



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: William F. Sherry, A.A.E.
Larry D. Lisenbee

SUBJECT: SEE BELOW

DATE: October 29, 2007

Approved

Date

10/31/07

COUNCIL DISTRICT: City-Wide

SUBJECT: APPROVAL OF AN AGREEMENT WITH THE COUNTY OF SANTA CLARA TO PROVIDE THE COUNTY WITH ACOUSTICAL DESIGN SERVICES, CONSTRUCTION ADMINISTRATION AND ACOUSTICAL TREATMENT CONSTRUCTION OF ELIGIBLE PROPERTIES LOCATED WITHIN THE NOISE IMPACT AREA AT REID HILLVIEW AIRPORT AND ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE AIRPORT RENEWAL AND REPLACEMENT FUND.

RECOMMENDATION

- a. Adoption of a resolution authorizing the City Manager to negotiate an agreement with the County of Santa Clara to provide the County with acoustical design services, construction administration and acoustical treatment construction of eligible properties located within the Noise Impact Area at Reid Hillview Airport, in an amount payable to the City not to exceed \$500,000, for the period November 20, 2007 to December 31, 2009.
- b. Adoption of the following 2007-2008 Appropriation Ordinance and Funding Sources resolution amendments in the Airport Renewal and Replacement Fund (527):
 1. Increase the estimate for Earned Revenue in the amount of \$500,000; and
 2. Establish an appropriation to the Airport Department for the Reid Hillview Noise Treatment Program in the amount of \$500,000.

OUTCOME

The proposed Agreement with the County will provide for the Norman Y. Mineta San Jose International Airport (Airport) Acoustical Treatment Program (ACT Program) to administer the County acoustical treatment program for properties near the Reid Hillview Airport. This will allow the County to use the expertise of the ACT Program to provide professional services for the design and treatment of eligible properties located within the Reid Hillview Airport Noise Impact Area.

BACKGROUND

In late 2006 the County completed its Part 150 study for the Federal Aviation Administration (FAA) and identified properties that were impacted by arrival and departure noise from Reid Hillview Airport. Given the small number of properties within the Reid Hillview Noise Impact Area, the County asked if the City would provide the services of the ACT Program for the acoustical design and treatment of those eligible properties.

In early 2007 ACT Program and County staff met and agreed that the City's provision of acoustical treatment services to the County would benefit both the community and the County.

ANALYSIS

The proposed Agreement would utilize the best services of both agencies for the benefit of the community. The City's Corporate Priority for Neighborhood Focused Service Delivery not only applies to our residents but other governmental agencies as well. The ACT Program has successfully partnered with the City's Housing Department, the Public Works Department and Strong Neighborhood Initiative (SNI) to show what is possible when government services are combined for the benefit of the community. This coordinated effort with the County will continue to showcase our "Good Neighbor" policy to the residents of San Jose.

The proposed Agreement with the County of Santa Clara sets out the responsibilities and delivery of services by the ACT Program. The ACT Program will provide expertise in sound attenuation for the properties located within the Reid Hillview Noise Impact Area and it also defines the specific terms for payment of services. The payment terms identify the process for payments to the City, Consultant and the Contractor, as well as other associated costs.

The small number of County properties will be included as part of a larger ACT Program construction bid package. The ACT Program also has experience with this type of fund accountability, which was successfully used to acoustically treat a small number of dwellings that were part of a Public Works project that was not funded by federal grants. Although both the City and County projects are funded by federal Airport Improvement grants, the City will maintain separate invoicing to comply with any federal or City guidelines.

EVALUATION AND FOLLOW-UP

The performance measurement for this partnership will be the timely completion of the acoustical design and treatment of the eligible properties within the County Noise Impact Area. Charles M. Salter Associates, Inc. participated in a Request for Proposal process and was selected as the most qualified proposer to provide these services. Approval of the Master Consultant Agreement will be on the Council Agenda November 20, 2007. If this Master Consultant Agreement is approved, the County properties will be the first project under this new Agreement.

POLICY ALTERNATIVES

Not Applicable

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater.
(Required: Website Posting)
- X **Criterion 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)**
- Criterion 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)**

Under Criterion #2, the County and the ACT Program will conduct joint Public Outreach. Eligible property owners will be contacted, by mail and in person and provided information regarding the acoustical testing and treatment of their properties. Additionally group meetings will be held to introduce the eligible property owners to the ACT Program and County staff as well as the consultants.

Detailed processes and procedures will be discussed and questions will be answered. Personal contact with the eligible property owners will continue throughout the entire acoustical testing and treatment process.

COORDINATION

This memo has been coordinated with the City Attorney's Office.

COST SUMMARY/IMPLICATIONS

The maximum amount of this agreement of providing acoustical design services, construction administration and acoustical treatment construction of eligible properties located within the Noise Impact Area at Reid Hillview Airport is \$500,000. This amount will be fully reimbursed by the County of Santa Clara.

BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the contract recommended as part of this memo.

Fund #	Appn #	Appn. Name	RC #	Total Appn	Amt. for Contract	2007-2008 Adopted Budget (Page)	Last Budget Action (Date, Ord. No.)
Remaining Project Costs				500,000			
Additional Funding Recommended							
527	TBD	Reid Hillview Noise Treatment Program		500,000			
Total Additional Funding Recommended				500,000			

CEQA

Exempt (File No. E-14391)


 JENNIFER MAGUIRE
 Acting Budget Director


 for WILLIAM F. SHERRY, A.A.E.
 Director of Aviation

For questions please contact William Sherry, Director of Aviation, at (408) 501-7669.

I hereby certify that there will be available for appropriation in the Airport Renewal and Replacement Fund in 2007-2008 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$500,000.


 Jennifer Maguire
 Acting Budget Director