



Legislation Text

File #: 16-0047, **Version:** 1

Recommendation to authorize City Manager, or designee, to execute agreements with the California Department of Transportation (Caltrans) for right-of-entry permits to allow access to a portion or portions of City of Long Beach properties for Caltrans projects requiring entry. (Citywide)

The California Department of Transportation (Caltrans) occasionally requires entry onto City properties in the course of implementing their projects. These projects will enhance structure safety and integrity. Caltrans requires access to City properties to conduct surveys and studies including, but not limited to, topographical, aquatic and/or environmental surveys and studies; and to conduct initial site assessments, both along and/or near the proposed project site. The purpose of these investigations will be to complete data to support various technical studies for future environmental reviews of potential improvement projects.

In the interest of efficiency, the City will issue Caltrans right-of-entry permits when necessary. Any disturbance to City property caused by Caltrans activities shall be restored to its previous condition at the expense of Caltrans. Upon discovery of contamination on City properties, Caltrans will further test the extent of the contamination and obtain the associated permits from the necessary regulatory agencies. Caltrans will provide 48-hour notification prior to entering City properties. Caltrans shall also indemnify and hold harmless the City against all claims, demands, suits, judgments, expenses and costs arising out of the performance of such work by Caltrans.

This matter was reviewed by Deputy City Attorney Linda T. Vu on November 19, 2015 and by Budget Management Officer Victoria Bell on December 29, 2015.

Council action is requested on January 19, 2016, and is time critical as Caltrans is under a tight schedule to complete projects with the funding provided by the Federal Highway Administration.

There is no fiscal impact associated with the recommended action.

Approve recommendation.

CRAIG A. BECK
INTERIM DIRECTOR OF PUBLIC WORKS

APPROVED:

PATRICK H. WEST
CITY MANAGER