



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Hans F. Larsen

**SUBJECT: AGREEMENT WITH CALTRANS
FOR THE U.S. 101/MABURY
INTERCHANGE**

DATE: July 22, 2013

Approved

Date

7/22/13

COUNCIL DISTRICTS: 3 and 4

RECOMMENDATION

Approve the Cooperative Agreement with the California Department of Transportation (Caltrans) for the development of project approval and environmental documentation associated with the U.S. 101/Mabury Interchange project.

OUTCOME

The U.S. 101/Mabury Interchange project is being advanced as a high priority regional highway project to support access to BART service at the Berryessa Station (starting in 2017) and economic development interest in the surrounding "urban village" area.

The proposed cooperative agreement will advance the City's interest to initiate and complete all work in accordance with Caltrans policies and guidelines leading to the development and selection of a preferred project alternative and environmental clearance for the construction of a new interchange at the intersection of U.S. 101 and Mabury Road.

BACKGROUND

Previous Project Work

The U.S. 101/Mabury Interchange project was added to the City of San José General Plan in 1985. The purpose for developing this new interchange was to reduce existing traffic congestion at the U.S. 101/Oakland interchange and at the U.S. 101/Julian/McKee interchange, and to improve freeway accessibility for adjacent residential and industrial areas. A project fact sheet is attached showing the project area.

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Subsequent work in developing the interchange project advanced to the point of securing Caltrans' approval of the Project Study Report (PSR) in 1990. The PSR is the first of a series of technical reports associated with the Caltrans project development process. However, due to other Citywide priorities and funding constraints, the project did not advance beyond the PSR stage of development.

Policy Development

Due to the lack of regional funding sources, the City developed several policies that are linked to the development of the interchange project. As outlined in the City's adopted General Plan update, *Envision 2040*, these policies include the *North San José Area Development Policy* (2005 and amended in 2010) and the *U.S. 101/Oakland/Mabury Transportation Development Policy and Transportation Impact Fee* (2007). Generally, the policies impose a transportation impact fee on new development in the area. Fees associated with the development would be applied toward the planning, design and/or construction of the interchange project.

Relationship to Other Regional Transportation Improvements

- BART-Silicon Valley

In March 2012, federal funding was secured to begin construction of the BART – Silicon Valley project. The project is currently under construction, with revenue service planned to begin in 2017.

Due to the close proximity of the proposed interchange to the Berryessa BART Station and associated land-use intensification, there is an increased importance on developing the U.S. 101/Mabury interchange project as a means to provide more convenient regional access to and from the Berryessa Station area.

- U.S. 101 Express Lanes

The U.S. 101 Express Lanes project is the central corridor in the Silicon Valley Express Lanes Program being implemented by the Santa Clara Valley Transportation Authority (VTA). This project will convert 36 miles on U.S. 101 to express lanes and add a second express lane for the majority of the corridor from Morgan Hill to the San Mateo County line.

As the U.S. 101/Mabury interchange is within the limits of the corridor, VTA and City staffs have met several times to discuss and coordinate the engineering efforts. The Express Lane project is currently in the preliminary engineering phase of project development, and is planned to be open for service in late 2018.

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Consultant Support Services

On August 21, 2012, the City Council approved an agreement in the amount of \$1,600,000 with the engineering consultant firm of Mark Thomas and Company (MTCO) to provide technical project development services for the U.S. 101/Mabury Road interchange project. The scope of work under the agreement includes development of the studies and technical reports associated with the Project Approval and Environmental Document (PA/ED) phase of work, as outlined in Caltrans' *Guide to Capital Project Delivery Workplan Standards*. A preferred design alternative and environmental clearance are the intended results of this work effort. It is noted that future phases of work not considered under this agreement include the development of Plans, Specifications and Estimates (PS&E), Right of Way Acquisition and Construction. These phases may be amended into the agreement with MTCO should a funding source be identified.

As the U.S. 101/Mabury Road interchange project lies within Caltrans jurisdiction, approval of the subject cooperative agreement between the City and Caltrans is required under Section 114 of the Streets and Highways Code allowing the City of San José to perform professional technical project development services for the project.

