



# City of San Leandro

Meeting Date: July 20, 2015

## Staff Report

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**File Number:** 15-421

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.P.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Keith Cooke  
Engineering & Transportation Director

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** Staff Report for a Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Memorandum of Understanding Between the City of San Leandro and the Alameda County Transportation Commission for the Westgate/Davis Street and Southbound I-880 HOV Lane Improvements and Appropriating \$400,000 of Marina/I-880 Interchange Fee and Relinquishing \$600,000 of Direct Local Distribution Funds for a Total of \$1 Million for Reimbursement of Design and Construction Cost for Hardscape and Traffic Improvements at the Marina/I-880 and Davis/I-880 Interchanges

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### SUMMARY AND RECOMMENDATIONS

The 880 Southbound HOV Lane Project will extend the southbound High Occupancy Vehicle (HOV) lane on the I-880 mainline from Marina Boulevard to Hegenberger Road. The Parties to the Agreement wish to add \$2 million worth of hardscape improvements including slope paving, fencing, lighting and entry monuments to the Marina Boulevard and Davis Street Interchange along with congestion reducing improvements for the Marina Boulevard Interchange as a part of the soon to be finished HOV Lane construction. To make it so, it is necessary for the City to contribute \$400,000 of Marina/I-880 Interchange Fee and \$600,000 of Direct Local Distribution (DLD) Funds and facilitate the reprogramming of \$1,000,000 of Congestion Management Agency Transportation Improvement Program monies (CMA TIP) to fund all of the improvements in collaboration with the Alameda County Transportation Commission (ACTC).

Staff recommends that the City Council authorize the City Manager to execute Amendment No. 1 to the Memorandum of Understanding between the City of San Leandro and the Alameda County Transportation Commission for the Westgate/Davis Street and Southbound I-880 HOV Lane Improvements, appropriate \$400,000 of Marina/I-880 Interchange Fees and relinquish \$600,000 of Direct Local Distribution (DLD) Funds for a total of \$1 million for reimbursement of design and construction cost for improvements at the Marina/I-880 and Davis/I-880 Interchanges for hardscape and traffic improvements.

## **BACKGROUND**

The \$108 million I-880 Southbound HOV Project will extend the southbound HOV lane from just south of Marina Boulevard to Hegenberger Road. The project reconstructs both the Davis Street and Marina Boulevard overcrossings. The project also constructs improvements to accommodate additional traffic by widening the bridges, providing signalized on and off-ramps at Marina Boulevard and adding a travel lane on Davis Street from the southbound I-880 off-ramp to Warden Avenue. The majority of the project is constructed with funds from the 2006 Proposition 1B Bond, with additional funds provided by developer contributions for improvements at Marina Boulevard and Measure B and Federal Earmark funds for the new lane on Davis Street.

Recognizing the special circumstance of the project and the singular opportunity for implementing the San Leandro General Plan's goal of providing a gateway at these major entrances into the City, staff requested to add hardscape improvements along with needed traffic improvements to the interchanges. The Alameda CTC and its consultants, WMH Corporation and Haygood & Associates Landscape Architects, developed a feature set of hardscape improvements. There were four features identified in the design. The features included: 1) End Corbels; 2) Special lighting fixtures; 3) Decorative Fencing; and 4) Decorative Slope Paving. The City forwarded a final design concept of the improvements to ACTC in 2012 for implementation with an understanding that a funding plan would be developed. The final design elevations are attached.

The improvements are valued at \$2 Million. The ACTC, with City staffs concurrence, developed a funding plan that shifts \$1 million of CMA TIP funds from the E. 14th Street/Hesperian Boulevard/150th Avenue Intersection Improvement Project and exchanges \$1 million of City of San Leandro Direct Local Distribution funds or other Local funds for the remaining amount to be allocated to the I-880 HOV project. The work will be implemented through a contract change order by ACTC and Caltrans. The funds are for design services during construction, construction management and capital cost associated with the improvements.

### **Analysis**

San Leandro residents and the San Leandro City Council have awaited the installation of the hardscape and traffic improvements as a part of the I-880 HOV project since 2011. The traffic improvements to reduce congestion at the Marina/I-880 Interchange were identified in the 2015 General Plan as part of its Transportation Element. The General Plan also has a goal of providing gateway monuments at major entrances into the City. The hardscape improvements provide an aesthetic upgrade to the I-880 corridor so that all of the traveling public will appreciate and distinguish the San Leandro interchanges.

