



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Katy Allen  
Albert Balagso  
Jennifer A. Maguire

**SUBJECT:** SEE BELOW

**DATE:** November 10, 2008

Approved

Date

11/14/08

**COUNCIL DISTRICT:** 3  
**SNI AREA:** Various

**SUBJECT: ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE SERVICES FOR REDEVELOPMENT CAPITAL PROJECTS FUND (CITY-SIDE REDEVELOPMENT FUND) IN THE AMOUNT OF \$133,500 FOR 2008-2009 AND ADOPTION OF A RESOLUTION MAKING CERTAIN DETERMINATIONS REGARDING THE EXPENDITURE OF AGENCY FUNDS ON CERTAIN PUBLIC IMPROVEMENTS.**

## RECOMMENDATION

- a) It is recommended that the City Council adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for 2008-2009:
1. Increase the estimate for Earned Revenue by \$133,500.
  2. Establish an appropriation to the Department of Public Works for the Transit Mall Paving Restoration Project (PSM 550) in the amount of \$54,000.
  3. Establish an appropriation to the Parks, Recreation and Neighborhood Services Department for the Downtown for the Holidays Project (PSM 553) in the amount of \$79,500.
- b) It is also recommended that the Council adopt a resolution making certain determinations regarding the related expenditure of Redevelopment Agency funds on certain public improvements in connection with the Transit Mall Paving Restoration Project as more specifically described in the memorandum from the Redevelopment Agency, dated September 3, 2008, attached hereto.

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11-10-08

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## **OUTCOMES**

The City Council's approval of the recommended actions will provide for the enhancement of the pedestrian environment in the Greater Downtown. In addition, it provides for the enhancement of public spaces during the winter holiday season.

## **BACKGROUND**

The San Jose Redevelopment Agency has requested City services in the implementation of Agency projects. These proposed amendments are necessary to account for City-side expenditures on Redevelopment Agency projects.

## **ANALYSIS**

### **Transit Mall Paving Restoration Project**

The Transit Mall Paving Restoration Project provides for the enhancement of the pedestrian environment in the Greater Downtown supporting the goals of the Downtown Streetscape Master Plan and the Downtown Street and Pedestrian Lighting Plan. Sections of the existing transit mall pavers along South First Street from Santa Clara to Paseo de San Antonio have sunk over time and no longer meet city standards. Restoring the granite paving includes the removal and storage of existing pavers, stabilization of the soil under the pavers, and installation of the pavers or new pavers. The Department of Public Works will manage and administer the project in coordination with Valley Transportation Authority and the San Jose Redevelopment Agency. With a total budget of roughly \$278,000, this portion is specifically for project development, project management, material testing lab, and bid/award services. Once the project is ready to bid and specific design plans are developed, an environmental review will be completed and City Council approval will be requested for the next phase of the project. The source of funding for this portion of the project would be a transfer from the Redevelopment Agency in the total amount of \$54,000.

### **Downtown for the Holidays**

The Downtown for the Holidays project provides for the enhancement of public spaces along Paseo de San Antonio between Market and Fourth Streets, Fountain Alley, and San Pedro Square during the winter holiday season. Holiday enhancements include but are not limited to: snow machines, decorated overhead garland, and additional costs associated with the early opening of the Christmas in the Park. In addition to the visible enhancements, this funding provides for the electrical and physical hardware necessary to support these decorations. This will result in establishing an environment in Downtown that promotes community and economic development

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will coordinate with the Downtown Management Division of the Redevelopment Agency to execute this project. The source of funding for this project would be a transfer from the Redevelopment Agency in the total amount of \$79,500.

### **EVALUATION AND FOLLOW-UP**

These projects are currently anticipated to be within budget and on schedule. No additional follow up actions with the Council are expected at this time.

### **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)**
- 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 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)**

Although this project does not meet the \$1 million threshold for Criterion 1, this memorandum is posted on the City's website for the December 2, 2008 Council Agenda.

### **COORDINATION**

This project and memorandum have been coordinated with the City Attorney's Office and the San Jose Redevelopment Agency.

### **FISCAL/POLICY ALIGNMENT**

These projects are consistent with the Council-approved Budget Strategy to continue with capital improvement projects that keep money flowing to our economy.

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**COST IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION/ COST OF PROJECTS: \$133,500
2. SOURCE OF FUNDING: 450 - Services For Redevelopment Capital Projects Fund
3. OPERATING COSTS: There are no anticipated operating and maintenance cost associated with projects described in this memo.

**CEQA**

CEQA: Transit Mall Paving Restoration Project: Resolution No. 65459 and addenda thereto PP08-244; Downtown for the Holidays: Resolution No. 72767.



KATY ALLEN  
Director, Public Works Department



ALBERT BALAGSO  
Director, Parks, Recreation and  
Neighborhood Services Department



JENNIFER A. MAGUIRE  
Budget Director

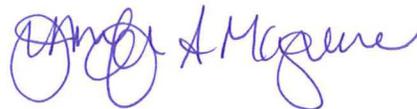
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I hereby certify that there will be available for appropriation in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Capital Fund) in the Fiscal Year 2008-2009 monies in excess of those heretofore appropriated there from, said excess being at least \$133,500.



