



## City Council Staff Report

DATE: May 18, 2016

PUBLIC HEARING

SUBJECT: PUBLIC HEARING IN ACCORDANCE WITH STREETS AND HIGHWAYS CODE SECTION 100.22 TO CONSIDER APPROVAL OF A FREEWAY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR STATE HIGHWAY ROUTE 10 (INTERSTATE 10) FROM DIABLO ROAD TO INDIAN CANYON DRIVE

FROM: David H. Ready, City Manager

BY: Public Works & Engineering Department

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### SUMMARY

State law, codified in the California Streets and Highways Code, requires local agencies to enter into agreements with the state associated with carrying local streets over, under, or to connect with a state freeway. A Freeway Agreement for Interstate 10 was previously approved by the state and Riverside County, however, following the City's annexation of lands from Riverside County extending over Interstate 10, a new Freeway Agreement between the City of Palm Springs and the state was never established. The requested action facilitates the state's requirement that the City approve a Freeway Agreement for that portion of Interstate 10 now extending through the City's limits.

### RECOMMENDATION:

Adopt Resolution No. \_\_\_\_\_ "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A FREEWAY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR STATE HIGHWAY ROUTE 10 (INTERSTATE 10), AND AUTHORIZING THE CITY MANAGE TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF PALM SPRINGS."

### STAFF ANALYSIS:

Interstate 10 was declared a state Freeway on January 18, 1950, by Resolution of the California Transportation Commission. The County of Riverside previously entered into a Freeway Agreement with the California Department of Transportation (Caltrans) dated January 3, 1967, relating to the portion of State Highway Route 10, now identified as Interstate 10, in Riverside County between Whitewater Cutoff and 0.9 mile easterly of Garnet Avenue; a copy of the existing Freeway Agreement is included as Attachment 1.

ITEM NO. 16

In 1994, the City completed Annexation No. 26, extending the city limits north of Interstate 10. However, the existing Freeway Agreement for Interstate 10 between Caltrans and Riverside County was never amended or superseded, and a new Freeway Agreement with the City was never prepared to address the change of corporate limits affecting the operation and maintenance of Interstate 10 and related local streets.

As a result of the City's completion of the Indian Canyon Drive / Interstate 10 Interchange Project in 2011, Caltrans has requested that the City approve a new Freeway Agreement to address the 2 mile segment of Interstate 10 falling within and extending through the City's corporate limits, as generally shown in Figure 1.

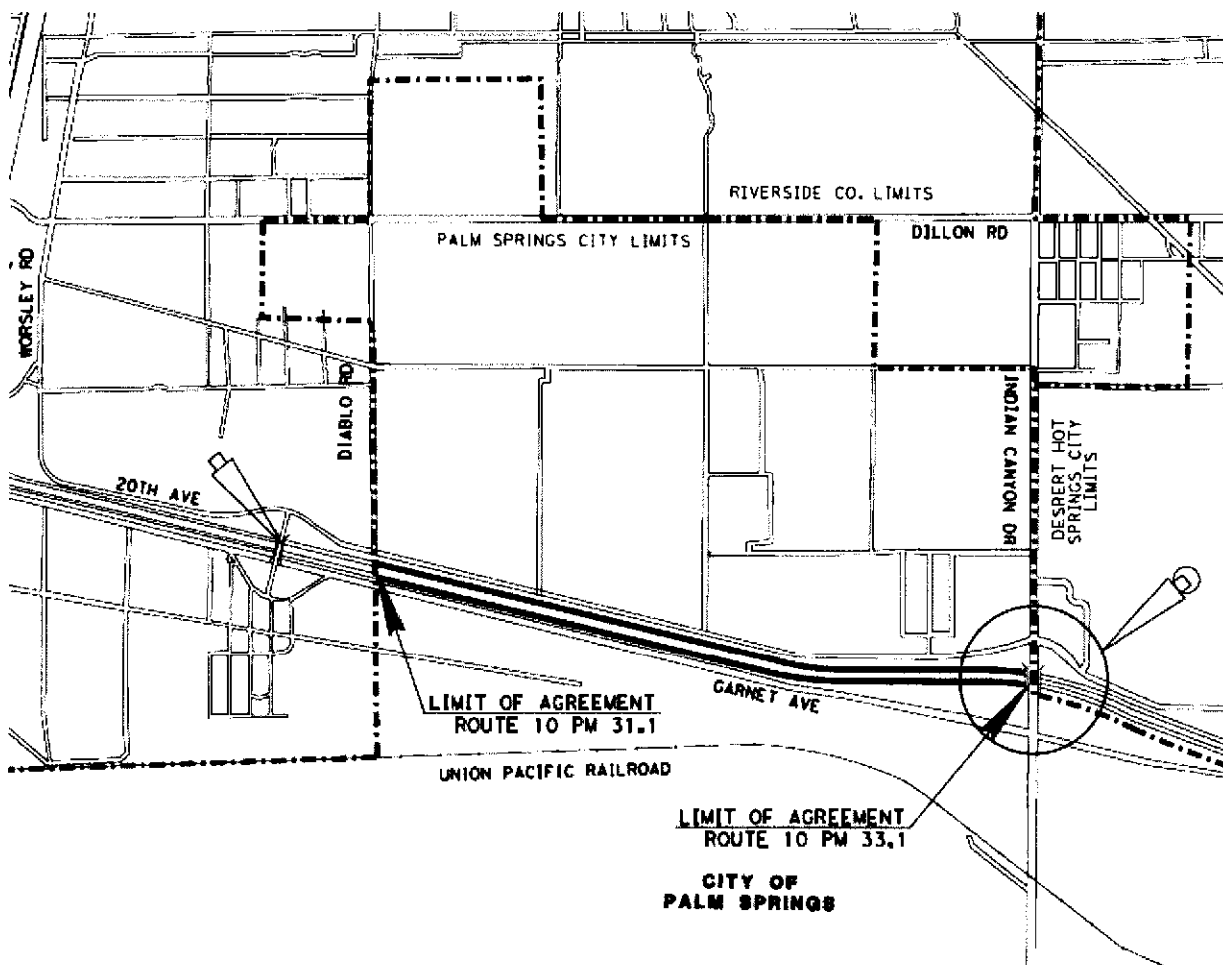


Figure 1

The Freeway Agreement is a prerequisite for future maintenance agreements and construction cooperative agreements for any freeway alterations. The Freeway Agreement outlines the general roles, requirements and responsibilities of Caltrans and the City related to Interstate 10. Since Interstate 10 was previously constructed, the Freeway Agreement recognizes the City streets connecting to it (namely, Indian Canyon

Drive). Additionally, the Freeway Agreement is a prerequisite to Caltrans' approval of a Freeway Maintenance Agreements to accommodate the recently completed Indian Canyon Drive Interchange.

ENVIRONMENTAL IMPACT:

The requested City Council action is not a "Project" as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The requested action is to adopt a Resolution approving a Freeway Agreement with the California Department of Transportation and authorizing the City Manager to execute the agreement on behalf of the City, and is exempt from CEQA pursuant to Section 15378(b), in that a "Project" does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

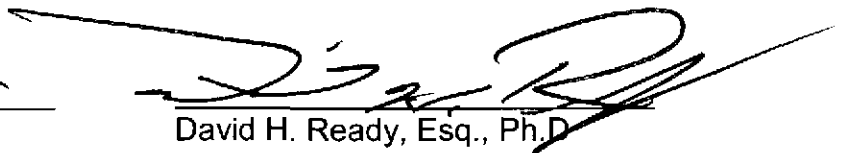
FISCAL IMPACT:

The Freeway Agreement stipulates that the funding and construction of any freeway project will be subject to separate Cooperative Agreements between Caltrans and the City, and that control and maintenance of the affected local roads remain an obligation of the City. No new fiscal impacts are generated by the City's approval of the Freeway Agreement.

