



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Bill Guerin,
Director of Public Works

City Manager Approval: 

TOPIC: CALTRANS MAINTENANCE AGREEMENT

SUBJECT: RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE PROJECT SPECIFIC MAINTENANCE AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR MAINTENANCE OF PORTIONS OF LUCAS VALLEY ROAD AND SMITH RANCH ROAD WITHIN STATE RIGHT-OF-WAY

RECOMMENDATION: Adopt a resolution approving and authorizing the City Manager to execute an amendment to the Project Specific Maintenance Agreement (Maintenance Agreement) with the State of California Department of Transportation (Caltrans) for maintenance of portions of Lucas Valley Road and Smith Ranch Road within State right-of-way.

BACKGROUND: State of California right-of-way provides public access to the freeway system through local streets. However, Caltrans typically does not maintain these local streets and the responsibility for their maintenance is borne by local municipalities. On November 18, 2019, the City Council adopted Resolution No. 14740 authorizing the City Manager to execute a Maintenance Agreement with Caltrans for maintenance of portions of Lucas Valley Road and Smith Ranch Road. Caltrans required the City to enter into the Maintenance Agreement prior to issuing encroachment permits to both the City and Kaiser Permanente. Additionally, Kaiser Permanente (Kaiser) has proposed to resurface Lucas Valley Road from Los Gamos Drive to Highway 101; the City will resurface Lucas Valley Road from Highway 101 to the intersection of Smith Ranch Road and Redwood Highway.

On February 20, 2020, the Maintenance Agreement was fully executed, incorporating Kaiser's off-site roadway improvements on Lucas Valley Road as part of their Medical Office Building project located at 1650 Los Gamos Drive. Kaiser will also install a new traffic signal at the intersection of Lucas Valley Road at Los Gamos Drive, which is a nexus point for right-of-way between the City of San Rafael, County of Marin, and Caltrans.

ANALYSIS: Following discussions between the City, County, and Caltrans, the City agreed to accept maintenance responsibilities for the new traffic signal to be installed by Kaiser. On May 20, 2019 the City Council adopted Resolution No. 14672 authorizing the City Manager to

FOR CITY CLERK ONLY

File No.:

Council Meeting:

Disposition:

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execute a maintenance agreement with the County of Marin for maintenance of the proposed traffic signal at the intersection of Lucas Valley Road at Los Gamos Drive. In March 2020, Caltrans notified the City that the executed Maintenance Agreement inadvertently omitted a clause clearly identifying the City as the responsible party for maintaining the new traffic signal. The attached Amendment to the Maintenance Agreement proposes to incorporate this specific clause.

FISCAL IMPACT: There is no fiscal impact associated with this item.

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

1. Adopt a resolution approving and authorizing the City Manager to execute an amendment to the Project Specific Maintenance Agreement with the State of California for maintenance of roadway features on Lucas Valley/Smith Ranch Roads.
2. Do not adopt a resolution and provide further direction to staff.

ATTACHMENT:

1. Resolution
2. Amendment No. 1 to the Project Specific Maintenance Agreement

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRST AMENDMENT TO THE PROJECT SPECIFIC MAINTENANCE AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR MAINTENANCE OF PORTIONS OF LUCAS VALLEY ROAD AND SMITH RANCH ROAD WITHIN STATE RIGHT-OF-WAY

WHEREAS, Caltrans as the State Department of Transportation generally does not maintain local city streets within State right-of-way; and

WHEREAS, portions of local streets Lucas Valley Road and Smith Ranch Road within State right-of-way will be improved with new roadway features requiring maintenance; and

WHEREAS, Kaiser Permanente proposes to convert the existing general office building at 1650 Los Gamos Drive to a Medical Office Building requiring the installation of roadway features, including curbs, gutters, sidewalks, asphalt pavement, and striping, some of which will be located within State right-of-way; and

WHEREAS, the City of San Rafael proposes to resurface Lucas Valley and Smith Ranch Roads with new asphalt, curb ramps and other improvements; and

WHEREAS, Caltrans is requiring the City to maintain those roadway infrastructure elements as more fully described in the Project Specific Maintenance Agreement approved by the City Council on November 18, 2019; and

WHEREAS, the State proposes to amend the Project Specific Maintenance Agreement to clarify that the City is the responsible party for maintaining the proposed traffic signal at the intersection of Lucas Valley Road at Los Gamos Drive;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL RESOLVES as follows:

1. The Council hereby approves and authorizes the City Manager to execute a First Amendment to the Project Specific Maintenance Agreement with the State of California Department of Transportation for maintenance of portions of Lucas Valley Road and Smith Ranch Road within State right-of-way, in the form included in the staff report for this resolution, subject to final approval as to form by the City Attorney.

2. The Director of Public Works is hereby authorized to take any and all such actions and make changes as may be necessary to accomplish the purpose of this resolution.

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 Council of said City on the 6th day of July, 2020, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

**AMENDMENT NUMBER 1 TO
PROJECT SPECIFIC MAINTENANCE AGREEMENT
WITH THE CITY OF SAN RAFAEL**

This Amendment (“AMENDMENT No. 1”) is dated _____, 20__ and is made to the Project Specific Maintenance Agreement with City of San Rafael dated February 20, 2020 (“AGREEMENT”), and entered into by and between The State of California, acting by and through the Department of Transportation, hereinafter referred to as (“STATE”), and City of San Rafael, a municipal corporation, hereinafter referred to as (“CITY”), acting by and through its Mayor. CITY and STATE together are hereafter referred as (“PARTIES”).

RECITALS:

WHEREAS, the traffic signal will be installed on Lucas Valley Road at Los Gamos Drive;

WHEREAS, the purpose of this AMENDMENT is to assign and expand the maintenance responsibilities of Lucas Valley Road and Los Gamos Drive Improvements;

WHEREAS, the parties hereto now desire to amend AGREEMENT as provided herein.

IT IS THEREFORE MUTUALLY AGREED:

1. Existing Articles: 9 through 14 of AGREEMENT is hereby amended by renumbering the existing text as 10, 10.1, 10.2, 10.3, 11, 11.1, 11.2, 12, 12.1, 13, 14, 15, respectively.
2. New Article 9 is hereby added to and made a part of AGREEMENT to read as follows:

“9. ELECTRICALLY OPERATED TRAFFIC CONTROL DEVICES -
CITY will be solely responsible for installation, operation, maintenance, repairs, replacement and energy costs of safety lighting, cameras, pedestrian and vehicle traffic signals or other necessary electrically operated traffic control devices placed at the intersection of Lucas Valley Road and Los Gamos Drive within the STATE right of way.
3. All other terms and conditions of AGREEMENT shall remain in full force and effect.
4. AMENDMENT No. 1 is hereby deemed to be included and is made a part of AGREEMENT.

IN WITNESS WHEREOF, PARTIES hereto have set their hands and seals the day and year first above written.

THE CITY OF SAN RAFAEL

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By: _____
GARY O. PHILLIPS, Mayor

TOKS OMISHAKIN
Director of Transportation

Initiated and Approved:

By: _____
JIM SCHUTZ, City Manager

By: _____ Date
DAVID AMBUEHL
Deputy District Director
Maintenance

ATTEST:

By: _____
LINDSAY LARA, City Clerk

By: _____
ROBERT F. EPSTEIN, City Attorney