



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2017 SEP 28 PM 5:11

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Joe DeVries
Assistant to the City
Administrator

SUBJECT: Caltrans Biennial Progress Report

DATE: September 19, 2017

City Administrator Approval

Date:

9/28/17

RECOMMENDATION

Staff Recommends That The City Council Accept This Biennial Progress Report On Caltrans Maintenance Activities In The City Of Oakland.

EXECUTIVE SUMMARY

Attached is a letter from Bijan Sartipi, District Director of the California Department of Transportation (Caltrans) that serves as Caltrans' Biennial Progress Report for Fiscal Years (FY) 2014-2015 and 2015-2016. (**Attachment A**) This report provides further analysis of the work performed and challenges faced during those years.

BACKGROUND / LEGISLATIVE HISTORY

On January 11, 2006, because of a public nuisance action filed by the City of Oakland (City), Caltrans signed a ten-year monitoring and maintenance commitment with the City. As required under this Letter of Understanding (LOU):

- Caltrans and the City of Oakland established a joint Working Group to meet monthly to discuss, coordinate, prioritize, and strategize Caltrans cleanup activities in Oakland
- Caltrans submits monthly maintenance records of their work in Oakland
- The City and Caltrans submit semi-annual progress reports for two years and then annual reports on abatement activities in Oakland to the City Council
- Caltrans provided a comprehensive listing of all Caltrans properties in Oakland so that the information can be integrated into the City's computerized mapping system
- Lessees of Caltrans properties are being held accountable to the LOU sufficiently

From July through December of 2005, the City and Caltrans representatives held informal monthly meetings to discuss projects of mutual interest. In January 2006, after the LOU was signed, this informal group became the Working Group established by the LOU. The Working Group met monthly from 2006-2016 to foster communication and coordinate efforts around

Item: _____
Public Works Committee
October 10, 2017

maintenance issues such as illegal dumping, litter, graffiti, overgrown vegetation, homeless encampments, and other fire and health safety hazards in the City.

The LOU officially expired in January of 2016 and the City and Caltrans leadership discussed alternatives to renewing the LOU that would allow the work to continue and expand. The informal agreement that was reached at that time and has remained in effect since then includes meetings of the Working Group every other month that focus on maintenance issues, creation of a separate Land Use Working Group that also meets every other month, and careful tracking of service requests electronically through Cityworks.

The addition of the Land Use Working Group has allowed for better coordination between Caltrans' Airspace Leasing and Surplus Property Staff and City Planning, Zoning, and Economic Development Staff to better plan the use of Caltrans property within the City. This has been beneficial to both agencies and the community in that City staff who are familiar with community concerns help Caltrans identify appropriate tenants whose use will fit into the City's Specific Plans and Zoning Code and take action when tenants are not maintaining their property appropriately. It also allowed the Maintenance meetings to run more efficiently and occur less frequently. Due to the collaboration with Cityworks and the Call Center, service requests are forwarded to Caltrans immediately for follow-up.

ANALYSIS AND POLICY ALTERNATIVES

As noted above, most complaints regarding Caltrans property that the City receives are handled through the Oakland Call Center and automatically forwarded directly to the Caltrans Maintenance Supervisor. A copy is also sent to the Caltrans Working Group Coordinator for tracking purposes. 509 service requests were received in FY2014-15 and 537 were received in FY2015-16, most of which are forwarded and processed without further discussion. Service Requests of a more complex nature that may require a multi-agency response or where there are jurisdictional questions are often discussed at the Working Group. The Caltrans Working Group meetings are attended by representatives from Caltrans, Oakland Public Works, Human Services Department, and the Oakland Fire Department. Occasionally representatives from the State Assembly Office, Alameda County Vector Control, and the Oakland Police Department will attend as well. The meetings are an opportunity to discuss complex issues that require a greater level of effort to resolve than the standard call center request.

The table below highlights the accomplishments described in the attached Annual Progress Report from Caltrans for July 2014 through June 2016. **Attachment B** provides a chart showing Caltrans Maintenance Activities from 2006-2016; the duration of the agreement.

Caltrans Maintenance Activity in Oakland 2014-2016

Task	2014-15	2015-16
Rights-of-way swept (miles)	4,412	3,984
Overgrown vegetation removed (acres)	99.5	139
Graffiti removed (square feet)	492,084	1,019,112
Fences repaired (linear feet)	4,549	5,248
Homeless camps cleaned	923	2077
Adopt-a-Highway (litter bags collected)	1,258	467
Cubic yards of illegal dumping removed	415	115

Item: _____
Public Works Committee
October 10, 2017

As noted in **Attachment A**, Caltrans has calculated the cost of the above maintenance activities in Oakland for FY2014-15 to be \$2,097,957, and for FY2015-16 to be \$2,498,896. These totals represent an increase of \$394,800 and \$795,739 respectively over FY2013-14 which totaled \$1,703,157.

Current Challenges

Land Use

Although the local Caltrans leadership meets regularly with City Staff to discuss better use of Caltrans property, the standards set at the state level preclude creative new uses of under-freeway spaces that could enhance the surrounding neighborhoods. Leases cannot be executed for more than two to three years without first seeking approval to negotiate longer term leases from the California Transportation Commission. This causes months of delay in executing these leases and discourages applicants. Additionally, Caltrans is only interested in "transient uses" that do not cause people to spend any extended period of time under the freeway citing seismic concerns. Many have proposed that some of these vast areas be used to alleviate the homeless encampment crisis in Oakland and around the state but Caltrans has so far been unwilling to consider this type of use.