SUBMITTED:



Marcus L. Fuller, MPA, P.E., P.L.S.  
Assistant City Manager/City Engineer



David H. Ready, Esq., Ph.D.  
City Manager

Attachments:

1. Existing Freeway Agreement
2. Proposed Freeway Agreement

# **ATTACHMENT 1**

## SECOND SUPPLEMENTAL FREEWAY AGREEMENT

(RIV 26-D)

1 THIS AGREEMENT made and entered into, in duplicate; this  
2 3rd day of January, 1967, by and between the STATE OF  
3 CALIFORNIA, acting by and through the Transportation Agency,  
4 Department of Public Works, Division of Highways, hereinafter  
5 for convenience referred to as "the State", and the COUNTY OF  
6 RIVERSIDE, hereinafter for convenience referred to as  
7 "the County".

WITNESSETH:

8  
9 WHEREAS, State and County have heretofore entered into  
10 a Freeway Agreement dated April 17, 1961, and a Supplemental  
11 Freeway Agreement dated January 24, 1966, relating to that  
12 certain portion of State Highway Route 10 in the County of  
13 Riverside, between Whitewater Cutoff and 0.9 mile easterly of  
14 Garnet; and

15 WHEREAS, the County has requested by resolution dated  
16 September 12, 1966, that the south frontage road be continuous  
17 westerly of Garnet to the Garnet Overcrossing; and

18 WHEREAS, the plan of construction, as shown on Exhibit "A"  
19 attached to said Agreement, has been altered in certain respects  
20 since the date of execution of said Supplemental Agreement; and

21 WHEREAS, a new plan map has been prepared showing the  
22 altered plan of construction.

23 NOW, THEREFORE, it is agreed:

24 1. This Agreement supersedes the Supplemental Freeway  
25 Agreement dated January 24, 1966, in its entirety. The plan  
26 map attached hereto, marked second revised Exhibit "A", shall  
27 be substituted for Exhibit "A" attached to the Freeway Agreement  
28 dated April 17, 1961, and become a part of said Agreement for  
29 all purposes.

30 2. The State agrees to construct at State's expense, a  
31 continuous south frontage road between Garnet and the Garnet

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Overcrossing. Riverside County will furnish the additional rights of way needed for construction of the frontage road beyond that previously acquired by the State.

3. The State may, at the State's expense, install signs, signals and other traffic control devices at appropriate locations to be determined by the State in order to regulate, warn or guide traffic upon the highways.

4. That except for the substitution of the second revised plan map, and addition of Clauses 2 and 3, said Freeway Agreement dated April 17, 1961, shall remain in full force and effect, unmodified by any provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day above first written.

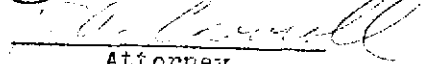
State of California  
Transportation Agency  
Department of Public Works

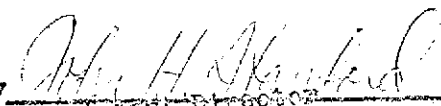
JOHN BERRECA  
Director of Public Works

APPROVED:

  
State Highway Engineer


APPROVED AS TO FORM:

  
Attorney


By   
Assistant Director

COUNTY OF RIVERSIDE, JAN 26 1967  
(a body politic)

  
Chairman, Board of Supervisors

ATTEST:  
DONALD D. SULLIVAN, Clerk  
By   
Deputy

JAN 3 - 1967

RECORDED  
DEC 28 1966  
  
RAY T. SULLIVAN, C.  
COUNTY CLERK

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on January 3, 1967, that the Chairman of this Board is authorized and directed to execute on behalf of said County of Riverside the Supplemental Agreement dated January 3, 1967, between said County and the State Department of Public Works, Division of Highways, providing for the extension of the frontage road on the southerly side of Interstate 10, a distance of about 3,600 feet, to provide for a connecting link of the proposed frontage road to the existing street in Garnet.

Roll Call resulted as follows:

Ayes: Supervisors Jones, Anderson, Davis, Seeley and McCall.  
Noes: None.  
Absent: None.

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

DONALD D. SULLIVAN, Clerk of said Board

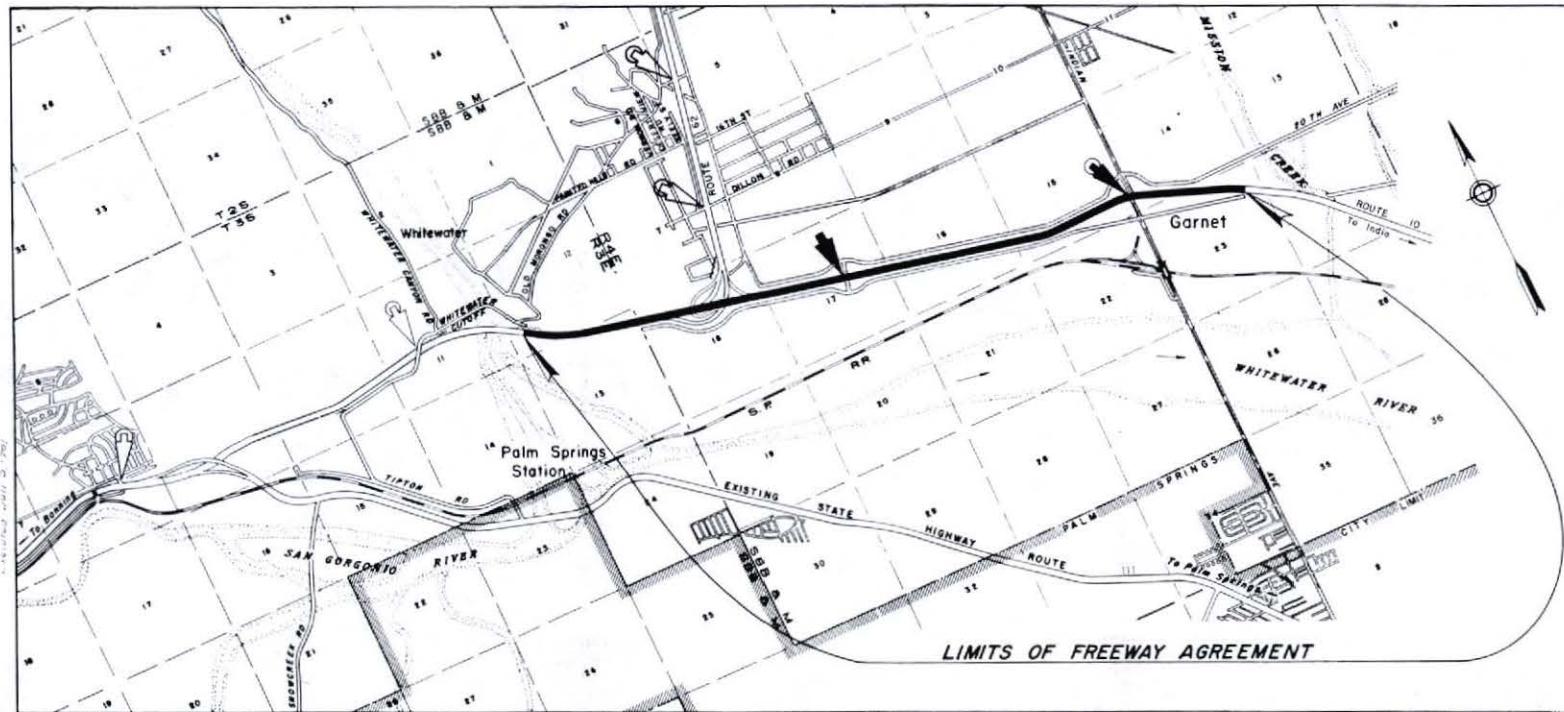
By *[Signature]* Deputy

(SEAL)

