

Capitola City Council

Agenda Report

Meeting: May 9, 2024

From: Public Works Department

Subject: Freeway Maintenance Agreement for Portions of Highway 1



Recommended Action: Approve the Freeway Maintenance Agreement (FMA) with the State of California Department of Transportation (Caltrans) and authorize the City Manager and Mayor to execute the agreement.

Background: In 1959 and 1961, Freeway Agreements were executed between the City of Capitola (City) and Caltrans agreeing to certain adjustments of the local street and road system required for the development of that portion of State Highway Route (SR) 1 within the jurisdictional limits of the City as a freeway.

Four FMAs were executed between 1955 and 1963 between Caltrans and the City or County of Santa Cruz establishing respective maintenance responsibilities within the freeway limits (Caltrans right-of-way) and City limits.

The Highway 1 Bay Avenue/Porter Street to State Park Drive Auxiliary Lanes Project, currently under construction by the Santa Cruz County Regional Transportation Commission (RTC), includes the replacement of the Capitola Avenue Overcrossing and minor modifications to the freeway crossings at 41st, Bay, and Park Avenues.

On August 24, 2023, the City Council approved an updated FMA. Caltrans has since provided additional modifications, which require City Council approval.

Discussion: The proposed FMA (Attachment 1) will supersede all previous agreements along SR 1 within the City jurisdictional limits. This agreement does not impose additional obligations on the City but rather updates the legal and contract-related language pertaining to the areas of responsibility for both Caltrans and the City.

Under the FMA approved by the City Council in 2023, the City and Caltrans agree to accept their respective operational and maintenance responsibilities, along with the associated costs. The City's responsibilities for the right of way areas can be summarized as follows:

- Vehicular and Pedestrian Overcrossings – City will maintain the deck wearing surface and drainage inlets, lighting sidewalks, signs, pavement markings, and bridge rails.
- Vehicular and Pedestrian Undercrossings – City will maintain the roadway sections, including the traveled way, shoulders, curbs, sidewalks, wall surfaces (including eliminating graffiti), drainage, and lighting.
- Walls and Columns – City will maintain City-side of any wall structure or column free of debris, dirt, and graffiti.
- Encampments – City will remove any encampment including any structures, personal property, debris, and/or other items related to the encampment. This does not preclude the California Highway Patrol (CHP) and other law enforcement agencies from encampment removal.
- Landscape Areas – City will maintain any plantings or other types of roadside improvements lying outside of the fenced right-of-way area reserved for exclusive freeway use.
- Interchange Operations – City has no maintenance responsibilities dealing with the operations at interchanges. It is Caltrans' responsibility to provide efficient operation of freeway interchanges, including ramp connections to local streets and roads.

Additional language in the proposed FMA includes the following clarifications:

- Article 11 - Encampments Removal shall be subject to Caltrans' Encampment Removal policy, MPD 1001 R1, which requires collaboration with the Caltrans District Encampments Coordinator to follow State protocols.
- Article 12 - Graffiti Removal shall preserve any artwork.
- Article 14 - Weed Abatement shall be the responsibility of the City.

Fiscal Impact: There are no new fiscal impacts related to execution of the FMA. The City would continue to be responsible for the maintenance of City roads within the Caltrans right-of-way adjacent to SR 1.

California Environmental Quality Act (CEQA): The action is exempt from CEQA because it is not a "project" under Section 15378(b)(5) of CEQA Guidelines. The action involves an organizational or administrative activity of government that will not result in direct or indirect physical change in the environment.

Attachments:

1. Freeway Maintenance Agreement

Report Prepared By: Jessica Kahn, Public Works Director

Reviewed By: Julia Gautho, City Clerk

Approved By: Jamie Goldstein, City Manager