



**DATE:** November 27, 2018

**CATEGORY:** New Business

**DEPT.:** Public Works

**TITLE:** **Memorandum of Understanding for the Preliminary Engineering and Environmental Clearance Phase of the Rengstorff Avenue Grade Separation Project**

### **RECOMMENDATION**

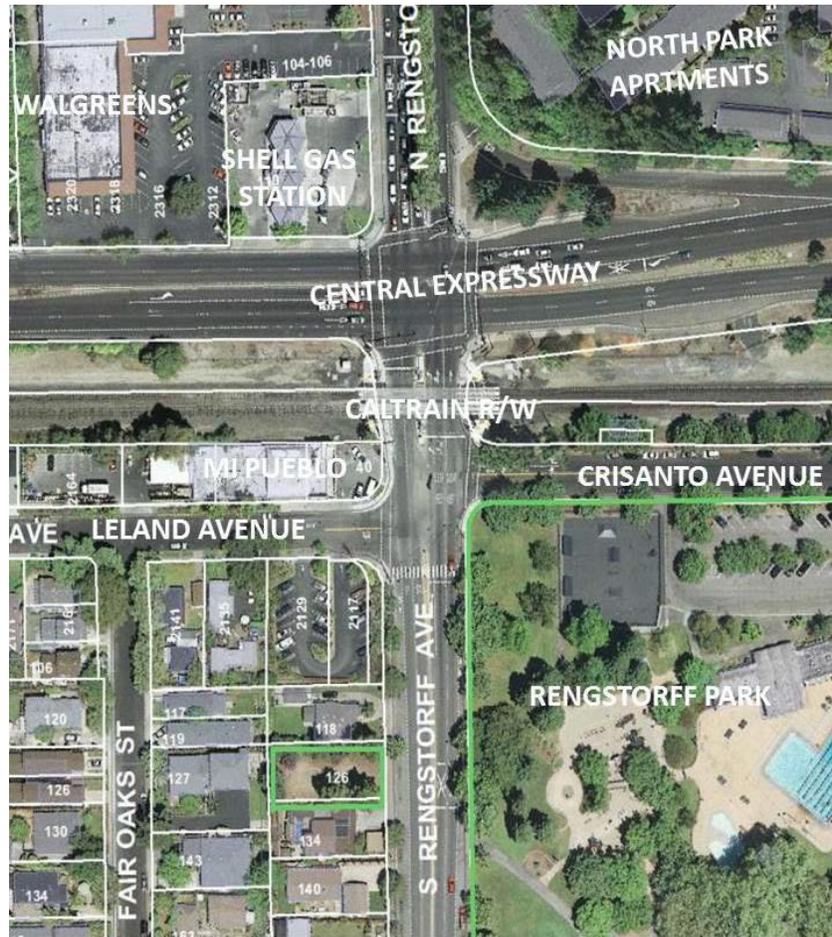
1. Authorize the City Manager to execute a Memorandum of Understanding with the Peninsula Corridor Joint Powers Board for the preliminary engineering and environmental clearance of the Rengstorff Avenue Grade Separation project.
2. Direct staff to formally notify the Joint Powers Board of the City's preference to depress the intersection at Rengstorff Avenue and Central Expressway below grade and leave the Caltrain tracks at existing grade.
3. Transfer and appropriate \$350,000 from the Construction/Conveyance Tax Fund to Rengstorff Avenue Grade Separation Preliminary Engineering and Environmental Clearance, Project 17-37. (Five votes required)

### **BACKGROUND**

The Peninsula Corridor Joint Powers Board (JPB) is the owner and operator of Caltrain, a commuter service which provides transportation for communities on the Peninsula between San Francisco and Gilroy. Caltrain currently operates 92 trains per weekday. The number of trains is anticipated to increase in 2022, when the electrification of the corridor is completed through the Caltrain Modernization Program. In addition, the California High-Speed Rail project will be using the Caltrain tracks through Mountain View, further increasing the frequency of trains by 2033.

The Rengstorff Avenue at-grade crossing of the Caltrain railway is a barrier to convenient pedestrian and bicycle travel and contributes to significant traffic delays on Rengstorff Avenue. The at-grade crossing is adjacent to the Rengstorff Avenue/Central Expressway intersection, commercial and residential land uses, and Rengstorff Park (see Exhibit 1). Grade-separating the intersection of Rengstorff Avenue and Central Expressway from the railroad crossing has been a long-term goal and will improve

traffic safety, traffic flow, railroad operational safety, and traffic movement along all the adjacent streets and intersections surrounding the crossing.