DESIGNED BY	L. W. M.	1-5-61	Checked T. D.	1-2-61
APPROVED BY	L. W. M.	1-5-61	Checked T. D.	1-19-61
DESIGNED BY DIST. ADV. PLANN. ENGR.	A. A. S.	1-27-61		
CHECKED BY	R. H.	2-1-61		

REVISED	
BY	TS
DATE	12-14-65
BY	R.H.
DATE	11-19-65
BY	R.H.
DATE	5-14-66

836801



SECOND REVISED  
**EXHIBIT A**

- LEGEND**
- ▬ INDICATES FREEWAY
  - INDICATES CONNECTIONS AND FRONTAGE ROADS
  - ◀ INDICATES GRADE SEPARATION WITH INTERCHANGE FACILITIES
  - ▶ INDICATES GRADE SEPARATION
  - INDICATES ROAD CLOSURE

STATE OF CALIFORNIA  
TRANSPORTATION AGENCY  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS

DIST. 8 - RIV 10 - 28.1 / 34.0

**FREEWAY**  
IN RIVERSIDE COUNTY  
BETWEEN  
**WHITWATER CUTOFF**  
AND  
0.9 MILE EASTERLY OF GARNET

SCALE: 1" = 3000'

*[Signature]*  
District Engineer

1966



(Riv-25-D)

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SUPPLEMENTAL FREEWAY AGREEMENT

THIS AGREEMENT made and entered into, in duplicate, this 24<sup>th</sup> day of January, 1966, by and between the STATE OF CALIFORNIA, acting by and through the Highway Transportation Agency, Department of Public Works, Division of Highways, hereinafter for convenience referred to as "the State," and the COUNTY OF RIVERSIDE, hereinafter for convenience referred to as "the County."

WITNESSETH:

WHEREAS, State and County have heretofore entered into a Freeway Agreement dated April 17, 1961, relating to that certain portion of State Highway Route 10 (formerly Route 26) in the County of Riverside, between the west junction of Route 62 (formerly Route 187) and 0.9 mile east of Garnet; and

WHEREAS, the plan of construction, as shown on Exhibit "A" attached to said agreement, has been altered in certain respects since the date of execution of said agreement; and

WHEREAS, a new plan map has been prepared showing the altered plan of construction.

NOW THEREFORE, it is agreed:

1. That the plan map attached hereto, marked revised Exhibit "A", shall be substituted for Exhibit "A" attached to the Freeway Agreement dated April 17, 1961, and become a part of said agreement for all purposes.

2. That except for the substitution of the revised plan map, said Freeway Agreement dated April 17, 1961, shall remain in full force and effect, unmodified by any provisions of this agreement.

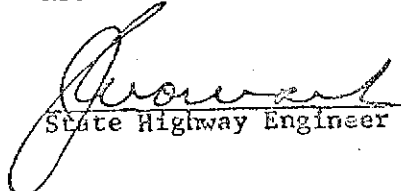
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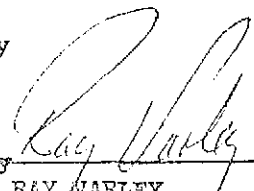
IN WITNESS WHEREOF, the parties hereunto have set their hands and seals the day above first written.

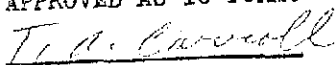
State of California  
Transportation Agency  
Department of Public Works


APPROVED:


JOHN ERRECA  
Director of Public Works

  
State Highway Engineer

By   
By RAY VARLEY  
Assistant Director FEB 17 1966  
COUNTY OF RIVERSIDE  
a body politic

APPROVED AS TO FORM:  
  
Attorney

  
Chairman, Board of Supervisors

ATTEST:  
DONALD D. SULLIVAN, Clerk  
  
Deputy

FORM APPROVED  
JAN 19 1966  
RAY T. SULLIVAN, JR.  
COUNTY COUNSEL

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on January 24, 1966, that the Chairman of this Board is authorized and directed to execute on behalf of said Supplemental County of Riverside the Freeway Agreement dated January 24, 1966, between said County and State of California, Department of Public Works, Division of Highways, providing for a change in the exhibit map on construction of a portion of Interstate 10 from the Old Morongo Road to Garnet.

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

DONALD D. SULLIVAN, Clerk of said Board

By *Edgar W. Hughes* Deputy

(SEAL)

RESOLUTION

1  
2 BE IT RESOLVED by the Board of Supervisors of the County  
3 of Riverside, State of California, in regular session assembled on  
4 September 12, 1966, that the California Division of Highways is  
5 requested, in connection with its improvement of Interstate Highway  
6 10 between Whitewater and 0.9 miles easterly of Garnet, now in  
7 progress, and the improvement and extension of the frontage road  
8 southerly thereof, to further extend said southerly frontage road a  
9 distance of approximately 3600 feet to connect with the former  
10 State Highway which runs westerly from Indian Avenue to a dead end,  
11 and thereby provide a desirable connecting link in said frontage  
12 road which would save considerable roundabout travel for property  
13 owners and local travelers in the Garnet area.

14 BE IT FURTHER RESOLVED that copies of this resolution be  
15 forwarded to the District Engineer, District VIII, Division of  
16 Highways.

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28 The foregoing is certified to be a true copy of a  
29 resolution duly adopted by said Board of Super-  
visors on the date therein set forth.

