



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Albert Balagso
Larry D. Lisenbee

SUBJECT: SEE BELOW

DATE: 08-09-06

Approved

Date

8/14/06

COUNCIL DISTRICT: 6
SNI: N/A

SUBJECT: ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE PARK TRUST FUND FOR PARK IMPROVEMENTS AT CURCI PARK SITE AND APPROVAL OF A TURNKEY AGREEMENT WITH PFEIFFER RANCH II, INC.

RECOMMENDATION

- 1) Adopt the following Appropriation Ordinance and Funding Sources Resolution Amendments in the Subdivision Park Trust Fund (Fund 375):
 - a. Establish an appropriation to the Department of Parks, Recreation and Neighborhood Services in the amount of \$51,298 for the Curci Park Site Turnkey Project;
 - b. Establish an appropriation for the Curci Park Site Improvements project in the amount of \$206,550 to the Department of Parks, Recreation and Neighborhood Services;
 - c. Increase the estimate for Earned Revenue by \$51,298; and
 - d. Decrease the Reserve: Hamann Park Renovation project by \$206,550.
- 2) Approval of a Turnkey Park Agreement with Pfeiffer Ranch II, Inc., for Planned Development Permit PD05-062 (PT05-080) to construct park improvements on the Curci Park site and to reimburse Pfeiffer Ranch II, Inc. in an amount not to exceed \$206,550 for park and street improvements on the Curci Park site associated with Planned Development Permit PD05-062.

CEQA: Mitigated Negative Declaration, PDC05-046.

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OUTCOME

Approval of recommendations would allow the completion of Curci Park, a 0.7-acre turnkey neighborhood park, and associated street improvements.

EXECUTIVE SUMMARY

The purpose of this memorandum is to (1) establish appropriations in the Subdivision Park Trust Fund to the Department of Parks, Recreation and Neighborhood Services in the amounts of \$206,550 to reimburse Pfeiffer Ranch II, Inc. (Developer) for costs incurred for construction of improvements to Curci Park and associated street improvements that are beyond the Developer's parkland obligations, and \$51,298 for the costs associated with the design review and inspection, (2) increase the estimate for earned revenue by \$51,298, which are the fees paid by the Developer for the design review and inspection, and (3) authorize the City Manager to negotiate and execute a Turnkey Agreement with the Developer to construct park improvements on the Curci Park site. City Council approval of recommendations would allow completion of Curci Park and associated street improvements.

BACKGROUND

The City's Parkland Dedication Ordinance (San Jose Municipal Code, Chapter 19.38) requires developers to dedicate land, pay a parkland fee in lieu of dedication, or both, to help meet the demand for neighborhood and community parkland generated by the development of new residential subdivisions. Pfeiffer Ranch II, Inc., ("Developer") has received development approval for a housing project near the intersection of St. Elizabeth Drive and Curci Drive for 46 single-family housing units.

ANALYSIS

The Developer has agreed to dedicate approximately 0.21 acres of land on the project site to be used for a public park in partial fulfillment of its parkland obligation. The 0.21 acres is immediately adjacent to the City's existing 0.5-acre Curci Park, which is located to the west of the Developer's site. The 0.21 acres that will be dedicated by the Developer will be used to expand the existing undeveloped Curci Park site, which will result in an approximate 0.7-acre neighborhood park site.

The Developer will receive equivalent unit credits against the Developer's parkland obligation for 24 of the 46 single-family attached units in exchange for the land dedication. The Developer's parkland obligation for the remaining 22 single-family attached units is satisfied by

\$291,500 in in-lieu park fees, which will be expended by the Developer to partially fund park improvements for the new park site.

