

**AGREEMENT FOR SHARING COST OF STATE HIGHWAY
ELECTRICAL FACILITIES WITH CITY OF COSTA MESA**

THIS AGREEMENT is made effective this _____ day of _____, 20____, by and between the State of California, acting by and through the Department of Transportation, hereinafter referred to as "STATE" and the CITY of COSTA MESA, hereinafter referred to as "CITY" and collectively referred to as "PARTIES."

This Agreement shall supersede any previous Agreement and/or Amendments thereto for sharing State-incurred costs with the CITY.

The cost of operating and maintaining flashing-beacons traffic-signals, traffic-signal systems, safety-lighting, and sign-lighting now in place at the intersection of any State Highway Route and any CITY street/road shall be shared as shown in Exhibit "A".

The PARTIES agreed to enter a three (3) year pilot agreement to implement a proportional cost-sharing arrangement for traffic signal maintenance located within the I-405 freeway proper. Existing cost-sharing arrangements at other locations remain in effect. Approaching the conclusion of the pilot period, the STATE shall convene the PARTIES to initiate a joint review of the arrangement to determine future cost-sharing strategies.

NOW THEREFORE IT IS AGREED:

1. Basis for Billing:

1.1. It is agreed that monthly billings for flashing-beacons, traffic-signals, and traffic-signal systems shall be based on actual intersection costs, which are as follows:

1.1.1. Maintenance Labor, including overhead assessment, other expenses including, equipment, materials, and miscellaneous expenses

1.1.2. Electrical energy

1.2. It is agreed that quarterly billings for safety-lighting and sign-lighting shall be based on calculated unit-costs derived by averaging STATE's District-wide costs each quarter. Costs are as follows:

1.2.1. Maintenance Labor, including overhead assessment, other expenses including, equipment, materials, and miscellaneous expenses

1.2.2. Electrical energy

1.3. It is agreed that quarterly billings invoiced to CITY for STATE-owned and maintained electrical facilities identified in Exhibit "A" will be based on actual costs paid by

STATE, when derived from utility company billings. STATE will bill CITY quarterly in arrears for any CITY share of electrical facilities expenses shown in Exhibit "A".

2. Exhibit "A" will be amended, as necessary by written concurrence of both parties, to reflect changes to the system.
3. STATE costs and expenses assumed under the terms of this Agreement are conditioned upon the passage of the annual State of California Budget by the Legislature, the allocation of funding by the California Transportation Commission as appropriate, and the encumbrance of funding to the District Office of STATE to pay the billings by CITY.
4. LEGAL RELATIONS AND RESPONSIBILITIES
 - 4.1. Nothing within the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not PARTIES to this Agreement or to affect the legal liability of a PARTY to the Agreement by imposing any standard of care with respect to the operation and maintenance of STATE highways and local facilities different from the standard of care imposed by law.
 - 4.2. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by STATE, under or in connection with any work, authority or jurisdiction conferred upon STATE arising under this Agreement. It is understood and agreed that STATE shall fully defend, indemnify and save harmless CITY and all of their officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortuous, contractual, inverse condemnation and other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this Agreement with exception of those actions of STATE necessary to cure a noticed default on the part of the CITY.
 - 4.3. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction conferred upon CITY/COUNTY and arising under this Agreement. It is understood and agreed that CITY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortuous, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY under this Agreement.
5. TERMINATION - This Agreement may be terminated by timely mutual written consent by PARTIES; by either party upon thirty (30) days' notice to the other party.
6. TERM OF AGREEMENT - This Agreement shall become effective on the date first shown on its face sheet and shall remain in full force and effect for three (3) years from the effective date. This agreement may also be amended, terminated at any time upon mutual consent of the PARTIES or terminated by STATE for cause.

PARTIES are empowered by Streets and Highways Code Section 114 and 130 to enter into this Agreement and have delegated to the undersigned the authority to execute this Agreement on behalf of the respective agencies and covenants to have followed all the necessary legal requirements to validly execute this Agreement.