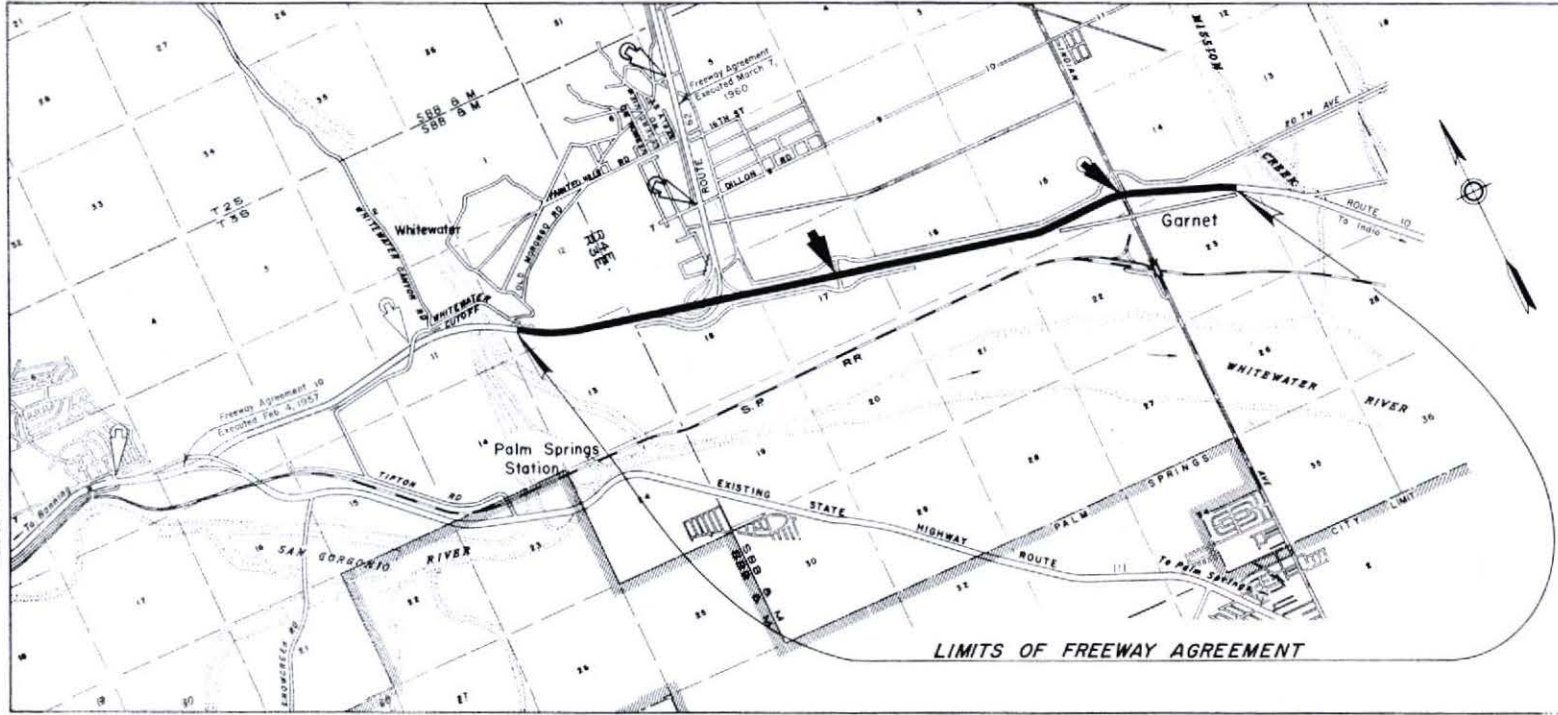
DONALD D. SULLIVAN, Clerk of said Board

By \_\_\_\_\_ Deputy

DESIGNED BY	L. W. M.	11-3-61	CHECKED BY		11-3-61
DRAWN BY	L. W. M.	11-3-61	CHECKED BY		11-3-61
REVISION BY	DATE	BY	DATE	BY	DATE
CLOSED BY	DATE	BY	DATE	BY	DATE

REVISED	
TS	11-3-65
SC	11-3-65

835902



# REVISED EXHIBIT A

- LEGEND**
- ▬ INDICATES FREEWAY
  - INDICATES CONNECTIONS AND FRONTAGE ROADS
  - ↔ INDICATES GRADE SEPARATION WITH INTERCHANGE FACILITIES
  - INDICATES GRADE SEPARATION
  - - - INDICATES ROAD CLOSURE

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS

DIST 8 - RIV 10 - 28.1 / 34.0

**FREEWAY**  
IN RIVERSIDE COUNTY  
BETWEEN  
**WHITewater CUTOFF**  
AND  
0.9 MILE EASTERLY OF **GARNET**

SCALE: 1" = 3000'

1966  
*[Signature]*  
District Engineer

SECOND SUPPLEMENTAL FREEWAY AGREEMENT (RIV-10)

THIS AGREEMENT made and entered into, in duplicate, this 7<sup>th</sup> day of August, 1965, by and between the STATE OF CALIFORNIA, acting by and through the Highway Transportation Agency, Department of Public Works, Division of Highways, hereinafter for convenience referred to as "the State," and the COUNTY OF RIVERSIDE, hereinafter for convenience referred to as "the County,"

WITNESSETH:

WHEREAS, State and County have heretofore entered into a Freeway Agreement dated July 23, 1962, and a Supplemental Freeway Agreement dated September 21, 1964, relating to that certain portion of State Highway Route 10 in the County of Riverside, between 0.9 mile east of Garnet and one mile westerly of Ramon Road; and

WHEREAS, the plan of construction, as shown on Exhibit A attached to said agreement, has been altered in certain respects since the date of execution of said supplemental agreement; and

WHEREAS, a new plan map has been prepared showing the altered plan of construction.

NOW THEREFORE, it is agreed:

1. That the plan map attached hereto, marked second revised Exhibit A, shall be substituted for revised Exhibit A attached to the Supplemental Freeway Agreement dated September 21, 1964, and become a part of said agreement for all purposes.

2. The State may, at the State's expense, install signs, signals and other traffic control devices at appropriate locations to be determined by the State in order to regulate, warn or guide traffic upon the highways.

3. That except for the substitution of the second revised

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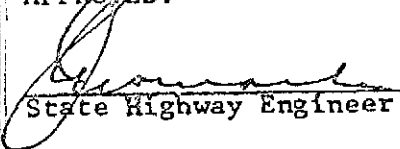
plan map, and addition of Clause 2, said Freeway Agreement dated July 23, 1962, shall remain in full force and effect, unmodified by any provisions of this agreement.

IN WITNESS WHEREOF, the parties hereunto have set their hands and seals the day above first written.

State of California  
Highway Transportation Agency  
Department of Public Works

JOHN ERRECA  
Director of Public Works

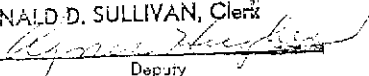
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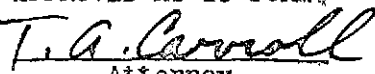
  
State Highway Engineer

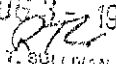
By   
RAY VARLEY  
Assistant Director AUG 2 / 1965

COUNTY OF RIVERSIDE  
(a body politic)

  
Chairman, Board of Supervisors

ATTEST:  
DONALD D. SULLIVAN, Clerk  
By   
Deputy

APPROVED AS TO FORM:  
  
Attorney

FORM APPROVED  
AUG 3 - 1965  
  
RAY T. SULLIVAN, JR.  
COUNTY COUNSEL

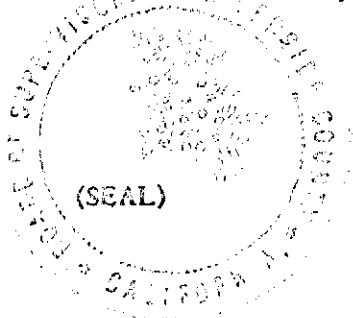
RESOLUTION

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on August 9, 1965, that the Chairman of this Board is authorized and directed to execute on behalf of said County of Riverside the Supplemental Franchise Agreement dated August 9, 1965, between said County and the State of California Highway Transportation Agency Department of Public Works, providing for an altered plan of construction of a portion of Highway 10 between 0.9 mile east of Garnet and 1 mile westerly of Ramon Road.

