



COUNCIL AGENDA: 02-23-10
ITEM: 6.1

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Lee Price, MMC
City Clerk 

SUBJECT: RELINQUISHMENT OF
STATE ROUTES

DATE: 02-11-10

RECOMMENDATION

As recommended by the Transportation and Environment Committee on February 1, 2010 and outlined in the attached memo previously submitted to the Transportation and Environment Committee, adopt a resolution in support of the City's pursuit of the relinquishment of State Route 82 and State Route 130 located within the City of San José to ensure policy support to initiate the State legislative and agreement negotiation processes with Caltrans that advance the relinquishment of State Routes 82 and 130.



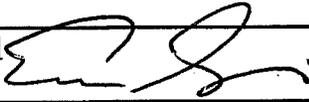
Memorandum

TO: TRANSPORTATION AND ENVIRONMENT COMMITTEE

FROM: Hans F. Larsen

SUBJECT: RELINQUISHMENT OF STATE ROUTES

DATE: 01-15-10

Approved 

Date 1/22/10

COUNCIL DISTRICT: 2, 3, 5, 6, 7, 10
SNI AREA: Burbank/Del Monte, Delmas Park, Market/Almaden, Five Wounds/Brookwood Terrace, Gateway East, Mayfair, East Valley/680 Communities, Spartan/Keyes, Washington, Edenvale/Great Oaks

RECOMMENDATION

Recommend to the City Council the adoption of a resolution in support of the City's pursuit of the relinquishment of State Route 82 and State Route 130 located within the City of San José.

OUTCOME

Approval of the recommendation of this report by the City Council ensures policy support to initiate the State legislative and agreement negotiation processes with Caltrans that advance the relinquishment of State Routes 82 and 130.

The relinquishment of State Routes 82 and 130 will provide the City of San José control of these facilities. This allows the City to better pursue economic development, other improvements to the local roadway system, and community enhancements without the constraints of Caltrans' requirements and encroachment permit processes.

BACKGROUND

Over the last several years a number of projects of City interest have emerged along State Routes (SR) 82 and 130. Serving primarily as urban arterials within the City of San José, these state routes are commonly known as The Alameda and Monterey Highway (SR 82) and Alum Rock Avenue (SR 130). As SR 82 and 130 are within the jurisdictional authority of Caltrans, public

improvements within the right of way of these corridors are subject to Caltrans' design standards and approval.

For reference, the projects of local interest and the associated portions of the state route system are highlighted on Attachment A and summarized as follows:

- SR 82 from 1-880 to 1-280 (The Alameda/Downtown San Jose Area) – 3.5 Miles
 - Diridon Station Area Plan/BART/Baseball Stadium
 - Alameda Business District Streetscape Improvements
 - Convention Center Expansion
 - The Alameda/El Camino Real Bus Rapid Transit (BRT)
 - Numerous Parades, Festivals, and Special Events
- SR 82 from 1-280 to US 101/Blossom Hill (Monterey Highway) – 7.5 Miles
 - California High Speed Rail Project
 - Monterey/Blossom Hill pedestrian overcrossing
- SR 130 from US 101 to 1-680 or City Limit (Alum Rock Ave.) – 2.25 Miles
 - Santa Clara-Alum Rock BRT
 - Alum Rock Form-based Zoning

These projects are considered to contribute significantly to, and align with, the City's overall economic, transportation and land use objectives. To support these objectives, City staff has engaged Caltrans in discussions concerning the potential for the relinquishment of these state routes to the City. On June 11, 2007, and June 17, 2009, the City's Department of Transportation sent letters to Caltrans stating the City's interest in the State's relinquishment of SR 82 and 130 within the jurisdictional limits of the City of San José. Following a meeting with the Caltrans District Director, Caltrans responded on October 26, 2009, stating its support for the relinquishment of these roadways.

Subsequently, on December 15, 2009, the City Council approved the *2010 Legislative Guiding Principles, Priorities and Advocacy Issues* report. Included in the report was a City policy priority action to initiate legislation that supports the relinquishment of the state routes to the City.