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

THE CITY OF COSTA MESA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By: _____
Mayor/Chairmen

TOKS OMISHAKIN
Director of Transportation

Initiated and Approved

By: _____
City/County Manager

By: _____
Roberta C. Hettick, P.E.
Deputy District Director
Operations and Maintenance
District 12

ATTEST:

By: _____
City/County Clerk

By: _____
City/County Attorney

EXHIBIT “A”

Revised: Oct 10, 2025

CITY OF COSTA MESA
 ELECTRICAL FACILITIES MAINTENANCE BY STATE
 DISTRIBUTION OF COST
 STATE OWNED AND MAINTAINED

E-Number	Route	Location	Type of Facility	Unit	Cost Distribution	
<u>Post Mile</u>					<u>State (%)</u>	<u>City (%)</u>
FOR I-405 ONLY – COST DISTRIBUTION FOR MAINTENACE, OPERATIONS AND ENERGY ARE DISTRIBUTED PORPORTIONALLY BETWEEN STATE AND CITY.						
E0301	I-405 NB		<u>Signal</u>			
405	Anton off ramp		Type “P”		33	67
9.10						
			<u>Intersection Light</u>			
			Type “E”			
			2-LED	0.8	33	67
			<u>Illuminated Signs</u>			
			Type “G”			
			2-SNB	4.0	0	100
E0212	I-405 NB off-ramp		<u>Signal</u>			
405	Avenue of the Arts		Type “P”		25	75
9.22						
			<u>Intersection Light</u>			
			Type “E”			
			4-LED	1.6	25	75
E0807	I-405 NB		<u>Signal</u>			
405	Bristol off ramp		Type “P”		25	75
9.51						
			<u>Intersection Light</u>			
			Type “E”			
			4-LED	1.6	25	75
			<u>Illuminated Signs</u>			
			Type “G”			
			2-SNB	4.0	0	100

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				<u>State (%)</u>	<u>City (%)</u>
E0209 405 9.50	I-405 SB Bristol	<u>Signal</u> Type "P"		33	67
		<u>Intersection Light</u> Type "E" 4-LED	1.6	33	67
		<u>Illuminated Signs</u> Type "G" 2-SNB	4.0	0	100
E0208 405 10.3	I-405 NB off-ramp South Coast Dr	<u>Signal</u> Type "P"		33	67
		<u>Intersection Light</u> Type "E" 4-LED (165W)	2.0	33	67
		<u>Illuminated Signs</u> Type "G" 2-SNB	4.0	0	100
E0805 405 10.78	I-405 NB Fairview	<u>Signal</u> Type "P"		50	50
		<u>Intersection Light</u> Type "E" 7-LED (235W)	4.2	50	50
		<u>Illuminated Signs</u> Type "G" 2-SNB	4.0	0	100

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				<u>State (%)</u>	<u>City (%)</u>
E0756 405 10.80	I-405 SB Fairview	<u>Signal</u> Type "P"		50	50
		<u>Intersection Light</u> Type "E" 5-LED (235W)	3.0	50	50
		<u>Illuminated Signs</u> Type "G" 2-SNB	4.0	0	100
E0170 405 11.2	Susan St NB off-ramp	<u>Signal</u> Type "P"		33	67
		<u>Intersection Light</u> Type "E" 3-LED	1.2	33	67
		<u>Illuminated Signs</u> Type "G" 3-SNB	6.0		100
E0893 405 11.44	I-405 SB Harbor	<u>Signal</u> Type "P"		33	67
		<u>Intersection Light</u> Type "E" 5-LED (235W)	3.0	33	67
		<u>Illuminated Signs</u> Type "G" 1-SNB	1.0	0	100

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				<u>State (%)</u>	<u>City (%)</u>
E0752 405 11.46	I-405 NB Harbor	<u>Signal</u> Type "P"		33	67
		<u>Intersection Light</u> Type "E" 4-LED	1.6	33	67
		<u>Illuminated Signs</u> Type "G" 1-SNB	2.0	0	100
E0211 405 11.8	I-405 NB on-ramp South Coast/Hyland	<u>Signal</u> Type "P"		33	67
		<u>Intersection Light</u> Type "E" 3-LED (165W)	1.2	33	67
		<u>Illuminated Signs</u> Type "G" 2-SNB	4.0	0	100