ANALYSIS

The recommended cooperative agreement between the City and Caltrans is a standard Caltrans agreement that defines the roles and responsibilities of each party. The scope of work under the agreement is limited to the PA/ED phase of project development and aligns with the scope of work outlined in the City's consultant agreement with MTCO. As the project sponsor and designated implementing agency in the PA/ED phase, the City will be responsible for the majority of the obligations and costs associated with the agreement to include the preparation of all studies, technical reports, community meetings, public hearings and any potential legal challenges associated with the following key work elements:

- Preliminary Engineering Studies and Draft Project Report
- Environmental Studies and Preparation of Draft Environmental Document
- Permits and Agreements
- Preparation and Approval of the Project Report and Final Environmental Document

These documents are prepared in accordance with State and federal standards and subject to Caltrans review and approval. MTCO will prepare the technical reports and environmental studies to obtain CEQA and NEPA clearance to complete the PA/ED phase of the project including preliminary engineering. All work will be led by DOT, the consultant team of MTCO and supported by Caltrans functional units and a designated project manager. Caltrans will fund its own costs associated with this phase of project development.

Upon completion of this phase of work, or for any other reason, this agreement can only be terminated through the execution of a Cooperative Agreement Closure Statement.

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Currently, there is only sufficient funding to proceed with the PA/ED phase of work. If during the course of the PA/ED phase, it is determined that additional activities or environmental documentation is necessary to be in environmental compliance, City and Caltrans will amend the proposed cooperative agreement to include completion of those additional tasks subject to the approval by the City Council and State Legislature, respectively, of any additional funding requirements.

Project Development Goals

Completion of the PA/ED phase of work is a key step toward advancing the project. In addition, completing this milestone activity significantly increases the competitiveness of the project in terms of attracting regional funds. This same strategic approach that was employed and successfully delivered the U.S. 101/I-280 to Yerba Buena Road project, the I-280/I-880/Stevens Creek Interchange project, and the I-880/Coleman Avenue Interchange project. Staff will continue to work through VTA and our other regional partners to identify potential funding sources to continue advancing the project to meet the year 2020 completion target.

EVALUATION AND FOLLOW-UP

Staff will continue to provide updates on the U.S. 101/Mabury interchange project to the Transportation and Environment (T&E) Committee as part of the quarterly reports on Regional Transportation Activities included in the Committee workplan.

POLICY ALTERNATIVES

There are no alternatives to executing the Cooperative Agreement that provide for the continued development of the U.S. 101/Mabury interchange project.

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)**

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The recommendation of this memorandum does not meet any of the minimum requirements as defined by Public Outreach criteria; however, this memorandum will be posted on the City's website as part of the Council Agenda outreach process. Preparation of environmental clearance for the U.S. 101/Mabury interchange project includes a process for community outreach.

COORDINATION

This memorandum and agreement have been coordinated with the Department of Planning, Building and Code Enforcement, the City Manager's Budget Office and the City Attorney's Office.

FISCAL/POLICY ALIGNMENT

The project is consistent with multiple City policies including Envision 2040, the North San José Area Development Policy and the U.S. - 101/Oakland Road/Mabury Road Transportation Development Policy and Transportation Impact Fee.

COST SUMMARY/IMPLICATIONS

There are no costs associated with this recommendation.

CEQA

Statutorily Exempt, File No. PP10-066(d), CEQA Guidelines Section 15262, Feasibility and Planning Studies

