



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: James R. Helmer

SUBJECT: CAPITOL EXPRESSWAY
RELINQUISHMENT

DATE: 11-15-06

Approved

Ray Winer

Date

11/20/06

COUNCIL DISTRICT: 5, 7, 8, 10
SNI AREAS: West Evergreen, East
Valley/680 Communities

RECOMMENDATION

Approval of an agreement with the County of Santa Clara for the County of Santa Clara's relinquishment of nine miles of Capitol Expressway to the City of San Jose.

OUTCOME

The relinquishment of Capitol Expressway from the County of Santa Clara (County) to the City of San José (City) allows for the conversion of Capitol Expressway from a high-speed expressway to a multi-modal boulevard. The relinquishment further facilitates plans for 1) extending Light Rail Transit (LRT) to the Eastridge Transit Center, 2) improvements related to the Evergreen - East Hills Vision Strategy, and 3) implementing the Seventrees Branch Library and Solari Community Center joint project.

EXECUTIVE SUMMARY

Capitol Expressway relinquishment is supported by a lengthy history of policy considerations by the Santa Clara Valley Transportation Authority (VTA), County and City related to the benefits of converting the expressway to a City-owned, multi-modal boulevard. The relinquishment is necessary to support planning for the Evergreen-East Hills development proposal. The proposed relinquishment agreement with the County needs to be jointly considered by the Council as part of Evergreen-East Hills approval actions. The relinquishment has an average annual cost impact to the City of \$800,000 for transportation system operations and maintenance. Measures to help the City manage these costs are suggested for consideration.

BACKGROUND

Capitol Expressway is owned and operated by the County of Santa Clara. It has a length of approximately nine miles and extends from San Antonio Street, near Interstate 680, to Route 87. A location map is shown in Attachment 1.

Capitol Expressway is also one of eight County Expressways that traverse portions of Santa Clara County; the other expressways are Almaden, Montague, San Tomas, Foothill, Central, Lawrence, and Page Mill Road. The 62-mile expressway system was established in 1959 to provide efficient auto travel within the County as a supplement to the State Freeway system.

The design standards for the expressways promote high-speed travel by motor vehicles (approximately 45 to 50 miles per hour), restricted access to adjoining properties, and limited facilities for bicycles and pedestrians. Minimal lighting and landscaping is provided unless the County has maintenance agreements with the local jurisdiction for enhancements.

History of Capitol Expressway Conversion Interests and Actions

In 1997, the County relinquished to the City a portion of Capitol Expressway between Almaden Expressway and Route 87. The relinquishment facilitated the renaming of the street to Capitol Expressway Auto Mall and the creation of a Community Facilities District for enhanced lighting, landscaping and other improvements.

In 2000, the VTA, working in coordination with the City of San Jose and the County of Santa Clara, adopted a concept plan for extending LRT service in the Capitol Expressway corridor. The concept plan was an element of the Major Investment Study for the Downtown East Valley Transit Corridor. The plan proposed to convert Capitol Expressway from an auto-oriented, restricted access expressway to a multi-modal boulevard with LRT facilities, bicycle lanes, sidewalks, street trees and landscaping. To accommodate the LRT system, the existing carpool lanes are planned for elimination, thereby reducing the expressway from 8-lanes to 6-lanes. Attachment 2 includes an illustration of the expressway conversion concept. Environmental clearance for the Capitol Expressway LRT project from Alum Rock to Eastridge was approved in 2005.

In 2001, as part of the Strong Neighborhoods Initiative (SNI), the West Evergreen and East Valley/680 Communities neighborhoods developed Neighborhood Improvement Plans that raised various issues related to Capitol Expressway. The high-speed traffic and limited crossing points were identified as a community access barrier. Also, the lack of landscaping, lighting, soundwalls, and pedestrian facilities detracted from the neighborhood quality of life and livability. The SNI plans each support the plans to convert Capitol Expressway to a more attractive, environmentally sensitive, and pedestrian friendly facility.

In 2002, San Jose voters approved bond funding for various improvements to City libraries, parks and community centers. The Seventrees Branch Library and Solari Community Center is a joint facility funded by the bond program located along Capitol Expressway near Seven Trees Boulevard. The project is planned to have a new street connection with Capitol Expressway to improve

community access. The new access would not be allowed by County expressway design standards, but would be facilitated by the proposed expressway relinquishment. With the expressway relinquishment to the City, the City's arterial street design standards would apply and access from Capitol Expressway to the new joint library and community center could be achieved.