ANALYSIS

City Objectives

Over the years, SR 82 and 130 have evolved to serve more as local arterial streets than part of the state highway system. However, as SR 82 and 130 are under the jurisdiction of Caltrans, any changes to the roadway resulting from a development project or local or community based improvement requires Caltrans' involvement at all levels, e.g., administration, planning, construction and operations. The results of Caltrans' involvement in these types of local projects are an increase in the time to deliver and the cost of the project. The increase in time and cost in

completing projects along these roadways is associated with Caltrans' oversight and permitting expenses.

Perhaps more importantly, many projects developed along the state routes are required to meet Caltrans' rigid, auto-oriented design and operational standards. These standards are often in conflict with the City's development and multi-modal objectives, as well as community interests. In the case of SR 82 and 130, the City's goals for these streets are to improve the pedestrian environment, implement multi-modal projects and modify local circulation patterns by reducing the amount of right of way previously developed to auto-centric standards. Recent experiences suggest Caltrans is not yet in a position to support these types of goals. Consequently, it is critical to the success of these local projects that control of the rights-of-way be relinquished to the City. It is noted that the cities of Alameda (SR 260), Livermore (SR 84), Perris (SR 74) and Los Angeles (SR 110) have pursued relinquishment of state routes within their communities for many of these same reasons.

As such, the primary purpose of pursuing relinquishment is to allow the City the opportunity to better manage, integrate and streamline the land use, right of way, and special event decision-making processes along these corridors.

The Relinquishment Process

Sections 73 and 73.5 of the Streets and Highways Code (S&H Code) provide the statutory direction for relinquishment of a portion of a state highway. These sections define the California Transportation Commission's (CTC) role and authority to relinquish a state highway. They also define what types of facilities can be relinquished, to whom and under what conditions.

The relinquishment process is further detailed in Caltrans' *Project Development and Procedures Manual*. Key activities associated with the relinquishment process include the introduction of State legislation in support of the relinquishment and the development of an agreement listing the terms and conditions of relinquishment between Caltrans and the City. Final approval of the relinquishment rests with the CTC.

As previously mentioned, one of the City's policy priority actions, as discussed in the *2010 Legislative Priorities and Advocacy Issues* report, is to initiate legislation that supports the relinquishment. Staff has been working with the City's legislative representatives in Sacramento to draft a bill supporting the relinquishment of the state routes. Upon approval of the recommendation of this report by City Council, it is anticipated that a bill to initiate the relinquishment process will be introduced at the upcoming session of the State Legislature in early 2010.

In terms of developing the agreement between the City and the State, one of the key points of the negotiations will concern the near- and long-term financial obligations associated with the operations and maintenance of these corridors. Unlike relinquishment of City facilities constructed by the State or by relocation of a state route, Section 73 of the S&H Code does not require that a state highway be relinquished in a state of good repair when it is deleted by legislation. However, Caltrans does recognize that it may be in the best interest of the state to

negotiate with the local agency a level of work or financial contribution to facilitate the relinquishment.

An initial assessment of the current condition of the northern portion of SR 82 and SR 130 was performed by City and VTA forces. The preliminary results of this assessment indicate that most of the deficiencies along SR 82 and 130 relate to the condition of the roadways, with SR 82 needing moderate rehabilitation and SR 130 in need of much more substantial reconstruction. This initial assessment indicated an order of magnitude cost of approximately \$20 million to rehabilitate the existing infrastructure and will serve as a basis for negotiating the development of the relinquishment agreement.

For reference purposes, it is noted that there is an existing maintenance agreement between the City and Caltrans. Under the agreement, Caltrans reimburses the City up to \$275,000 and \$15,400 annually for certain operational and maintenance activities along the SR 82 and 130, respectively. The majority of these funds reimburse the City for the State's share of electrical service costs associated with intersection lighting and traffic signal operations, litter removal and the maintenance of roadway markings. It is further noted that Caltrans has not performed any major maintenance or activities to upgrade SR 82 and 130 in over a decade.