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

DONALD D. SULLIVAN, Clerk of said Board

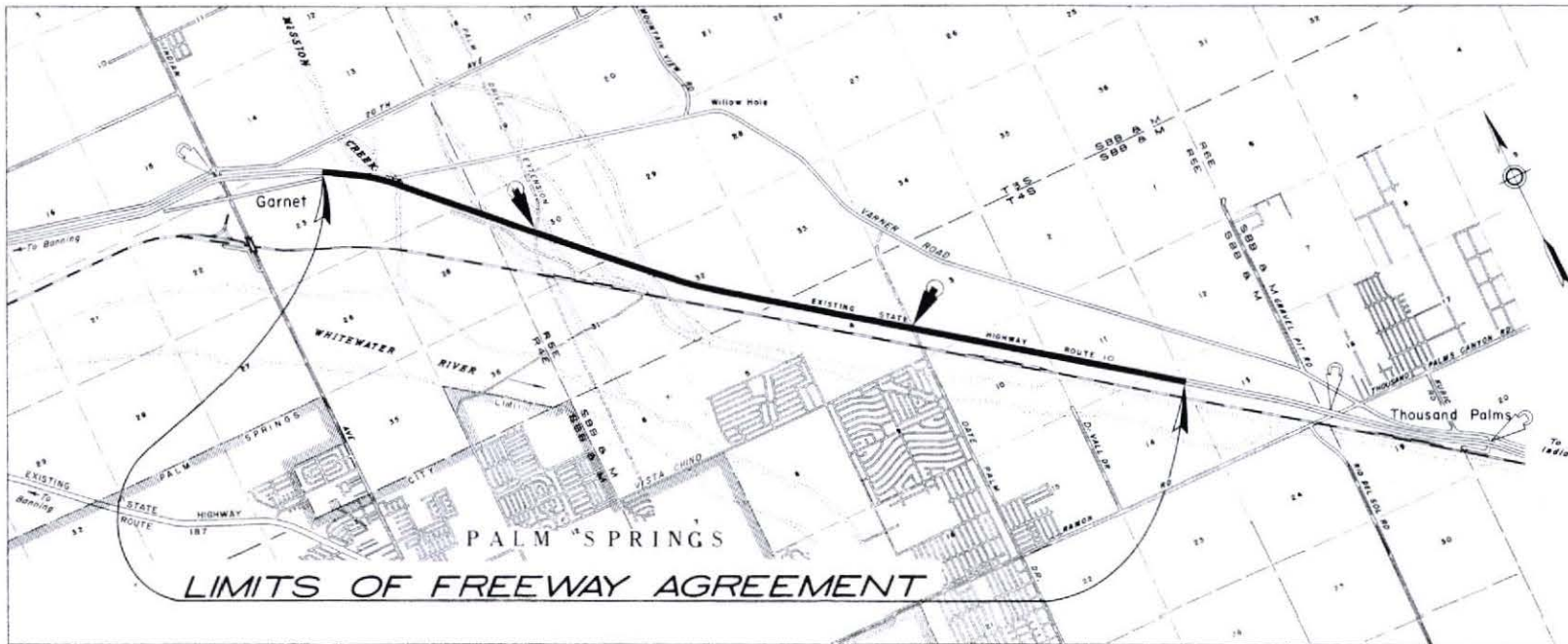
D. J. [Signature]  
Deputy





DRAWN BY: [unclear]  
 CHECKED BY: [unclear]  
 APPROVED BY: [unclear]  
 DATE: 10/11/65

827306



LIMITS OF FREEWAY AGREEMENT

SECOND REVISED  
**EXHIBIT A**

- LEGEND
- INDICATES FREEWAY
  - INDICATES CONNECTIONS AND FRONTAGE ROADS
  - INDICATES GRADE SEPARATION WITH INTERCHANGE FACILITIES
  - INDICATES ROAD CLOSURE
  - INDICATES ROADS TO BE CONSTRUCTED BY RIVERSIDE COUNTY

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS

DIST VIII - RIV - 10 - 34.0 - 42.4

**FREEWAY**  
IN RIVERSIDE COUNTY  
BETWEEN  
0.9 MILE EASTERLY OF GARNET  
AND  
ONE MILE WESTERLY OF RAMON ROAD

SCALE: 1" = 3000'

1965

*[Signature]*  
District Engineer

SUPPLEMENTAL FREEWAY AGREEMENT

(Riv-10-34.0)

THIS AGREEMENT made and entered into, in duplicate, this 21st day of September, 1964, by and between the STATE OF CALIFORNIA, acting by and through the Department of Public Works, Division of Highways, hereinafter for convenience referred to as "State", and the COUNTY OF RIVERSIDE, hereinafter for convenience referred to as "County",

WITNESSETH:

WHEREAS, State and County have heretofore entered into a Freeway Agreement dated July 23, 1962, relating to that certain portion of State Highway Route 10 in the County of Riverside, between 0.9 mile east of Garnet and one mile westerly of Ramon Road; and

WHEREAS, the plan of construction, as shown on Exhibit "A" attached to said agreement, has been altered in certain respects since the date of execution of said agreement; and

WHEREAS, a new plan map has been prepared showing the altered plan of construction.

NOW THEREFORE, it is agreed:

1. That the plan map attached hereto, marked revised Exhibit "A", shall be substituted for Exhibit "A" attached to the Freeway Agreement dated July 23, 1962, and become a part of said agreement for all purposes.

2. That except for the substitution of the revised plan map, said Freeway Agreement dated July 23, 1962, shall remain in full force and effect, unmodified by any provisions of this agreement.

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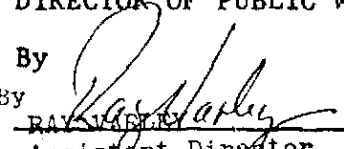
IN WITNESS WHEREOF, the parties hereunto have set their hands and seals the day above first written.

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS

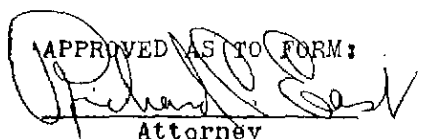
JOHN ERRECA  
DIRECTOR OF PUBLIC WORKS

APPROVED:

  
State Highway Engineer

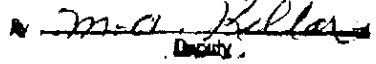
By   
RAY W. KELLY  
Assistant Director

OCT 1 1964

APPROVED AS TO FORM:  
  
Attorney

COUNTY OF RIVERSIDE  
a body politic

  
Chairman, Board of Supervisors

ATTEST:  
DONALD D. SULLIVAN, Clerk  
  
Deputy

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of the County of Riverside,  
State of California, in regular session assembled on September 21, 1964,  
that the Chairman of this Board is authorized and directed to execute on behalf of said  
County of Riverside the **Supplemental Freeway Agreement September 21, 1964,**  
dated \_\_\_\_\_,  
between said County and the State of California

providing for **a portion of Interstate Route 10 between 0.9 mile  
east of Garnet and one mile westerly of Ramon Road.**

The foregoing is certified to be a true copy of a resolution duly adopted  
by said Board of Supervisors on the date therein set forth.

