

Date: April 11, 2006Committee Meeting Date: April 20, 2006Board Meeting Date: May 4, 2006**BOARD MEMORANDUM**ACTION X DISCUSSION INFO

TO: Congestion Management Program and Planning Committee
 Santa Clara Valley Transportation Authority
 Board of Directors

THROUGH: Michael T. Burns
 General Manager

FROM: Carolyn M. Gonot
 Chief Development Officer

SUBJECT: Memorandum of Understanding with the Council of San Benito County
 Governments

RECOMMENDATION:

Authorize the General Manager to execute Memorandum of Understanding with the Council of San Benito County Governments regarding cooperation on development of transportation solutions for Santa Clara and San Benito Counties.

BACKGROUND:

In October 2002, VTA initiated a study of transportation improvements, accompanied by land use policy review, for the southern portion of the Santa Clara County and our neighboring counties to the south. The goal of the study was to identify a program of transportation improvements in the south county area that served the future demand of commuters and commercial traffic into Santa Clara County. The study was conducted in cooperation with the California Department of Transportation (Districts 4 and 5), the Council of San Benito County Governments, the Association of Monterey Bay Area Governments and each of the counties and cities in the study area.

In addition, VTA, in partnership with Caltrans, is developing the SR 152/SR 156 Improvement Project to improve traffic operations and address safety concerns at that intersection. The project removes the existing bottleneck at the SR 152/SR 156 intersections by grade separation of the westbound SR 152 to westbound SR 156 movement from the eastbound 156 movement. The project is located in the southeastern portion of Santa Clara County approximately 0.6 miles north of the Santa Clara County/San Benito County line.

During the public comment period for the environmental document for the 152/156 Improvement Project, officials from the Council of San Benito County Governments (COG) and San Benito County Board of Supervisors were concerned that the SR 152/SR156 Improvement Project may result in increased traffic on San Benito County roads.

To address the need for additional cooperation and consultation on these two transportation issues, San Benito County officials proposed that a Memorandum of Understanding (MOU) be developed between the two agencies.

DISCUSSION:

VTA and COG staffs have developed a draft MOU for consideration by both agencies. The MOU is intended to establish a framework for additional study and discussion on transportation issues of interest to both counties.

The recommended MOU (Attachment A) establishes an agreement for regular meetings of VTA Board Members and elected officials from San Benito County. The document also calls for additional traffic analysis and monitoring of the roadways serving the area and establishes a partnership to work together on developing transportation solutions.

The VTA South County Highway Policy Advisory board reviewed the MOU at its February 8, 2006 meeting. San Benito COG Board Members and staff were present at the meeting and requested one edit on the resolution.

VTA recognizes the importance of this area in southern Santa Clara and northern San Benito Counties as being the southern gateway into the Bay Area and Silicon Valley. Staff recommendation is to approve this MOU and to begin a productive relationship with San Benito County and other partners in order to develop a consensus strategy for transportation improvements in the area.

ALTERNATIVES:

The VTA Board could choose not to authorize execution of the Memorandum of Understanding between VTA and COG.

FISCAL IMPACT:

There is no fiscal impact to VTA Transit Enterprise Operating funds. VTA staff time to support the effort identified in the MOU are included in the VTA budget.

Prepared by: Amin Surani, Senior Transportation Engineer

Reviewed by: John Ristow, Deputy Director, Programming and Project Development

Attachment A

DRAFT

March 9, 2006

MEMORANDUM OF UNDERSTANDING

This Agreement is entered as of _____ 2006, by and between the following public entities:

The Council of San Benito County Governments (“COG”), a joint powers agency formed under the joint exercise of powers provisions of California Government Code section 6500-6522 and the California Code of Civil Procedure section 1240.140; and the Santa Clara Valley Transportation Authority (VTA), the designated congestion management agency for Santa Clara County.

WHEREAS,

A. Transportation improvements to State Route 152 and State Route 156 are critical to the safety of their users and to the economic vitality of both counties and the State of California.

B. It is desirable to coordinate and cooperate in the development of transportation solutions to make routes safer and more efficient.

C. The SR 152/SR 156 Improvement project, as described in the approved environmental document approved on December 27, 2005, is an important and critical project needed to improve safety and operations of the intersection between the two state routes.

D. COG desires to ensure that the SR152/156 Improvement Project will not result in an increase in truck and commuter traffic on San Benito County local roads.

E. It is desirable to establish a process to monitor traffic conditions in the area of the SR 152/SR 156 intersections both before and after construction.

NOW, THEREFORE, the parties agree as follows:

1. Representatives from COG and VTA Boards will meet as necessary to discuss transportation issues of joint concern including, but not limited to, the location of a new east-west route.
2. When the SR 152/SR 156 Improvement Project is constructed and opened to traffic, the traffic lanes will be limited to one- in each direction on SR 152 and SR 156 entering each county.
3. SR 156 and SR 152 will remain 2-lane roadways from the SR 152/SR 156 intersection, and shall not be expanded to 2-lanes in either direction unless an environmental impact report (EIR) is prepared for such expansion.
4. The parties will monitor traffic circulation patterns within the improvement project, following completion of the Route 152/156 Improvement Project. Caltrans 2005 Average Daily Traffic Counts and VTA's 2005 Annual Monitoring and Conformance Report will be the basis for tracking traffic volume growth on Route 152 and Route 156 in the area.
5. The parties will work together with Caltrans to develop consensus solutions to address long-range transportation needs within the area.
6. The parties will incorporate mutually agreed upon transportation improvements for the area into their respective long-range countywide transportation plans.
7. This Agreement shall commence upon execution of the Agreement by all the parties, and shall continue in effect until terminated. Either party may terminate this Agreement, upon written notice of termination to the other party at least 30 days in advance of the effective date of termination.
8. This Agreement contains all of the terms and conditions agreed to between the parties. Except as otherwise specified, this Agreement shall not be amended or altered without the written consent of the parties.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year heretofore written.

COUNCIL OF SAN BENITO
COUNTY
GOVERNMENTS:

SANTA CLARA VALLEY
TRANSPORTATION AUTHORITY:

BY: _____
Pauline Valdivia
Chair

BY: _____
Cindy Chavez
Chair

DATE: _____

DATE: _____

APPROVED AS TO LEGAL FORM:

APPROVED AS TO LEGAL FORM:

BY: _____
Claude L. Biddle
Interim County Counsel

BY: _____
Suzanne Gifford
General Counsel

DATE: _____

DATE: _____

CONTACT BOARD SECRETARY'S OFFICE FOR ATTACHMENTS.