In 2003, the County Board of Supervisors adopted a Comprehensive County Expressway Planning Study that addressed the future vision for the County expressway system. In that Study, the transition of Capitol Expressway to a multi-modal arterial street was acknowledged.

Also in 2003, a community task force was formed to oversee the Evergreen – East Hills Vision Strategy. A major property under consideration for development in the Evergreen area is the 81-acre Arcadia site on the west side of Capitol Expressway, south of Eastridge Mall. Development proposals include approximately 1800 housing units mixed with retail and recreational facilities. The development plan requires a new point of roadway access to Capitol Expressway to provide adequate traffic circulation. County expressway design standards do not support the new access. Therefore, the viability of the Arcadia development plan requires relinquishment of Capitol Expressway to the City.

In addition, a goal of the Evergreen-East Hills Strategy is to convert Capitol Expressway into a more attractive gateway for the Evergreen area, by providing landscaping, lighting and sidewalks. These design features are more easily achieved with City ownership of Capitol Expressway. Accordingly, the planning and environmental studies for the Evergreen-East Hills plan are predicated on relinquishment of Capitol Expressway from the County to the City.

In 2004, City and County staff began detailed negotiations for an agreement to relinquish Capitol Expressway to support a convergence of VTA, City and private development interests. Based on past policy actions, there has been mutual agreement to relinquish the facility in its entirety. However, due to the increased operations and maintenance expenses that the City's transportation program would incur, the City has sought to phase the relinquishment to reduce budget impacts. Reports on the status of negotiations were provided to the Building Better Transportation Committee in December 2004, June 2005, October 2005, and February 2006.

At this time, a proposed Capitol Expressway relinquishment agreement has been completed and is recommended for approval. The County Board of Supervisors is scheduled to act on the agreement on December 5, 2006. The commitment to relinquish Capitol Expressway from the County to the City is an assumed condition for the Evergreen East Hills Strategy Plan; therefore City Council consideration of the Capitol Expressway relinquishment agreement is being submitted as part of a joint policy action with the Evergreen East Hills Strategy Plan.

ANALYSIS

Terms of Capitol Expressway Relinquishment Agreement

The primary terms of the agreement relate to design authority for future expressway improvements and the phasing of relinquishment. Upon execution of the agreement, the City will assume design control for all future improvements to Capitol Expressway. This allows the City to manage planned changes to the expressway implemented by the LRT project, the Evergreen-East Hills project, and the Seventrees Library and Solari Community Center project.

The County will continue to operate and maintain the expressway until improvement projects are ready to start construction. The relinquishment of the expressway will occur in three segments based on when improvements begin construction as noted below, or no later than June 2012:

- Segment 1 – 680 to Quimby (LRT Segment): For the northern segment of Capitol Expressway from San Antonio Street, near I-680, to Quimby Road, the City will accept relinquishment when the VTA's project is ready to start construction. This is currently planned to occur in 2008.
- Segment 2 – Quimby to Tuers (Evergreen Segment): For the central segment of Capitol Expressway from Quimby Road to Tuers Road, the City will accept relinquishment when expressway improvements associated the Evergreen-East Hills development project are ready to start construction. This is currently planned to occur in 2009.
- Segment 3 – Tuers to 87 (Seventrees/Solari Segment): For the southern segment of Capitol Expressway from Tuers Road to Route 87, the City will accept relinquishment when a new expressway access opening for the Seventrees Branch Library and Solari Community Center joint project is ready to start construction. This is currently planned to occur in 2008.

The concept of phasing the relinquishment of Capitol Expressway into three segments, as a strategy to reduce City transportation operations and maintenance costs, was endorsed by the Building Better Transportation Committee.

Other agreement terms require the County to obtain funds for future pavement improvements on Capitol Expressway in the Route 87 to Route 101 area if pavement conditions at the time of relinquishment fall below a "Pavement Condition Index" (PCI) rating of 80. (PCI 80 is considered a "very good" pavement condition by Metropolitan Transportation Commission standards). Also, in accordance with the proposed agreement, the City would accept all non-pavement facilities in an "as is" condition. In this regard, City staff has inspected the condition of the Capitol Expressway infrastructure and has found the facilities to be in "very good" condition.

Benefit and Cost Assessment

As stated in this report, there are significant benefits associated with relinquishing Capitol Expressway to the City. The relinquishment is necessary to support extending LRT service to Evergreen/Eastridge, developing the Arcadia site, and building the Seventrees Branch Library and Solari Community Center projects. Overall, the relinquishment meets a regional, City, and

community objective to promote improved community vitality and livability by converting Capitol Expressway from an auto-oriented expressway to an attractive, multi-modal urban boulevard.

