



# CITY COUNCIL AGENDA REPORT

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MEETING DATE: July 6, 2004

ITEM NUMBER:

**SUBJECT:** TRANSFER OF I-405/SR-55 TRANSITWAY PROJECT RIGHT-OF-WAY TO STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

**DATE:** JUNE 21, 2004

**FROM:** PUBLIC SERVICES DEPARTMENT - TRANSPORTATION SERVICES DIVISION

**PRESENTATION BY:** WILLIAM J. MORRIS, DIRECTOR OF PUBLIC SERVICES

**FOR FURTHER INFORMATION CONTACT:** PETER NAGHAVI, TRANSPORTATION SERVICES MANAGER, 714-754-5182

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## **RECOMMENDATION:**

Approve the following documents and authorize the Mayor and Deputy City Clerk to execute in order to affect the transfer of right-of-way from the City of Costa Mesa to State of California Department of Transportation (Caltrans):

1. Right-of-way Contract-State Highway Donation (Attachment 1) between the City of Costa Mesa and Caltrans; and
2. Grant Deeds and Easement Deeds for parcels to be donated (Attachment 2).

## **BACKGROUND:**

The City of Costa Mesa, the Orange County Transportation Authority (OCTA) and Caltrans have been working together in an effort to implement operational and capacity improvements to the Interstate 405 and State Route 55 (I-405/SR-55 Transitway Project). The improvements include addition of a new northbound I-405 offramp to Avenue of the Arts, a new northbound I-405 Freeway onramp at Anton Boulevard, separating the southbound SR-55 to northbound I-405 connector traffic from the northbound I-405 traffic exiting the freeway at Bristol Street with a braid structure, and direct High Occupancy Vehicle (HOV) connectors between SR-55 and I-405 Freeways.

In order to enable the construction of the Transitway Project, the City entered into a cooperative agreement with OCTA. The Cooperative Agreement, C-O-0634, (Attachment 3) identified the roles and responsibilities of various agencies for implementation of the Transitway project. The City's responsibilities included acquisitions of right-of-way from various adjacent properties within the City's segment of the project also known as Minimum Operating Segment (MOS) 2. The City would then transfer the same rights of ways to Caltrans for the completion of the project.

**ANALYSIS:**

Construction on the Transitway project was initiated in February 2001, and several elements of the project that directly benefit Costa Mesa transportation access have been completed. These include the separation of the SR-55 southbound to I-405 northbound connector traffic from the northbound I-405/Bristol Street offramp traffic with a braid structure, and completion of new Avenue of the Arts offramp from northbound I-405 Freeway. The new Anton Boulevard onramp is expected to open later this year and the entire project is expected to be completed by early 2005.

The City of Costa Mesa, complying with the terms of the Cooperative Agreement C-O-0634 has completed acquisition of required parcels from properties adjacent to the proposed Transitway project. The City and Caltrans staff have prepared the necessary right-of-way contract and deeds for transfer of right-of-way to Caltrans. Staff requests City Council approval and execution of the documents.

**ALTERNATIVES CONSIDERED:**

The City Council may select to not approve the right-of-way contract and the deeds. This alternative will result in the City not being able to transfer the acquired right-of-way to Caltrans in accordance with the approved Cooperative Agreement. This will also result in increased liability to the City.

**FISCAL REVIEW:**

There is no fiscal impact with this item.

**LEGAL REVIEW:**

The City Attorney's office has reviewed and approved the right-of-way contract and deeds as to form.

**CONCLUSION:**

The City of Costa Mesa, in conjunction with OCTA and Caltrans, is working on implementing several transportation improvements in the vicinity of I-405/SR-55 interchange. In order to enable construction of various elements that benefit the City of Costa Mesa transportation access, the City acquired several parcels of right-of-way from properties adjacent to the project. According to the agreement with OCTA, the City is required to transfer ownership of these parcels to Caltrans. The attached right-of-way contract and deeds were prepared by City and Caltrans staff, to accomplish this transfer. Staff requests Council approval and execution of the documents to satisfy City's responsibility per the cooperative agreement.

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PETER NAGHAVI, MANAGER  
Transportation Services Division

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WILLIAM J. MORRIS  
Director of Public Services

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Deputy City Clerk  
Deputy City Manager – Dev. Svcs.  
Director of Public Services  
Staff  
File

ATTACHMENTS: 1 [Right-of-way Contract-State Highway Donation](#)  
2 [Grant Deeds and Easement Deeds](#)  
3 [Cooperative Agreement C-O-0634](#)

File Name

Date

Time