Public Art

City Staff have been trying to clear the path for murals to resume on Caltrans property for two years after new requirements were imposed at the state level. Caltrans requires that the City enter into an agreement with the muralists that is approved by the City Council and that the City provide certain indemnifications, restrictions, and guarantees. They also require the City to enter into an individual maintenance agreement with Caltrans that delineates these responsibilities. Staff have developed a workable maintenance agreement and are in the final stages of Caltrans approval. However, there is one extremely challenging obstacle that Caltrans has imposed at the state level: Any artist that proposes to install a mural on a Caltrans property must release all copyright claims to Caltrans. This has had a chilling effect on art projects throughout the state and sets a precedent whereby artists relinquish their rights to their creations. Caltrans has not provided any clarity about why they have taken this position. This has left many projects around the state on hold.

FISCAL IMPACT

This item is for informational purposes only and does not have a direct fiscal impact or cost.

PUBLIC OUTREACH / INTEREST

No outreach was deemed necessary for this report beyond the standard City Council agenda noticing procedures.

COORDINATION

City of Oakland Departments that participate in the Caltrans Working Group include: Oakland Public Works, Oakland Police Department, Human Services Department, and Oakland Fire Department. The City Attorney's Office and Budget Office were consulted in the preparation of this report.

SUSTAINABLE OPPORTUNITIES

Economic: The involvement of Caltrans staff in litter and debris removal and beautification will improve the physical appearance of Oakland and will help stimulate economic growth, retain business, and promote civic pride.

Environmental: Removal of dumped materials and litter will reduce the amount of debris that enters the storm drain system, polluting our creeks and waterways.

Social Equity: Enhancement of communication and coordination between the City and Caltrans will improve the appearance of Oakland and enhance the overall living conditions and safety of all Oakland residents.

ACTION REQUESTED OF THE CITY COUNCIL

Staff requests that the Council accept this Biennial progress report on Caltrans maintenance activities in the City of Oakland.

For questions regarding this report, please contact Joe DeVries, Assistant to the City Administrator, at 238-3083.

Respectfully submitted,



Joe DeVries
Assistant to the City Administrator

Attachments (1):

- A. Caltrans Progress Report, July 2014 to June 2016.
- B. Caltrans Maintenance Activity 2006-2016

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P.O. BOX 23660
OAKLAND, CA 94623-0600
PHONE (510) 286-5900
FAX (510) 286-4897
TTY 711
www.dot.ca.gov



Serious drought.
Help save water!

April 10, 2017

The Honorable Larry Reid
City Council President
City Hall-One Frank Ogawa Plaza
Oakland, CA 94612

Dear Mr. Reid,

Enclosed is the annual progress report as agreed upon by the California Department of Transportation (Caltrans) and the City of Oakland. The report addresses maintenance activities performed by Caltrans within the City of Oakland from July 1, 2014 to June 30, 2015 and July 1, 2015 to June 30, 2016.

This annual progress report summarizes the State's maintenance activities including the production of work and cost expenditures. The maintenance activities include sweeping of state right of way, adopt a highway litter removal, graffiti removal, overgrown vegetation pruning, mowing, homeless encampment removal, fence repair and illegal dumping removal.

If you need any further information, please contact David Ambuehl, Deputy District Director of Maintenance at (510) 286-5893.

Sincerely,

BIJAN SARTIPI
District Director

Listed in the table below is a breakdown of maintenance activities from July 1, 2014 to June 30, 2015:

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Listed in the table below is a breakdown of maintenance activities from July 1, 2014 to June 30, 2015:

Activity	Production	Cost
Right of Way Swept	4,412 Miles Swept	\$673,811.00
Overgrown Vegetation	99.5 Acres Pruned	\$732,513.00
Mowing / Fire Break	8 Acres Mowed	\$12,874.00
Homeless Removal	923 Sites Cleared	\$293,912.00
Fencing Repaired	4,549 Linear Feet	\$156,451.00
Graffiti Removal	492,084 Sq. Ft. Cleaned	\$166,193.00
Adopt-A-Hwy	1,258 Litter Bags	\$21,353.00
Illegal Dumping	415 Cubic Yards	\$40,850.00
		Total \$ 2,097,957.00

Listed in the table below is a breakdown of maintenance activities from July 1, 2015 to June 30, 2016:

Activity	Production	Cost
Right of Way Swept	3984 Miles swept	\$444,307.80
Overgrown Vegetation	139.35 Acres Pruned	\$532,434.46
Mowing / Fire Break	75.58 Acres Mowed	\$170,336.85
Homeless Removal	2077 Sites Cleaned	\$636,359.46
Fencing Repaired	5248 Linear Feet	\$109,310.92
Graffiti Removal	1,019,112 Sq. Ft. Cleaned	\$566,824.23
Adopt-A-Hwy	467 Litter Bags	\$11,784.13
Illegal Dumping	115.5 Cubic Yards	\$27,538.77
		Total \$2,498,896.62

Caltrans Maintenance Activity in the City of Oakland 2006-2016

Task	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16
Rights-of-way swept (miles)	1,934	4,079	3,993	2,082	2,032	3,017	4,196	3,942	4,412	3,984
Overgrown vegetation removed (acres)	155.75	110.45	76.75	107.9	74.16	92.25	230	76	99.5	139
Graffiti removed (square feet)	126,757	153,045	241,647	230,174	278,702	361,061	339,985	563,558	492,084	1,019,112
Fences repaired (linear feet)	5,811	3,167	3,712	2,210	2,343	3,105	3,233	5,134	4,549	5,248
Homeless camps cleaned	446	723	812	336	443	572	687	1030	923	2077
Adopt-a-Highway (litter bags collected)	1,957	2,080	2,534	1,822	817	626	866	1536	1,258	467
Cubic yards of illegal dumping removed*								992	415	115

* This is a new category added in 2013-14.