/s/

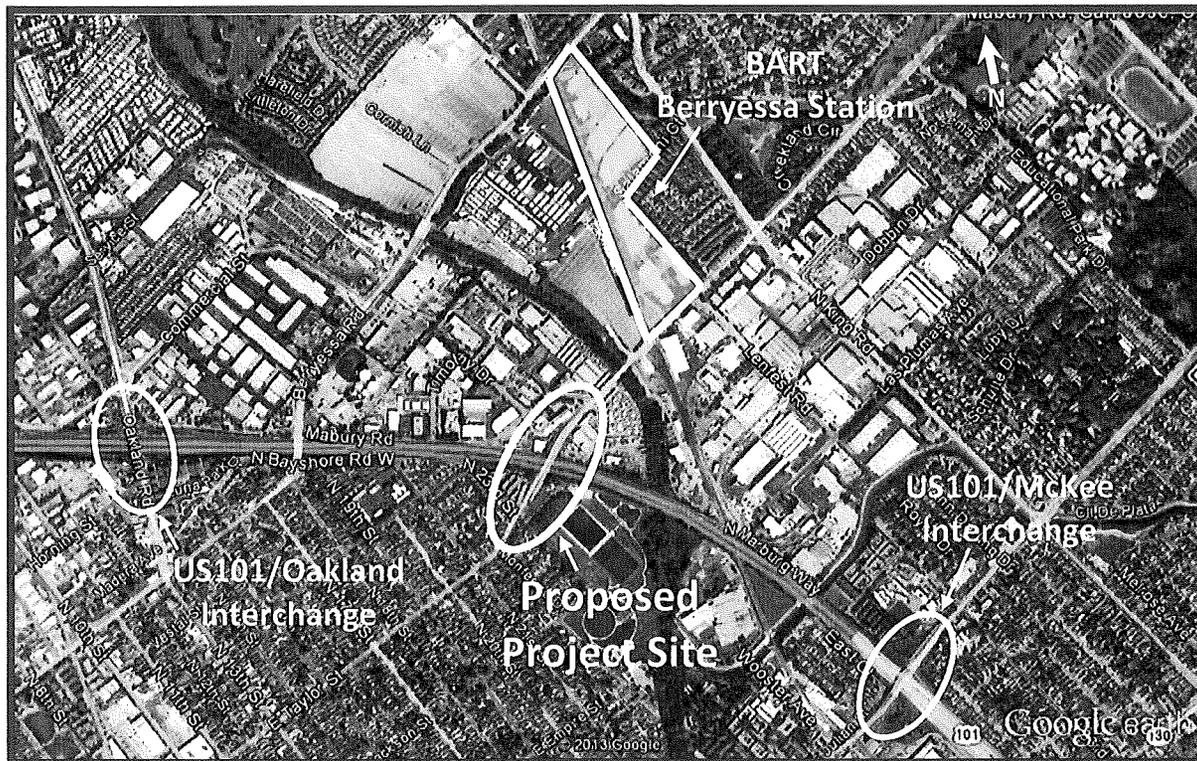
HANS F. LARSEN

Director of Transportation

For questions please contact Ray Salvano, Acting Deputy Director, at (408) 975-3706.

Attachment

FACT SHEET: U.S.101/Mabury Interchange



Overview

The project proposes to construct a new interchange at U.S.101 and Mabury Road, having an estimated cost of \$57 million.

Objective

- Alleviate traffic congestion at the nearby U.S.101/Oakland and U.S.101/McKee interchanges and improve local traffic circulation and freeway access patterns in the area between the interchanges at McKee and Oakland roads.
- Provide access from U.S.101 to the Berryessa BART Station, currently under construction. The ability to conveniently access to BART system will reduce trips on U.S.101 and Route 880 corridors to the north.
- Support “smart growth” development projects in the U.S.101/Mabury Road and Jackson/Taylor area, the Japantown Neighborhood Business District, and the Transit Oriented Development near the Berryessa BART Station.

Estimated Cost and Schedule Goal (subject to funding availability)

Activity	Cost	Schedule
Planning	\$ 2M (Funded)	2013-2014
Final Design and Land Acquisition	\$25M (Unfunded)	2015-2017
Construction	\$30M (Unfunded)	2018-2020

Project Status

The City and its consultant are working in partnership with Caltrans to develop project alternatives, preliminary engineering, and project environmental clearance as well as to seek additional funding.

For further information, contact Ray Salvano at (408) 975-3706 or ray.salvano@sanjoseca.gov