



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Albert Balagso

SUBJECT: SEE BELOW

DATE: 01-03-07

Approved *Deanna Fabre*

Date *1/8/07*

COUNCIL DISTRICTS: 3, 6
SNI AREA: Washington

SUBJECT: AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND EXECUTE A COST-SHARING AGREEMENT WITH THE SANTA CLARA VALLEY WATER DISTRICT FOR PREPARATION OF A GEOTECHNICAL INVESTIGATION REPORT ASSOCIATED WITH THE TRAIL: GUADALUPE RIVER TRAIL REACH 6 PROJECT

RECOMMENDATION

Adoption of a resolution authorizing the City Manager to negotiate and execute a cost-sharing agreement with the Santa Clara Valley Water District (SCVWD) for preparation of a Geotechnical Investigation Report to define underlying soil conditions enabling the City to design the TRAIL: Guadalupe River Reach 6 Project in the amount of \$35,287 and, the SCVWD to define the preferred approach and design of flood management improvements in the amount of \$71,406, for a total cost sharing agreement not to exceed \$106,693.

OUTCOME

Execution of a cost-sharing agreement permits agencies to: 1) gather data necessary for trail and flood management projects; 2) eliminate duplicate investigatory work that would otherwise be conducted independently by each agency; and 3) individually design projects in a complementary fashion.

EXECUTIVE SUMMARY

Staff seeks City Council approval for a cost-sharing agreement for preparation of a Geotechnical Investigation Report. The report will permit staff to determine a preferred trail alignment that is consistent with the SCVWD's strategy for flood management in the area. The SCVWD requires

the same data to plan for flood management improvements. By conducting the study on behalf of both agencies, decisions regarding the design of both projects can proceed in a timely manner.

BACKGROUND

In November 2000, the San José voters approved Measure P, a Park and Recreation Bond Measure for improvements and renovations of City parks and recreation facilities. The Bond provided funding for development of a trail along the Guadalupe River, from Interstate 280 to Virginia Street.

In November 2000, the SCVWD secured funding through the voter-approved Measure B Clean Safe Creeks and Natural Flood Protection Program to proceed with flood management improvements within the trail project area.

In January 2003, the City and SCVWD executed the Collaborative Action Plan Agreement. The agreement encouraged partnerships between the agencies by defining the roles and responsibilities of each agency in developing trail projects.

In October 2004, a master plan for the trail project was completed. It indicated a two-phase project. The Phase I trail would follow the west bank of the river between Interstate 280 and Virginia Street. The Phase II trail would be on the west bank from Virginia Street up to the Peninsula Corridor Joint Powers Board railway alignment, at which point, the trail would cross the river via a new pedestrian bridge, and continue along the east bank of the river connecting on-street to the Highway 87 Bikeway and Tamien Light Rail Station. The master plan contemplated development of the trail to occur as the SCVWD proceeded with flood management improvements.

On June 20, 2006, the City Council approved a master agreement with CH2M-Hill for engineering services (6-20-06, item no. 2.17) related to various trail projects. The City is in the process of negotiating a service order with the firm for preliminary engineering services that include identification of soil conditions so that design of trail improvements can proceed. A formal geotechnical investigation will serve as the basis for preparing construction documents for the trail project.

The SCVWD intends to commence construction of its flood management project during the summer of 2008 pending approval of necessary permits and has yet to determine if soil conditions along the west bank of the river will permit construction of a levee or of a floodwall.

ANALYSIS

Trail design and flood management improvements require knowledge of soil conditions. Preparation of a geotechnical investigation report compiles information about the soil's

compaction, composition, and moisture content. This geotechnical investigation will determine the existing soil characteristics and evaluates the expected loads including information necessary for a levee or floodwall design.

The City of San José seeks to construct a trail project (paved trail, retaining walls and associated improvements) to permit continuous pedestrian/bike access from the Washington Neighborhood at Virginia Street to the existing Guadalupe River Park and Trail near Interstate 280 at Woz Way. As part of the design process, the City must obtain a geotechnical investigation report before it can proceed with preparation of construction documents. The report would provide the data necessary for preparation of construction documents.

The SCVWD seeks to construct flood control improvements along the west bank of the river, generally within the same project area. Dependent on soil conditions at the site, the SCVWD would pursue one of two solutions. A levee would raise the height of the bank by about three feet and reduce the potential for spillover from high water events as has occurred in the past. The trail project would be developed on the levee structure for a substantial portion of the planned alignment. As an alternative to a levee, and if justified by the soil conditions, the SCVWD may need to construct flood walls along the west bank. The trail alignment would be adjusted slightly to permit sufficient space for the wall and to preserve sight lines that enhance safety for the trail user.

