



Office of the City Manager

CONSENT CALENDAR
September 19, 2023

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Liam Garland, Director, Public Works Department
Subject: Amendment to the Agreement for Maintenance of State Highways in the City of Berkeley between the California Department of Transportation and the City of Berkeley

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to the Agreement with the California Department of Transportation (Caltrans) for maintenance of the State highways within the City of Berkeley. The amendment will address three new traffic signals: 1) a new pedestrian hybrid beacon (PHB) at San Pablo Avenue and Virginia Street 2) a new PHB at San Pablo Avenue and Hearst Street, and 3) a new rectangular rapid flashing beacon (RRFB) at Ashby Avenue and California Street.

FISCAL IMPACTS OF RECOMMENDATION

This amendment would modify the City's existing maintenance agreement with Caltrans to include two new PHBs at the intersections of San Pablo/Virginia and San Pablo/Hearst and a new RRFB at Ashby/California. Under this amendment there would be no change to the current maximum annual authorized amount that Caltrans reimburses the City for maintenance of State Highway 13 (Tunnel Road and Ashby Avenue) and 123 (San Pablo Avenue).

Due to a persistently high vacancy rate and other pressing priorities, negotiations with Caltrans to update annual maximum reimbursement amount to align with the City's costs of providing maintenance services of State-owned right-of-way has been on hold.

CURRENT SITUATION AND ITS EFFECTS

Maintaining State highways within the City is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

Caltrans recently completed construction of pedestrian safety improvements along San Pablo Corridor. As part of these improvements two new PHBs have been installed along San Pablo Avenue, one at Virginia Street and the other at Hearst Street, in addition to a RRFB at Ashby Avenue and California Street. The new signals will provide for a safer crossing of pedestrians and bicycles at these three intersections.

The new traffic signals are within the State's right of way. Caltrans requires that the existing maintenance agreement be amended to include the improvements prior to turning control and maintenance of these signals to the City.

BACKGROUND

The City's current maintenance agreement with Caltrans was executed on December 1, 1988. City Council authorized execution of this Agreement on September 6, 1988, under Resolution No. 54,423-N.S. This Agreement replaced the previous Agreement from July 1, 1973, which was authorized by Council under Resolution No. 40,114-N.S.

Maintenance, as defined by Caltrans, is the preservation and keeping of right-of-way, and each type of roadway structure and component in safe and usable condition to which it had been improved or constructed, but does not include reconstruction or other major improvement. Under the current maintenance Agreement, the City is responsible for performing maintenance work and the State will reimburse the City for the actual cost of specified work up to a maximum annual expenditure level.

The subject amendment to the maintenance Agreement complies with the City's strategic plan to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Modifying the maintenance agreement to include three new traffic signals along the San Pablo Avenue corridor and Ashby Avenue corridor is not anticipated to have any negative environmental or climate impacts.

RATIONALE FOR RECOMMENDATION

Because these new Caltrans installed signals will become part of the State Highway which the City will maintain, the City of Berkeley is required to amend the existing maintenance agreement with Caltrans to extend the maintenance coverage to include these new signals.

ALTERNATIVE ACTIONS CONSIDERED

There is no alternative that would allow City of Berkeley to maintain and make necessary adjustments to these traffic signals. It is a Caltrans requirement that the 1988 maintenance agreement be modified before turning over maintenance of a traffic signal to the City.

CONTACT PERSON

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Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

AMENDMENT TO THE AGREEMENT FOR MAINTENANCE OF STATE HIGHWAYS
IN THE CITY BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
AND CITY OF BERKELEY

WHEREAS, the California Department of Transportation (Caltrans) recently completed construction of pedestrian safety improvements as part of their San Pablo Corridor safety improvement project; and

WHEREAS, as part of these improvements two new pedestrian hybrid beacons and one rectangular rapid flashing beacon have been installed along San Pablo Avenue, and Ashby Avenue; and

WHEREAS, the new signals will provide for a safer crossing of pedestrians and bicycles at these two intersections; and

WHEREAS, Caltrans requires the existing 1988 Maintenance Agreement for maintenance of the State highways within the City be amended to include traffic signal improvements at San Pablo/Virginia, San Pablo/Hearst, and at Ashby Avenue /California Street as a precondition to turn over the maintenance and control of the signals to City of Berkeley; and

WHEREAS, the proposed amendments would not change the current maximum annual authorized amount that Caltrans reimburses the City for maintenance of State highways within the City; and

WHEREAS, the City Council authorized execution of the current Citywide maintenance Agreement between the City and Caltrans on September 6, 1988, under Resolution No. 54,423-N.S., and amended it on November 16, 2021 with Resolution 70,108-N.S; and

WHEREAS, City staff and Caltrans are negotiating the terms of an upcoming revision to the Citywide maintenance Agreement, which will replace the current Agreement and the subject amendment by (1) updating the improvements that have been implemented in the State right of way since the Agreement was executed and (2) correspondingly updating the maximum annual reimbursement amount that the City would receive from Caltrans for said maintenance work.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute an amendment to the Agreement between the City and Caltrans originally executed on September 6, 1988 under Resolution No. 54,423-N.S., and as amended on November 16, 2021 with Resolution 70,108-N.S, for maintenance of the State highways within the City of Berkeley to include traffic signal improvements at

San Pablo/Virginia, San Pablo/Hearst, and at Ashby Avenue/California. A record signature copy of said amendment will be on file in the Office of the City Clerk.

