

DATE ISSUED: November 15, 2000

REPORT NO. 00-239

ATTENTION: Honorable Mayor and City Council  
Docket of November 20, 2000

SUBJECT: Sorrento Overhead - Transfer of Bridge and Bridge Easement

REFERENCE: Deputy Mayor Mathis' Memorandum dated August 3, 1999  
City of Del Mar's Letter dated December 21, 1999

### SUMMARY

Issue - Should the City Council authorize the City Manager to transfer Bridge Number 57C-207 and its easement and right-of-way to the City of Del Mar, along with all maintenance and liability responsibility?

Manager's Recommendation - Authorize the transfer, including all maintenance and liability responsibility, in accordance with Municipal Code, Section 22.0907 (Sale of Real Property to Public Agencies).

Other Recommendations - None.

Fiscal Impact - None with this action. However, long term maintenance costs would be transferred to the City of Del Mar upon acceptance of the bridge by Del Mar and attendant transfer of Capital Improvement responsibilities, CIP No. 52-557.0 can be canceled.

### BACKGROUND

North Torrey Pines Road Bridge at San Diego Northern Railway (Sorrento Overpass) lies within both the City of San Diego and the City of Del Mar. This bridge has been identified to be structurally deficient and functionally obsolete. It has been rated a Category 1 bridge for seismic safety, which means the State has mandated that it be replaced or brought up to current seismic standards.

In 1993, the City of San Diego hired a bridge engineering consultant to perform initial assessments to determine if the bridge should be seismically retrofitted or if a total replacement would be warranted. Based on their analyses, they recommended replacement as the best course of action based on efficient use of public funds considering design constraints, the community plan, and the age/condition of the existing structure.

In 1995, the City of San Diego retained another bridge design firm to provide preliminary engineering for a project to replace the bridge. At the same time, a Mitigated Negative Declaration was prepared for the replacement of this structure to include a second northbound

lane terminating as a right turn onto Carmel Valley Road. However, in January 1999, the City of Del Mar took action to declare the bridge historic without notifying the City of San Diego, despite the fact that the two Cities shared the “ownership” of the bridge. Subsequently, this action caused problems with the proposed project in that the prior evaluation by Caltrans which found the historical value to be non-significant, was reversed following the declaration by Del Mar. It became very clear that the most expeditious way to move the project forward would be to transfer ownership and liability responsibility to Del Mar since their interests lay in a seismic retrofit which did not meet the community plan needs of the City of San Diego and would likely be a costly retrofit leaving a bridge that would still need replacement at some point given the age/condition of the structure. In addition, it should be noted that Seismic Retrofit strategies are not complete “fixes” of bridges. The goal of seismic retrofit is to keep the bridge from collapsing during a “design” seismic event (but likely to need traffic restrictions immediately thereafter since a major aftershock could cripple or destroy the bridge). Of course, events of lesser magnitude than the design event, would cause an evaluation of structural integrity to be needed, but would not likely result in collapse. While replacement would address these factors more favorably through more modern design/construction materials, the City of Del Mar was clear in their strong opposition to the bridge having the northbound right turn added and instead favoring seismic retrofit to address the condition of the bridge. Putting these factors together, it seemed prudent to transfer ownership of the bridge to Del Mar to pursue the retrofit project they favored.

## DISCUSSION

City staff has met with Del Mar and Del Mar’s attorneys to review the transfer of ownership of the City’s interest in the bridge to Del Mar. The agreement drafted would transfer the bridge structure and bridge easement (property) within the city limits of San Diego to the City of Del Mar. It is for the public best interest to have only one municipality own the bridge. If the City transfers its ownership in the bridge and bridge easement to Del Mar, it would not alter the current City of San Diego boundary or affect the City’s jurisdiction at this time. The City Attorney’s Office has opined that since the bridge and bridge easement are required for public roadway purposes, the sale price of \$1 is fair, equitable and in the public interest. The City of San Diego would also be fully relieved of its current obligations of liability, ongoing maintenance and repair (including the current problems with concrete breaking off and falling onto the pedestrian path below which has resulted in the interim closure of the pedestrian path beneath the bridge during on-going controversy over the proposed bridge project). In addition, the agreement states that the City of Del Mar shall insure equal access of the bridge to the citizens of both cities and to the general public under the same terms and conditions as existed prior to the transfer; during construction or maintenance, any traffic plans or conditions necessary for the temporary closure or restriction of vehicular or pedestrian traffic shall be submitted to the City of San Diego for review; the City of Del Mar will retain, at a minimum, the existing bridge width curb-to-curb; the City of San Diego agrees to cooperate in good faith with the City of Del Mar to modify the boundary line between City San Diego and City of Del Mar so that the entire Bridge Property will be within the jurisdictional boundary of City of Del Mar; and the City of Del Mar agrees to take all necessary action to accomplish the retrofit/repair or replacement and ongoing maintenance of the Bridge Property.

ALTERNATIVE

Do not authorize the conveyance negotiations with the City of Del Mar and retain title to the bridge within the City limits. This alternative is not recommended because dual ownership of the bridge is not conducive to project delivery given the circumstances.

Respectfully submitted,

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Chief Deputy Director  
Transportation and Drainage Design  
Engineering & Capital Projects

Approved: Frank Belock, Jr.  
Deputy City Manager

BELOCK/BOEKAMP/KS

Attachments: 1. Memo from Deputy Mayor Mathis dated August 3, 1999  
2. Letter from the City of Del Mar dated December 21, 1999

Note: The attachments are not available in electronic format. Copies of the attachments are available for review in the Office of the City Clerk.