DONALD D. SULLIVAN, Clerk of said Board

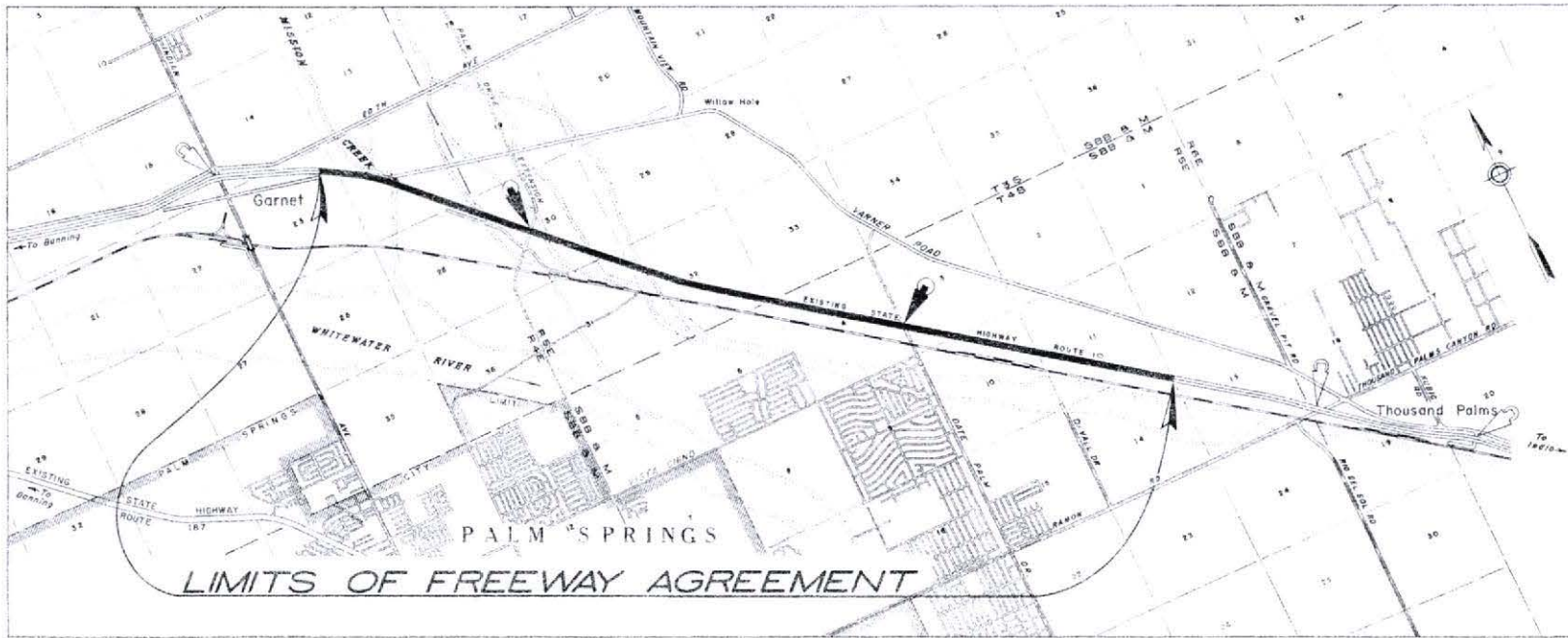
By M. A. Kellar Deputy

(SEAL)

Form 433

DATE: 11/15/64  
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 CHECKED BY: [unclear]  
 SCALE: 1" = 3000'

821504



# REVISED EXHIBIT A

- LEGEND**
- ▬ INDICATES FREEWAY
  - INDICATES CONNECTIONS AND FRONTAGE ROADS
  - ◁ INDICATES GRADE SEPARATION WITH INTERCHANGE FACILITIES
  - INDICATES ROAD CLOSURE
  - INDICATES ROADS TO BE CONSTRUCTED BY RIVERSIDE COUNTY

STATE OF CALIFORNIA  
 DEPARTMENT OF PUBLIC WORKS  
 DIVISION OF HIGHWAYS

DIST VIII - RIV - 10 - 34.0 - 42.4

**FREEWAY**  
 IN RIVERSIDE COUNTY  
 BETWEEN  
 0.9 MILE EASTERLY OF GARNET  
 AND  
 ONE MILE WESTERLY OF RAMON ROAD

SCALE: 1" = 3000'  
 1964  
 District Engineer

NEW ROUTE No. 10

827405

VIII-Riv-26-D

FREEWAY AGREEMENT

THIS AGREEMENT made and entered into, in duplicate, this 23rd day of July, 19 62, by and between the STATE OF CALIFORNIA, acting by and through the Department of Public Works, Division of Highways, hereinafter for convenience referred to as "the State," and the COUNTY OF RIVERSIDE, hereinafter for convenience referred to as "the County,"

WITNESSETH:

WHEREAS, the California Highway Commission has adopted a resolution on July 15, 1952, declaring that certain section of State Highway Route 26 between 0.9 mile east of Garnet and Thousand Palms to be a freeway, and

WHEREAS, the State and the County have heretofore entered into a Freeway Agreement dated October 27, 1952, relating to that portion of State Highway Route 26 between 0.9 mile east of Garnet and Thousand Palms, and

WHEREAS, the plan of construction as agreed upon has been completed and the County has accepted control and maintenance over the relocated and reconstructed county highways, frontage roads, and connections, and

WHEREAS, subsequent to the completion of construction of Route 26 between 0.9 mile east of Garnet and Thousand Palms the State has prepared a new plan of construction between 0.9 mile easterly of Garnet and one mile westerly of Ramon Road as it affects the highways of the County including provisions for relocation of county highways and for carrying county highways over or under or to a connection with such freeway.

NOW THEREFORE, it is agreed:

1. This agreement supersedes the freeway agreement hereinbefore described relating to that portion of Route 26 within the

1 County of Riverside between 0.9 mile east of Garnet and one  
2 mile westerly of Ramon Road. In lieu thereof, the County  
3 agrees and consents to the closing of county highways, re-  
4 location of county highways, construction of frontage roads and  
5 other local roads, and other construction affecting county  
6 highways, all as shown on the plan map attached hereto marked  
7 Exhibit "A" between 0.9 mile easterly of Garnet and one mile  
8 westerly of Ramon Road, and made a part hereof by this  
9 reference.

10 2. The State in the construction of said freeway will, at  
11 the State's expense, make such changes affecting county highways  
12 in accordance with the plan attached hereto or as the same may  
13 hereafter be modified by subsequent agreement between the  
14 parties hereto.

15 3. The State agrees to acquire all real property and  
16 interests in real property required for construction affecting  
17 county highways and the County authorizes the State to acquire  
18 in its behalf all such real property or interests in real  
19 property.

20 4. The County will accept control and maintenance over  
21 each of the relocated or reconstructed county highways and the  
22 frontage roads and other State constructed local roads on  
23 notice to the County from the State that the work thereon has  
24 been completed, except as to any portion thereof which is  
25 adopted by the State as a part of the freeway proper. The  
26 County will also accept title to the portions of such roads  
27 lying outside the freeway limits, upon relinquishment by the  
28 State.

29 5. The grade separations shown on said plan map attached  
30 hereto marked Exhibit "A" will be either undercrossings or over-  
31 crossings as detailed engineering studies may determine will

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best fit the locality.

6. It is understood that the freeway may be constructed in stages.

7. This agreement may be modified at any time by the mutual consent of the parties hereto, as may become necessary for the best accomplishment through State and County co-operation of the whole freeway project for the benefit of the people of the State and of the County.

IN WITNESS WHEREOF, the parties hereunto have set their hands and seals the day above first written.