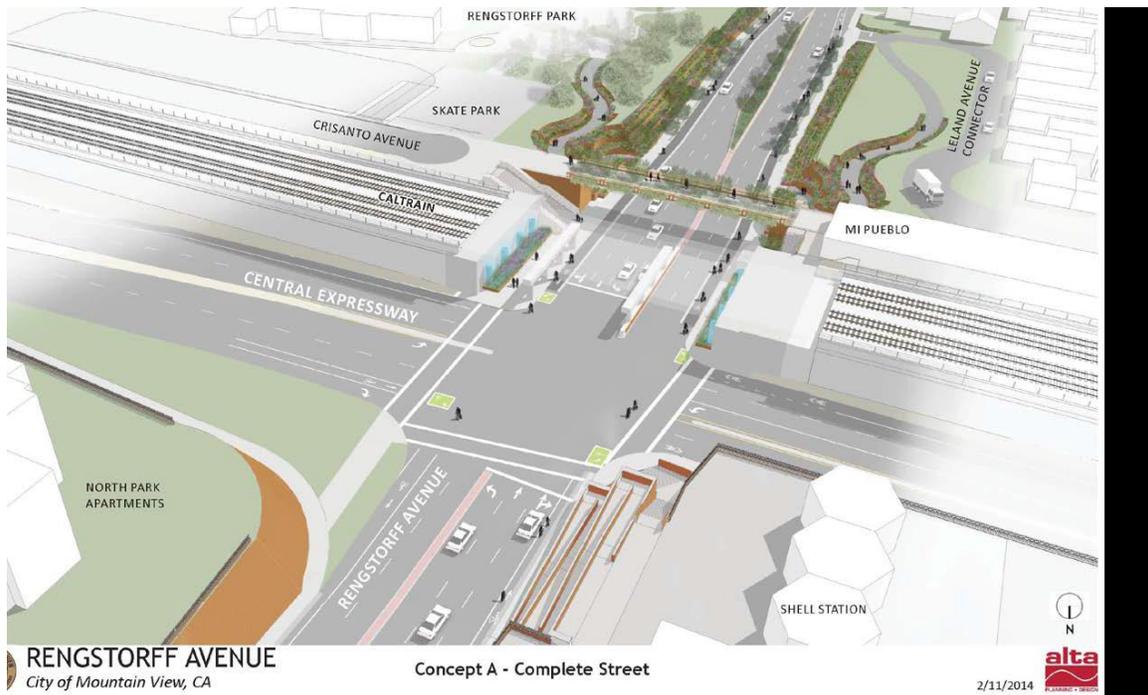


**Exhibit 1 – Rengstorff Avenue Grade Separation Location Map**

In 2004, the City completed the Rengstorff Avenue Underpass and Grade Separation Final Feasibility Study (2004 Study) that evaluated alternatives for a grade-separated crossing. The City Council supported the alternative that would depress the intersection at Rengstorff Avenue and Central Expressway below grade and leave the Caltrain tracks at existing grade.

In May 2012, the Council directed staff to refine the Council-endorsed alternative from the 2004 Study to better address urban design considerations and pedestrian and bicycle use. In 2014, the Rengstorff Avenue Grade Separation Design Concepts Final Report (2014 Report) was completed. The 2014 Report focused on pedestrian and bicycle access connectivity; transitions to adjacent land uses, including residential,

commercial, and community facilities such as Rengstorff Park and Aquatics Center; and incorporating guidance from the City's Pedestrian Master Plan, the Rengstorff Park Master Plan, and General Plan objectives. At a Study Session on February 11, 2014 (see Attachment 1), the City Council supported the concept illustrated in Exhibit 2 below.



**Exhibit 2 – Concept A, Bird’s-Eye View from Northwest**

In 2016, the City Council approved funding of \$1 million toward the Preliminary Engineering and Environmental Phase of the Rengstorff Avenue Grade Separation Project (CIP 17-37). In 2017, \$2.5 million was added to the project budget based on information provided by Caltrain staff on the cost for preliminary engineering and environmental clearance for similar grade separation projects.

Also in 2016, the Santa Clara Valley Transportation Authority (VTA) Measure B passed, which set aside \$700 million for the construction of Caltrain Grade Separation projects in Mountain View, Palo Alto, and Sunnyvale. Measure B will be the primary funding source for design and construction of the project. In 2018, the Rengstorff Avenue at-grade crossing was included on the California Public Utilities Commission’s Grade Separation Priority List as the 22nd highest-ranked crossing in the State, making the project eligible for State rail grade separation funding to supplement the Measure B funding.

