



*City
Council
Report*

Item No.: 13.
Category: New Business
Meeting Date: November 18, 2014

TITLE: Authorize the Public Works Director to Negotiate and Execute a Cooperative Agreement with City of San Jose, Authorize the Issuance of a Request for Proposals; Authorize the Public Works Director to Execute a Consultant Services Agreement; and Approval of a Budget Adjustment for the San Tomas Aquino Creek Trail Project (Resolution/Roll Call Vote)

RECOMMENDATION

That the City Council adopt the attached resolution with the following actions:

- Approve the issuance of a request for proposals for the completion of a San Tomas Aquino Creek Trail feasibility study; and
- Authorize the Public Works Director to review and evaluate the RFP's and enter into a consultant services agreement in an amount not to exceed \$75,000 with the consultant determined to be the best qualified; and
- Authorize the Public Works Director to enter into an agreement with the City of San Jose (CSJ) for funding of the project; and
- Approve a budget adjustment to recognize funding for the San Tomas Aquino Creek Trail Project.

BACKGROUND

In August, 2003, Campbell was awarded a grant of \$471,200 from the Santa Clara Valley Water District (SCVWD) for development of a trail along San Tomas Aquino Creek from Westmont Avenue in San Jose to Budd Avenue in Campbell, with a connecting trail along Smith Creek from Hacienda Avenue to San Tomas Aquino Road. A Grant Agreement with the SCVWD was subsequently approved by the Council in March, 2004.

In March of 2007, staff presented a preliminary concept for the project to City Council for approval, recommending the removal of the Smith Creek portion of the trail due to the opposition of the surrounding community and the lack of right of way to complete the Smith Creek Trail. Council approved staff's recommendation to eliminate the Smith Creek portion of the project and also approved the preliminary concept for the San Tomas Aquino Creek (STAC) Trail improvements. The STAC Trail Project concept included installation of trail signage, grading of the pathways, and installation of minor amenities such as landscaping and hardscape treatment at various trail access points.

Between 2007 and 2009, staff worked with the SCVWD in an effort to find an alignment that would provide acceptable access along the top of bank between Westmont Avenue in San Jose and Budd Avenue in Campbell. SCVWD encouraged the City to look at extending the STAC Trail improvements beyond Budd Avenue to San Tomas Expressway (STEX) and possibly to continue as far north as possible along STEX. However, as the conceptual design was refined, a number of challenges were identified. These challenges included multi-jurisdictional impacts as the trail alignment traversed through CSJ and Campbell jurisdictions, the necessary use of city sidewalk where creek trail was not available, and the need for a new pedestrian bridge crossing between the north and south side of the STAC Trail near Forest Hill Elementary School and Westmont High School.

Providing a new bridge crossing proved to be insurmountable as the cost to design and construct the crossing exceeded the allocated project budget and available grant funds. As such, the Council reconsidered the project and its scope on February 17, 2009, and instructed staff to suspend the project until further funding and/or an alternative project delivery strategy could be identified.

DISCUSSION

Since 2009, staff has been diligently searching for suitable funding sources that would allow for the STAC Trail Project to move forward. As a first step in moving the project forward, staff recommends the completion of a feasibility study to evaluate the challenges presented by the project, review the environmental implications and permits necessary for the project to move forward, determine the level of support for the project from the surrounding communities and schools, evaluate the right of way needed and available, and provide a suitable strategy and budget for delivering the project.

As neighbors, Campbell and CSJ have always enjoyed a cooperative relationship. Since this project has benefits to students and residents from both jurisdictions, CSJ has agreed to allocate \$100,000 towards the completion of a feasibility study for this project. Additionally, staff submitted an application to MTC for the FY 14/15 Transportation Development Act (TDA) Discretionary Funds Grant Program. This July, Campbell was awarded an allocation of \$432,019 for the STAC Trail project. It is anticipated that additional funding will be required to complete the entire stretch of the STAC Trail Project between Westmont Avenue and STEX; however, it is anticipated the feasibility study will include a potential phased approach for the completion of the project and will identify a portion of the trail that can be completed with the TDA grant funds.