City staff negotiated with ACTC to provide a \$2 million funding plan to complete the hardscape and traffic improvements. The proposed funding will allow the I-880 Southbound HOV Lane Project to complete the improvement by fall of 2015 within the project delivery schedule. The amendment to the existing Memorandum of Understanding (MOU) will provide for San Leandro's contribution of I-880/Marina Interchange Fees and the withholding of Local Transportation DLD funds totaling \$1 million, to reimburse ACTC for the improvements. The MOU also details a \$1 million shift of CMA TIP from the E. 14th Street/Hesperian

Boulevard/150th Avenue Intersection Improvement Project (ACTIA 19) to provide for the remaining amount. Staff and ACTC will endeavor to replace the CMA TIP funds with upcoming State Transportation Improvement Program (STIP) funds or Measure BB Congestion Relief funds to allow the ACTIA 19 project to maintain its construction delivery in 2017.

The Marina/I-880 Interchange Fee was established in 2010 as a supplemental traffic impact fee on new development that would benefit from improvements to the Marina/I-880 Interchange. The funds from this fee can only be used for the traffic improvements at the interchange. This is the first item to use these funds.

The DLD funds are a result of the Measure B and BB sales tax. ACTC will withhold Streets and Road funds from our regular distributions until the \$600,000 is received. The ACTC has indicated that this is an acceptable expenditure of Measure B, VRF and BB funds. This action will reduce the amount of funding available for street rehabilitation and maintenance for fiscal year 15/16; however, the addition of Measure BB and Measure HH funds allows the City to continue to grow its pavement maintenance and rehabilitation program.

### **Current Agency Policies**

- Maintain and enhance San Leandro's infrastructure
- Support and implement programs, activities and strengthen communication that enhances the quality of life and wellness, celebrates the arts and diversity and promotes civic pride

### **Previous Actions**

- On May 19, 2008, by Resolution No. 2008-054, the City Council authorized the City Manager to enter into a Memorandum of Understanding between the City of San Leandro and the Alameda County Congestion Management Agency relating to the Interstate 880/Marina Boulevard Interchange Project
- On May 16, 2011, by Resolution No. 2011-097, the City Council authorized the City Manager to enter into a Memorandum of Understanding between the City of San Leandro and the Alameda CTC relating to the I-880/Davis Street-Westgate Parkway Interchange Project

### **Committee Review and Actions**

- On January 10, 2012, the Facilities and Transportation Committee reviewed this item and recommended presenting the aesthetic design of the project to the full City Council
- On September 13, 2011, the Facilities and Transportation Committee was presented information on all of the alternatives for public input

### **Applicable General Plan Policies**

- 20.01 Coordination with Regional Agencies
- 20.07 Coordination of Public Works Projects
- 42.01 Gateways

### **Summary of Public Outreach Efforts**

- On October 6, 2011, at the District 5 and 6 Town Hall Meeting, input was received on the proposed alternatives
- On September 28, 2011, at the Farmer's Market City Booth, staff solicited and received comments from the public on the proposed alternatives

### **Fiscal Impacts**

The traffic and hardscape improvements for the Marina and Davis/I-880 Interchange requires \$1,000,000 from the City of San Leandro and will be funded by an appropriation of \$400,000 of Marina/I-880 Interchange Fee (210-3735) and the relinquishment of \$600,000 of Measure B, VRF and BB Direct Local Distribution Funds, which would be retained by ACTC.

### **Budget Authority**

The improvement will be funded as follows:

\$400,000 Marina/I-880 Interchange Fee (210-3735) to be appropriated as part of the associated resolution.

