



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: July 3, 2024

To: Honorable Mayor and City Council Members

From: Rochelle Clayton, Acting City Manager;
Lynn Merrill, Director of Public Works Operations and Maintenance

Department: Public Works

Subject: **Relinquishment of Dement Street (Ward 5)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-150, accepting title, control, and maintenance of a reconstructed portion of Dement Street upon relinquishment by the State of California, and receipt of written notices from the State that the work thereon has been completed.

Executive Summary

The relinquishment of Dement Street will enhance efficiency in documentation verification, expediting decision-making processes, and ensuring compliance with legal and regulatory requirements. Additionally, the relinquishment of Dement Street will contribute to the City's overall organizational effectiveness and risk management. The relinquishment of a street means the transfer of ownership and maintenance responsibility of the street from one government entity (such as a state or county) to another, typically a city. This resolution means the City will take over control and maintenance of Dement Street from the current governing body.

Background

This item requests that the Mayor and City Council accept title to portions of State Route (SR) 15 and I-215, between Cajon Boulevard and Greenwood Avenue, in the unincorporated community of Devore, in addition to certain "collateral facilities" upon relinquishment by the State. These collateral facilities include relinquished right-of-way of frontage, service roads, or outer highway that were constructed as part of the State highway project. On May 19, 2014, the City allowed the State to perform certain work on portion of Dement Street from Post Mile 16.9 to Post Mile 17.1.

On November 15th, 2017, the Mayor and City Council entered into Freeway Agreement No. 08-SBD—215-PM5.0/14.9 (“Freeway Agreement”) with the State, consenting to the State’s realignment, improvement, or closure of portions of certain City roads affected by the State’s realigning of the SR 15/215 in the Devore area. The Freeway Agreement also included provisions where the City will accept control and maintenance over each of the relocated City roads, any frontage roads, and other local roads constructed as part of the State’s project, on receipt of written confirmation that the work performed therein has been completed, except for any portion which is adopted by the State as a part of the freeway proper. If acquired by the State, the City will accept title to the portions of such roads lying outside the freeway limits, upon relinquishment by the State.

Discussion

The State has notified the City that work on the subject portion of SR 15/215 is complete and has provided the City with the Environmental Disclosure Memorandum (EDM DOC) Rel 503-S. Once the Mayor and the City Council accept the EDM DOC and the proposed Resolution, the State will present a Resolution of Relinquishment to the California Transportation Commission (CTC) for consideration. After the recordation of the CTC’s Resolution of Relinquishment, the City will be fully responsible for any present and future remediation of hazardous materials, noted in the environmental documents, and will be responsible for the operation and maintenance of all roads included in Exhibits A and B (Attachments 1 & 2). City staff has reviewed the EDM DOC, and has determined that any contaminants present on or near the relinquished facilities are under acceptable thresholds and do not require remediation.

Pursuant to the Freeway Agreement and California Streets and Highways Code Section 73, the City agrees to control, operate, and maintain roads identified in the Freeway Agreement upon receipt of notification from the State that work related to the SR 15/215 project is complete. Upon approval of this agenda item, the City will resume as the responsible agency for roads affected by the State’s interchange project, as shown on Exhibits A & B. City staff has evaluated the subject roads and recommends adoption of the proposed Resolution.

The State’s relinquishment includes Dement Street from Post Mile 16.9 to Post Mile 17.1. This item meets the City’s standards for roadway design and pavement conditions by working with the State in completing all required documents necessary to close out the SR 15/215 project relevant to the City.

2021-2025 Strategic Targets and Goals

Adoption of this Resolution aligns with Key Target No.3 Reduce the burden of unsheltered engagement, collaboration, and partnership with other entities. The relinquishment of Dement Street will enhance efficiency in documentation verification, expediting decision-making processes, and ensuring compliance with legal and regulatory requirements.

Fiscal Impact

There is no General Fund impact for the relinquishment of this street. The cost of maintenance is included in the City's budget.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2024-150, accepting title, control, and maintenance of a reconstructed portion of Dement Street upon relinquishment by the State of California and receipt of written notices from the State that work thereon has been completed.

Attachments

1. Attachment 1 - Resolution 2024-150
2. Attachment 2 - Exhibit A
3. Attachment 3 - Exhibit B
4. Attachment 4 - Exhibit C-0k710 HMDD-D
5. Attachment 5 - Exhibit D-EDM Doc (Rel 503-S)

Ward:

Fifth Ward

Synopsis of Previous Council Actions:

None