Strategies for Relinquishment – Achieving a State of Good Repair

It is recognized that increasing the number of miles of City streets to be maintained at a time when maintenance dollars are scarce presents a significant challenge. However, beyond any potential financial contribution by Caltrans, an opportunity exists to leverage and consider funds and/or improvements from the projects previously listed to mitigate the additional maintenance costs. While the full scope of many of these projects has yet to be identified, it is believed that many improvements associated with these projects will also improve the condition of the infrastructure along SR 82 and 130 to an acceptable state of good repair and mitigate the near-term maintenance costs. As previously discussed, these projects would also benefit from the relinquishment of the state routes in terms of eliminating the added time and costs associated with Caltrans' participation. Examples of such opportunities include:

- The redevelopment of the Diridon Station area and the potential for a new ballpark may require extensive improvements and realignment of the infrastructure along the northerly portion of SR 82.
- To the south, Monterey Highway (SR 82) may be realigned to accommodate high speed rail.
- The Santa Clara/Alum Rock BRT will construct extensive improvements along Alum Rock Avenue (SR 130). Through a coordinated design development effort with VTA, the condition of much of the infrastructure along Alum Rock Avenue, to include the roadway, traffic signals, curb, gutter and sidewalk can be improved to an acceptable state of good repair.

Conclusion

Given the instability of the current economic climate, both at the State and local level, there are several cost-related elements of the relinquishment process that cannot be ascertained at this time. However, opportunities exist to leverage capital improvements along these state routes that

may mitigate a significant portion of the City's obligation to operate and maintain the additional infrastructure associated with the relinquishment of SR 82 and 130. The relinquishment of SR 82 and 130 will provide control of these facilities to the City of San José and allow the City to better pursue economic development and improvements to the local transportation system and other community enhancements without the constraints of Caltrans' design standards and encroachment permit process

Approval of the recommendation of this report by City Council ensures policy support for staff to initiate the State legislative and agreement negotiation processes with Caltrans without committing either the State or the City to any financial obligation at this time.

EVALUATION AND FOLLOW-UP

Staff will provide progress reports through the Transportation and Environment Committee as part of the quarterly regional activities update.

POLICY ALTERNATIVES

The recommendation of this memorandum is consistent with previous City Council direction to advance the relinquishment of these state routes.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

The recommendation of this memorandum does not meet any of the minimum requirements as defined by Public Ordinance criteria; however, this memorandum will be posted on the City's website as part of the Council Agenda outreach process.

COORDINATION

This memorandum has been coordinated with the Budget Office, Office of the City Attorney, the Department of Planning, Building and Code Enforcement and the Redevelopment Agency.

FISCAL/POLICY ALIGNMENT

The City Council adopted the "State Route Relinquishment" appropriation in the FY 2006-07 budget. These funds were used to begin initial inventories of facilities and support staff costs associated with advancing the relinquishment process. In addition, this item was presented as an informational item to the Transportation and Environment Committee on September 19, 2009. The relinquishment of the state routes is included in the *2010 Legislative Priorities and Advocacy Issues* report that has been approved by the City Council on December 15, 2009.

COST SUMMARY/IMPLICATIONS

Under the existing maintenance agreement between the City and Caltrans, Caltrans reimburses the City up to \$275,000 and \$15,400 annually for certain operational and maintenance activities along the SR 82 and 130, respectively. The majority of these funds reimburse the City for the State's share of electrical service costs associated with intersection lighting and traffic signal operations, litter removal and the maintenance of roadway markings. These are costs elements that would be passed on to the City upon relinquishment. Actual costs may be less as the equipment is modernized.

The preliminary results of an assessment of the northern portion of SR 82 and SR 130 indicate that most of the deficiencies along SR 82 and 130 relate to the condition of the roadways, with SR 82 needing moderate rehabilitation and SR 130 in need of much more substantial reconstruction. This initial assessment indicated an order of magnitude cost of approximately \$20 million to rehabilitate the existing infrastructure and will serve as a basis for negotiating the relinquishment agreement with Caltrans.

Unlike relinquishment of City facilities constructed by the State or by relocation of a state route, Section 73 of the S&H Code does not require that a state highway be relinquished in a state of good repair when it is deleted by legislation. However, Caltrans does recognize that it may be in the best interest of the state to negotiate with the local agency a level of work or financial contribution to facilitate the relinquishment.