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<u>Post Mile</u>					<u>State (%)</u>	<u>City (%)</u>
FOR SR-55 & SR-73 - COST DISTRIBUTION = 100% STATE ON OPERATIONS & MAINTENANCE; 100% CITY ON ENERGY						
					Maintenance	Energy
E0377	SR 55		<u>Signal</u>			
055	Newport and		Type "P"		100	100
1.01	Industrial Way					
			<u>Intersection Light</u>			
			Type "E"			
			6-LED	2.4	100	100
			<u>Illuminated Signs</u>			
			Type "G"			
			4-SNB	8.0	100	100
					Maintenance	Energy
E0378	SR 55		<u>Signal</u>			
055	Newport and		Type "P"		100	100
1.23	16 th Street					
			<u>Intersection Light</u>			
			Type "E"			
			6-LED	2.4	100	100
			<u>Illuminated Signs</u>			
			Type "G"			
			4-SNB	8.0	100	100

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				<u>State (%)</u> Maintenance	<u>City (%)</u> Energy
E0731 055 1.45	SR 55 Newport and 17 th Street	<u>Signal</u> Type "P"		100	100
		<u>Intersection Light</u> Type "E" 5-LED	2.0	100	100
		<u>Illuminated Signs</u> Type "G" 4-SNB	8.0	100	100
E0380 055 1.67	SR 55 Newport and Rochester	<u>Signal</u> Type "P"		100	100
		<u>Intersection Light</u> Type "E" 5-LED	2.0	100	100
		<u>Illuminated Signs</u> Type "G" 4-SNB	8.0	100	100
E0382 055 1.82	SR 55 Newport and Harbor Blvd	<u>Signal</u> Type "P"		100	100
		<u>Intersection Light</u> Type "E" 4-LED	1.6	100	100
		<u>Illuminated Signs</u> Type "G" 3-SNB	6.0	100	100

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			<u>Unit</u>	<u>State (%)</u> <u>City (%)</u>
				Maintenance Energy
E0873 055 1.89	SR 55 Broadway	<u>Signal</u> Type "P"		100 100
		<u>Intersection Light</u> Type "E"		
		4-LED	1.6	100 100
		<u>Illuminated Signs</u> Type "G"		
		2-SNB	4.0	100 100
E0383 055 2.02	SR 55 Newport and 19 th Street	<u>Signal</u> Type "P"		100 100
		<u>Intersection Light</u> Type "E"		
		4-LED	1.6	100 100
		<u>Illuminated Signs</u> Type "G"		
		4-SNB	8.0	100 100
E0895 055 5.31	SR 55 NB Baker	<u>Signal</u> Type "P"		100 100
		<u>Intersection Light</u> Type "E"		
		3-LED	1.2	100 100
		<u>Illuminated Signs</u> Type "G"		
		1-SNB	2.0	100 100

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				<u>State (%)</u> Maintenance	<u>City (%)</u> Energy
E0835 055 5.33	SR 55 SB Baker	<u>Signal</u>			
		Type "P"		100	100
		<u>Intersection Light</u>			
		Type "E" – 3-LED	1.2	100	100
		Type "L" – 1-LED	0.4	100	100
		<u>Illuminated Signs</u>			
E0896 055 5.50	SR 55 NB Paularino	<u>Signal</u>			
		Type "P"		100	100
		<u>Intersection Light</u>			
		Type "E" 3-LED	1.2	100	100
		<u>Illuminated Signs</u>			
		Type "G" 1-SNB	2.0	100	100
E0587 055 5.53	SR 55 SB Paularino	<u>Signal</u>			
		Type "P"		100	100
		<u>Intersection Light</u>			
		Type "E" 3-LED	1.2	100	100
		<u>Illuminated Signs</u>			
		Type "G" 1-SNB	2.0	100	100

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			<u>Unit</u>	<u>State (%)</u> Maintenance	<u>City (%)</u> Energy
E1197 073 7.30	SR 73 Bear SB	<u>Signal</u> Type "P"		100	100
		<u>Intersection Light</u> Type "E" 4-LED	1.6	100	100
		<u>Illuminated Signs</u> Type "G" 1-SNB	2.0	100	100
E1299 073 7.30	SR 73 Bear NB	<u>Signal</u> Type "P"		100	100
		<u>Intersection Light</u> Type "E" 4-LED	1.6	100	100
		<u>Illuminated Signs</u> Type "G" 1-SNB	2.0	100	100