## ANALYSIS

Caltrain staff has indicated that they must take the lead in the design and construction of the Rengstorff Avenue Grade Separation project due to the complexities and liability involved in constructing improvements within an operating rail line right-of-way. If the City were to choose to design and construct the project, Caltrain would require significant input into the design to minimize operational impacts during and after construction through a permitting process. This could result in increased project costs and delays. Caltrain has experience in delivering grade separation projects in San Mateo County and is prepared to handle the preliminary engineering and environmental clearance for the Rengstorff Avenue Grade Separation project.

A Memorandum of Understanding (MOU) between the City and the JPB is necessary to allow Caltrain staff to initiate work on preliminary engineering and environmental clearance of the Rengstorff Avenue Grade Separation project. The MOU identifies the project description and scope, JPB/Caltrain responsibilities, City responsibilities, funding and payment, insurance and indemnification, and miscellaneous conditions. Key terms of the MOU include:

- The JPB/Caltrain will be the lead agency responsible for performing all preliminary engineering and environmental studies and clearance activities.
- The City of Mountain View will be the project sponsor and responsible for public outreach and stakeholder engagement.
- The project will be designed consistent with the alternative supported by the City Council on February 11, 2014.
- The City will provide up to \$3.5 million to Caltrain for the preliminary engineering/environmental clearance phase of the project. Should additional funding be required, JPB/Caltrain and the City will work together to identify potential funding sources, but the City will be responsible for securing the funding. Any increase in the \$3.5 million budget must be authorized by the City Council.
- The preliminary engineering and environmental clearance (scope of work) will have a target completion date of June 2020 and must be completed within three years from the execution date of the MOU.

- There will be ongoing coordination and collaboration between the City and JPB/Caltrain in project delivery, including City review of all project deliverables.

Once the MOU has been executed, Caltrain will request that their general engineering and environmental consultants produce the detailed scope of work and budgets. City staff will review and provide input in the scope of work and budgets prior to Caltrain issuing notices to proceed. The work on the preliminary engineering and environmental studies will begin in early 2019 and are expected to be completed in mid-2020.

The City will take the lead on the public outreach process, which will be integrated into the project schedule. The project will require the acquisition of two single-family homes along Rengstorff Avenue and will affect access to the La Plaza (formerly Mi Pueblo) Market and a gas station. These property owners and businesses were previously communicated with as part of the conceptual plan development and will be included in the City's public outreach process.

After the preliminary engineering and environmental clearances are completed, the City and Caltrain will work with VTA to obtain Measure B funds for design and right-of-way acquisition.

In addition to authorizing the MOU, the Council is being asked to direct staff to formally notify the JPB of the City's preference to depress the intersection at Rengstorff Avenue and Central Expressway below grade and leave the Caltrain tracks at existing grade. In reviewing the history of Council actions on the Rengstorff Avenue Grade Separation project, it was determined that the Council had supported the preferred design of lowering Rengstorff Avenue under the tracks in Study Sessions in 2004 and 2014; however, the Council never formally voted on this alternative in regular session. Caltrain staff has indicated that they would like Council confirmation that this is the concept to take into preliminary engineering.

### **FISCAL IMPACT**

The Rengstorff Avenue Grade Separation Preliminary Engineering and Environmental Clearance, Project 17-37, is currently funded with \$385,000 from the Construction/Conveyance Tax Fund, \$1 million from the Prometheus Real Estate Group Funding, and \$2,115,000 from the San Antonio Public Benefit Fund, for a total funding of \$3.5 million.

Caltrain staff has estimated that the cost for the project will be approximately \$3.5 million.

The additional \$350,000 requested will fund the City's internal costs for the project, including engineering staff time, public outreach, and other administrative costs. There is a sufficient balance in the Construction/Conveyance Tax Fund to cover this amount.

### **ALTERNATIVES**

1. Specify additional or modified terms for the MOU.
2. Do not proceed with the MOU for the JPB/Caltrain to perform Preliminary Engineering and Environmental Clearance Phase of the project.
3. Provide other direction.

### **PUBLIC NOTICING**

Agenda posting. Copies of the Council memorandum were provided to Caltrain, VTA, and the County of Santa Clara, and property owners within 750' of the project were notified of the meeting item.

Prepared by:

Joy Houghton  
Associate Engineer

Reviewed by:

Dawn S. Cameron  
Assistant Public Works Director

Approved by:

Michael A. Fuller  
Public Works Director

Daniel H. Rich  
City Manager

Attachment: 1. February 11, 2014 Study Session Memo

JH/TS/3/CAM  
907-11-27-18CR