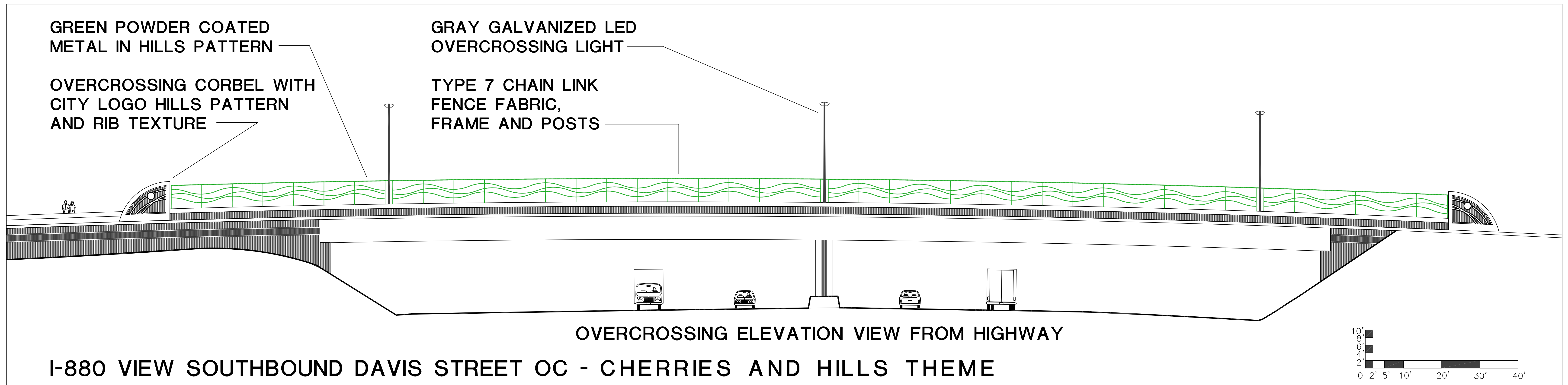
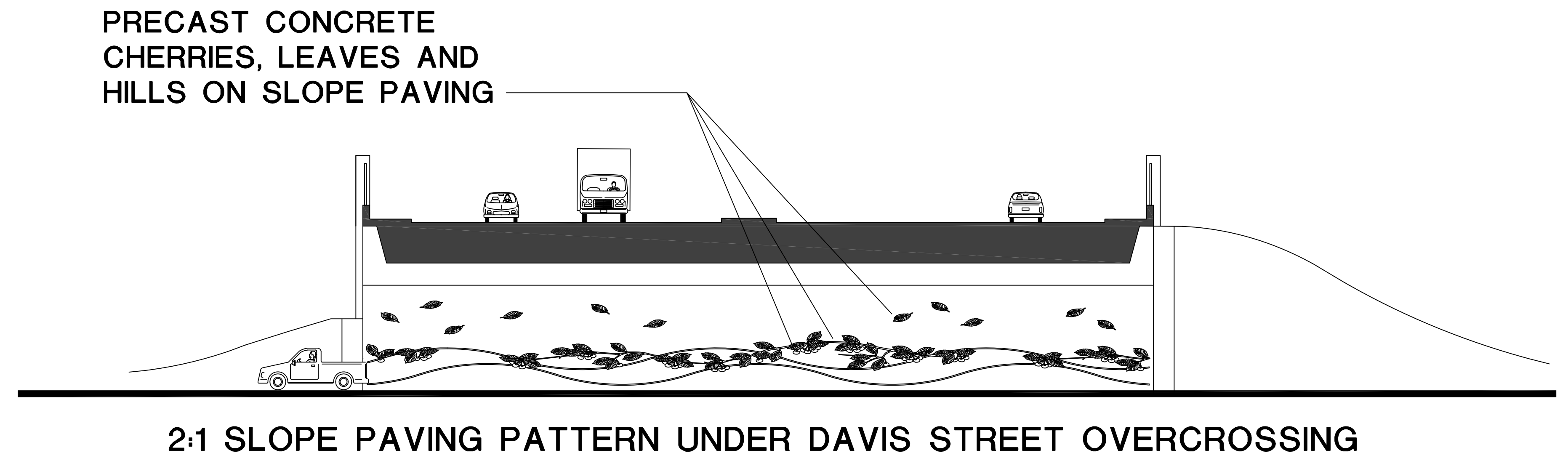
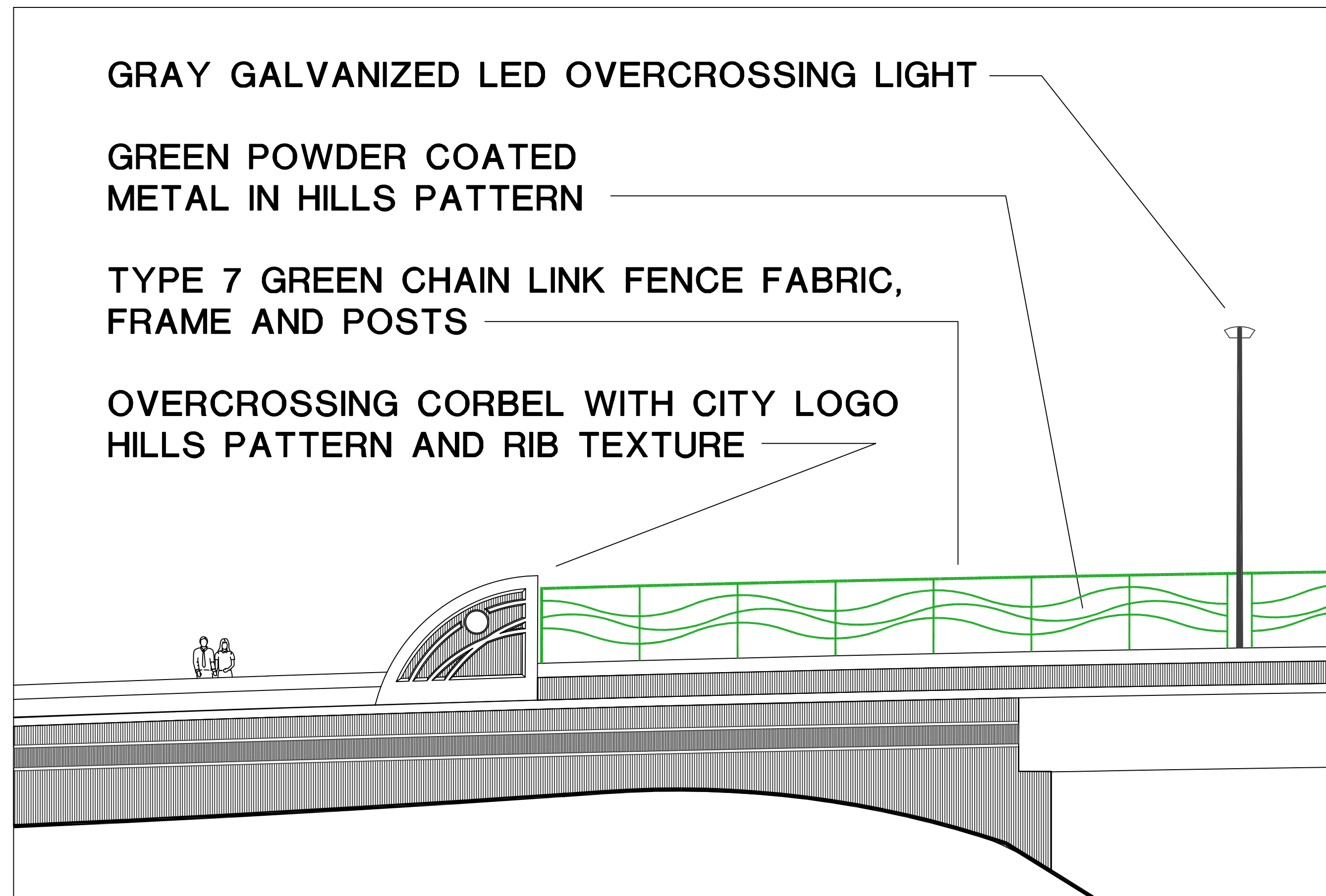
\$600,000 Measure B, VRF and BB Direct Local Distribution Funds to be relinquished to the ACTC as directed by Amendment No. 1 to the Memorandum of Understanding Between the City of San Leandro and the Alameda County Transportation Commission for the Westgate/Davis and Southbound I-880 HOV Lane Improvements to be authorized for the City Manager's signature as part of the associated resolution. This will reduce the revenue appropriation for Account 144-3609 by \$377,000, Account 144-3618 by \$103,000 and 141-3609 by \$120,000 for a total of \$600,000. Upon authorization the agreement will be revised to reflect these revised amounts.

