



STAFF REPORT

SAUSALITO CITY COUNCIL

AGENDA TITLE:

Grant of Temporary Construction Easement 300 Block of Sacramento Avenue.

RECOMMENDED MOTION:

Adopt Resolution approving a grant of Temporary Construction Easement and Authorizing the City Manager to execute documents on behalf of the City.

SUMMARY

A minor landslide occurred along Highway 101. The date when this landslide occurred has not been disclosed. Caltrans operates and maintains Highway 101 and has prepared plans to repair this Landslide (See attached graphic). Caltrans is requesting temporary access to City right-of-way on Sacramento Avenue adjacent to the landslide area to allow labor, equipment and materials to be transported to the site without disrupting operations on Hwy 101.

Caltrans has prepared documents to formalize a temporary easement on an unimproved portion of Sacramento Avenue right-of-way next to 304 Sacramento and is requesting the City approve a Right-of-Way Contract. The City will be compensated an amount of \$500 for this contract.

City Municipal Code Title 17 requires that work in the public right-of-way be regulated by means of an Encroachment Permit. Caltrans staff has represented that the agency cannot compensate the City for an encroachment permit fee. They have proposed a no fee encroachment permit and execution of a right-of-way contract with payment to the City of a contract fee in-lieu of the Encroachment permit fee. The fee for an encroachment permit for the proposed work would be \$423. Staff believes this proposal to be acceptable and recommends the Council adopt the attached resolution approving the right-of-way contract.

DISCUSSION

Caltrans has prepared plans to repair a landslide that occurred on Hwy 101. The estimated cost of the repair is \$152,000 and the time expected to repair the slope is 20 days. When the landslide occurred has not been disclosed. Caltrans is requesting the use of City right-of-way to enable their contractor to access the damage area.

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Construction in the public right-of-way requires an encroachment permit and payment of encroachment permit fees. Caltrans staff have represented that the State can't pay the City for an Encroachment Permit fee. Staff believes this is due the accounting systems in place at the agency. By proposing a right-of-way contract payment in lieu of an Encroachment Permit fee, City staff believes that Caltrans is using project resources instead of operations resources to compensate the City for its use of City controlled property.

A copy of the right-of-way contract, appraisal and summary statement for the proposal is attached.

Engineering staff is concerned primarily about the condition of the property and the roads leading to the site. Condition 10 of the agreement commits the State to returning the property to the City in as good of condition as found. The property is currently unimproved. Low value ground cover is in place and the area is cleared of vegetation periodically to remove fire hazard. The condition of the streets leading to the site (Coloma, Olima, Butte, Sacramento) is to the site have varying condition from fair to good.

The documents define taking control of the property on November 1, 2009 and returning the property to the City by December 1, 2010. The City will be compensated an additional \$50/month if the repair work is delayed and the property can't be returned by December 1, 2010.

Caltrans has not contacted property owners in the vicinity of the requested right-of-way. It is an emergency repair and is not subject to discretionary review under CEQA or NEPA. Caltrans has offered to handle complaints that may arise from the project.

The scope of the work is to remove dislocated soil debris, regrade, install rock slope protection and erosion control materials in the slope disturbed by the construction activities (See Attached Plans and graphic). The Contractor is going to be given 20 working days. The contractor will be required to install notification signs 20 days before start of construction. Caltrans wants to start the work in April, 2010. The project is necessary to preserve the travel way and to keep it clear of soil debris. Copies of e-mail correspondences providing this information is attached.

The repair work is going to occur within the State Highway right-of-way. The subject property will be used for construction staging which includes materials handling, possible site for temporary offices, equipment and worker parking. The enclosed documents do not disclose how intensively the area will be used. Staff experience suggests that two to three large pieces of equipment (excavator, tractor/trailer combo) and two to three worker vehicles will be used. The visual impact of the men and equipment is expected to be less than the recently concluded slide repairs at Martin Luther King Park. That project required modification of retaining walls. Caltrans project

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removes slide debris and installs engineered fill and subdrains without need to construct or modify retaining walls in the area.

ISSUES

Council has the authority to waive fees. In this case Caltrans has proposed payment of a right-of-way contract fee of \$500 which is greater than the \$423 fee that would be collected with the Encroachment permit fee.

Neighborhood impacts: Sacramento Avenue is a very low volume street. Mobilization of materials, equipment and personnel are expected to have noticeable short term impacts. Caltrans is not proposing to use street area for construction staging. The area to be used is off-street and is generally referred to as the shoulder and parking strip. Staff believes that the impacts are less than significant from an environmental impact standpoint.

Compensation levels: Is the proposed offer reasonable? Staff believes so. Appraisal documents are enclosed. The Council could seek an alternative appraisal however to cost to obtain the appraisal service is expected to exceed any additional compensation.

Council OMIT Committee reviewed this item on October 19, 2009. The Committee recommended that Clause 11, indemnification, be scrutinized by the City Attorney. Staff will add "Approved as to Form" Line on the Final Agreement, to provide opportunity for dialog between City Counsel and Caltrans Counsel, and evidence that the City Attorney is satisfied with the indemnification levels.

Should the Council decide to not approve the requested right-of-way contract, Caltrans may seek the requested rights through condemnation proceedings. If Council action is not taken by early January, Caltrans staff have indicated that they will be obligated to go through such a process. Caltrans staff have indicated that they would prefer not to do that.

FISCAL IMPACT

Minor positive impact. The offer by Caltrans is not identified in 2009-10 revenue projections. It can be argued that the Agreement payment is an equivalent to revenue the City would receive from encroachment permit fees. Regardless of how the payment is categorized, the fee will go into the General Fund and is expected to be used for General City operations.

STAFF RECOMMENDATIONS

Adopt the attached resolution approving the Right-of-way Contract and authorizing the City Manager to execute the Right-of-way Contract and related documents necessary to

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Grant the state permission for temporary use of right-of-way within the 300 block of Sacramento Avenue.

ATTACHMENTS

Resolution
Cover Letter
Right-of-way Contract
Valuation Summary Statement – Form #
Payee Data Record - Form STD204
E-mail Correspondence
Project Plans
Simplified Plans

PREPARED BY:



Todd Teachout, City Engineer

REVIEWED BY (Department Head):




Jonathon Goldman, Director of Public Works

REVIEWED BY:



Mary Wagner, City Attorney

SUBMITTED BY:


Adam Politzer
City Manager

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RESOLUTION No.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO APPROVING RIGHT-OF-WAY CONTRACT AND AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS NECESSARY FOR THE TRANSFER OF PROPERTY RIGHTS.

WHEREAS, the California Department of Transportation, District 4, Right-of-Way Section (Caltrans) proposes to use a portion of Public Right-of-way along the 300 Block of Sacramento Avenue, adjacent to Highway 101 temporarily to enable access to and repair of a Landslide within the Highway 101 right-of-way, and

WHEREAS, Caltrans has prepared a Right-of-way Contract, outlining terms and conditions of the use of the property, and

WHEREAS, Caltrans has also provided Plans and additional documents regarding the reason for the proposal as well as justification for the compensation levels, and

WHEREAS, Caltrans is unable to compensate the City of Sausalito for an Encroachment permit as required by Title 17 of the Sausalito Municipal Code, and

WHEREAS, The Right-of-Way agreement payment is greater than the equivalent encroachment permit fee, and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sausalito:

1. Approves of the Right-of-Way Contract Document No. 61771 as described as Exhibit A.
2. Authorizes the City Manager to execute Right-of-Way Contract Document No. 61771 and other necessary documents to grant Caltrans temporary use of City Right-of-Way along the 300 block of Sacramento Avenue.
3. Waives encroachment permits fee for said use of City right-of-way.

AYES: Councilmembers:
 NOES: Councilmembers:
 ABSTAIN: Councilmembers:

 Mayor, City of Sausalito

ATTEST:

 City Clerk

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DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23440
OAKLAND, CA 94623-0440
PHONE (510) 286-55395
FAX (510) 286-5379



*Flex your power!
Be energy efficient!*

July 9, 2009

4-Mrn-101 P. M. 3.0
E.A. 3S9202
Parcel No.61771

City of Sausalito
Todd Teachout
City Engineer
420 Litho Street
Sausalito, Ca 94965

RECEIVED
JUL 10 2009
CITY OF SAUSALITO

Dear Mr. Teachout:

The California Department of Transportation (Department) is proposing to place a Rock Slope Protection at the slide located at end of Sacramento Avenue, your property will be affected by this project slope repair project. The State requires an area of 4,646 sq. ft. Temporary Construction Easement.

Enclosed is the State's offer and supporting documentation for the purchase of the above-mentioned property:

- Summary Statement Relating To The Purchase of Real Property or An Interest Therein
The Summary Statement has the project description and information on your rights under the Title III Uniform Relocation Act. Item number 3 has the interest and size being required. A copy of the Grant Deed will be provided at a later date. Item number 5 discusses your right to obtain an independent appraiser if you wish to do so.
- Parcel Map
The parcel map shows the requirement needed for the project (colored area). The Right of Way requirement on your property has been assigned the State Parcel Numbers 61557 for identification purposes. This number will appear on most of the documents.
- Waiver Valuation
The Summary Valuation Statement contains information on the appraisal done on your property by our Appraisal Staff. It has your property information, the appraised value, and information on comparable sales used to determine the value for your property.
- The Right of Way Contract
"Enclosed is a Right of Way Contract, in the amount of **\$500.00**, which contains all of the terms and conditions of this transaction". Please execute three copies of the contract. The fourth copy is for your records until the State sends you a fully executed copy of the contract.