Both agencies must seek the same geotechnical data to proceed with the projects, and the findings will dictate the preferred flood management improvement and the ultimate trail alignment. By combining resources, the City and SCVWD can share one report and reduce the cost for development of both projects.

In developing this proposal, staff from both agencies have met to define the scope of the report. The interest of both agencies is represented and the completed report should provide all the data required for each agency to proceed with construction documents.

If the City chose to limit the scope of the report to pertain only to trail development, the SCVWD will be unable to determine the need for a levee or floodwall and the City would be unable to determine the alignment of the trail. If each agency produced its own geotechnical investigation report, there is the potential of a one-year delay in construction, resulting in significantly higher construction costs that may be far greater than the incremental cost of preparing the report to address the data needs for the SCVWD project.

Working in partnership is consistent with the intent of the Collaborative Action Plan in that it results in a trail project and greater access to the waterway's open space.

POLICY ALTERNATIVES

Alternative #1: Conduct a geotechnical investigation report independently of the SCVWD, seek temporary construction easement and retain the study findings.

Pros: Permits staff to proceed without coordinating with the SCVWD.

Cons: Does not support SCVWD decision-making process that is necessary to determine the approach for the flood management project, which in turn permits staff to determine how to align the future trail.

Reason for not recommending: Does not lead to a timely staff decision for the preferred trail alignment.

Alternative #2: Do nothing.

Pros: No expenditure of funds is required.

Cons: Staff is unable to proceed with development of the bond-funded trail project.

Reason for not recommending: This approach is inconsistent with the development plan outlined by the Bond program.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
(Required: Website Posting)
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

No outreach was conducted concerning the cost-sharing agreement.

The City and SCVWD have conducted public outreach in partnership over the past two years in regards to the trail and flood control projects. Two community meetings (August 27, 2003 and March 4, 2004) were conducted to develop the master plan for the Guadalupe River Trail Reach 6 project. SCVWD staff was present at the meetings to respond to questions about the flood control improvements.

COORDINATION

This memorandum has been coordinated with the Departments of Public Works, and Planning, Building and Code Enforcement, The City Manager’s Budget Office, and the Attorney’s Office.

FISCAL/POLICY ALIGNMENT

This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur the design work necessary that will lead to construction spending in our local economy.

COST SUMMARY/IMPLICATIONS

The Geotechnical Investigation Report supports development of the trail project but does not directly result in a completed project.

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

Project Delivery	\$106,693
Construction (if applicable)	NA
Contingency (if applicable)	NA
Total Project Costs	\$106,693

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

Task Description	City Share	SCVWD Share	Total Cost
Geotechnical Investigation - General	\$11,920	\$ 8,631	\$20,551
Geotechnical Investigation - City Trail	\$23,367	\$0	\$23,367
Geotechnical Investigation - SCVWD Levee	\$0	\$58,174	\$58,174
Agricultural Technical Memorandum	\$0	\$4,601	\$4,601
	\$35,287	\$71,406	\$106,693

3. SOURCE OF FUNDING: 471 – Parks & Recreation Bond Program

4. FISCAL IMPACT: An accurate representation of operating and maintenance costs will be provided at a future date when staff seeks Council's approval for a construction contract to build the master plan-defined project. Using current budgeting assumptions, the 0.5-mile trail will require \$6,000 annually for maintenance. An additional \$1,000 would be required to support the fractional cost of park patrol staff to monitor this trail reach.

HONORABLE MAYOR AND CITY COUNCIL

01-03-07

Subject: Cost-Sharing Agreement Related to Guadalupe River Trail Reach 6 Project

Page 6

BUDGET REFERENCE

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	Adopted Budget Page	Last Budget Action (Date, Ord. No.)
471	6825	TRAIL: Guadalupe River Trail Reach 6 (Woz Way to Willow St.)	\$694,000	\$106,693	V-783	10/17/06 Ord. No. 27888; Resolution No. 73453

CEQA

CEQA: Mitigated Negative Declaration, PP04-03-102.



ALBERT BALAGSO
Director of Parks, Recreation
and Neighborhood Services

For questions please contact Yves Zsutty, Program Manager I, at (408) 793-5561.