### **ATTACHMENTS**

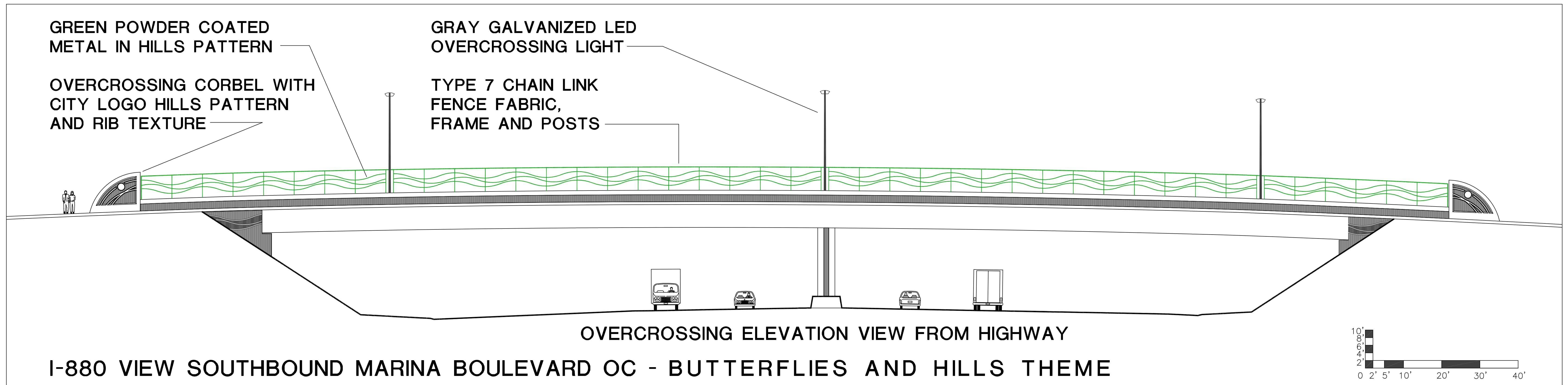
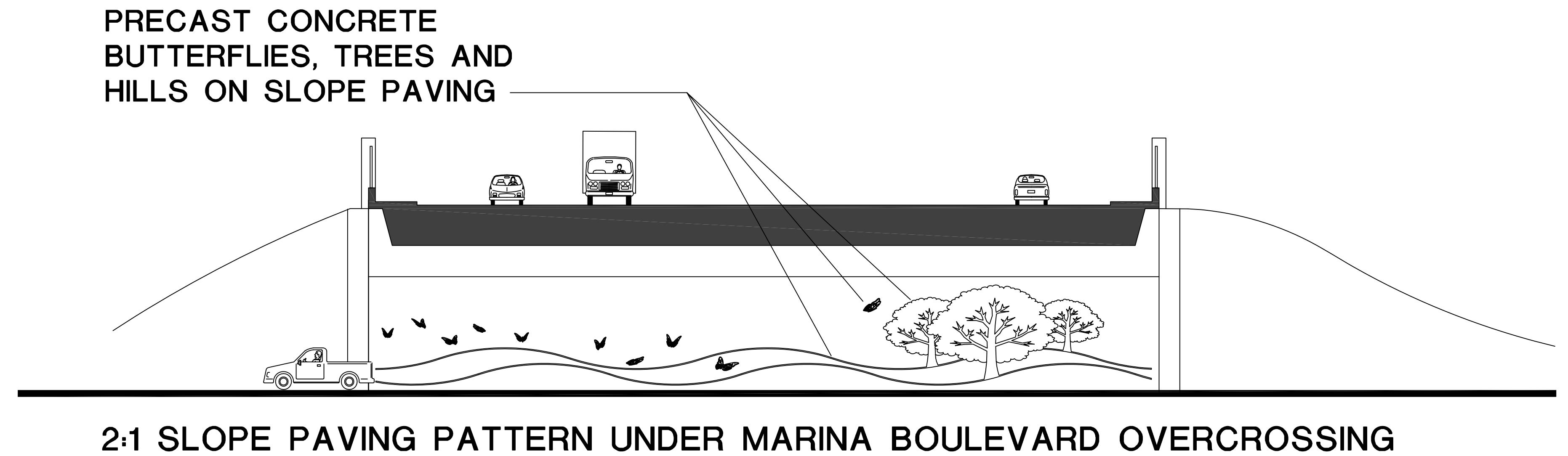