- Payee Data Record

This document is in lieu of the IRS W-9. Please fill out where marked and return with the rest of your documents.

- Title VI brochure

This brochure informs you of your rights under Title VI of the Civil Rights Act of 1964.

Please mail the following documents:

- Three copies of the executed settlement R/W Contract
- The Payee Data Record signed and dated

Please feel free to call me at (510) 286-5375, if you have any questions or concerns after reviewing the documents.

Sincerely,



GLORIA WALLACE
Right of Way Agent
R/W Acquisitions 'B'

Enclosures

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY CONTRACT - STATE HIGHWAY
RW 8-3 (6/95)

Sausalito, California

Dist.	Co.	Rte.	P.M.	Exp. Auth.
4	MRN	101	3.0	3S9202

, 2009

CITY OF SAUSALITO

Grantor(s)

This Document No 61771 in the form of a TEMPORARY EASEMENT, covering the property particularly described in the above instrument has been executed and delivered to GLORIA WALLACE, Right of Way Agent for the State of California.

In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. The parties have herein set forth the whole of their agreement. The performance of this agreement constitutes the entire consideration for said document and shall relieve the State of all further obligation or claims on this account, or on account of the location, grade of construction of the proposed improvement
2. The State shall pay the undersigned grantors the sum of \$500.00 for this Temporary Easement.
3. (A) Permission is hereby granted the State or its authorized agent to enter upon grantor's land where necessary within that certain area shown outlined in red on the map marked Exhibit "A" attached hereto and made a part hereof, for the purpose of a Temporary Construction Easement during the slope repair work at the end of Sacramento Avenue, East of Highway 101 and North of Rodeo Drive in the City of Sausalito, Marin County.

(B) The above described parcel of land is to be used for temporary construction purposes in connection with the construction of the Highway 101 on maps in the office of the Department of Transportation, State of California, at Oakland, California; the herein acquired rights of usage in said parcel shall be for a period of 12 months; said period shall commence on the date the Office Engineer awards the contract. At least 48 (forty-eight) hours advance written notice will be given before entry on said parcel. It is further understood that in no event shall the temporary right granted herein extend beyond the completion of the construction project or December 31, 2010, whichever is earlier, except as provided below.

In case of unpredictable delays in construction, upon written notification, the terms of the Temporary Easement may be extended at the option of the Grantee at the rate of \$50.00 per month. Payment for the extended period shall be paid in arrears, sixty (60) days after the completion of the project

4. It is agreed and confirmed by the parties hereto that notwithstanding other provisions in this contract, the right of possession and use of the subject property by the State, including the right to remove and dispose of improvements, shall commence on November 1, 2009 or the close of escrow controlling this transaction, whichever occurs first, and that the amount shown in Clause 2 herein includes, but is not limited to, full payment for such possession and use including damages, if any from said date.
5. The undersigned Grantors warrant that they are the owners in fee simple of the property affected by this Temporary Easement as described in Clause 3 (A) that they have the exclusive right to grant this Temporary Easement.
6. In consideration of the States waiving the defects and imperfections in all matters of record title, the undersigned Grantor covenants and agrees to indemnify and hold the State of California harmless from any and all claims that other parties may make or assert on the title to the premises. The Grantor's obligation herein to indemnify the State shall not exceed that amount paid to the Grantor under this contract.
7. Grantor warrants that there are no oral or written leases, on all or any portion of the property exceeding a period of one month, and the Grantor agrees to hold the State harmless and reimburse the State for any and all of its losses and expenses occasioned by reason of any lease of said property held by any tenant of Grantor for a period exceeding one month.
8. At no expense to the Grantors and at the time of construction, the State shall place a Rock Slope Protection at the slide located at the end of Sacramento Avenue, North of Rodeo Drive and East of Highway 101 in the City of Sausalito, Marin County.
9. Permission is hereby granted to the State or its authorized agent to enter on our land where necessary, to repair Grantor's slope as described in Clause 8 of this Contract.

We understand and agree that after completion of the work described in Clause 8, said facility will be considered as our sole property and we will be responsible for its maintenance and repair.

10. All work done under this agreement shall conform to all applicable building, fire and sanitary laws, ordinance and regulations relating to such work, and shall be done in a good and workmanlike manner. All structures, improvements or other facilities, when removed, and relocated, or reconstructed by the State, shall be left in as good condition as found.

11. State agrees to indemnify and hold harmless Grantor from any liability arising out of State's operations under this agreement. State further agrees to assume responsibility for any damages proximately caused by reason of State's operations under this agreement and State will, at its option, either repair or pay for such damage.
12. The Grantor agrees to fully disclose the existence of the Temporary Construction Easement and the State's project to any and all potential buyers in the event the Grantor should choose to sell the above described parcel during the term of the easement or after the acceptance of this contract.
13. It is understood and agreed by and between the parties hereto that funding for this transaction may not be budgeted by the California Transportation Commission. The close of escrow may be delayed until funds are budgeted.
15. This transaction will be handled through an internal escrow by the State of California, Department of Transportation, District 4 Office, Post Office Box 23440, Oakland CA 94623-0440.

In Witness whereof, the Parties have executed this agreement the day and year first above written.

CITY OF SAUSALITO

RECOMMENDED FOR APPROVAL:

By

 GLORIA WALLACE
 Associate Right of Way Agent
 Acquisition Services

STATE OF CALIFORNIA
 Department of Transportation

By

 TERESA MCNAMARA
 District Branch Chief
 R/W Acquisition Services

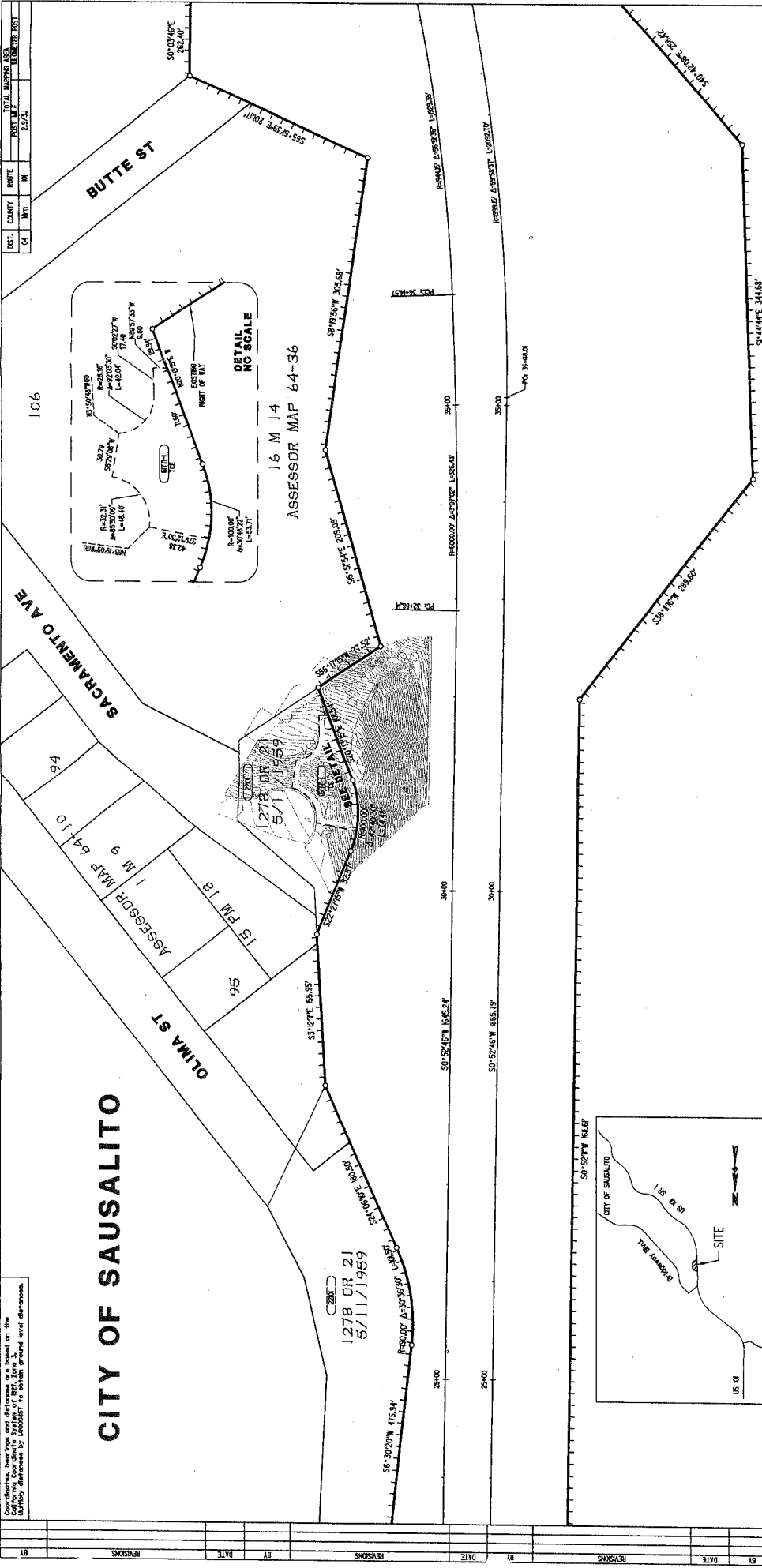
By

 R. A. MACPHERSON
 Deputy District Director
 Right of Way

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Conditions, bearings and distances are based on the California Coordinate System of 1983, Zone 3. Boundary distances by 100-foot to obtain ground level elevations.