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS

ROBERT B. BRADFORD  
DIRECTOR OF PUBLIC WORKS

APPROVED:

(SEAL)

By

/s/ J. C. Womack  
State Highway Engineer

/s/ T. F. Bagshaw  
T. Fred Bagshaw  
Assistant Director OCT 22 1962  
COUNTY OF RIVERSIDE  
(a body politic)

APPROVED AS TO FORM:

/s/ Warren P. Marsden  
Attorney

/s/ Norman J. Davis  
Chairman, Board of Supervisors  
Norman J. Davis  
(SEAL)

ATTEST:  
G. A. PEQUEGNAT, Clerk  
By /s/ M. A. Kellar  
Deputy



RESOLUTION

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on July 23, 1962, that the Chairman of this Board is authorized and directed to execute on behalf of said County of Riverside the Freeway Agreement dated July 23, 1962, between said County and the State of California, Department of Public Works, Division of Highways providing for additional improvement on State Highway Route 26 between 0.9 mile east of Garnet and one (1) mile westerly of Ramon Road, for an interchange at a future road connecting Palm Drive in Desert Hot Springs with El Cielo Road in Palm Springs and for an interchange which will give access to combined Vista Chino and Date Palm Drive and a connection to **Varner Road.**

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

Entered in Book 65 at page 211, Supervisors Minutes.

(SEAL)

G. A. PEQUEGNAT, Clerk of said Board

By M. A. Kellar Deputy

DESIGNED BY	DATE	CHECKED BY	DATE
APPROVED BY	DATE	DATE	DATE
COUNTY	BY	DATE	DATE

817405

NEW ROUTE No. 10

# EXHIBIT A

## LEGEND

- INDICATES FREEWAY
- INDICATES CONNECTIONS AND FRONTAGE ROADS
- ◀▶ INDICATES GRADE SEPARATION WITH INTERCHANGE FACILITIES
- INDICATES ROAD CLOSURE
- INDICATES ROADS TO BE CONSTRUCTED BY RIVERSIDE COUNTY

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF HIGHWAYS

DIST VIII - RIV-26-D

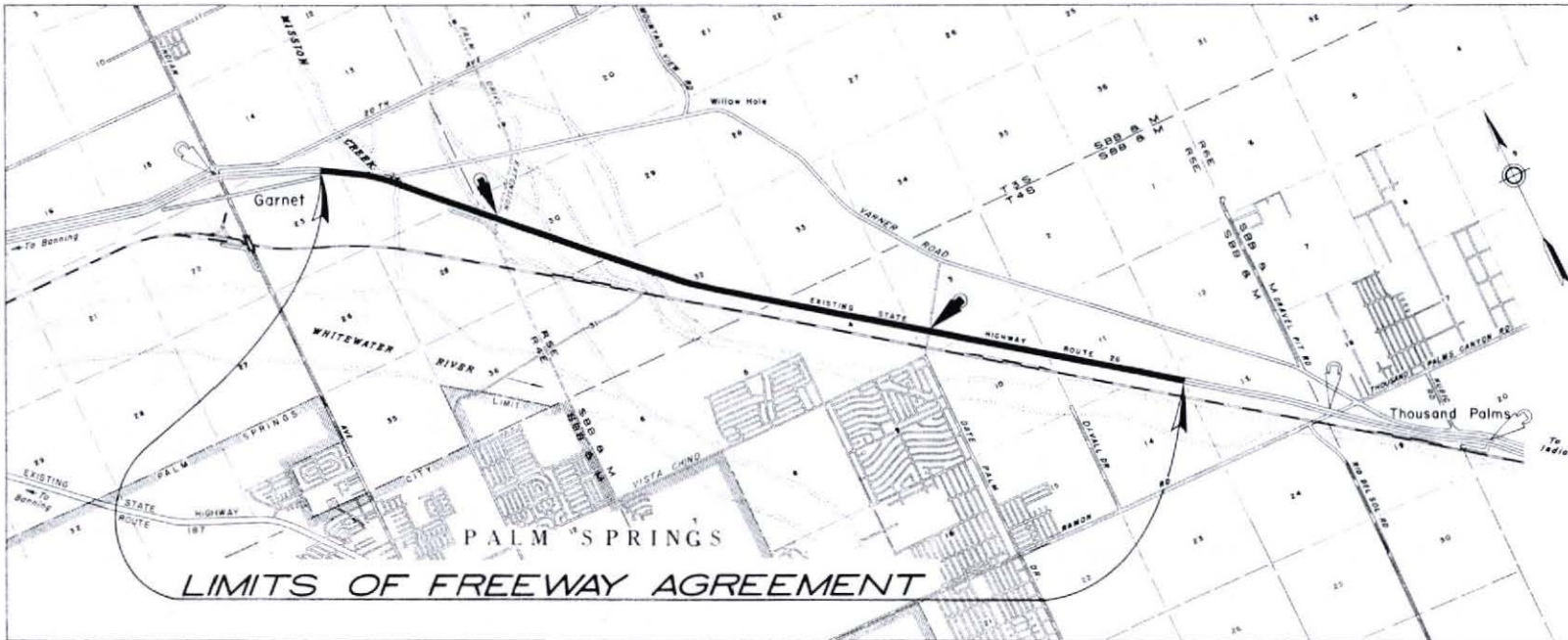
**FREEWAY**  
IN RIVERSIDE COUNTY  
BETWEEN  
0.9 MILE EASTERLY OF GARNET  
AND  
ONE MILE WESTERLY OF RAMON ROAD

SCALE: 1" = 3000'

1962

*D. L. Kane*  
District Engineer

817405



# **ATTACHMENT 2**

## **FREEWAY AGREEMENT**

THIS AGREEMENT, made and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the STATE OF CALIFORNIA acting by and through the Department of Transportation (herein referred to as "STATE"), and the City of Palm Springs (herein referred to as "CITY"),

WITNESSETH:

WHEREAS, the highway described above has been declared to be a freeway by Resolution of the California Transportation Commission on January 18, 1950; and

WHEREAS, STATE and County of Riverside have entered into a Freeway Agreement dated January 3, 1967, relating to the portion of State Highway Route 10 between Whitewater Cutoff and 0.9 mile easterly of Garnet; and

WHEREAS, CITY has subsequently incorporated and included certain areas including portions of such freeway covered by said Freeway Agreement dated January 3, 1967 with the County of Riverside; and

WHEREAS, a plan map for such freeway has been prepared showing the proposed plan of the STATE as it affects streets of the CITY; and

WHEREAS, it is the mutual desire of the parties hereto to enter into a new Freeway Agreement in accordance with the revised plan of said freeway;

NOW, THEREFORE, IT IS AGREED:

1. This Agreement supersedes that portion of said Freeway Agreement, dated January 3, 1967, from Diablo Road to Indian Canyon Drive.
2. CITY agrees and consents to the closing of CITY streets, relocation of CITY streets, construction of frontage roads and other local streets, and other construction affecting CITY streets, all as shown on the plan map attached hereto marked Exhibit A and made a part hereof by this reference.
3. The obligations of STATE and CITY with respect to the funding and construction of the freeway project will always be dealt with in separate Cooperative Agreement(s) between the parties, and any amendments thereto, or Encroachment Permits issued to CITY. The parties responsible for the construction of the freeway shall make any changes affecting CITY roads only in accordance with the plan map attached hereto, marked Exhibit A.
4. The obligations of STATE and CITY with respect to the acquisition of the rights of way required for the construction, reconstruction, or alteration of the freeway and CITY

roads, frontage roads, and other local roads will always be dealt with in separate Cooperative Agreement(s) between the parties, and any amendments thereto or Encroachment Permits issued to CITY.

