



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item No: 4.c

Meeting Date: August 19, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: April Miller, Public Works Director City Manager Approval: _____

TOPIC: CALTRANS PROPERTY RELINQUISHMENT

SUBJECT: RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO SEND A LETTER TO REQUEST THAT CALTRANS RELINQUISHES THE PROPERTY EAST OF REDWOOD HIGHWAY AND CIVIC CENTER DRIVE.

RECOMMENDATION:

Adopt a resolution approving and authorizing the City Manager to send a letter to request that the State Department of Transportation (Caltrans) relinquishes the property east of Redwood Highway and Civic Center Drive as delineated in Exhibit A (Relinquishment No. 56162).

BACKGROUND:

The Caltrans-owned intersections of Manuel T. Freitas Parkway (Freitas Parkway) and US 101 North ramp is currently uncontrolled. Caltrans has proposed improvements to the intersections, including a new roundabout and a relocated bus stop. At the [August 1, 2022](#) meeting, City Council approved a Cooperative Agreement to contribute funding for the project delivery in the amount not to exceed \$400,000.

As part of the community outreach process in 2021 and 2022, the City and community pushed Caltrans to modify the design to create wider bicycle and pedestrian facilities around the roundabout. In order to achieve this, Caltrans needed to procure additional public right of way. Since this request to expand improvements was made by the City, the City informally agreed to maintain the additional right of way if Caltrans purchased and built the improvements. In 2024 Caltrans purchased additional public right of way from 4040 Civic Center Drive in San Rafael for the purpose of constructing the project along Redwood Highway and Civic Center Drive. The acquired public right of way property (as shown in Attachment 2) is not continuous with the State right of way and is adjacent to the City maintained public right of way.

ANALYSIS:

After the construction of the project, Caltrans will have no further interest in the right of way not continuous with the State right of way. California Streets and Highway Code, Section 73 et seq authorizes the California Transportation Commission (CTC) to relinquish a portion of the State highway to a city or county, provided that certain steps are followed. This includes the City issuing a letter to the Caltrans

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

District Director requesting the relinquishment of a portion the property purchased for the project. The additional public right of way will include retaining walls, sidewalk, and bicycle path around the roundabout that serve the community. These improvements are similar to what the City will maintain adjacent to these new areas.

COMMUNITY OUTREACH:

This project was presented to the City Council on November 1, 2021, and on August 1, 2022. In addition to the City Council presentations, this project has also been presented to the City's Bicycle and Pedestrian Committee (BPAC) in 2021 and 2022. In addition, Caltrans held a virtual community meeting in March 2022. The project has undergone several iterations of design in response to community comments. The current design was shared with key stakeholders before being completed. The City has also maintained a [webpage](#) with relevant project material and recorded meetings.

FISCAL IMPACT:

There is no fiscal impact for the adoption of this resolution.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution approving and authorizing the City Manager to send a letter to Caltrans
2. Reject the resolution and provide further direction to staff

RECOMMENDED ACTION:

Adopt a resolution approving and authorizing the City Manager to send a letter to request that the State Department of Transportation (Caltrans) relinquishes the property east of Redwood Highway and Civic Center Drive as delineated in Exhibit A (Relinquishment No. 56162).

ATTACHMENTS:

1. Resolution
2. Exhibit A (Relinquishment No. 56162) from Caltrans
3. Draft Letter for Request for Relinquishment

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL APPROVING AND AUTHORIZING THE CITY MANAGER TO SEND A LETTER TO REQUEST THAT CALTRANS RELINQUISHES THE PROPERTY EAST OF REDWOOD HIGHWAY AND CIVIC CENTER DRIVE AS DELINEATED IN EXHIBIT A (RELINQUISHMENT NO. 56162).

WHEREAS, in 2024 the State Department of Transportation (Caltrans) purchased additional public right of way from 4040 Civic Center Drive in San Rafael for the purpose of constructing a roundabout, sidewalk, and bicycle path (the “Project”) along Redwood Highway and Civic Center Drive; and

WHEREAS, the newly acquired public right of way property is not continuous with the State right of way and is adjacent to the City maintained public right of way; and

WHEREAS, during the design process the City and community requested additional bicycle and pedestrian improvements that extended the improvements further outside the existing right of way; and

WHEREAS, after the construction of the Project, Caltrans has no further interest in the right of way not continuous with State right of way and adjacent to the local street; and

WHEREAS, the City agrees that the relinquishment will be used for public multi-modal transportation uses; and

WHEREAS, California Streets and Highway Code, Section 73 et esq authorizes the California Transportation Commission (CTC) to relinquish a portion of the State highway to a city or county, provided certain steps are followed; and