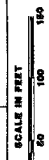
CITY OF SAUSALITO



OFFICIAL MAP SAUSALITO LAND & FERRY CO.

PARCEL#	ADJ. CODE	GRANTOR	TOTAL	FEET	EXCESS	REMARKS	REGISTRATION	DATE	DOCUMENT REF.
67TH	E	CITY OF SAUSALITO				468 SQ FT. DE - IMPROV 2/20/00			

Original office information may be obtained from the District Office of the State of California Department of Transportation, 1500 Franklin Street, Sacramento, California.



E.A.	35001	1821	1823
P.P.	548	1821	1823
1/2"	1/2"	1/2"	1/2"

MAP REFERENCES	RECORD	APPROVAL	APPROVAL

STATE OF CALIFORNIA
TRANSPORTATION
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY APPRAISAL MAP

A-10433.1

SCALE 1"=50'

DRAWING DATE: 1/23/09
COUNTY: W.F.O.
ROUTE: 104
POST MILE: 3.0
SHEET 1 OF 1

UNRCD FILE 92-11

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VALUATION SUMMARY STATEMENT

(Form #)

CONFIDENTIAL

This document contains personal information and pursuant to Civil Code 1798.21, it shall be kept confidential in order to protect against unauthorized disclosure.

EXHIBIT

8-EX-15C (NEW 11/2002)

Page 1 of 8

Dist.	Co.	Rte.	P.M.	Parcel No.	Federal Aid Project No.	Date
04	Mrn	101	3.0	61771		07/09

Owner: CITY OF SAUSALITO

Date Acquired: over 5 years

Property Address: Sacramento Avenue

Property to be acquired: 4,646 TCE

Locale: Sausalito, CA

Part All

Total Property Area: 4,646 TCE

Including Access Rights

Yes No **BASIS OF VALUATION**

Code of Civil Procedure Section 1263.320 defines Fair Market Value as follows:

- a) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to be a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- b) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

Recent sales of comparable properties and income data are utilized as appropriate. Full consideration is given to zoning, development potential and the income the property is capable of producing.

BASIC PROPERTY DATA

Interest valued: Temporary Construction Easement

Date of valuation: April 27, 2009

Applicable zoning: N/A

Area to be acquired: 4,646 s. f.

Highest and best use: N/A

Current use: N/A

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BASIS OF VALUATION

1. The Sales Comparison approach is based on the consideration of comparable land and improved sales.

Indicated value by Sales Comparison Approach
See attached sheet for principal transactions. \$ N/A

2. The cost approach is based in part on a replacement cost new of improvements less depreciation. Cost information was obtained from cost service publications and/or knowledgeable vendors.

Total Replacement Cost New \$ N/A
Depreciation from all causes \$ N/A)
Value of Improvements in Place \$

Land (estimated by direct sales comparison) \$ N/A
Indicated value by Cost Approach \$ N/A

3. The income approach is based on an analysis of income and expenses to the property.

Overall Capitalization Rate N/A %
Net Operating Income \$ N/A
Indicated value by Income Approach \$ N/A

Value of the property being acquired including the following improvements:

	Land:	\$	<u>(Nominal) 500.00*</u>
	Imps:	\$	<u>0.00</u>
		\$	<u>500.00</u>

*The State's requirement for a PBRE does not adversely affect the value or desirability of the larger portion of the subject parcel. Therefore, this requirement is valued as "Nominal".

4135
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VALUATION SUMMARY STATEMENT (Cont.)
(Form #)

Damages: 0.00

Severance Damages: \$ 0.00

Cost to Cure Damages: \$ 0.00

Total Damages: \$ 0.00

Benefits: \$ 0.00

The amount of any other compensation: \$ 0.00

JUST COMPENSATION FOR ACQUISITION \$ (Nominal) 500.00

Construction Contract Work

None

4/15/05

VALUATION SUMMARY STATEMENT (Cont.)

(Form #)

EXHIBIT

8-EX-15C (NEW 11/2002)

Page 4 of 8

LIST OF PRINCIPAL TRANSACTIONS - VACANT

None

ADDRESS:
APN:
SALE DATE:
SALE PRICE:

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SALE DATE:
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VALUATION SUMMARY STATEMENT (Cont.)

(Form #)

EXHIBIT

8-EX-15C (NEW 11/2002)

Page 5 of 8

LIST OF PRINCIPAL TRANSACTIONS - IMPROVED

None

ADDRESS:
APN:
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SALE PRICE:

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VALUATION SUMMARY STATEMENT (Cont.)

(Form #)

EXHIBIT

8-EX-15C (NEW 11/2002)

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AREAS WITHIN THE RIGHT OF WAY

Sub-parcel
61771

Area
4,646 s. f. TCE @Nominal

Total Area = 4,646 s. f.

IMPROVEMENTS WITHIN THE RIGHT OF WAY

Item
None

Size
None

Lump Sum Total = \$0.00

415
18

COST TO CURE DAMAGE ITEMS

Item
None

Size
None

Lump Sum Total = \$ 0,00

4185
19

CONSTRUCTION CONTRACT WORK ITEMS

None

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
- 11.
- 12.

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PAYEE DATA RECORD

(Required when receiving payment from the State of California in lieu of IRS W-9)

STD. 204 (REV 6/2003)

1	<p>INSTRUCTIONS: Complete all information on this form. Sign, date, and return to the state agency (department/office) address shown at the bottom of this page. Prompt return of this fully completed form will prevent delays when processing payments. Information provided on this form will be used by State agencies to prepare Information Returns (1099). See reverse side for more information and Privacy Statement.</p> <p>NOTE: Governmental entities, federal, state, and local (including school districts) are not required to submit this form.</p>																
2	<p>PAYEE'S LEGAL BUSINESS NAME (Type or Print)</p> <hr/> <table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;">SOLE PROPRIETOR - ENTER NAME AS SHOWN ON SSN (Last, First, M.I.)</td> <td style="width:50%; border: none;">E-MAIL ADDRESS</td> </tr> <tr> <td style="border: none;">MAILING ADDRESS</td> <td style="border: none;">BUSINESS ADDRESS</td> </tr> <tr> <td style="border: none;">City, State and Zip Code</td> <td style="border: none;">City, State and Zip Code</td> </tr> </table>			SOLE PROPRIETOR - ENTER NAME AS SHOWN ON SSN (Last, First, M.I.)	E-MAIL ADDRESS	MAILING ADDRESS	BUSINESS ADDRESS	City, State and Zip Code	City, State and Zip Code								
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MAILING ADDRESS	BUSINESS ADDRESS																
City, State and Zip Code	City, State and Zip Code																
3	<p>FEDERAL EMPLOYERS IDENTIFICATION NUMBER (FEIN): <input type="text"/></p> <table style="width:100%; border: none;"> <tr> <td style="width:33%;"><input type="checkbox"/> PARTNERSHIP</td> <td style="width:33%;"><input type="checkbox"/> CORPORATION</td> <td style="width:34%;"></td> </tr> <tr> <td><input type="checkbox"/> ESTATE OR TRUST</td> <td><input type="checkbox"/> LEGAL (e.g., attorney services)</td> <td></td> </tr> <tr> <td></td> <td><input type="checkbox"/> MEDICAL (e.g., dentistry, psychotherapy, chiropractic, etc.)</td> <td></td> </tr> <tr> <td></td> <td><input type="checkbox"/> EXEMPT (nonprofit)</td> <td></td> </tr> <tr> <td></td> <td><input type="checkbox"/> ALL OTHER</td> <td></td> </tr> </table> <p><input type="checkbox"/> INDIVIDUAL/SOLE PROPRIETOR</p> <p style="text-align: center;">ENTER SOCIAL SECURITY NUMBER: <input type="text"/></p> <p style="text-align: center; font-size: small;">(SSN required by authority of California Revenue and Tax Code Section 18646)</p>	<input type="checkbox"/> PARTNERSHIP	<input type="checkbox"/> CORPORATION		<input type="checkbox"/> ESTATE OR TRUST	<input type="checkbox"/> LEGAL (e.g., attorney services)			<input type="checkbox"/> MEDICAL (e.g., dentistry, psychotherapy, chiropractic, etc.)			<input type="checkbox"/> EXEMPT (nonprofit)			<input type="checkbox"/> ALL OTHER		<p>NOTE: Payment will not be processed without an accompanying taxpayer I.D. number.</p>
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	<input type="checkbox"/> MEDICAL (e.g., dentistry, psychotherapy, chiropractic, etc.)																
	<input type="checkbox"/> EXEMPT (nonprofit)																
	<input type="checkbox"/> ALL OTHER																
4	<p>PAYEE RESIDENCY STATUS</p> <p><input type="checkbox"/> California Resident - Qualified to do business in California or a permanent place of business in California.</p> <p><input type="checkbox"/> California nonresident (<i>see reverse side</i>) - Payments to nonresidents for services may be subject to State income tax withholding.</p> <p><input type="checkbox"/> No services performed in California.</p> <p><input type="checkbox"/> Copy of Franchise Tax Board waiver of State Withholding attached.</p>																
5	<p><i>I hereby certify under penalty of perjury that the information provided on this document is true and correct. Should my residency status should change, I will promptly inform the Sate agency below.</i></p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">AUTHORIZED PAYEE REPRESENTATIVE'S NAME (Type or Print)</td> <td colspan="2">TITLE</td> </tr> <tr> <td>SIGNATURE</td> <td>DATE</td> <td>TELEPHONE NUMBER</td> </tr> </table>			AUTHORIZED PAYEE REPRESENTATIVE'S NAME (Type or Print)	TITLE		SIGNATURE	DATE	TELEPHONE NUMBER								
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SIGNATURE	DATE	TELEPHONE NUMBER															
6	<p>Department/Office: _____</p> <p>Unit/Section: _____</p> <p>Mailing Address: _____</p> <p>City/State/Zip: _____</p> <p>Telephone: _____</p> <p>E-mail Address: _____</p>																

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Todd Teachout

From: Gloria Wallace [gloria_wallace@dot.ca.gov]
Sent: Tuesday, September 22, 2009 4:22 PM
To: Todd Teachout
Subject: Temporary Construction Easement

Todd,

Here are the answers to the subcommittee's questions.