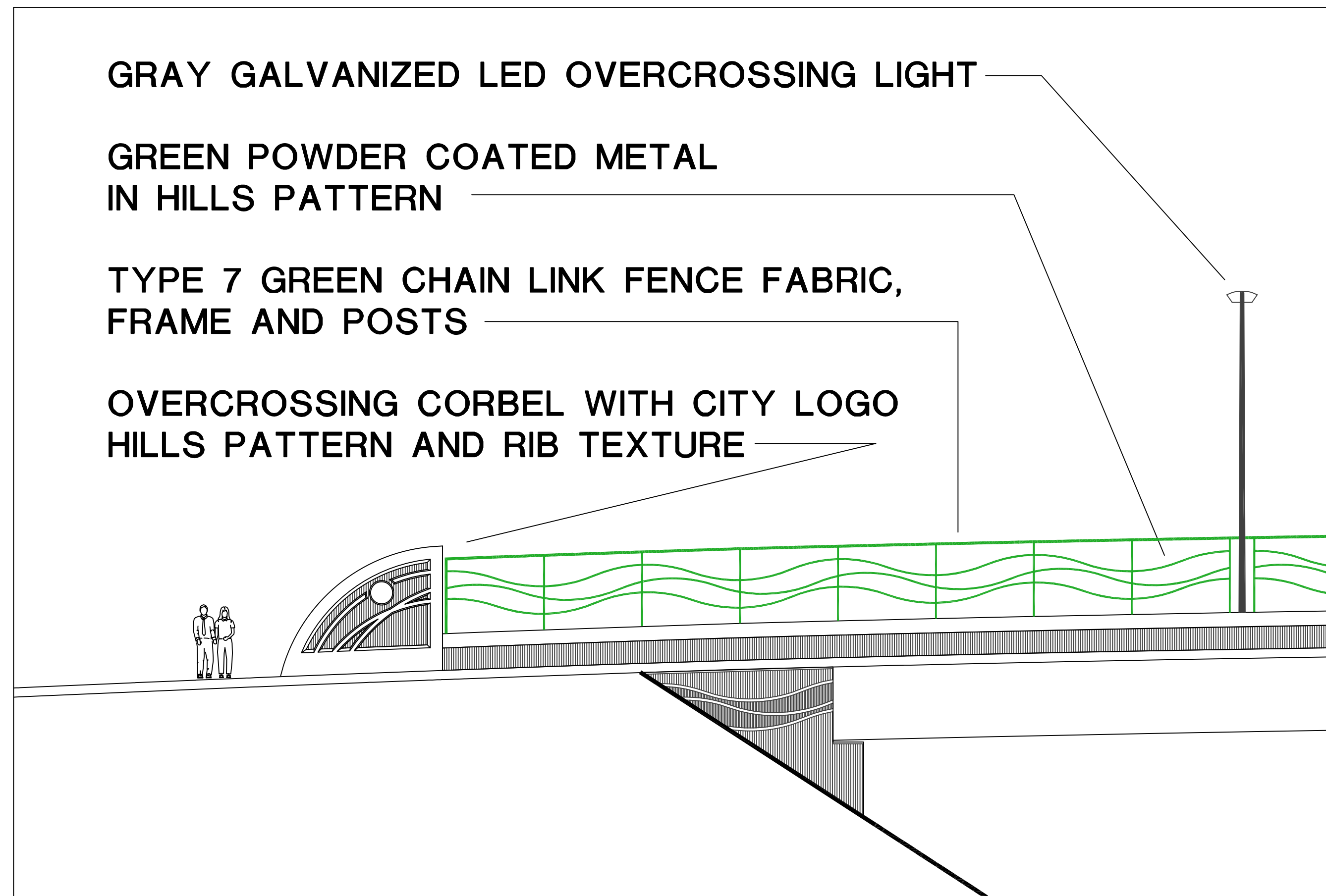
- I880/Davis Street Elevations
- I880/Marina Boulevard Elevations