5. It is understood between the parties that the rights of way may be acquired in sections or units, and that both as to the acquisition of right of way and the construction of the freeway project, the obligations of STATE and CITY hereunder shall be carried out at such time and for such unit or units of the project as funds are budgeted and made lawfully available for such expenditures.

6. CITY will accept control and maintenance over each of the relocated or reconstructed CITY roads, any frontage roads, and other local roads constructed as part of the project, on receipt of written confirmation that the work thereon has been completed, except for any portion which is adopted by STATE as a part of the freeway proper. If acquired by STATE, CITY will accept title to the portions of such roads lying outside the freeway limits upon relinquishment by STATE.

7. This Agreement may be modified at any time by the mutual consent of the parties hereto, as needed to best accomplish, through STATE and CITY cooperation, the completion of the whole freeway project for the benefit of the people of the STATE and of the CITY.

08-Riv-10-PM 31.1/33.1  
In the City of Palm Springs  
On Route 10 from Diablo Rd  
To Indian Canyon Rd

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed  
by their respective duly authorized officers.

STATE OF CALIFORNIA  
Department of Transportation

CITY OF PALM SPRINGS

MALCOLM DOUGHERTY Director,  
Department of Transportation

By: \_\_\_\_\_  
John Bulinski  
District 8 Director

By: \_\_\_\_\_  
City Manager

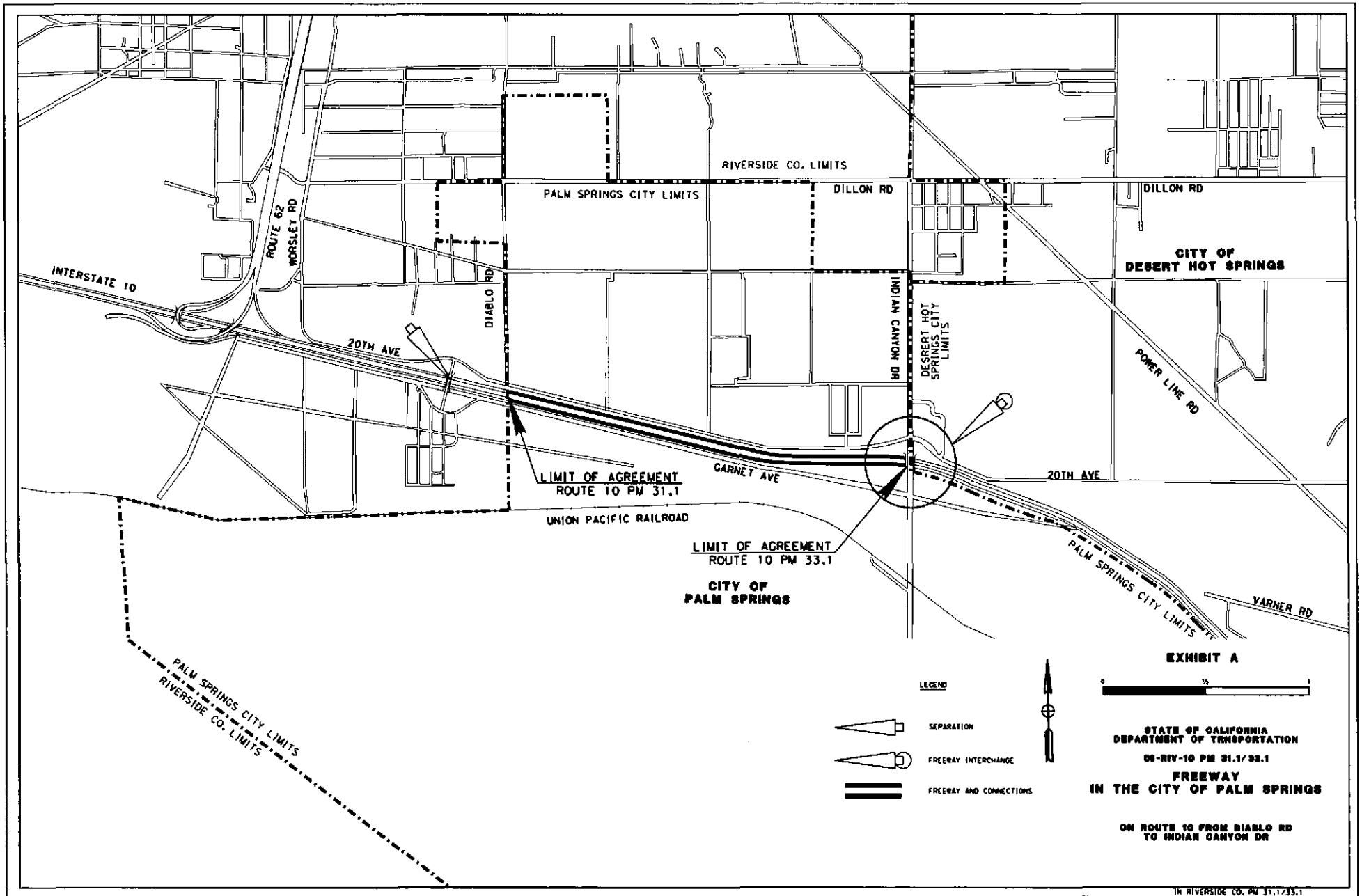
APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Attorney (State)

By: \_\_\_\_\_  
Attorney (City)

Attest: \_\_\_\_\_  
City Clerk



IN RIVERSIDE CO. PM 31.1/33.1

# **ATTACHMENT 3**



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, APPROVING A FREEWAY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR STATE HIGHWAY ROUTE 10 (INTERSTATE 10), AND AUTHORIZING THE CITY MANAGE TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF PALM SPRINGS

**WHEREAS**, Interstate 10 has been declared to be a freeway by Resolution of the California Transportation Commission on January 18, 1950; and

**WHEREAS**, the California Department of Transportation (Caltrans), and the County of Riverside, previously entered into a Freeway Agreement dated January 3, 1967, relating to the portion of State Highway Route 10, also identified as Interstate 10, between Whitewater Cutoff and 0.9 mile easterly of Garnet Avenue; and

**WHEREAS**, the City of Palm Springs has subsequently annexed certain areas within Riverside County, including portions of State Highway Route 10 (Interstate 10) which were identified in the Freeway Agreement dated January 3, 1967, approved by Caltrans and the County of Riverside; and

**WHEREAS**, on May 18, 2016, the City Council of the City of Palm Springs held a duly noticed public hearing in accordance with the provisions of Section 100.22 of the California Streets and Highways Code, and following the close of said public hearing, considered approval of a Freeway Agreement with Caltrans for State Highway Route 10 (Interstate 10) within the corporate limits of the City of Palm Springs.

**THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. The City Council hereby approves a Freeway Agreement with the California Department of Transportation for State Highway Route 10, also known as Interstate 10, within the corporate limits of the City of Palm Springs, generally defined as the segment between the southerly extension of Diablo Road on the west (Route 10 Post Mile 31.1) and Indian Canyon Drive on the east (Route 10 Post Mile 33.1).

Section 2. The City Manager is hereby authorized to execute the Freeway Agreement on behalf of the City of Palm Springs.

Resolution No. \_\_\_\_\_

Page 2

ADOPTED this 18th day of May, 2016.

\_\_\_\_\_  
DAVID H. READY, CITY MANAGER

ATTEST:

\_\_\_\_\_  
JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. \_\_\_\_\_ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on May 18, 2016, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
JAMES THOMPSON, CITY CLERK  
City of Palm Springs, California