From the County's perspective, they obtain a financial benefit of reducing their costs for transportation operations and maintenance. The relinquishment of Capitol Expressway to the City results in a 15% reduction in the County's expressway system.

The expressway relinquishment has a cost impact to the City's transportation programs. The City's transportation infrastructure responsibilities would increase by 9 miles of arterial roadway and 18 traffic signals, resulting in an estimated average annual increase of \$800,000 for operations and maintenance (O&M). This is a concern to the Department of Transportation, given that, and as previously reported to the City Council, the City faces an estimated \$370 million backlog of local transportation system rehabilitation needs as well as an ongoing shortfall for transportation O&M in the range of \$10 million to \$15 million annually.

Significant efforts have been made to manage increased City transportation O&M costs associated with the Capitol Expressway relinquishment agreement. These include the phased relinquishment triggers and a County commitment to fund future pavement improvements if conditions are less than "PCI 80". In general, the County has maintained the pavement and signals along Capitol Expressway in "very good" condition and significant upgrades have been made over the past 5 years. Also, improvements to Capitol Expressway made by the LRT and Evergreen-East Hills projects will result in the construction of new pavement, signal and lighting systems, that will not likely require major City maintenance investments for approximately a decade.

Other Mitigation Options for Transportation O&M Impacts

As a measure to further manage City transportation O&M impacts associated with the Capitol Expressway relinquishment, it is suggested that the City pursue the following actions:

- Continue to seek increased regional, state, and a federal funding for local transportation system operations and maintenance. This is an ongoing effort managed in coordination with the Building Better Transportation Committee
- Continue City efforts to prepare a local Transportation Maintenance Master Plan identifying community priorities and local funding opportunities to enhance the condition of the City's transportation system. The City Council approved a \$200,000 funding allocation to pursue this as part of the 2006-2007 Budget. Progress would be monitored by the Building Better Transportation Committee.
- Seek Transportation O&M funding contribution from Evergreen-East Hills development plan. Discussions on this topic are actively being considered.
- Sell Capitol Expressway access control rights. Capitol Expressway currently has access control property rights that restrict access to the expressway. These rights were acquired by the County from adjoining property owners at the time Capitol Expressway was initially developed. The

access control property rights will be transferred to City ownership as part of the County relinquishment agreement. For requests for new access openings to Capitol Expressway, the City may have the opportunity to sell the access rights to generate one-time revenues for the General Fund. At the discretion of the City Council, these funds then could be directed to help offset transportation O&M costs associated with Capitol Expressway. Pursuing this option would, however, require further legal and policy review. The County's most recent experience with selling access rights occurred in 2000 and the value of a new expressway access point was appraised at \$390,000.

POLICY ALTERNATIVES

Alternative 1: Do not approve relinquishment of Capitol Expressway from County to City

Pros: Avoids \$800,000 annual increase in City transportation operations and maintenance costs.

Cons: Inconsistent with regional and local planning to change character of Capitol Expressway from a high-speed expressway to a multi-modal boulevard.

Reason for not recommending: Would create significant complications and costs for VTA's Capitol Expressway LRT Extension Project, the City's Evergreen-East Hills Vision Strategy, and the City's plans for the Seventrees Branch Library and Solari Community Center projects. The Evergreen and City projects rely on a new point of access to Capitol Expressway which is not supported by County Expressway design standards.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 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)**
- Criteria 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)**

The relinquishment of Capitol Expressway has been a topic of public discussion as part of the Capitol Expressway LRT Extension project, the County Expressway Master Plan Study, and the Evergreen-East Hills Vision Strategy. This report will be posted on the City's website as part of the Council Agenda public outreach process.

COORDINATION

The Capitol Expressway relinquishment agreement was developed by the County Department of Roads and Airports and the City's Department of Transportation, working in coordination with Department of Public Works, the City Attorney's Office and the Santa Clara Valley Transportation Authority. This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, and the Departments of Public Works, Library, Planning, Building and Code Enforcement, and Parks, Recreation and Neighborhood Services. The City's Building Better Transportation Committee discussed reports on the Capitol Expressway Relinquishment in December 2004, June 2005, October 2005, and February 2006.

FISCAL/POLICY ALIGNMENT

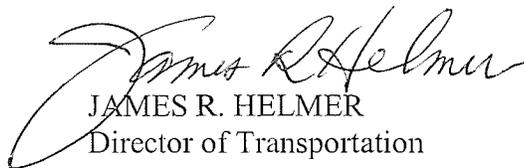
The recommended action aligns with the Transportation and Aviations Services CSA Outcomes related to providing transportation choices and improving community livability.