1. Have the property owners adjacent to the site been notified of Caltrans desire to use the site?

No, this project is an emergency storm damage Safety Project.

2. If so, what was provided and how was it responded to?

No public outreach was provided for this project. If there are any complaints, please refer them to me.

3. What impacts can be expected regarding the repair?

Permanent impacts would be the repair of the failed slope with rock slope protection and erosion control applied to areas disturbed by construction activities. Temporary impacts would be construction activity related to the slope repair.

4. How many days is the contractor being provided to do the project?

The construction project is expected to last 20 days. The contractor may place construction signs prior to the start of the 20 days.

5. What is the desired start date?

April 2010.

6. What is the implication for 101 and properties adjacent to the Freeway right-of-way if the project isn't done soon and isn't done ever?

The slope appears to be temporarily stable at this time, but the resulting topography due to the slide may result in a future slide that may cause damage to Route 101 and the adjacent properties.

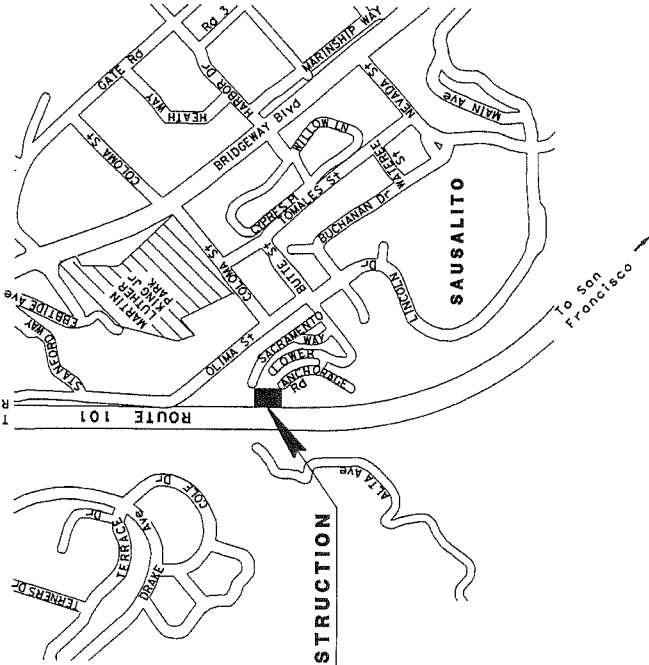
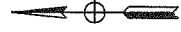
Gloria Wallace
R/W Acquisition Services
510 286-5375

485
22

INDEX OF PLANS

STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 PROJECT PLANS FOR CONSTRUCTION ON
STATE HIGHWAY
 IN MARIN COUNTY
 IN SAUSALITO
 1.1 MILES SOUTH OF ROUTE 1/101
 SEPARATION

TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2006



LOCATION OF CONSTRUCTION
 PM 3.0

NO SCALE

Dist	County	Route	Sheet No.	Total Sheets
04	Mar	101	3.0	1

Caltrans

LOCATION MAP

DESIGN ENGINEER
 MIKE LIM

PROJECT MANAGER
 WAJAHAT NAYZ

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES)
 OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

BORDER LAST REVISED 8/7/2008

CALTRANS WEB SITE IS: [HTTP://WWW.DOT.CA.GOV/](http://www.dot.ca.gov/)

RELATIVE BORDER SCALE
IS IN INCHES

USERNAME ** USER
 DON FILE ** REQUEST

CONTRACT No. **04-3S9204**
 CU 06252 EA 359201

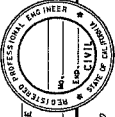
PROJECT ENGINEER ENGINEER DATE
 REGISTERED CIVIL ENGINEER

PLEASE APPROVAL DATE
 REGISTERED PROFESSIONAL ENGINEER
 CIVIL

DATE PLOTTED ** DATE
 08-27-09 TIME PLOTTED ** TIME

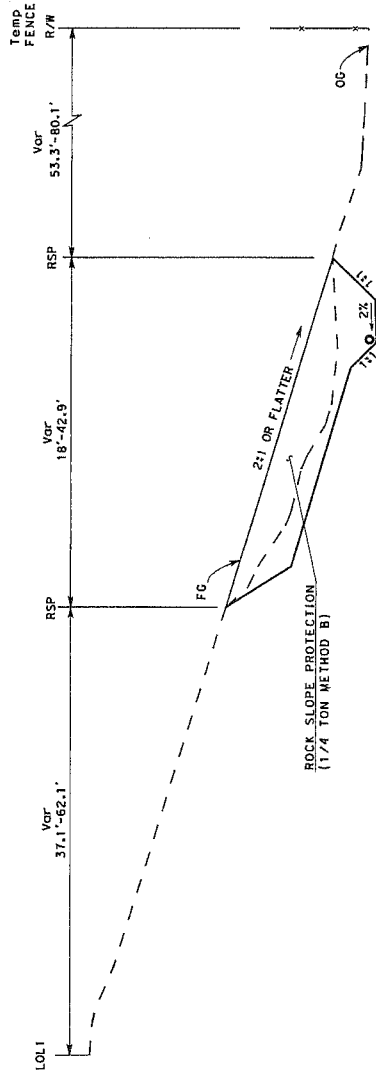
485
 23

DATE	COUNTY	ROUTE	POST MILES	SHEET TOTAL
04	Mtn	101	3.0	

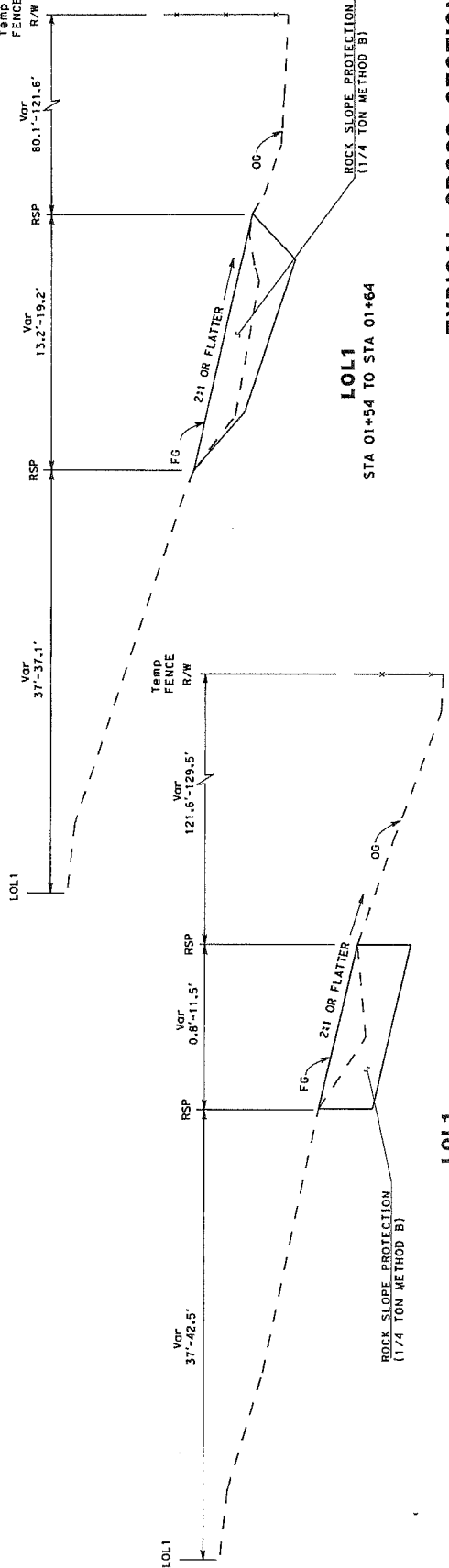


REGISTERED CIVIL ENGINEER DATE _____
 PLANS APPROVAL DATE _____
 THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENCIES SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF THIS PLAN SHEET.

- NOTES:
1. DIMENSIONS OF THE STRUCTURAL SECTIONS ARE SUBJECT TO TOLERANCES SPECIFIED IN THE STANDARD SPECIFICATIONS.
 2. SUPERELEVATION AS SHOWN OR DIRECTED BY THE ENGINEER.
 3. FOR CROSS SECTION DETAILS SEE CONSTRUCTION DETAIL C-1 SHEET.
 4. FOR DRAINAGE DETAILS SEE DRAINAGE PLAN D-1 SHEET.



