



County of El Dorado

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Legislation Details (With Text)

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On agenda:	5/2/2023	Final action:	5/2/2023
Title:	Department of Transportation recommending the following as related to the U.S. 50 / Camino Area Safety Project, Capital Improvement Program number 71319/36104015: 1) Adopt and authorize the Chair to sign Resolution 072-2023 to authorize the Chair to execute and confirm the Relinquishment Agreement (State Highway) 03-0798 and Cooperative Agreement Termination Statement 03-0700 A1; 2) Approve and authorize the Chair to sign Relinquishment Agreement (State Highway) 038160-X, Agreement 03-0798 between the California Department of Transportation and the County of El Dorado in order to relinquish to the County a portion of a State Highway Right-of-Way within the County's jurisdiction; and 3) Approve and authorize the Chair to sign Cooperative Agreement Termination Statement 03-0700 A1 to terminate State Highway Relinquishment Agreement 03-0700, previously executed in error. (District III) FUNDING: Regional Surface Transportation Program Exchange Funds-Rural-EDCTC (50%), Traffic Impact Fee - Hwy 50 (37%), State Transportation Impact Mitigation Fee (10%), Tribe Funds (2%), and Road Fund (1%). (State and Local Funds)		

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Approved Routing Sheets, 2. B - Relinquishment Agmt 03-0798, 3. C - Termination Statement 03-0700 A1, 4. D - Approved Resolution Routing Sheet, 5. E - Resolution, 6. Executed Resolution 072-2023, 7. Executed Relinquishment Agmt 03-0798 and Termination Statement 03-0700 A1

Date	Ver.	Action By	Action	Result
5/2/2023	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the following as related to the U.S. 50 / Camino Area Safety Project, Capital Improvement Program number 71319/36104015:

- 1) Adopt and authorize the Chair to sign Resolution **072-2023** to authorize the Chair to execute and confirm the Relinquishment Agreement (State Highway) 03-0798 and Cooperative Agreement Termination Statement 03-0700 A1;
- 2) Approve and authorize the Chair to sign Relinquishment Agreement (State Highway) 038160-X, Agreement 03-0798 between the California Department of Transportation and the County of El Dorado in order to relinquish to the County a portion of a State Highway Right-of-Way within the County's jurisdiction; and
- 3) Approve and authorize the Chair to sign Cooperative Agreement Termination Statement 03-0700 A1 to terminate State Highway Relinquishment Agreement 03-0700, previously executed in error. (District III)

FUNDING: Regional Surface Transportation Program Exchange Funds-Rural-EDCTC (50%), Traffic Impact Fee - Hwy 50 (37%), State Transportation Impact Mitigation Fee (10%), Tribe Funds (2%), and Road Fund (1%). (State and Local Funds)

DISCUSSION / BACKGROUND

The need for safety improvements to the U.S. Highway 50 Camino Corridor have been identified as a priority by the County and the Department of Transportation (Transportation), the El Dorado County Transportation Commission (EDCTC), and the California Department of Transportation (Caltrans). The U.S. 50 / Camino Area Safety Project (Project) provides the necessary safety improvements within this corridor. The Project's Project Study Report (PSR) identifies improvements, including two proposed undercrossings of U.S. Highway 50 east of Camino Heights Drive, to improve traffic circulation and safety in the area, particularly during daily peak hour traffic. Also included is a concrete median barrier separating eastbound and westbound traffic. The completed Project is anticipated to result in substantial safety improvements reducing the number and severity of accidents in the area. The PSR included several alternative configurations and design of improvements that were determined during the environmental review and planning phase. The Project alternatives have been modified to avoid impacts to the significant commercial and agricultural businesses in the area.

All of the PSR alternatives studied included a U.S. 50 continuous concrete median barrier through the Camino area. Other alternatives included in the Phase 1 project are to widen shoulders; include acceleration/deceleration lanes; repair culverts; a wildlife undercrossing; vehicle and pedestrian undercrossing near Camino Heights; extend Ponderado Road; and lower the profile of Carson Road to access the proposed vehicle undercrossing. The Phase 1 project is estimated to be delivered within current allocated funds of \$52.69 million, started construction July 28, 2020, and substantially completed in January 2023. The Phase 1 project utilizes existing local roads to access the proposed undercrossing. The PSR also includes an unfunded future Phase 2 project for a larger undercrossing with interchange ramps at upper Carson Road. Transportation is currently working on the planning and design of a portion of the Phase 2 project, Camino Frontage Road - Ponderado Extension, Capital Improvement Program (CIP) number 72383/36105064. The Camino Frontage Road project will connect from the Phase 1 undercrossing to the El Dorado Trail and future Phase 2 interchange.

Caltrans purchased the ROW located along Sierra Blanca Drive and Vista Tierra Drive for a potential project in the area that never materialized. The areas are currently county-maintained roads that were in Caltrans ROW. Caltrans intends to relinquish to the County that portion of U.S. 50 shown in Exhibit A of the Agreement. The area to be relinquished is currently in the County Maintained Roads Inventory and has historically been maintained by the County.