**PREPARED BY:** Keith R. Cooke, Director, Engineering and Transportation Department

# I-880 / DAVIS STREET



# I-880 / MARINA BOULEVARD





# City of San Leandro

Meeting Date: July 20, 2015

## Resolution - Council

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**File Number:** 15-422

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Keith Cooke  
Engineering & Transportation Director

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Memorandum of Understanding Between the City of San Leandro and the Alameda County Transportation Commission for the Westgate/Davis Street and Southbound I-880 HOV Lane Improvements and Appropriating \$400,000 of Marina/I-880 Interchange Fee and Relinquishing \$600,000 of Direct Local Distribution Funds for a Total of \$1 Million for Reimbursement of Design and Construction Cost for Hardscape and Traffic Improvements at the Marina/I-880 and Davis/I-880 Interchanges (Provides for the City's Investment Of \$1,000,000 Into Traffic And Hardscape Improvements At The Marina/I-880 And Davis/I-880 Interchanges.)

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WHEREAS, the portion of Interstate 880 (I-880) through San Leandro is currently being improved with the addition of a southbound HOV lane from the northern San Leandro border to just south of the Marina Boulevard-Marina Automall Interchange passing through the Davis Street Interchange, which is primarily financed by the Corridor Mobility Improvement Program of the State Infrastructure Bond Program; and

WHEREAS, the Alameda County Transportation Commission (Alameda CTC) designed, and Caltrans is constructing, the new I-880/Marina Boulevard-Marina Automall Interchange and the new I-880/Davis Street (SR112) Interchange; and

WHEREAS, the City recognizes the special circumstance and the singular opportunity for implementing the General Plan's goal of reducing traffic congestion and providing gateway features at these major entrances into the City as identified in the 2015 General Plan; and

WHEREAS, an agreement authorized on May 16, 2011 exists between the City of San Leandro and the Alameda County Transportation Commission; and

WHEREAS, the Alameda CTC and Caltrans require the City of San Leandro to contribute funding for said Interchanges; and

WHEREAS, Amendment No. 1 to the agreement, a copy of which is attached, has been presented to this City Council; and

WHEREAS, the City Council is familiar with the contents thereof; and

WHEREAS, the City Manager recommends approval of the amendment to the agreement.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

1. That said amendment is hereby approved and execution by the City Manager is hereby authorized.
2. That the City Manager is authorized to make non-substantial revisions to said Amendment; subject to the approval of the City Attorney; and
3. That an original executed amendment shall be attached to and made a part of this resolution; and
4. That \$400,000 of Marina/I-880 Interchange Fee is appropriated from account 210-3735 for the purpose of the improvements; and
5. That \$600,000 of Direct Local Distribution shall be relinquished to the Alameda County Transportation Commission for the purpose of the improvements described herein. This will reduce the revenue appropriation for Account 144-3609 by \$377,000, Account 144-3618 by \$103,000 and 141-3609 by \$120,000 for a total of \$600,000.



**AMENDMENT NO. 1  
TO THE  
MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CITY OF SAN LEANDRO  
AND  
THE ALAMEDA COUNTY TRANSPORTATION COMMISSION  
FOR  
THE WESTGATE/DAVIS STREET AND SOUTHBOUND I-880 HOV LANE IMPROVEMENTS**

This AMENDMENT NO. 1, made and entered into by and between the CITY OF SAN LEANDRO (“COSL”) and the ALAMEDA COUNTY TRANSPORTATION COMMISSION (“ALAMEDA CTC”), is dated for reference purposes only as of the 23<sup>rd</sup> day of October, 2014.

**RECITALS**

WHEREAS, ALAMEDA CTC and COSL (“PARTIES”) entered into a Memorandum of Understanding (“MOU”) to coordinate activities and responsibilities involving the Westgate/Davis Street improvements, Davis Street Interchange Improvement Project, the I-880 Southbound HOV Lane project, and the major improvements at the I-880/Davis Street Interchange and the I-880/Marina Boulevard Interchange together referred to herein as “PROJECT”, in order to provide an enhanced experience for motorists that travel the I-880 corridor and to reduce the disruption of traffic and inconvenience to residents of San Leandro and Alameda County;

WHEREAS, COSL has requested hardscape slope paving improvements and other necessary improvements (together, “IMPROVEMENTS”) be incorporated into the PROJECT at an estimated design and construction cost of \$2,000,000;

WHEREAS, COSL has requested the programming of \$2,000,000 Congestion Management Agency Transportation Improvement (“CMA TIP”) program funds to the PROJECT to be used to fund the IMPROVEMENTS;

WHEREAS, the \$2,000,000 of CMA TIP program funds will be derived from (1) a shift of \$1,000,000 of CMA TIP program funds from the E. 14th St./Hesperian Blvd./150th St. Intersection Improvement Project (CMA TIP Project No. 350.3) to the I-880 Southbound HOV Lane Project (CMA TIP Project No. 102.7) and (2) an exchange of \$1,000,000 COSL local funds for CMA TIP funds to be allocated to the PROJECT;

WHEREAS, COSL receives DLD funds from ALAMEDA CTC which are deemed to be local funds and which are eligible to support the activities of the PROJECT; and

WHEREAS, this AMENDMENT NO. 1 was authorized by the governing body of the ALAMEDA CTC at its October, 2014 meeting;

NOW THEREFORE, the PARTIES mutually understand and agree to the following:

**SECTION I  
INTRODUCTION**

- 1.1 The Recitals above are true, correct and made a part hereof.
- 1.2 This AMENDMENT NO. 1 shall be legally binding on the PARTIES, and by executing the same, each PARTY hereby acknowledges that its governing body has given all approvals necessary therefor.
- 1.3 Except as amended hereby, all terms and conditions of the MOU will remain in full force and effect.