LOL1
 STA 01+20.5 TO STA 01+54



LOL1
 STA 01+54 TO STA 01+64

TYPICAL CROSS SECTION X-1
 NO SCALE

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	MIKE LIM
DESIGNED BY	CHECKED BY	CARY CRUZ
DESIGNED BY	REVISOR	HOSSAM "SAM" BADAWIA
DATE REVISION	DATE REVISION	

DATE PLOTTED: 08-27-09 TIME PLOTTED: 4:11 PM
 BORDER LAST REVISED 4/11/2008
 RELATIVE BORDER SCALE 15 IN INCHES
 USERNAME: USER JOB FILE: REQUEST
 CU 06252 EA 359201

4/BS
 04

DATE	COUNTY	ROUTE	POST MILES	SHEET NO.	TOTAL SHEETS
04	MFD	101	3.0		

REGISTERED CIVIL ENGINEER	DATE
PLANS APPROVAL DATE	

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

FOR ACCESS SHALL BE MADE AVAILABLE FOR CONSULTATION AT THE DISTRICT OFFICE OF THE DISTRICT OF CALIFORNIA

DATE PLOTTED: 08-27-09
 TIME PLOTTED: 11:48 AM
 USERNAME: C:\MSOFT\AUTO\USERID\DWG FILE
 REQUEST

LAYOUT L-1

SCALE 1"=20'

CU 06252 EA 359201

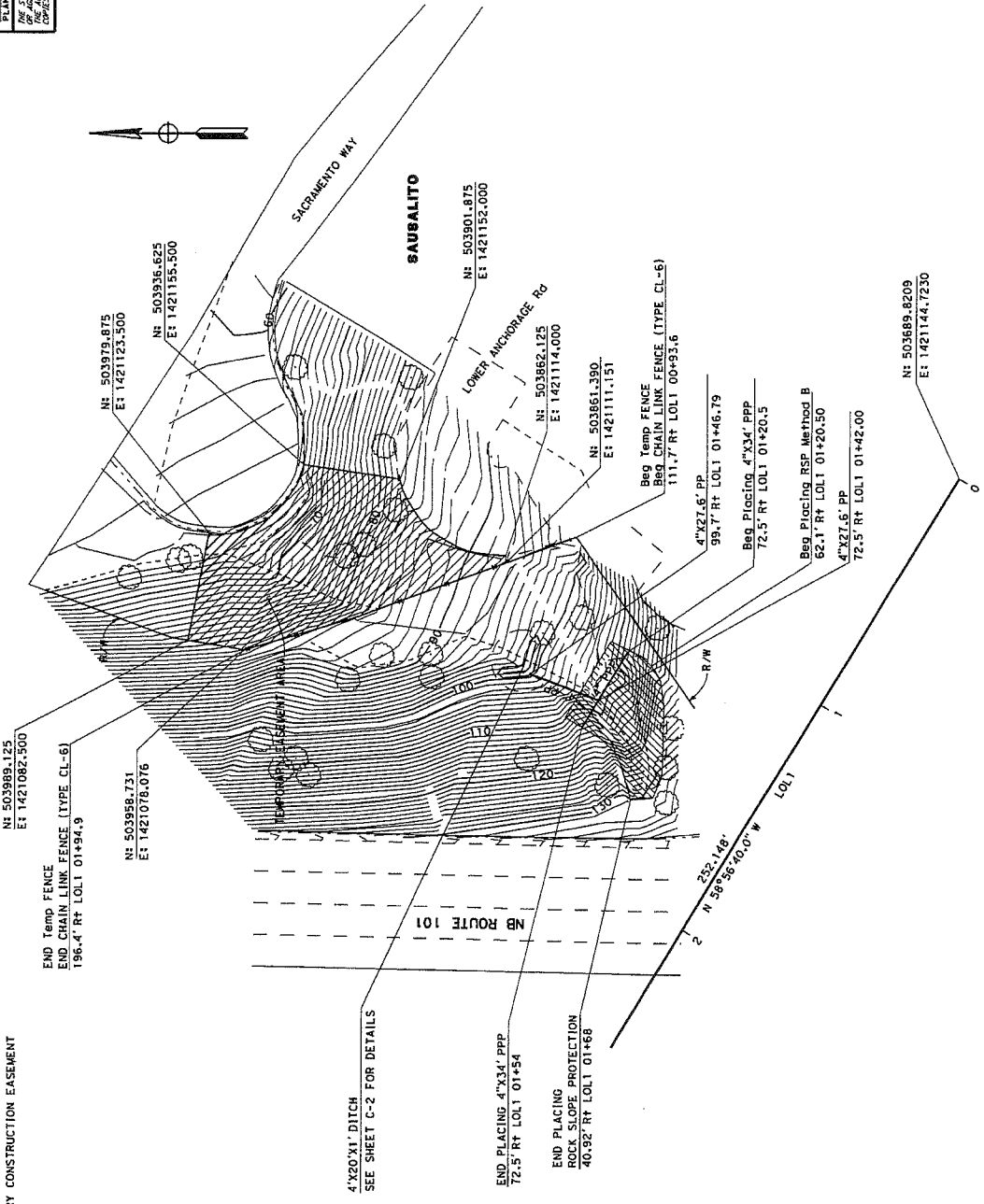
RELATIVE BORDER SCALE IS IN INCHES

BORDER LAST REVISED: 4/11/2008

485
25

NOTES:

- FOR ACCURATE RIGHT OF WAY AND ACCESS DATA, CONTACT RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.



LEGEND

	ROCK SLOPE PROTECTION (1/4 TON METHOD B)
	TEMPORARY CONSTRUCTION EASEMENT

4"x20"x1' DITCH
SEE SHEET C-2 FOR DETAILS

END PLACING 4"x34" PPP
72.5' RT LOL 1 01+54

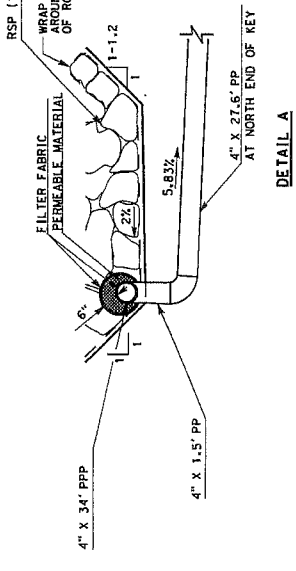
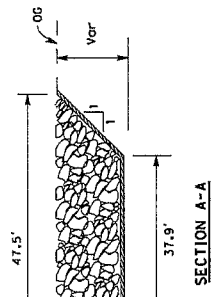
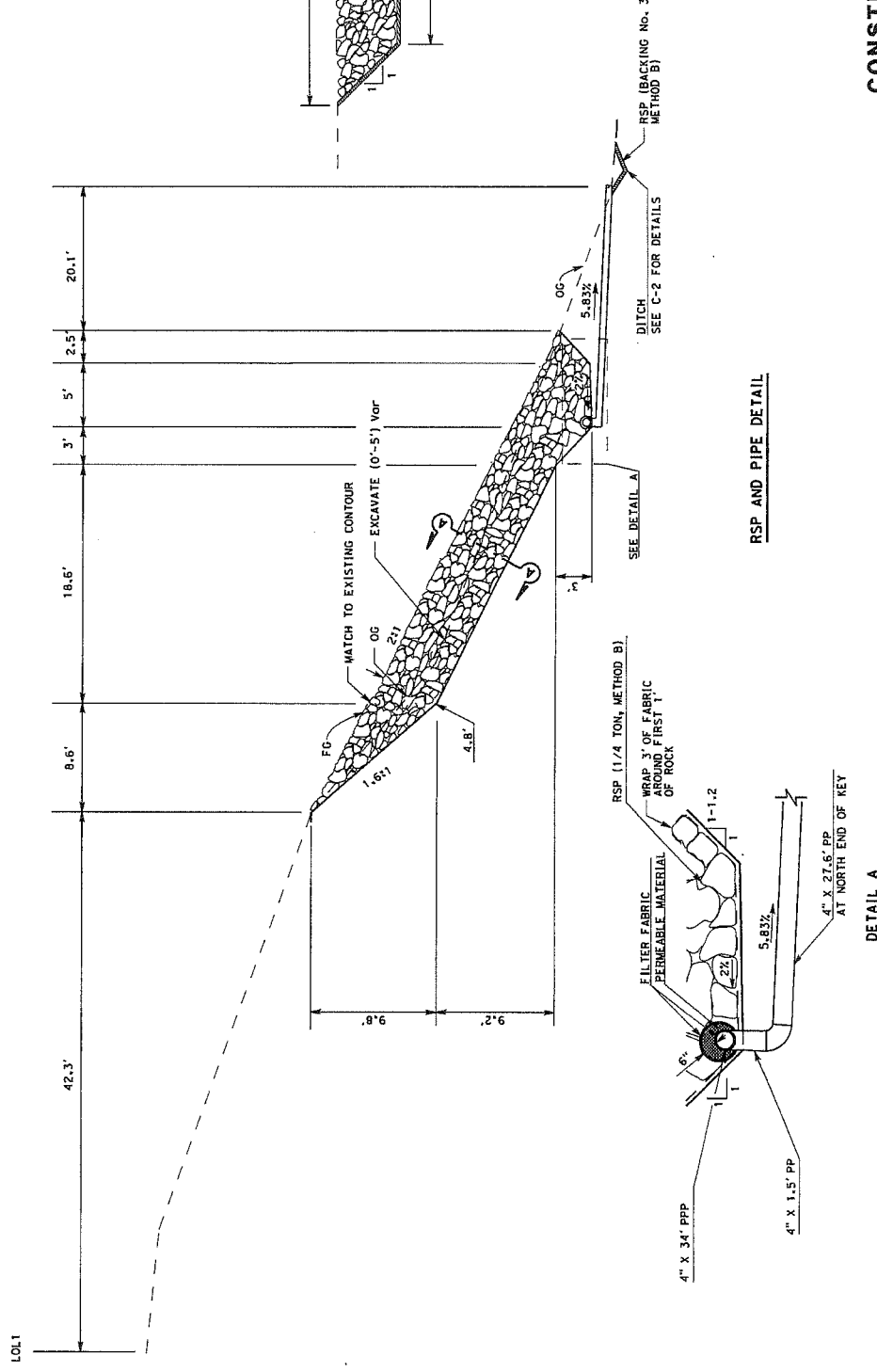
END PLACING
ROCK SLOPE PROTECTION
40x32 RT LOL 1 01+68

