



# *CITY COUNCIL AGENDA REPORT*

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MEETING DATE: JUNE 6, 2006

ITEM NUMBER:

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

**DATE: MAY 19, 2006**

**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 Right Of Way Contract-State Highway Donation (Attachment 1) between the City of Costa Mesa and the California Dept. of Transportation (Caltrans) as well as the Grant Deed for parcel to be donated (Attachment 2). Authorize the Mayor and City Clerk to execute.

## **BACKGROUND:**

The City of Costa Mesa, the Orange County Transportation Authority (OCTA) and the State of California Department of Transportation (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 of Costa Mesa received 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 then intended to transfer the same rights of ways to Caltrans for the completion of the project.

On July 6, 2004, the Costa Mesa City Council approved a Right Of Way contract (Attachment 3), which enabled the transfer of all City-acquired parcels to Caltrans for the Transitway project, with the exception of Parcel 101375-3. The Parcel 101375-3 was not included in the July 2004 transfer, as the need for that parcel was not accurately defined at that time.

**ANALYSIS:**

Construction on the Transitway project was initiated in February 2001, and the project is in final stages of completion. All 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, a new offramp from northbound I-405 Freeway to Avenue of the Arts and a new onramp to northbound I-405 Freeway from Anton Boulevard.

Caltrans has recently completed field surveys and has identified that only a portion of Parcel of 101375-3, now renumbered as 102347-1, is required for the Transitway project. Accordingly, the required Legal Description and the Parcel Map (Attachment 4) as well as the Right Of Way contract and Grant Deed have been prepared to transfer the needed ROW to Caltrans.

Staff therefore, 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 deed. 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 deed as to form.

**CONCLUSION:**

The City of Costa Mesa, in conjunction with OCTA and Caltrans, is in the final stages of completion of several transportation improvements in the vicinity of I-405/SR-55 interchange. In order to enable construction of various elements that benefit the community, the City acquired several parcels of Right Of Way from properties adjacent to the project. In July 2004, the City transferred ownership of all parcels to Caltrans, with the exception of Parcel 101375-3. Caltrans has now completed final determination of the Right Of Way needs and requires only a portion of Parcel 101375-3, now renumbered as 102347-1, to be transferred. The attached Right Of Way contract and deed were prepared by Caltrans staff to accomplish this transfer. City Attorney has reviewed the documents and approved them as to form.

Staff requests City 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

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**WILLIAM J. MORRIS**

Director of Public Services

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

ATTACHMENTS: 1 [Right Of Way Contract-State Highway Donation](#)  
2 [Grant Deed for Parcel 102347-1](#)  
3 [Right Of Way Contract Approved in July 2004](#)  
4 [Legal Description and Map of Parcel 102347-1](#)