

STAFF REPORT



ITEM NO. 19
CITY OF OCEANSIDE

DATE: March 13, 2013

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **RESOLUTION AUTHORIZING ACCEPTANCE OF RELINQUISHMENT OF PROPERTIES FROM THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE TRI-CITY HOSPITAL AND MEDICAL OFFICE BUILDING TRAFFIC SIGNALS**

SYNOPSIS

Staff recommends that the City Council adopt a resolution authorizing the acceptance of relinquishment of properties within State Route 78, from the State of California Department of Transportation to the City of Oceanside for the Tri-City Hospital and medical office building traffic signals and waiving the ninety days' notice of "Intention to Relinquish".

BACKGROUND

As part of the Tri-City Hospital and medical office building project, the City of Oceanside required that new traffic signals be installed at the project driveway. The project driveway is located off Vista Way between College Boulevard and Thunder Drive (Exhibit A). Due to the limited available City right-of-way at this location, portions of the signal improvements will need to be placed within the State of California Department of Transportation (Caltrans) State Route 78 right-of-way.

Caltrans indicated that Section 73 of the Streets and Highways Code provides the California Transportation Commission (CTC) the authority to relinquish segments of property within State highways, and requested that the City adopt a resolution accepting the relinquishment of these areas. Without the relinquishment, the City would be required to obtain permission from the State prior to entering this area to perform routine maintenance tasks.

ANALYSIS

Staff has reviewed these segments and agrees that by taking ownership and control of these segments, the City would be able to better serve residents and businesses by allowing improvements to be installed in the City right-of-way.

After City Council accepts the relinquishment of these areas, Caltrans will submit the adopted resolution to the CTC and request its approval. Upon approval by the CTC, and recordation of its relinquishment resolution, the segments will become City right-of-way.

FISCAL IMPACT

The action requested of the City Council will not adversely affect the City's budget. Ongoing maintenance and operation of the utility facilities will be covered under the annual Public Works operations budgets.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

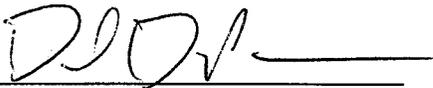
COMMISSION OR COMMITTEE REPORT

Does not apply.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the acceptance of relinquishment of properties within State Route 78, from the State of California Department of Transportation to the City of Oceanside for the Tri-City Hospital and medical office building traffic signals and waiving the ninety days' notice of "Intention to Relinquish".

PREPARED BY:



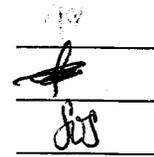
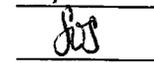
David DiPierro
City Traffic Engineer

Michelle Skaggs Lawrence, Deputy City Manager
George Buell, Development Services Director
Scott O. Smith, City Engineer

SUBMITTED BY:



