

Date: October 10, 2007

Committee Meeting Date: _____

Board Meeting Date: October 18, 2007

BOARD MEMORANDUM

ACTION DISCUSSION _____ INFO _____

TO: Silicon Valley Rapid Transit Corridor
Policy Advisory Board

THROUGH: Jack J. Collins
Chief Engineering & Construction Officer

FROM: Mark S. Robinson
SVRT Central Area Group Manager

SUBJECT: Bank of America Downtown Station Entrance

Policy-Related Action: Yes

Government Code Section 84308 Applies: No

RECOMMENDATION

Approve the study of two alternative BART station entrances for the Downtown San Jose Station in the Environmental Impact Statement (EIS), and approve proceeding with the Bank of America station entrance pending the final results the environmental analysis.

BACKGROUND

The BART Downtown San Jose Station main entrance options along Santa Clara Street in the Transit Mall were addressed in the Supplemental Environmental Impact Report (SEIR) without a preferred option being selected when the SEIR was adopted by the VTA Board of Directors in June 2007.

Since that time, further engineering studies were performed on two primary options:

- Western Dental at Santa Clara and Second Streets
- Bank of America at Santa Clara and First Streets

Although both options perform equally well from a passenger service view point, there are major challenges to designing and constructing an entrance within the historic Bank of America building. Additional costs will be incurred with the Bank of America option due to the occupation of the building, and the seismic and building code retrofit work required of the 13-story structure.

The City of San Jose has taken great interest in having the main station entrance located within Bank of America. Appreciating the additional costs of this option are without an equivalent transit benefit, City staff has outlined an approach whereby the City would cover the additional costs of the Bank of America entrance and would be responsible for the property acquisition and the seismic/code improvements of the structure. This proposal by City staff will be presented to their City Council on October 16, 2007.

Should the City Council approve the City staff recommendation on the level of commitment the City would put forth toward making the Bank of America station entrance a reality, SVRT Project staff will support proceeding with the design of the Bank of America entrance.

To maintain the project design and construction schedule, it is necessary to proceed with a station entrance design at this time. There is a level of risk involved in proceeding with the design of the Bank of America entrance. Should the proposed Bank of America station entrance implementation plan falter, whether in dealings with the property owner, or involving the envisioned financial assistance from federal historic tax credits or some other element of the plan, the station entrance design at Bank of America would be discarded and the alternative Western Dental station entrance would begin, resulting in a delay to the project. SVRT Project staff believe the implementation plan is realistic and achievable, and that the risk of proceeding with the design of this alternative is small.

DISCUSSION

In addition to the City of San Jose interests in the Bank of America entrance, there is strong support from the local community and business interests in the Downtown San Jose area. First ACT Silicon Valley and the San Jose Downtown Association support the selection of the Bank of America site. Also on October 3rd the San Jose Historic Landmarks Commission were given a report on the opportunity for a BART entrance at Bank of America.

ALTERNATIVE

The Board can elect to direct design to proceed on the Western Dental station entrance.

FISCAL

As the SVRT Project costs for the Bank of America entrance are limited, with the City of San Jose taking the responsibility for the added costs of right-of-way acquisition and the building retrofit, there is no increase to the investment required by the project for this station entrance.

Prepared by: Mark S. Robinson, SVRT Central Area Group Manager