TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PUBLIC WORKS

DATE: APRIL 15, 2002 CMR:204:02

SUBJECT: APPROVAL OF AMENDMENT NO. ONE TO THE SAND HILL CORRIDOR MAINTENANCE AGREEMENT BETWEEN THE CITY OF PALO ALTO AND THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY FOR SAND HILL ROAD CORRIDOR PROJECTS

REPORT IN BRIEF

The 1999 Council approval of the maintenance agreement for the Sand Hill Road Corridor projects established Stanford’s responsibilities for maintenance of improvements in public rights-of-way and easements. This report reviews and recommends approval of amendments to the maintenance agreement. The amendments address responsibility for maintenance of the sidewalk which is part of the improved landscaped area along the Stanford Shopping Center side of El Camino Real from San Francisquito Creek to University Avenue. Clarification is considered necessary in order to preclude potential conflicts in determining responsibilities and liabilities.
RECOMMENDATION
Staff recommends that Council approve Amendment No. One to the Sand Hill Corridor Maintenance Agreement between the City of Palo Alto and the Board of Trustees of the Leland Stanford University.

BACKGROUND
On May 24, 1999, the City Council approved a maintenance agreement, concurrently with the Sand Hill Corridor Final Subdivision Map. The agreement stipulates that Stanford, at its sole cost as developer of the projects defined by Sand Hill Road Corridor Development Agreement, will maintain and repair landscaping and certain types of improvements within the El Camino Real, Sand Hill Road, Quarry Road and Arboretum Road rights of way and in specified public access and utility easements located on Stanford lands.

DISCUSSION
Stanford’s implementation of the Sand Hill Road Corridor Projects has evolved through development of detailed project designs reviewed and approved by the City’s Architectural Review Board for the 1999, 2000 and 2001 construction seasons.

Two issues identified during the construction process need to be clarified in the original maintenance agreement.

1. The sidewalk along the Stanford Shopping Center’s El Camino Real frontage is located partially within the road right of way and partially on Stanford Shopping Center property. The location of a portion of the sidewalk outside of the right of way results primarily from final design of a bus stop and related roadway features. The maintenance agreement requires Stanford to maintain the sidewalk within the El Camino Real right of way but did not anticipate sections of the sidewalk outside of the right of way. Section 2 of the maintenance agreement contains a list of Stanford’s maintenance obligations. The recommended amendment adds a new Item 2(f): All sidewalks on the Stanford Shopping Center side of El Camino Real between Sand Hill Road and University Avenue, whether or not in the El Camino Real right of way. Exhibit Map A-8 illustrates the sidewalk location relative to the right of way.

2. Section 2(a) of the maintenance agreement requires Stanford to maintain “any special pavement within the public utility easements or in public streets.” Exhibit Map A-8 is attached to the Maintenance Agreement to identify “areas with special pavement.” The roadway design and City review process resulted in additional special pavement being used at the El Camino Real/Quarry Road intersection. Exhibit Map A-8 is attached to show its location.
POLICY IMPLICATIONS
The amendment is consistent with the City Council’s 1997 approval of Sand Hill Road Corridor projects and the Council’s 1999 approval of the Development and Maintenance Agreements associated with the Final Subdivision Map.

ENVIRONMENTAL REVIEW
The maintenance element of the Maintenance Agreement is exempt from the California Environmental Quality Act (CEQA) under Section 15301 of CEQA Guidelines.

ATTACHMENTS
Attachment A: Amendment No. One to the Sand Hill Corridor Maintenance Agreement between the City of Palo Alto and the Board of Trustees of the Leland Stanford University

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