JENNIFER A. MAGUIRE  
Budget Director

For more information regarding this project, contact:

Transit Mall Paving Restoration Project: Tom McLauchlan, Associate Landscape Architect,  
(408) 793-4136.

Downtown for the Holidays: Ed Bautista, Events Manager, (408) 794-6201.

# THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

## MEMORANDUM

TO: KENN LEE CAPITAL BUDGET COORDINATOR	FROM: BOB RUFF ASSISTANT DIRECTOR OF PROJECT MANAGEMENT
SUBJECT:  SEE BELOW	DATE:  September 3, 2008

**SUBJECT: DETERMINATIONS REGARDING FUNDS TRANSFERRED TO  
THE CITY FOR PUBLIC IMPROVEMENT PROJECT**

The Downtown Streetscape Master Plan and the Downtown Street and Pedestrian Lighting Plan were approved by City Council in 2003. The Master Plans provides guidelines for a number of planned public realm improvements within the Greater Downtown. Funds were placed in the Redevelopment Agency's FY08-09 budget for improvements in the pedestrian environment.

The Transit Mall Paving Restoration Project consists of the removal and storage of sections of existing transit mall pavers along South Fifth Street from Santa Clara to Paseo de San Antonio that have sunk over the years and therefore do not meet city standards as a pedestrian sidewalk; stabilization of the soil under the pavers; and installation of the pavers or new pavers in these locations. This project will enhance the pedestrian environment in the Transit Mall.

Section 33445 of the Redevelopment Law requires the City Council to adopt a resolution making certain determinations with respect to publicly owned improvements funded by the Redevelopment Agency. The required findings are as follows:

1. The project enhances the pedestrian environment in the Greater Downtown. This supports the goals of the Downtown Streetscape Master Plan. All work is within the Merged Redevelopment Project Area.
2. This project is not currently included in the City's Capital Budget and there are no other reasonable means of financing the project.

3. This project will help remove a blighted condition along the Transit Mall.
4. The project supports the various goals in the adopted five year Redevelopment Agency Implementation Plan, including:

**Goal:** Provide public infrastructure improvements to support private development.

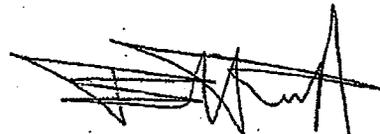
**Objectives:** Implement the Downtown Streetscape Master Plan as funding is available

**Goal:** Establish the Downtown as the 24-hour center of urban life and activity.

**Objectives:**

- Use public investment in land, infrastructure, and public-use space to attract and stimulate private investment.
- Continue design and construction of Downtown infrastructure.

Please proceed to incorporate the necessary findings for the public project identified above into a future City Council memo requesting Adoption of Appropriation Ordinance and Funding Sources Resolution Amendments to the City-side Redevelopment Fund.



Bob Ruff  
Assistant Director,  
Project Management

Attachment

cc: David Baum  
Sandy Shayesteh  
Tom Murtha

**USE OF A FINAL EIR  
FOR THE SAN JOSE DOWNTOWN STRATEGY 2000**

Pursuant to Section 15162 of the CEQA Guidelines, the City of San Jose has determined that the project described below is pursuant to or in furtherance of the Downtown Strategy Plan and does not involve new significant effects beyond those analyzed in the Final Environmental Impact Report (EIR) for the Downtown Strategy Plan in San Jose. Therefore, the City of San Jose can take action on the project as being within the scope of the Downtown Strategy Plan and the Final EIR.

**PROJECT DESCRIPTION AND LOCATION**

PP08-244. The project, located along South First Street adjacent to the Fairmont Hotel within the City of San Jose right-of-way, consists of the removal of broken and damaged pavers, removal and re-setting of pavers that have settled to uneven levels, installation of new pavers, compaction of subsoil, evaluation of existing water and sewer lines for leaks and settling problems, grinding existing pavement as required to meet new grades, re-set utility boxes and lids to new elevations, and cleaning and finishing new and re-installed pavers.  
Council District 3.

The environmental impacts of this project were addressed by a Final EIR entitled, "San Jose Downtown Strategy 2000," and findings were adopted by City Council Resolution No. 72767 on June 21, 2005. Specifically, the following impacts were reviewed and found to be adequately considered by the EIR:

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|--|--|--|
| <input checked="" type="checkbox"/> Land Use               | <input checked="" type="checkbox"/> Transportation and Circulation |  |
| <input checked="" type="checkbox"/> Air Quality            | <input checked="" type="checkbox"/> Noise                          | <input checked="" type="checkbox"/> Shade and Shadow   |
| <input checked="" type="checkbox"/> Visual Resources       | <input checked="" type="checkbox"/> Geology                        | <input checked="" type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Hazards                | <input checked="" type="checkbox"/> Public Facilities and Services |  |
| <input checked="" type="checkbox"/> Hydrology and Flooding | <input checked="" type="checkbox"/> Utilities and Infrastructure   | <input checked="" type="checkbox"/> Energy             |

Once the project is ready to bid and specific design plans are developed, subsequent environmental review will be completed.

Jared Hart  
Project Manager

Joseph Horwedel, Director  
Planning, Building and Code Enforcement

10/29/08  
Date

SJB Walsh  
Deputy