WHEREAS, the City needs to issue a letter to the Caltrans District Director requesting the relinquishment of the property east of Redwood Highway and Civic Center Drive as delineated in Exhibit A (Relinquishment No. 56162) to the City; and

WHEREAS, the City Council must also consent to the relinquishment by resolution before the CTC may relinquish a portion of any State highway or property to the City; and

WHEREAS, Caltrans must perform a cost-benefit analysis and then, if deemed a benefit, negotiate terms of the relinquishment that are presented to the CTC for consideration; and

WHEREAS, the City agrees to only accept the proposed relinquishment as delineated in Exhibit A (Relinquishment No. 56162) at a zero-fee cost established by the Caltrans cost-benefit analysis; and

WHEREAS, the City will maintain and continue transportation use of the facilities; and

WHEREAS, this action by the City Council is not a project under the California Environmental Quality Act because the action is an administrative activity that will not have final authority over the relinquishment, and future actions by the state are required to relinquish the highway segment.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND that the City Council of the City of San Rafael, State of California, does hereby resolve as follows:

1. Requests and consents to the relinquishment of Segments 1 and 2 along Redwood Highway and Civic Center Drive as delineated in Exhibit A (Relinquishment No. 56162) to the City after the completion of the Project, as allowed under Section 73 et seq. of the California Streets and Highways Code; and
2. Authorizes the City Manager to send a letter, in substantially the form attached, to request Caltrans to initiate the relinquishment process for the property east of Redwood Highway and Civic Center Drive as delineated in Exhibit A (Relinquishment No. 56162) and take any further action as necessary to facilitate the relinquishment.

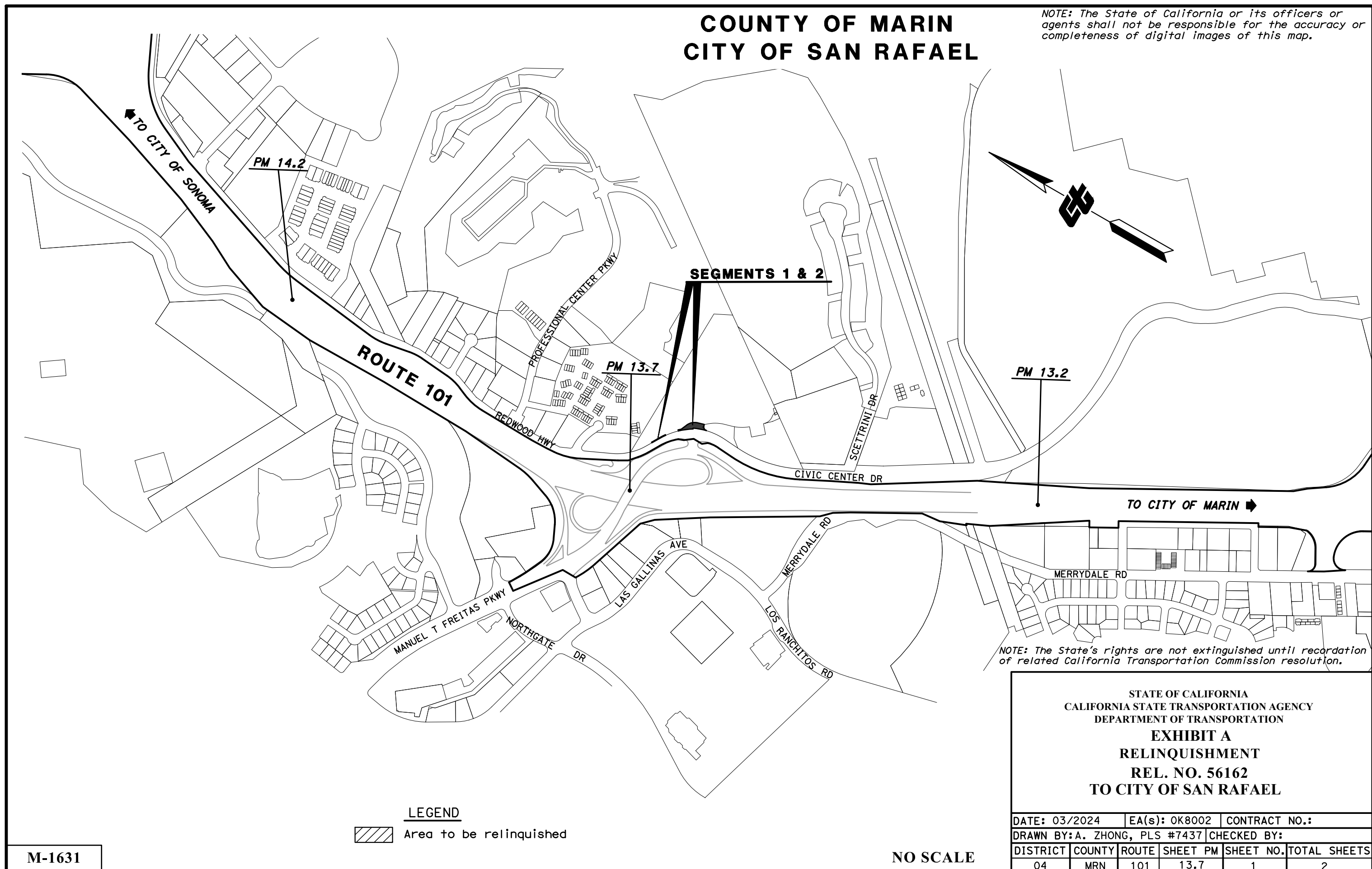
I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Monday, the 19th day of August 2024, by the following vote, to wit:

AYES: **Councilmembers:**
NOES: **Councilmembers:**
ABSENT: **Councilmembers:**

Lindsay Lara, City Clerk


COUNTY OF MARIN CITY OF SAN RAFAEL

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



NOTE: The State's rights are not extinguished until recordation of related California Transportation Commission resolution.

STATE OF CALIFORNIA
CALIFORNIA STATE TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION
EXHIBIT A
RELINQUISHMENT
REL. NO. 56162
TO CITY OF SAN RAFAEL

LEGEND
 Area to be relinquished

DATE: 03/2024	EA(s): 0K8002	CONTRACT NO.:			
DRAWN BY: A. ZHONG, PLS #7437		CHECKED BY:			
DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
04	MRN	101	13.7	1	2

M-1631

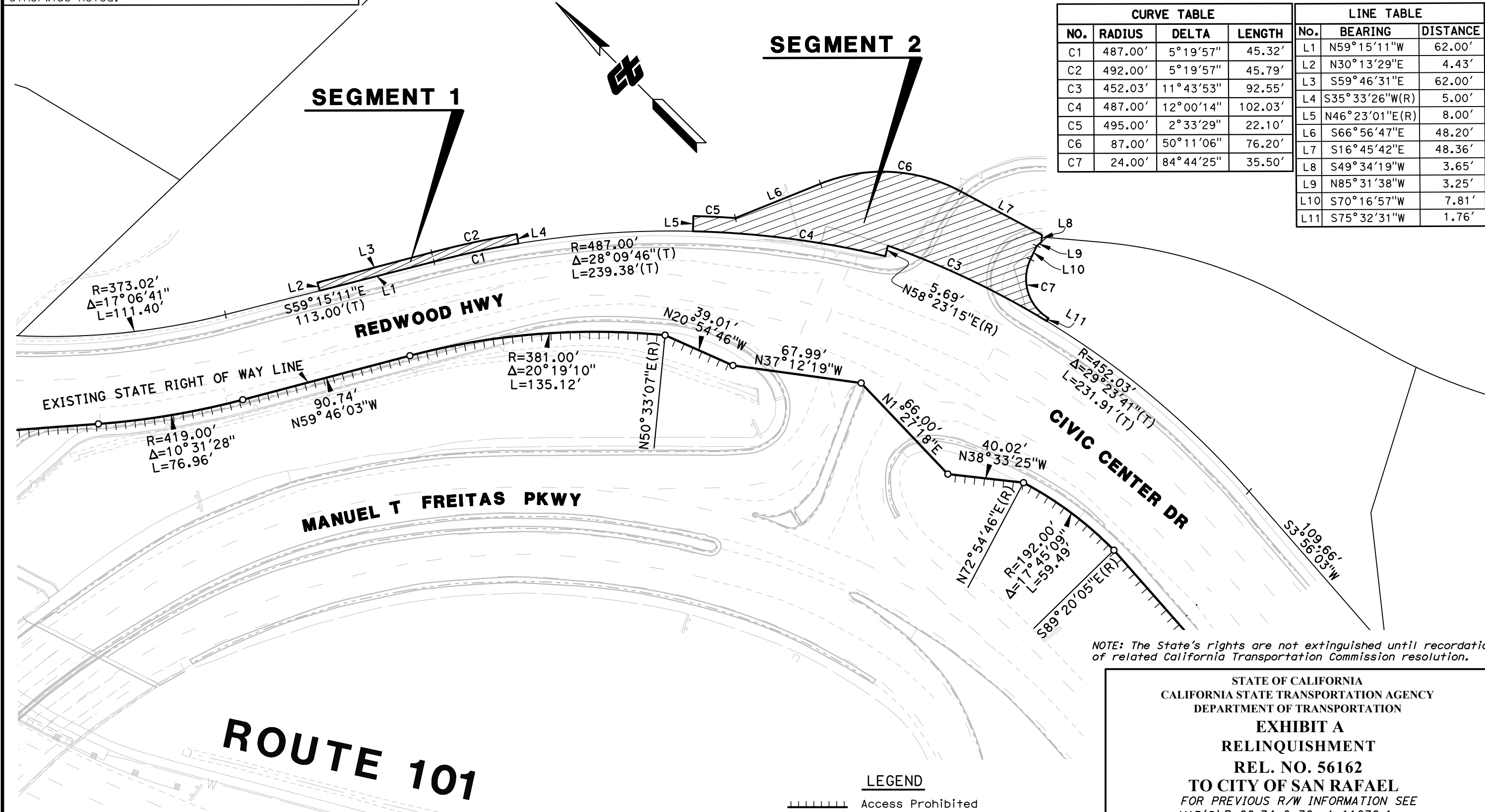
NO SCALE

Coordinates and bearings are on CCS 1983, Zone 3, Epoch 1991.35. Distances and stationing are grid distances. Multiply by 0.9999363 to obtain ground distances. All distances are in feet unless otherwise noted.

COUNTY OF MARIN CITY OF SAN RAFAEL

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CURVE TABLE				LINE TABLE		
NO.	RADIUS	DELTA	LENGTH	NO.	BEARING	DISTANCE
C1	487.00'	5°19'57"	45.32'	L1	N59°15'11"W	62.00'
C2	492.00'	5°19'57"	45.79'	L2	N30°13'29"E	4.43'
C3	452.03'	11°43'53"	92.55'	L3	S59°46'31"E	62.00'
C4	487.00'	12°00'14"	102.03'	L4	S35°33'26"W(R)	5.00'
C5	495.00'	2°33'29"	22.10'	L5	N46°23'01"E(R)	8.00'
C6	87.00'	50°11'06"	76.20'	L6	S66°56'47"E	48.20'
C7	24.00'	84°44'25"	35.50'	L7	S16°45'42"E	48.36'
				L8	S49°34'19"W	3.65'
				L9	N85°31'38"W	3.25'
				L10	S70°16'57"W	7.81'
				L11	S75°32'31"W	1.76'



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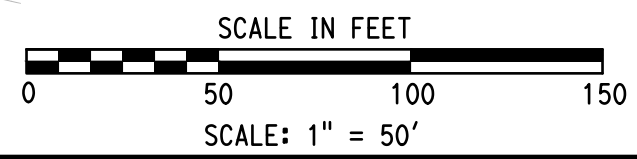
STATE OF CALIFORNIA
 CALIFORNIA STATE TRANSPORTATION AGENCY
 DEPARTMENT OF TRANSPORTATION

EXHIBIT A
RELINQUISHMENT
REL. NO. 56162
TO CITY OF SAN RAFAEL
 FOR PREVIOUS R/W INFORMATION SEE
 MAP(S) R-68.34 & 36, A-11036.1

DATE: 03/2024	EA(s): OK8002	CONTRACT NO.:			