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	FUNCTIONAL SUPERVISOR	MIKE LIM	DESIGNED BY	HOSSAM "SAM" BADAWIA	REVISOR	
	CHECKED BY	CARY CRUZ	DATE REVISED			

DIST	COUNTY	ROUTE	POST MILE	TOTAL PROJECT	PROJECT SHEETS
04	Mtn	101	3.0		
REGISTERED CIVIL ENGINEER		DATE	PROFESSIONAL ENGINEER		
PLANS APPROVAL DATE			Exp. 12/31/2008		
THE ENGINEER SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED FOR THIS PROJECT UNLESS OTHERWISE SPECIFIED					

LEGEND

- PERMEABLE MATERIAL
- RSP (1/4 TON, METHOD B)
- ROCK SLOPE PROTECTION FABRIC
- RSP (BACKING No. 3, METHOD B)

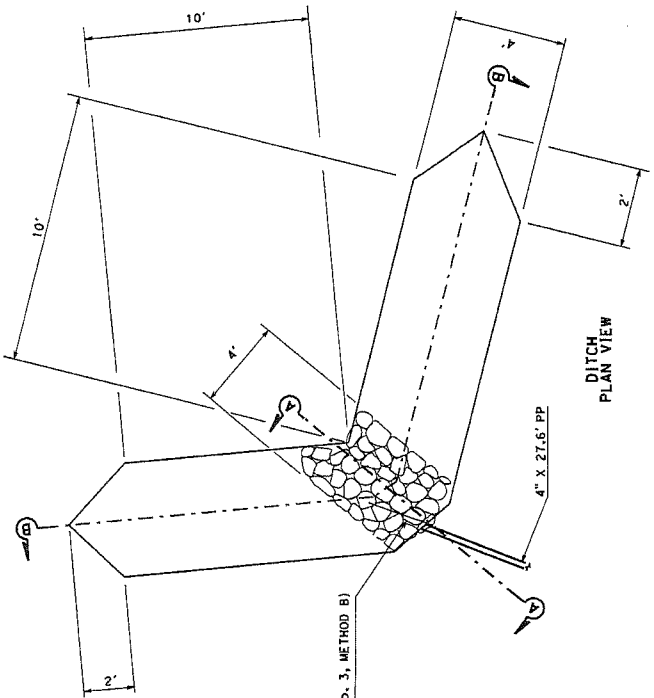


CONSTRUCTION DETAILS
NO SCALE
C-1

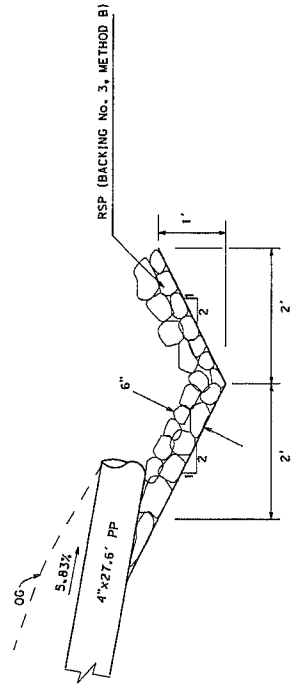
DESIGNED BY	HOSSAM "SAM" BADAWIA	REVISIONS	
CHECKED BY	CARY CRUZ	DATE REVISED	
FUNCTIONAL SUPERVISOR	MIKE LIM		
DESIGN			

DATE PLOTTED: 08-27-09
 USER: NAME: AUSER
 JOB FILE: REQUEST
 CU 06252
 EA 359201
 RELATIVE BORDER SCALE IS IN INCHES
 0 1 2 3
 STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
 CALIFORNIA REGISTERED PROFESSIONAL ENGINEER
 LICENSE NO. 50587
 26

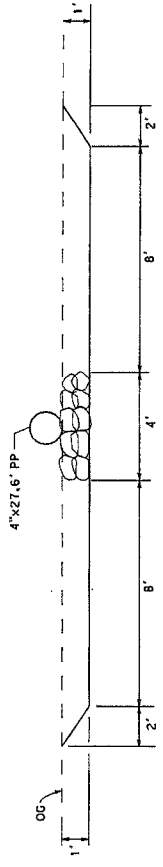
DIS. COUNTY	ROUTE	POST MILES	SHEET TOTAL
04	101	3-0	3-0
REGISTERED CIVIL ENGINEER DATE			
PLANS APPROVAL DATE			
THE STATE OF CALIFORNIA OR ITS OFFICERS			
OR AGENTS THEREOF SHALL BE RESPONSIBLE FOR THE			
CORRECTNESS OF THIS PLAN SHEET.			



DITCH
PLAN VIEW



SECTION A-A
DITCH
X-SECTION



SECTION B-B
DITCH
SIDE VIEW

CONSTRUCTION DETAILS
NO SCALE
C-2

CU 06252 EA 359201

USERNAME: * USER
DGN FILE: * REQUEST

RELATIVE BORDER SCALE
1/8" = 1' IN INCHES

0 1 2 3

BORDER LAST REVISED 4/11/2009

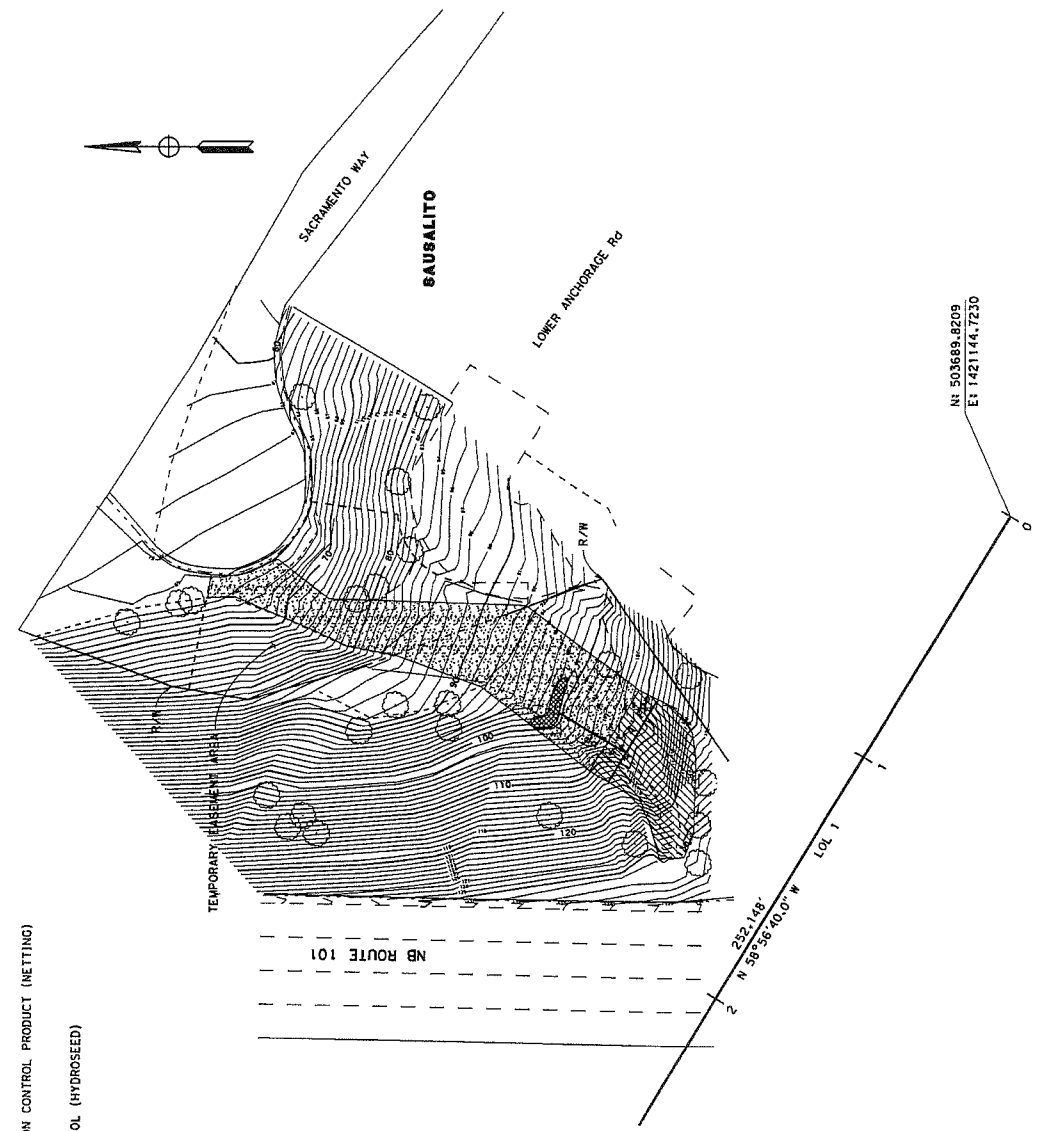
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	DESIGN	MIKE LIM	CHECKED BY	CARY CRUZ	DATE REVISED
FUNCTIONAL SUPERVISOR	DESIGNED BY	HOSSAM "SAM" BADAWIA	REVISOR		

485
LE

DIR#	COUNTY	ROUTE	SHEET NO.	TOTAL SHEETS
04	Mtn	101	3.0	3.0

LICENSED LANDSCAPE ARCHITECT
 SALLY BANG

PLANS APPROVAL DATE: _____
 THE USER SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED AND THE QUALITY OF THE PRINTING.