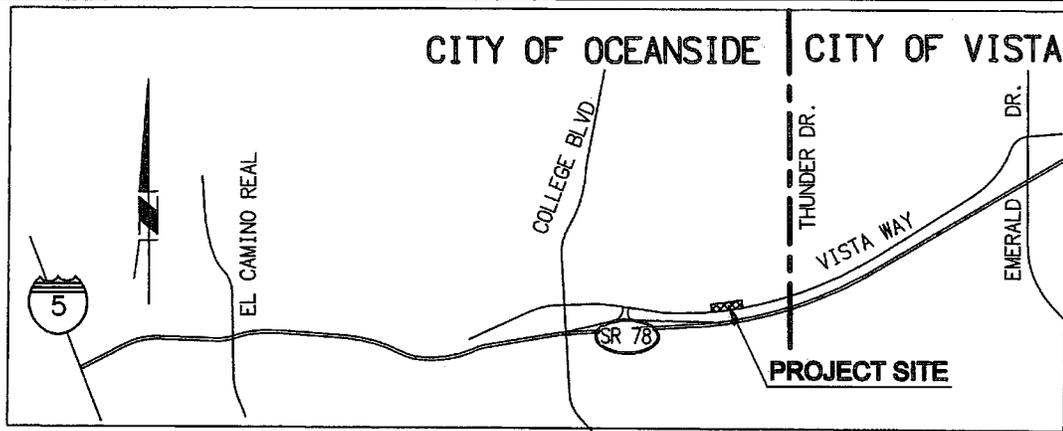
Peter A. Weiss
City Manager

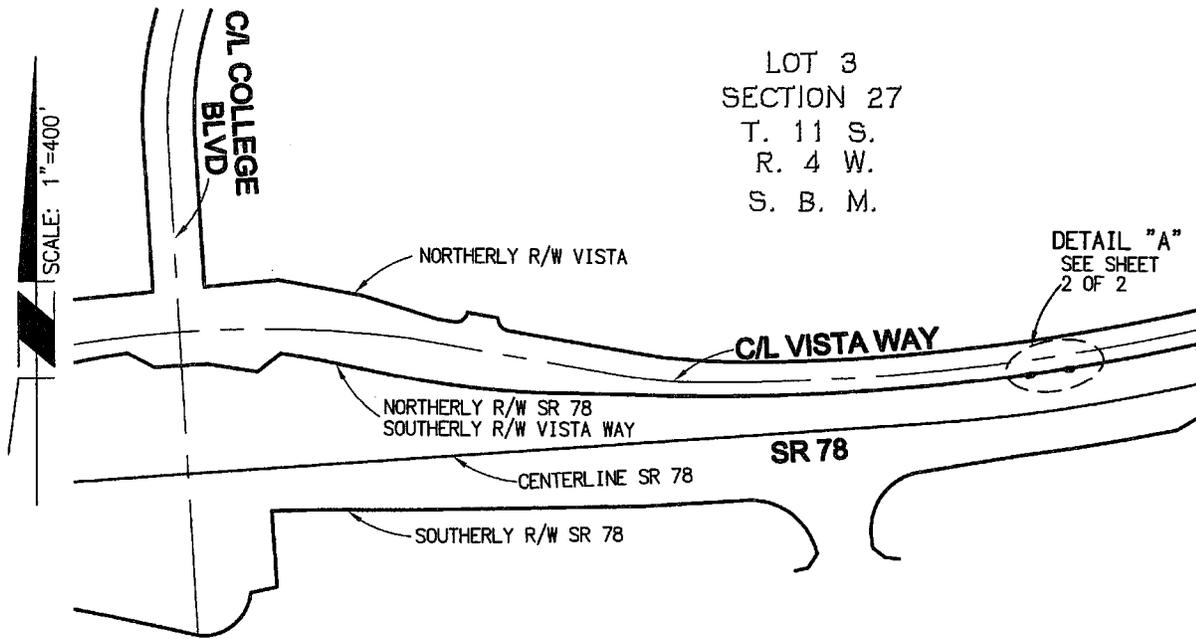
Attachments:

1. Exhibit "A" (Location Map)
2. Resolution

ATTACHMENT 1



VICINITY MAP
NOT TO SCALE



LOT 3
SECTION 27
T. 11 S.
R. 4 W.
S. B. M.



EXHIBIT "A"

LEGEND

R/W = RIGHT OF WAY

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
DISTRICT 11

KEY SHEET EXHIBIT MAP
FOR CITY RESOLUTION

RIGHT OF WAY		LO 27501.7	
MAP NO.			
COUNTY	ROUTE	MILE POST	SCALE
SD	78	3.68	1"=300'
			SH 1 OF 2

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CITY OF OCEANSIDE

PARCEL MAP NO. 5632

NORTH R/W VISTA ROAD

R.O.S. 12510

VISTA WAY

CENTERLINE VISTA ROAD

SOUTH R/W VISTA ROAD
NORTH R/W LINE SR 78

SEGMENT 1

SEGMENT 2

CENTERLINE SR 78

SR 78

SOUTH R/W LINE SR 78

43'

31'

74'

+/- 1900' TO
COLLEGE BLVD.