**SECTION II  
IT IS MUTUALLY AGREED:**

- 2.1 COSL will provide \$1,000,000 in local funds comprised of the approximate amounts shown in APPENDIX A, attached hereto and by this reference incorporated herein. Commencing in July 2015, COSL authorizes ALAMEDA CTC to retain future DLD funds from each of the DLD categories shown in APPENDIX A until the \$1,000,000 commitment has been met through a combination of a payment of local funds from COSL to ALAMEDA CTC and the retention of DLD funds by ALAMEDA CTC. On a quarterly basis, ALAMEDA CTC will provide a complete accounting of the monthly DLD retention.
- 2.2 ALAMEDA CTC shall program \$2,000,000 CMA TIP program funds to the I-880 Southbound HOV Lane Project.
- 2.3 ALAMEDA CTC shall use such funds to design and construct the IMPROVEMENTS.
- 2.4 If the total cost to design and construct the IMPROVEMENTS is less than \$2,000,000, ALAMEDA CTC shall reduce the CMA TIP programming and COSL's obligation to repay local funds accordingly, and return any excess DLD funds retained by ALAMEDA CTC to COSL. Any cost increases above this design and construction estimate will be the responsibility of COSL and funding for the same will be incorporated into this MOU by a further written amendment.
- 2.5 This MOU as amended hereby, in conjunction with any and all agreements between COSL and ALAMEDA CTC regarding DLD funds, contains the entire understanding between the PARTIES regarding the PROJECT, and no oral understanding or agreement not incorporated herein or therein shall be binding on any of the PARTIES hereto.

*[signatures on following page]*

IN WITNESS WHEREOF, ALAMEDA CTC has by order caused this AMENDMENT NO. 1 to be subscribed by the binding authority of the ALAMEDA CTC and COSL has by order caused this AMENDMENT NO. 1 to be subscribed by the binding authority of the COSL.

CITY OF SAN LEANDRO (COSL)

ALAMEDA COUNTY TRANSPORTATION  
COMMISSION (ALAMEDA CTC)

By:

By:

\_\_\_\_\_  
Chris Zapata, City Manager                                  Date

\_\_\_\_\_  
Arthur L. Dao, Executive Director                                  Date

Recommended by:

Recommended by:

\_\_\_\_\_  
Keith R. Cooke    Date  
Engineering and Transportation Director

\_\_\_\_\_  
Deputy Director of    Date  
Programming and Projects

Finance Department Review

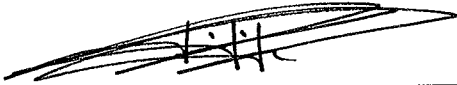
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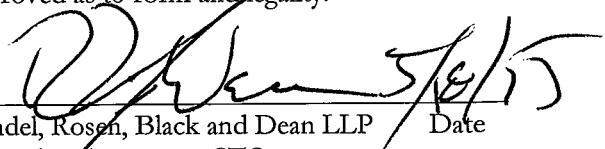
David Baum    6-4-15  
\_\_\_\_\_  
David Baum    Date  
Finance Director

\_\_\_\_\_  
Patricia Reavey    Date  
Director of Finance and Administration

Approved as to Form:

Approved as to form and legality:

  
\_\_\_\_\_  
Richard Pio Roda, City Attorney                                  Date

  
\_\_\_\_\_  
Wendel, Rosen, Black and Dean LLP                                  Date  
Counsel to ALAMEDA CTC

APPENDIX A

COSL LOCAL FUNDS SUMMARY

Source of Funds	Monthly Retentions <sup>2</sup>	Estimated Monthly Amount	Total
Marina Blvd. Interchange Impact Fees (First Local Payment) <sup>1</sup>	N/A	N/A	\$300,000
Measure B (Local Streets and Roads)	4	\$110,000	\$440,000
VRF	4	\$30,000	\$120,000
Measure BB (Local Streets and Roads)	2	\$75,000	\$150,000
<b>Total:</b>			<b>\$1,000,000</b>

**Note:**

1. COSL shall make the First Local Payment by no later than June 15, 2015. Amount shown is estimated.
2. Retention of COSL DLD is anticipated to begin July 2015. The number of monthly retentions required will depend upon the actual monthly amounts available from each fund category and the actual amount of First Local Payment.