The Developer has also agreed to construct improvements on the entire park site and provide public street improvements to the southeast corner of St. Elizabeth and Curci Drives where the expanded park will be located. All of the park improvements, including park public street improvements, will be designed and constructed in accordance with standard City specifications as shown on the attached schematic plan. The total estimated cost to design and construct the Curci Park improvements is \$466,080. The estimated cost to improve the two public streets adjacent to the park is \$31,970. Therefore, the total costs to complete the build-out of the Curci park site is \$498,050. This amount is \$206,550 above the Developer's parkland obligation. Staff recommends that the \$206,550 balance of the costs of the improvements be funded by the Park Trust Fund. These funds will be used to reimburse the Developer for the additional costs incurred by the Developer for the construction of the improvements once the park project has been completed and accepted by the City.

Funding shifts in the Park Trust Fund would be needed to ensure that funds used for improvements to Curci Park satisfy the nexus requirement for the use of parkland fees (i.e., within a ¾-mile radius from the development that generated the fees for neighborhood-serving facilities and two miles for community-serving facilities). The first action is to reduce the reserve for Hamann Park Renovation by \$206,550 and move these funds to the Bascom Community Center project. The Hamann Park reserve includes parkland fees from two developments totaling \$323,000. Both these developments are within the 2-mile radius of the Bascom Community Center, a community-serving facility. Moving the funds from the Hamann Park reserve to the Bascom Community Center frees up funds currently allocated to the Bascom Community Center project which were collected within a ¾-mile radius of Curci Park, a neighborhood-serving facility. This action reduces the reserve for Hamann Park to \$116,450 and has no fiscal impact on the Bascom Community Center project. Freed-up funds in the amount of \$206,550 from the Bascom Community Center project, collected from the Leigh and Moorpark Senior Housing development, would be appropriated for the Curci Park Site Improvements project. Additionally, the cost associated with design review and inspection fees in the amount of \$51,298 to be paid by the developer is recommended to be appropriated. No appropriation action is required for the Bascom Community Center project.

POLICY ALTERNATIVES

Alternative : Limit the Developer's Scope of Work to the Amount of the Developer's Parkland Obligation.

Pros: No additional funding would be needed to reimburse the Developer.

Cons: The City would have to reduce the scope of work for the park improvements.

Reason for not recommending: This would result in completion of the park not in conformance with the conceptual design as presented and accepted by the community. It may also result in a delay in construction of street improvements and/or lead to the City maintaining a vacant parcel of land directly adjacent to a newly developed park.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This meets criteria 3: Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a community group that requires special outreach. To satisfy special outreach, the Curci Park project was presented to the local community at a neighborhood meeting on October 25, 2005. Staff contacted Burbank-Del Monte SNI representatives by e-mail prior to the community meeting for this park project. Twenty-four residents attended the meeting representing the adjacent neighborhoods as well as the Burbank SNI area. Major issues discussed at the meeting included safety concerns for park users, particularly children along the St. Elizabeth Drive frontage; proximity of the park site to the Los Gatos Creek Trail; adding game tables and benches for seniors in the neighborhood; and the need for a restroom to serve park patrons. City staff responded to these concerns by adding fencing around the play lots and along the westerly edge of the park at St. Elizabeth Drive to the park plans. Staff concluded, as well as most of the residents attending the meeting, that the park was too small to include a restroom, and that most park users would be able to use restrooms at their homes. Game tables and additional benches are to be considered in the final design of the park.

The Parks and Recreation Commission held a public hearing on December 7, 2005 at City Hall to discuss the Curci Park project. PRNS staff placed a display ad in the San Jose Mercury News approximately 14 days prior to this Parks and Recreation Commission meeting. Additionally, information pertaining to the project and a conceptual site design were placed on the PRNS web site during the latter part of November 2005.

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COORDINATION

This item has been coordinated with the Public Works, General Services, Planning, Building, and Code Enforcement Departments; the City Attorney’s Office, and the City Council District 6 Office.

COST SUMMARY/IMPLICATIONS

The City will be responsible for a reimbursement payment of \$206,550 to Pfeiffer Ranch II, Inc. for park improvement project costs. The cost of design review and inspection, estimated to be \$51,298, will be paid by the Developer. In addition, estimated annual maintenance costs for the park are \$17,000.