SCALE: 1"=40'

EXHIBIT "A"
DETAIL "A"

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
DISTRICT 11

KEY SHEET EXHIBIT MAP
FOR CITY RESOLUTION

RIGHT OF WAY MAP NO.		LO 27501.7	
COUNTY	ROUTE	MILE POST	SCALE
SD	78	3.68	1"=300'
			SH 2 OF 2

ATTACHMENT 2

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF CALTRANS RELINQUISHMENT OF PROPERTY LOCATED WITHIN STATE ROUTE 78 ADJACENT TO VISTA WAY BETWEEN COLLEGE BOULEVARD AND THUNDER DRIVE IN THE CITY OF OCEANSIDE

WHEREAS, the City of Oceanside ("City") desires to install, operate and maintain certain traffic control improvements and appurtenant facilities on Vista Way at the entrance to Tri City Medical Center ("Improvements") for the public benefit and safety; and

WHEREAS, portions of the Improvements are planned and designed to be installed, operated and maintained within the State of California Department of Transportation's ("State") Route 78 right-of-way; and

WHEREAS, said portions of the Improvements are not within the main traveled way of said State Route 78; and

WHEREAS, the City has requested that the State relinquish portions of said State Route 78 in order to enable City to reconfigure, realign and improve traffic circulation and vehicular movement; and

WHEREAS, the City agrees to prohibit new ingress and egress from areas within said relinquished highway, in and to the remaining State right-of-way; except as agreed to by the State in writing; and

WHEREAS, the State has determined that the areas are not needed as part of its operating right-of-way; and

WHEREAS, the State is authorized to relinquish certain areas of right-of-way under Section 73 of the Streets and Highway Code with the consent of the City and the approval of the California Transportation Commission; and

WHEREAS, the State has offered to relinquish to City, at no charge, the areas depicted on Exhibit "A" attached hereto, subject to said California Transportation Commission approval, consisting of portions of existing public right-of-way and appurtenant roadway facilities; and

1 WHEREAS, the City agrees that relinquished highway areas and facilities may be
2 reincorporated into State right-of-way for future transportation projects and City agrees to
3 reconvey property, at no cost to the State, which is still functioning as public right-of-way,
4 when requested to do so by the State; and

5 WHEREAS, the City agrees to accept highway “as is” for the purposes of compliance
6 with the requirements of Section 73 of the Streets and Highways Code.

7 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Oceanside
8 as follows:

9 1. That the City agrees to accept maintenance, control and ownership, including all of
10 State’s current obligations, rights, title and interest in the described segments of highway area
11 and appurtenant facilities upon recordation of the California Transportation Commission’s
12 Resolution of Relinquishment in the San Diego County Recorder’s Office, and to thereafter
13 operate, maintain, and be liable for the Improvements and facilities within the relinquished
14 highway areas at no additional cost to the State.

15 2. That the City waives the State’s obligation to provide ninety (90) days prior
16 notice of the State’s “Intention to Relinquish” as set forth in Section 73 of the Streets and
17 Highways Code because this relinquishment is at the request of the City.

18 3. That the City agrees there shall be no California Transportation Commission
19 allocation of funds for a betterment or improvement of requested relinquishment areas.

20 4. That the City agrees that the State reserves the right to enter relinquished
21 collateral facilities, including sidewalks and other areas adjacent to the traveled way, to modify
22 or add signage, drainage, and other improvements necessary for State highway operations, at no
23 additional cost to the State for the right to perform said activities and at no additional cost
24 incurred to the City.

25 5. That the City reserves the right to retract the acceptance of the relinquishment of
26 the property at any time prior to the California Transportation Commission’s formal Resolution
27 to relinquish the property.

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