year.
 - Street Infrastructure Maintenance (excluding Pavement Maintenance) is approximately \$159,000 per year.
 - Pavement Maintenance is approximately \$165,000 per year.
 - Traffic Signal Control System Maintenance is approximately \$43,000 per year.

No additional Street Fund revenues are projected as part of the relinquishment, so the impact of additional ongoing pavement maintenance for SR 255 would result in reduced street maintenance in other areas of the City.

Based on past public comment, there is an expectation that the City will provide other public improvements soon after relinquishment. The cost of these additional improvements is difficult to estimate, but an estimate of \$11.5 million is reflected in the City's Six-Year CIP category of unfunded projects.

Relinquishment Cost Estimate Summary

As previously indicated, staff and Caltrans have mutually agreed upon the \$819,000 for the drainage improvements and repairs; increasing their drainage repair estimate from \$697,000. This amount would be paid to the City as part of the relinquishment City/Caltrans Cooperative Agreement.

BUDGET/FINANCIAL INFORMATION:

If relinquishment is completed, the annual maintenance costs would come out of the City Streets Funds, which is expected to result in less pavement maintenance funding available to maintain the rest of the City's roadways. Other than the \$819,000 for the drainage repairs, the City will not receive any additional funding from Caltrans if this route is relinquished. If the City accepts SR 225, the cost for rectifying existing and future infrastructure deficiencies and additional ongoing repair, maintenance, and liability responsibilities, will be incurred by the City. Any additional proposed City improvements on Cliff Drive and Las Positas Road will compete with other City Capital

funding priorities. Future improvements would be implemented over time, as funding is identified.

STEPS TO AFFECT RELINQUISHMENT

The relinquishment process, if approved, is anticipated to take 14 to 18 months and includes the following steps:

- Caltrans initiates the Project Scope Summary Report (PSSR),
- Caltrans submits the PSSR outlining relinquishment agreement terms,
- City and Caltrans finalize the Cooperative Agreement,
- City passes a resolution approving Cooperative Agreement accepting SR 225, and
- The California Transportation Committee approves the relinquishment and transfer of funds.

SUMMARY

The SR 225 Relinquishment issues, as identified in this report, form the basis for subsequent agreements between Caltrans and the City to accomplish the relinquishment.

Staff seeks Council direction to either:

- A. Move forward with relinquishment; or
- B. Postpone the relinquishment until there is a better economic outlook for achieving community goals; or
- C. Table the relinquishment for future action.

ATTACHMENTS: 1. Highway SR 225 Vicinity Map
2. 2012 Caltrans Drainage Repair Estimate
3. Caltrans Letter dated March 8, 2012

PREPARED BY: John Ewasiuk, Principal Engineer/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

STATE ROUTE 225 (Las Positas Road\Cliff Drive)



Updated Cost to Relinquish Estimate for Route 225

Location	Description	2008 Caltrans Estimate	2012 Caltrans Estimate
Sta 20+68	Replace 18" Culvert, Reconstruct Portions of Pipe Connection and Channel Wall and Install Overside Drains	\$120,000	\$ 135,000
Sta 23+30	Veronica Springs Hard Channel Improvements	\$50,000	\$ 56,500
Sta 42+35	Minor Roadway Reconstruction	\$15,000	\$ 17,000
Sta 33+60	Erosion at Retaining Wall	\$0	\$ 0
Sta 14+30	Refurbish OCP (Oval Concrete Pipe) Risers	\$4,000	\$ 4,500
Sta 16+10	Refurbish OCP Risers	\$4,000	\$ 4,500
Sta 28+53	Replace Downstream Headwall	\$117,000	\$ 132,000
Sta 72+82	CMP Pipe Extension	\$60,000	\$ 67,000
Sta 73+68	Construct Junction Structure	\$35,000	\$ 39,000
Sta 35+50	12 " & 18" CMP	\$15,000	\$ 17,000
Sta 72+00	12 " CMP	\$22,000	\$ 25,000
Sta 94+00	12 " CMP	\$15,000	\$ 17,000
Sta 95+00	12 " CMP	\$14,000	\$ 16,000
Sta 100+50	12 " CMP	\$14,000	\$ 16,000
Sta 198+00	12 " CMP	\$18,000	\$ 20,500
Sta 202+00	12 " CMP	\$15,000	\$ 17,000
25% contingency		\$139,000	\$ 158,750
40% Contingency (As agreed with city)		\$ 234,000	\$ 234,000
Total		\$ 657,000	\$ 819,000

STATE OF CALIFORNIA--BUSINESS, TRANSPORTATION AND HOUSING AGENCY

DEPARTMENT OF TRANSPORTATION

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March 8, 2012

Christine F. Andersen
 Public Works Director
 City of Santa Barbara
 P O. Box 1990
 Santa Barbara, CA 93102-1990

Dear Ms. Andersen:

STATE ROUTE 225 RELINQUISHMENT

Thank you for your recent letter and for hosting a meeting in February to resolve issues that may allow the relinquishment to proceed. The California Department of Transportation (Caltrans) offers the following in response:

- 1) **Cost to Relinquish:** The estimate is based on achieving a state of good repair. Previous correspondence included an itemized list of locations related to drainage improvements. The most recent estimate provided by your staff (attached) appears reasonable with one exception. Work on the retaining wall (Sta 33 + 60) should be deleted since Caltrans has initiated a project to repair the wall independently of the relinquishment. Refinements to this state of good repair estimate will be finalized during the development of the Project Scope Summary Report.
- 2) **Las Positas Bridge:** This bridge is in a state of good repair and Caltrans does not support the expenses associated with additional structural testing and investigation at this time. In the interest of the public good and to avoid unnecessary expenditures, Caltrans is willing to retain ownership of this bridge.
- 3) **Assumption of Liability:** The city must be willing to accept full responsibility as owner-operator of the facility. This responsibility is non-negotiable.

Christine F. Andersen
March 8, 2012
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I hope this serves to resolve the issues to the satisfaction of your city council. Please confirm with your intent to proceed in good faith and execute this transaction in the near future. With that, we would then refresh the schedule we provided in October 2011 and carry forward. Please contact me directly with any questions at (805) 549-3161.

Sincerely,



AILEEN K. LOE
Deputy District Director

Attachment

- c: Assemblyman Das Williams
Mayor Helene Schneider
Jim Kemp, SBCAG