Balancing the operating, maintenance and rehabilitation costs associated with the relinquishment with the overall benefits economic, transportation and land use objectives presents a significant challenge. However, it is noted that opportunities exist to leverage capital improvements along these state routes that mitigate a significant portion of the City's obligation to operate and maintain the additional infrastructure associated with the relinquishment of SR 82 and 130.

Approval of the recommendation of this report by City Council ensures policy support for staff to initiate the State legislative and agreement negotiation processes with Caltrans without committing either the State or the City to any financial obligation at this time.

BUDGET REFERENCE

Not applicable

TRANSPORTATION AND ENVIRONMENT COMMITTEE

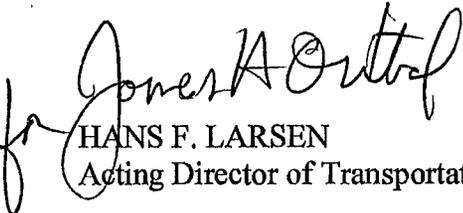
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CEQA

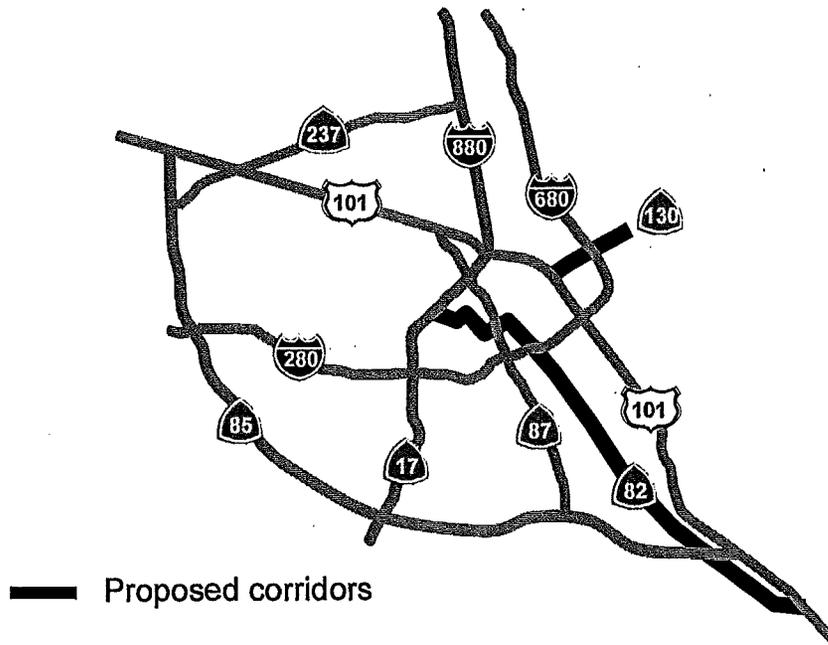
The recommended Council direction is not a project. Future improvements the City intends to make along these routes upon relinquishment would be subject to CEQA, and the appropriate level of review would be conducted prior to the City decision to implement any future improvements, as applicable.


HANS F. LARSEN
Acting Director of Transportation

For questions please contact Ray Salvano, Division Manager for Regional Transportation Projects, at (408) 975-3706.

Attachment

Attachment A
Proposed State Route Relinquishment Corridors



Street segments considered for relinquishment

- **SR 82 from 1-880 to 1-280 – 3.5 Miles**
 - The Alameda / Santa Clara St. from I-880 to Autumn St.
 - Autumn / Montgomery Sts. from Santa Clara St. to San Carlos St.
 - San Carlos St. from Montgomery to Market St.
 - Market St. from San Carlos to S. First St.
 - S. First St. from Market St. to I-280

- **SR 82 from 1-280 to US 101/Blossom Hill– 7.5 Miles**
 - S. First St / Monterey Highway from I-280 to Blossom Hill Rd.
 - Blossom Hill Road from Monterey Highway to Route 101

- **SR 130 from US 101 to 1-680 or City Limit– 2.25 Miles**