

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen
James R. Helmer

SUBJECT: COOPERATION AGREEMENT
FOR THE VASONA LIGHT RAIL
TRANSIT CORRIDOR

DATE: 11-24-08

Approved

Date

11/30/08

COUNCIL DISTRICTS: 3, 6

SNI AREA: Burbank/Del
Monte, Delmas Park

RECOMMENDATION

- a. Approve an agreement with the Santa Clara Valley Transportation Authority for the transfer of properties supporting City facilities constructed by the Vasona Light Rail Transit Project; and
- b. Adoption of a resolution authorizing the Director of Public Works to execute all related documents and deed acceptances necessary to complete the transactions.

OUTCOME

The recommended action supports the outcome of providing viable transportation choices. The Vasona Light Rail Transit (LRT) Project will provide the City with improved transit, bicycle and pedestrian travel options. The specific action recommended in this report allows for the administrative 'close out' of the project by transferring to the City various properties and property interests that are part of the City's transportation infrastructure

BACKGROUND

The Santa Clara Valley Transportation Authority (VTA) has substantially completed the Vasona LRT Corridor Project. This project adds 5.3 miles to the LRT system and extends service from the downtown area through the Delmas Park and Burbank/Del Monte Strong Neighborhood Initiative areas and into the City of Campbell. Revenue service for the Vasona LRT Corridor began on October 1, 2005. The alignment of the Vasona LRT Corridor is shown on the attached Exhibit "A."

To accommodate the light rail trackway and stations, and to maintain street width for vehicular, bicycle, and pedestrian traffic, VTA acquired properties needed to modify the roadway. In total,

VTA acquired 28 properties along the LRT corridor. Most of the right of way acquired by VTA was used for roadway widening and the construction of facilities and infrastructure that fall within the operation and maintenance responsibility of the City of San José. As such, it is necessary for the City and VTA to enter into an agreement to transfer interest of these properties from the VTA to the City.

On April 6, 2004, the City Council approved an agreement with the VTA whereby the City will accept responsibility for the operation and maintenance of the City facilities constructed by the VTA as part of the Vasona LRT Project. The agreement that is the subject of this report addresses the administrative property transactions related to these City facilities and includes a copy of the above 2004 agreement as Exhibit D.

ANALYSIS

Properties that will be transferred from the VTA to the City consist of:

- 17 properties to be acquired in fee
- 11 property easements to be acquired

Reports provided by VTA show that contaminated soil encountered in the course of construction has been mitigated. The City's Environmental Services Department has issued environmental clearance for acceptance of the subject properties and easements.

On August 10, 2006, City of San José staff accepted the infrastructure improvements constructed by the LRT Project. These improvements consist of roadways, bikeways, sidewalks, traffic signals, streetlights, street trees, storm drains and sanitary systems. As noted above, the City has already assumed ownership as well as operational and maintenance responsibility for these improvements.

With construction now completed along the Vasona LRT Corridor and the City's August 10, 2006 acceptance of the infrastructure improvements, it is recommended the designated properties be formally conveyed to the City.

EVALUATION AND FOLLOW-UP

With the Council's adoption of a resolution authorizing the Director of Public Works to accept the properties and easements to be transferred to City, the project will be completed. No additional follow up action with the Council is expected at this time.

PUBLIC OUTREACH

- 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)**

This action does not meet the \$1 million threshold under Criteria 1; however, this memorandum will be posted on the City's website for the December 16, 2008 Council agenda.

COORDINATION

The development of this agreement has been coordinated with the Santa Clara Valley Transportation Authority, City Attorney's Office, City Manager's Budget Office and the Departments of Environmental Services and Planning, Building and Code Enforcement.

COST SUMMARY/IMPLICATIONS

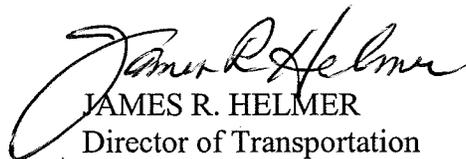
VTA will transfer the properties to the City at no cost.

CEQA

CEQA: Not a project.



KATY ALLEN
Director, Public Works Department



JAMES R. HELMER
Director of Transportation

Attachment

For questions please contact PHILIP PRINCE, DEPUTY DIRECTOR, PUBLIC WORKS DEPARTMENT, at (408) 535-8300.

Exhibit A
For the
Right of Way Agreement for Vasona LRT Project
December 2008

Vasona LRT Corridor