As part of the Caltrans Right-of-Way relinquishment process and in order to proceed with the relinquishment of the State Right-of-Way for the operation of the Project, Transportation must enter into an agreement to request the relinquishment of the State Right-of-Way. This relinquishment is based on collateral facilities, including local roads. The County is willing to accept said Relinquished Facilities upon approval by the California Transportation Commission (CTC) of a Resolution of Relinquishment and Caltrans's recording of said Resolution with the County Recorder's Office. Therefore, the County will operate, maintain, and be liable for said Relinquished Facilities at no additional cost to Caltrans. The Resolution is required by Caltrans in order to confirm the Relinquishment Agreement (State Highway) No. 038160-X, Agreement 03-0798 (Agreement 03-0798) and formally accept the property.

Caltrans completed an Environmental Impact Report (EIR) on January 30, 2018, for the Project and an Initial Site Assessment (ISA) on November 8, 2022, over the relinquishment area. Although a gasoline fuel station is adjacent to the area, Transportation and Environmental Management have reviewed the ISA and found no indication of existing contamination in the relinquishment area. As

noted in the Resolution, Caltrans will not be responsible for any present or future remediation of any hazardous materials at the site. However, the owner of the adjacent land would be responsible for any remediation of hazardous materials resulting at the relinquished area. The State Water Board holds the source of any groundwater contamination responsible for all penalties and potential cleanup if discovered.

On December 7, 2021, Legistar 21-1408, Item 37, the Board approved State Highway Relinquishment Agreement 03-0700 for property to be relinquished from Caltrans to the County. Upon completion of the Project, Caltrans discovered that less property is required to be relinquished to the County; therefore, Caltrans is requesting the County terminate State Highway Relinquishment Agreement 03-0700 (Agreement 03-0700) and approve the new Agreement 03-0798 in its place. Caltrans did not complete the CTC Resolution of Relinquishment with the County Recorder's Office for Agreement 03-0700, therefore allowing its termination.

ALTERNATIVES

- 1) The Board could choose not to approve Agreement 03-0798. Transportation will work with Caltrans to revise Agreement 03-0798 as directed by the Board and return at a later date.
- 2) The Board could choose to cancel the Project. Canceling the Project will violate the previous Cooperative Agreements and Memorandum of Understanding (MOU) already in place. Canceling the County's commitment to the Project would not relieve the County from having to pay for the previously agreed County share (County Road extension portion) of Caltrans planning and design cost on the Project.

PRIOR BOARD ACTION

The MOU and Cooperative Agreement 03-0583, which the Board approved on December 15, 2015, Legistar 15-0217, Item 29, defines the County's contribution of funds for the Project Approval and Environmental Document phase and the respective intentions of both Caltrans and the County related to the proposed improvements of the Project.

Cooperative Agreement 03-0638, which the Board approved on April 2, 2019, Legistar 19-0152, Item 29, defines the County's contribution of funds for the Plans, Specifications, and Estimate and Right-of-Way phases of the Project.

The Project Specific Maintenance Agreement for the Pondorado Road Undercrossing ED-50-PM 23.81, which the Board approved on December 8, 2020, Legistar 20-1408, Item 26, defines the roles and responsibilities for maintaining the Pondorado Road Undercrossing as part of the Project.

The Freeway Agreement 03-ED-050-PM 20.5/25.8, which the Board approved on November 16, 2021, Legistar 21-1068, Item 39, defines the responsibilities of County roads on Route 50 from 0.2 mile west of Road 145 to 0.5 mile east of Snows Road.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel has reviewed and approved Agreement 03-0798 and Cooperative Agreement Termination Statement 03-0700 A1.

CAO RECOMMENDATION / COMMENTS

Approve staff recommendation.

FINANCIAL IMPACT

There is no financial impact or change to net County cost associated with this item. The Project is included in Transportation's 2022 CIP, which the Board approved on June 14, 2022, Legistar 22-0521, Item 48. The relinquished portion of the right-of-way is currently maintained by the County, and therefore this Agreement will not result in additional maintenance costs.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on the original Resolution.
- 2) The Clerk of the Board will obtain the Chair's signature on two (2) originals of Agreement 03-0798.
- 3) The Clerk of the Board will obtain the Chair's signature on two (2) originals of the Cooperative Agreement Termination Statement 03-0700 A1.
- 4) The Clerk of the Board will forward the originals of the Agreement, the originals of the Termination Statement, and a copy of the executed Resolution to Transportation, Fairlane Engineering, attention Shanann Findley, for further processing.

TRANSPORTATION FOLLOW UP ACTIONS

- 1) Transportation will send all original copies of the partially executed Agreement and Termination Statement to Caltrans for signature.
- 2) Upon receipt from Caltrans, Transportation will return one (1) fully executed original Agreement and Termination Statement to the Clerk of the Board for its files.

STRATEGIC PLAN COMPONENT

Infrastructure, Public Safety

CONTACT

Rafael Martinez, Director
Department of Transportation