Based on the availability of initial funding, staff is recommending moving forward with a feasibility study to determine an appropriate strategy for the project. The attached resolution has been prepared for Council's consideration to authorize the Public Works Director to enter into an agreement with the City of San Jose for partial funding of the project and to authorize the Public Works Director to issue a request for proposals (RFP) to solicit qualified professional consulting firms to prepare a feasibility study for the STAC Trail Project, and to evaluate, negotiate and execute a consultant services agreement with the most qualified consultant for the project in an amount not to exceed \$75,000.

FISCAL IMPACT

The attached budget adjustment has been prepared to incorporate these two funding sources into the project. The following is the anticipated source and use of funds based on the currently available funding. It is anticipated that additional funds will be necessary for completion of the entire San Tomas Aquino Creek Trail Project.

Source of Funds

City of San Jose Contribution	\$ 100,000
TDA	\$ 432,019
TOTAL	\$ 532,019

Anticipated Use of Funds

Feasibility Study	\$ 75,000
Phase I – Design and Construction	\$ 387,019
City Project Management	\$ 70,000
TOTAL	\$ 532,019

ALTERNATIVES

Do not accept the funding from CSJ or MTC and further defer development of the project.

Prepared by:


Fredrick Ho, Senior Civil Engineer

Reviewed by:


Michelle Quinney, City Engineer

Reviewed by:


Todd Capurso, Public Works Director

Reviewed by:


Jesse Takahashi, Finance Director

Approved by:


Mark Linder, City Manager

Attachments: Attachment 1: Resolution
Attachment 2: Budget Adjustment

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMPBELL
AUTHORIZING THE PUBLIC WORKS DIRECTOR TO NEGOTIATE AND EXECUTE A
COOPERATIVE AGREEMENT WITH CITY OF SAN JOSE, ISSUE A REQUEST FOR
PROPOSALS, EVALUATE AND NEGOTIATE A CONSULTANT SERVICES
AGREEMENT, AND APPROVING A BUDGET ADJUSTMENT FOR THE SAN TOMAS
AQUINO CREEK TRAIL PROJECT**

WHEREAS, San Tomas Aquino Creek Trail Project No. 05-04 was suspended due to previously insurmountable challenges; and

WHEREAS, a feasibility study is recommended in order to develop a strategy for the San Tomas Aquino Creek Trail Project; and

WHEREAS, City of San Jose has allocated \$100,000 for the San Tomas Aquino Creek Trail Project, and

WHEREAS, Transportation Development Act (TDA) Discretionary Funds have been awarded to the San Tomas Aquino Creek Trail Project in the amount of \$432,019, and

WHEREAS, a budget adjustment has been prepared.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Campbell hereby authorizes the Public Works Director to negotiate and execute a Cooperative Agreement with City of San Jose for partial funding in the amount of \$100,000, and to issue a Request for Proposals for a qualified consultant firm to complete a feasibility study for the San Tomas Aquino Creek Trail Project; and authorizes the Public Works Director to evaluate the RFP's, negotiate and execute a consultant services agreement with the most qualified consultant in an amount not to exceed \$75,000, and approves a budget adjustment in the amount of \$532,019 to recognize the funds from the City of San Jose and the Transportation Development Act for the San Tomas Aquino Creek Trail Project.

PASSED AND ADOPTED this 18th day of November, 2014 by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

APPROVED:

Richard M. Waterman, Mayor

ATTEST:

Anne Bybee, City Clerk

City of Campbell Request for Budget Adjustments

Department/Program	Division	Date	Request No.
Public Works	CIP 15-NN San Tomas Aquino Creek Trail Project	November 18, 2014	BA 7

Budget to be Reduced

Fund	Account Number	Description	Amount

Budget to be Increased


Fund	Account Number	Description	Amount
435	15NN.7130	City Staff Time	70,000
435	15NN.7430	Professional Services	75,000
435	15NN.7883	Improvements	387,019
435	535.4921	Project Revenue	100,000
435	990.6999	Capital Transfer In	432,019
216	535.4525	Transportation Development Act	432,019
216	15NN.9999	Capital Transfer Out	432,019

REASON FOR REQUEST - BE SPECIFIC:

Project funding for San Tomas Aquino Creek Trail Project (CIP 15-NN) includes a contribution from the City of San Jose (\$100K) and a Transportation Development Act Grant from the Metropolitan Transportation Commission (\$432K).


 Todd Capurso
 Public Works Director


 Jesse Takahashi
 Finance Director


 Mark Linder
 City Manager