COST SUMMARY/IMPLICATIONS

The recommended action results in transferring from the County to the City the ongoing responsibility for operating and maintaining Capitol Expressway, which includes 9 miles of roadway, 18 traffic signals and other facilities. The estimated average annual operating cost is approximately \$800,000.

CEQA

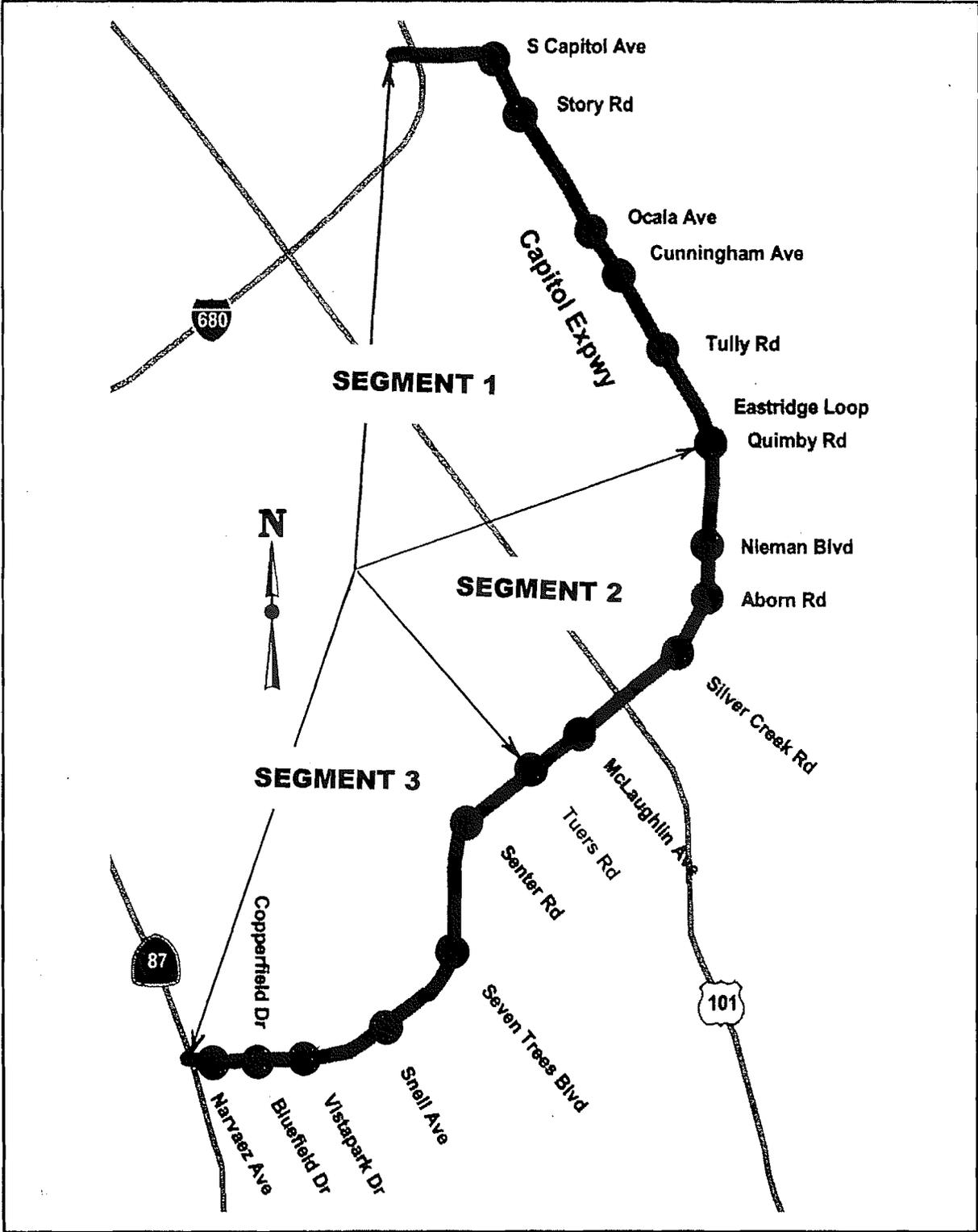
Not a Project


JAMES R. HELMER
Director of Transportation

For questions, please contact Hans Larsen, Deputy Director, at 535-3835.

Attachments

Capitol Expressway Location Map



Capitol Expressway Conversion Concept