EROSION CONTROL PLAN EC-1
SCALE 1"=20'

CU 04343 EA 359201

USER: USER
REQ: REQUEST

RELATIVE BORDER SCALE IS IN INCHES

THIS PLAN ACCURATE FOR EROSION CONTROL WORK ONLY.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	SENIOR LANDSCAPE ARCHITECT	DAVID W YAM	CHECKED BY	SALLY BANG	DATE REVISED
WATER QUALITY	DAVID W YAM	REVISOR	ANGELA KWAN	REVISOR	

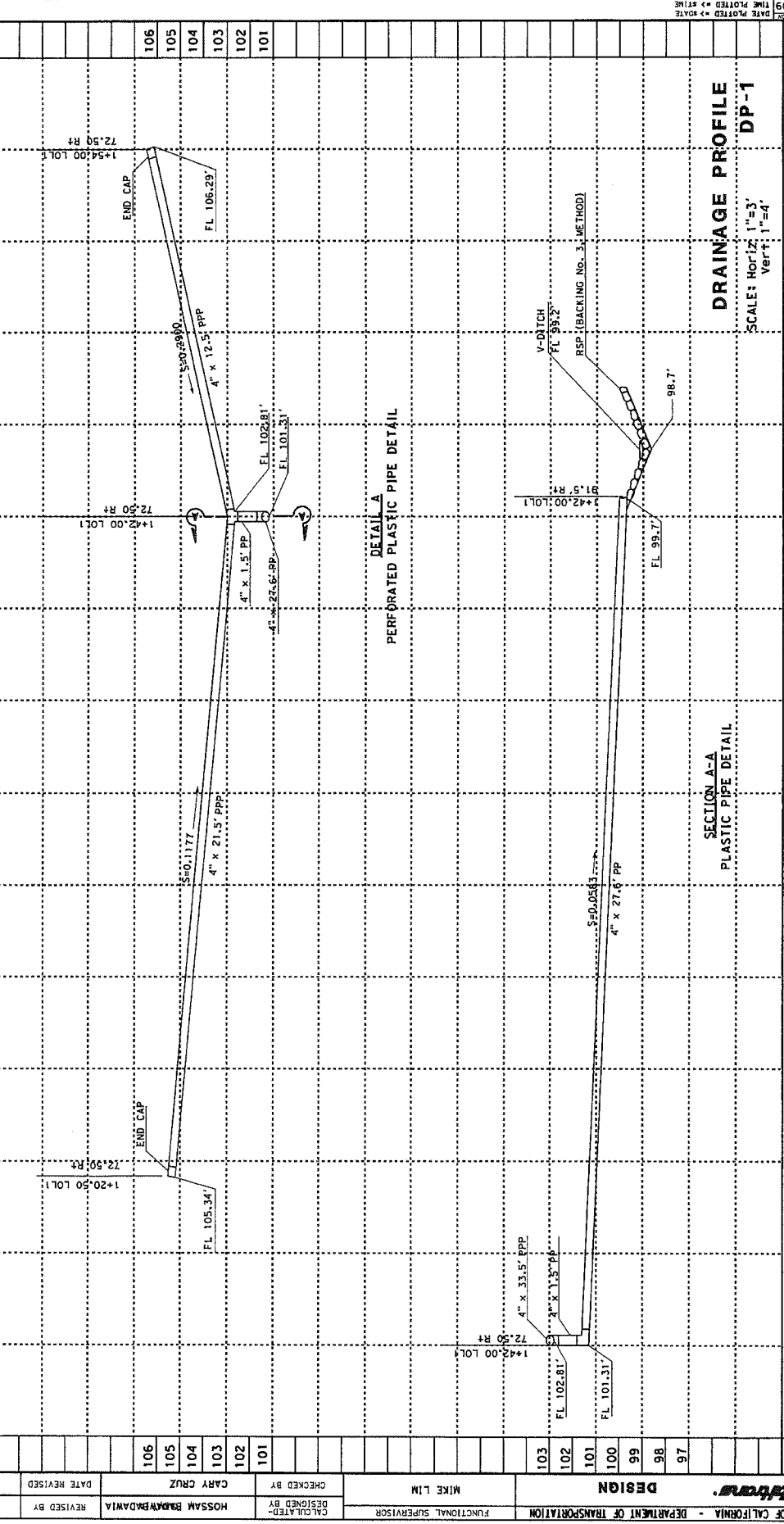
BORDER LAST REVISED 4/11/2008

485
08

08-27-09 DATE PLOTTED
08-27-09 TIME PLOTTED

DIST COUNTY ROUTE TOTAL PROJECT SHEETS
 04 Wrd 101 3.0

REGISTERED CIVIL ENGINEER DATE
 PLANS APPROVAL DATE
 NO. OF SHEETS 101 OF 101
 REGISTERED PROFESSIONAL ENGINEER CIVIL
 THE ABOVE SHALL BE THE RESPONSIBILITY OF THE REGISTERED CIVIL ENGINEER AND THE DESIGNER OF THE PROJECT.
 THESE PLANS SHALL BE SEALED AND SIGNED BY THE REGISTERED CIVIL ENGINEER.



DATE PLOTTED → STATE
 TIME PLOTTED → STATE
 08-27-09

STATION	106	105	104	103	102	101	100	99	98	97
Exc										
Emb										
CALCULATED- DESIGNED BY HOSSAIN BAKUR/ADAWIA		CHECKED BY CARY CRUZ		DATE REVISED		STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION DESIGN MILE LIM FUNCTIONAL SUPERVISOR				
REVISIONS NO. DATE BY						BORDER LAST REVISED 4/11/2008				
						RELATIVE BORDER SCALE IS IN INCHES		USER NAME → USER DEM FILE → REQUEST		CU 06232 EA 352201

DRAINAGE PROFILE
DP-1
 SCALE: Horiz: 1"=3'
 Vert: 1"=4'

485
 89

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL SHEETS
04	Mfn	101	3.0	

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

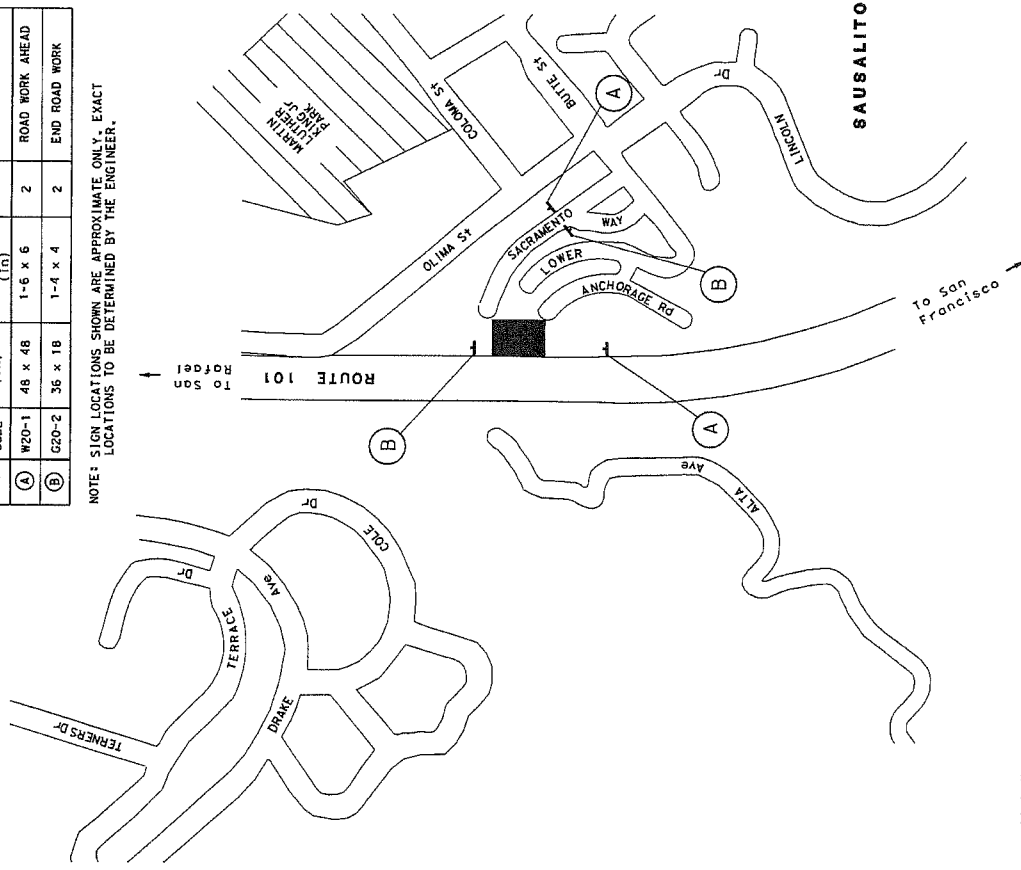
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE CONSEQUENCES OF THIS PLAN SHEET.



STATIONARY MOUNTED CONSTRUCTION AREA SIGNS

SIGN No.	SIGN CODE	PANEL SIZE (in)	No. OF POST AND SIZE (in)	No. OF SIGNS	SIGN MESSAGE
A	W20-1	48 x 48	1-6 x 6	2	ROAD WORK AHEAD
B	G20-2	36 x 18	1-4 x 4	2	END ROAD WORK

NOTE: SIGN LOCATIONS SHOWN ARE APPROXIMATE ONLY. EXACT LOCATIONS TO BE DETERMINED BY THE ENGINEER.