BUDGET REFERENCE

Fund #	Appn #	Appn. Name	RC#	Total Appn.	Amt. for Contracts	Proposed 2006-07 Budget (Page)	Last Budget Action (Date, Ord. No.)
375	7042	Reserve: Hamann Park Renovation		\$323,000		V-650	6/28/06 Ord. No. 27821
Additional Funding Recommended							
375	TBD	Curci Parksite Improvements	TBD	\$206,550	\$206,550	N/A	N/A
375	TBD	Curci Parksite Turnkey Project	TBD	\$51,298		N/A	N/A
Total Additional Funding Recommended				\$257,848	\$206,550		

CEQA

CEQA: Mitigated Negative Declaration, PDC05-046.

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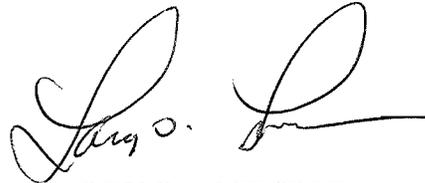


ALBERT BALAGSO
Director, Parks, Recreation
and Neighborhood Services



LARRY D. LISENBEE
Budget Director

I hereby certify that there will be available for appropriation in the Subdivision Park Trust Fund in the fiscal year 2006-2007 monies, in excess of those heretofore appropriated therefrom, said excess being at least \$51,298.



LARRY D. LISENBEE
Budget Director

For questions, please contact MATT CANO, PRNS DIVISION MANAGER, at 535-3580.

Attachment

ATTACHMENT

STREET TREE (TYPICAL)

WROUGHT IRON FENCE WITH PILASTERS

CITY OF SAN JOSE PARK SIGN

PICNIC AREA WITH TABLES IN DECOMPOSED GRANITE FINES, TRASH RECEPTACLES, AND DRINKING FOUNTAIN

PLANTING AREA TO INCLUDE SHRUBS, GROUND COVER, & VINES (TYPICAL)

CURCI DRIVE

ST. ELIZABETH DRIVE

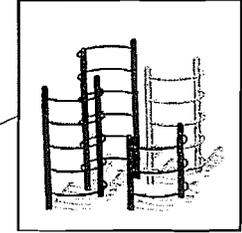
OPEN TURF AREA

PRIVATE ALLEY

PRIVATE DRIVE

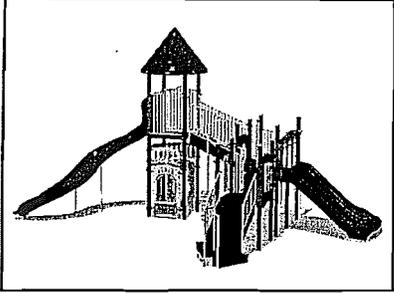


TOTTERS

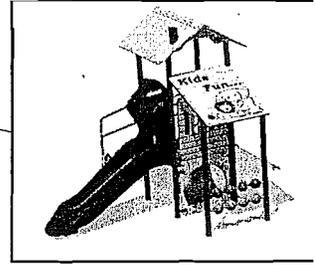


CLIMBING STRUCTURE

EXISTING OAK TREE TO REMAIN, MULCH UNDER DRIPLINE.



AGES 6-12 PLAY STRUCTURE



AGES 2-5 PLAY STRUCTURE

BENCH (TYPICAL)

PROPOSED POST LIGHT (TYPICAL)

CONCEPTUAL PARK LAYOUT
 CURCI DRIVE TURNKEY PARK - SAN JOSE, CALIFORNIA

HMH
 LANDSCAPE ARCHITECTURE
 1570 Oakland Pike
 San Jose, CA 95131
 Tel: (408) 437-2200
 Fax: (408) 437-2222
 www.hmhlandscape.com
 DATE: 8/15/13
 DRAWN BY: LHM