DRAWN BY: A. ZHONG, PLS #7437		CHECKED BY:			
DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
04	MRN	101	13.7	2	2

LEGEND

- Access Prohibited
- Area to be relinquished
- Indicates calculated point. (Does not imply monument set)



M-1631



August 19, 2024

Dina El-Tawansy
District Director
Department of Transportation (Caltrans), District 4
111 Grand Avenue / Mail: P.O. Box 23660
Oakland, CA 94623-0660

Dear Director El-Tawansy:

This letter is to serve as a formal request of relinquishment of the property east of Redwood Highway and Civic Center Drive as delineated in Exhibit A (Relinquishment No. 56162), located in the City of San Rafael, for use as a local public street following the completion of construction of a planned State Department of Transportation (Caltrans) project.

In 2024 Caltrans purchased additional public right of way from 4040 Civic Center Drive in San Rafael for the purpose of constructing a roundabout, sidewalk, and bicycle path (the "Project") along Redwood Highway and Civic Center Drive. The acquired public right of way property is not continuous with the State right of way and is adjacent to the City maintained public right of way.

After the construction of the Project, Caltrans has no further interest in the right of way not continuous with the State right of way. California Streets and Highway Code, Section 73 et seq authorizes the California Transportation Commission (CTC) to relinquish a portion of the State highway to a city or county, provided that certain steps are followed. This includes the City issuing a letter to the Caltrans District Director requesting the relinquishment of a portion the property purchased for the Project.

Attached is Exhibit A showing the areas for relinquishment, as well as a copy of the signed resolution of the City Council requesting relinquishment of the property upon the completion of the Project.

Sincerely,

Cristine Alilovich
City Manager