CONSTRUCTION AREA SIGN PLAN
CS-1

NO SCALE

EA 359201

CU 06252

REVISIONS: 3 SHEETS
DOOR FILE # 3 REQUEST

RELATIVE BORDER SCALE
1" = 15' IN INCHES

THIS PLAN ACCURATE FOR CONSTRUCTION AREA SIGNS ONLY.

BORDER LAST REVISED 4/11/2008

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION	DESIGN	MIKE LIM	CHECKED BY	CARY CRUZ	DATE REVISION
FUNCTIONAL SUPERVISOR			DESIGNED BY	HOSSAM "SAM" BADAVIA	
			CALCULATED		

4/15/08

DATE PLOTTED => TIME
08-27-09

DISTRICT COUNTY ROUTE PROJECT TOTAL SHEETS
 04 Mtn 101 3.0

REGISTERED CIVIL ENGINEER DATE
 PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR CONSEQUENCES OF THIS PLAN SHEET.

ROADWAY QUANTITIES

STATION	RSP (1/4 TON, METHOD B) CY	(N) PERMEABLE MATERIAL (UNDERDRAIN) CY	RSP (BACKING NO. 3, METHOD B) CY	(N) EXCESS MATERIAL CY	RSP FABRIC SOYD	(N) 4" PPP LF	(N) 4" PP LF	CHAIN LINK FENCE (TYPE CL-6) LF	TEMPORARY FENCE LF
LOL1 01+20.5 TO 01+68.0	220	0.6	0.3	78	310	34	20.6		
LOL1 00+83.6 TO 01+94.9	220	0.6	0.3	78	310	34	20.6	135	135
TOTAL									

(N): NOT A SEPARATE PAY ITEM, FOR INFORMATION ONLY.

EROSION CONTROL

STATION	EROSION CONTROL (HYDROSEED)	ROLLED EROSION CONTROL PRODUCT (NETTING)
		SOFT
LOL1 01+15.5 TO 01+71.8	10,000	
LOL1 01+33.0 TO 01+53.3		250
TOTAL	10,000	250

SUMMARY OF QUANTITIES Q-1

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
 FUNCTIONAL SUPERVISOR
 DESIGN
 MIKE LIM
 CHECKED BY
 CARY CRUZ
 DESIGNED BY
 HOSSAM "SAM" BADAWIA
 REVISOR
 DATE REVISED

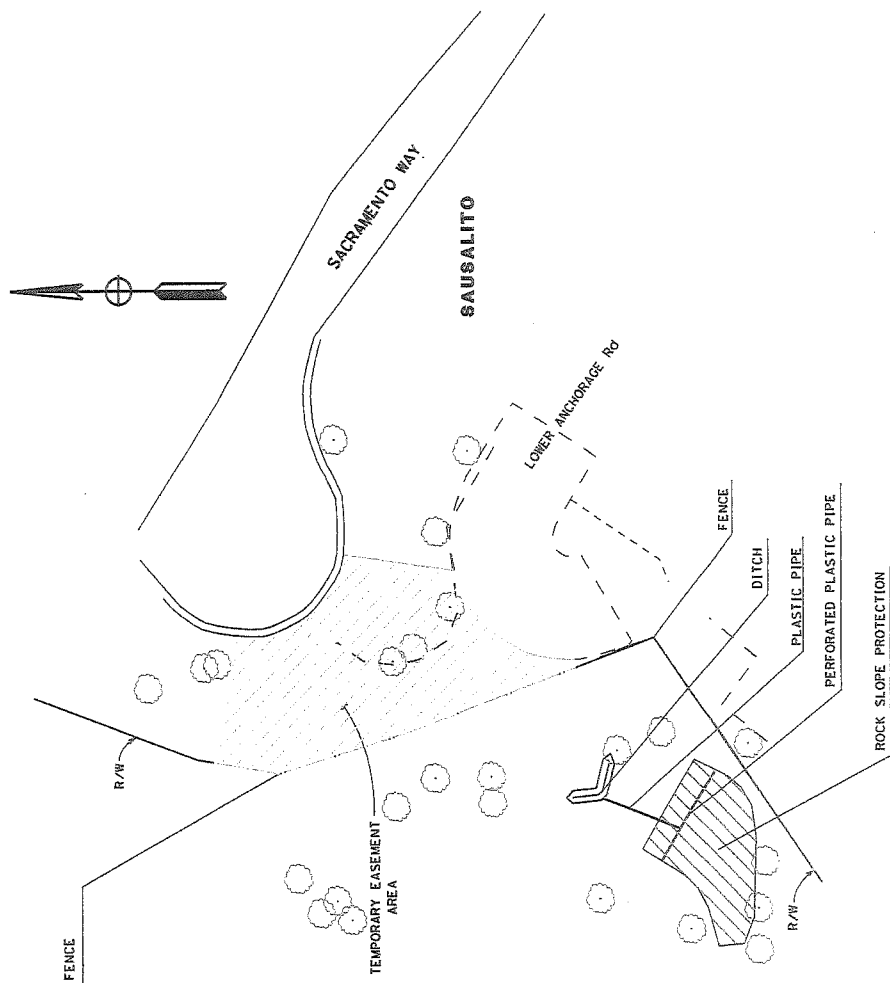
4/15/08

LAST REVISION: 06-27-09
 DATE PLOTTED: 04/11/2008

EA: 04-450001
Mpn-101-PN 3.0

NOTES: PROJECT COST \$152,000
WORKING DAYS 20
EST. START DATE 4-19-2010

EXHIBIT A LAYOUT



SCALE: 1"=20'

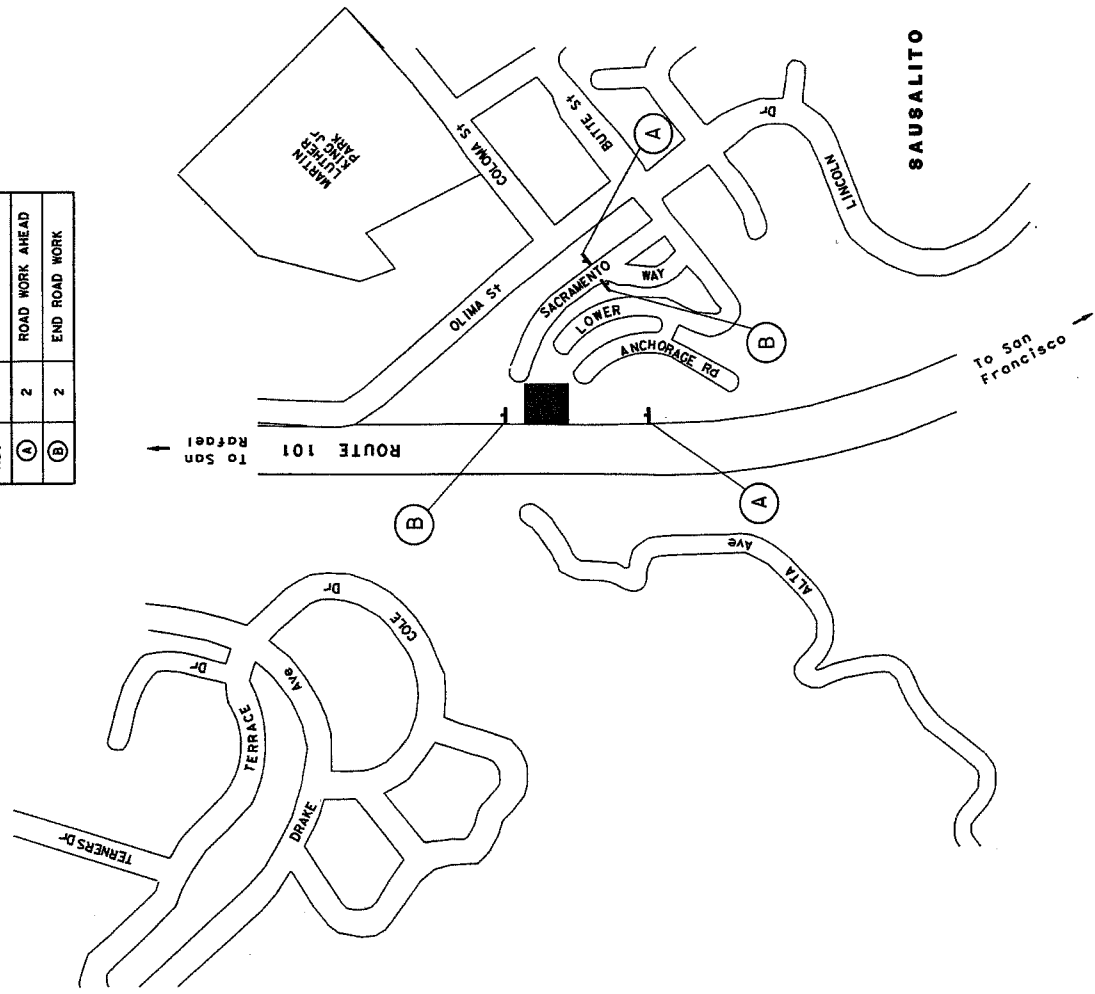
- LEGEND**
- ROCK SLOPE PROTECTION (1/4 TON METHOD B)
 - TEMPORARY CONSTRUCTION EASEMENT

4B5
32



STATIONARY MOUNTED CONSTRUCTION AREA SIGNS

SIGN No.	NO. OF SIGNS	SIGN MESSAGE
(A)	2	ROAD WORK AHEAD
(B)	2	END ROAD WORK



**EXHIBIT B
CONSTRUCTION AREA SIGNS**

NO SCALE

4185
33