

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen

SUBJECT: SEVEN TREES COMMUNITY
CENTER AND BRANCH LIBRARY

DATE: 01-12-09

Approved  Date 1/20/09

COUNCIL DISTRICT: 7

RECOMMENDATION

- a. Approval of an agreement with the San Jose Water Company for installation of water facilities to serve the new Seven Trees Community Center and Branch Library project, in the amount of \$386,960, and
- b. Adoption of a resolution delegating authority to the City Manager to execute an agreement for the conveyance of a permanent easement to the San Jose Water Company for the above water facilities installation, and authorizing the Director of Public Works to execute all documents necessary to convey the easement and complete the transaction.

OUTCOME

Award of this agreement to the San Jose Water Company will allow the water facilities for the new building to be installed.

BACKGROUND

On May 20, 2008, Council awarded the construction contract for the project to Gonsalves and Stronck Construction, Inc. and construction began in June.

When complete, the Seven Trees Community Center and Branch Library will be a 58,350 square-foot facility providing both library and community center services. The new two-story facility will replace the former community center at Solari Park, located at 3590 Cas Drive. The site is bounded by Cedros Street and Los Arboles School to the north, Los Arboles Avenue and residential units on the east, Cas Drive and a commercial center on the south and Capitol expressway on the west (map attached).

ANALYSIS

New water services must be installed by the San Jose Water Company to serve the new facility.

The recommended agreement is for the preparation of the engineering plans, street trenching and installation of the appropriate pipes, connections, and other equipment required for this project.

In order to complete the water project, the San Jose Water Company and the City will enter into an easement agreement for the excavation, installation and maintenance of water facilities to serve the new Seven Trees Community Center and Branch Library. No compensation is requested for the easement; however the City will benefit from the construction of the water facilities that will serve the Community Center and Branch Library. Installation and Maintenance will be at the San Jose Water Company's sole cost and expense. San Jose Water Company will comply with all environmental laws, ordinances or regulations and will indemnify and hold the City harmless from all claims, injuries, liability or damages. A delegation of authority is requested to enter into an agreement and otherwise complete the transaction.

EVALUATION AND FOLLOW-UP

No additional follow up with the City Council is expected at this time.

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 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)**

This item does not meet any of the above criteria; however this memorandum will be posted on the City's website for the February 3, 2009, Council agenda.

COORDINATION

This memorandum and project have been coordinated with the Departments of Library and Parks, Recreation and Neighborhood Services, City Manager's Budget Office and the City Attorney's Office.

FISCAL/POLICY ALIGNMENT

This project is consistent with the Council-approved Budget Strategy to continue with capital investments that spur construction spending in our local economy. The square footage of this

branch library will also assist in meeting the General Plan goal of providing .43 square feet of library space per capita for the library.

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT: \$386,960

Project Delivery*	\$ 6,461,473
Construction	25,670,567
Contingency	2,570,000
Public Art (Library portion)	210,000
TOTAL PROJECT COSTS	\$34,912,040
Prior Year Expenditures*	(29,844,687)
REMAINING PROJECT COSTS	\$5,067,353

* Includes Master Plan

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

Lump Sum Agreement

3. SOURCE OF FUNDING: 375-Subdivision Park Trust Fund
385-Construction Tax and Property Conveyance Tax Fund:
Parks Purposes Council District #7
471-Parks and Recreation Bond Projects Fund
472-Branch Libraries Bond Projects Fund

4. OPERATING COST: The Seven Trees Community Center and Branch Library will have a net annual operating and maintenance impact of \$2,099,000 starting in FY 2009-10. This funding was included in the Preliminary 2010-2014 General Fund Forecast, released on November 20, 2008.

BUDGET REFERENCE

The table below identifies the funds and appropriations proposed to fund the agreement recommended as part of this memorandum and remaining project costs, including project delivery, construction, and contingency costs.

HONORABLE MAYOR AND CITY COUNCIL

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Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	2008-2009 Adopted Budget Page	Last Budget Action (Date, Ord. No.)
Remaining Project Costs			\$5,067,353	\$386,960		
Current Funding Available						
375	5261	Seven Trees Community Center-Multi Service	\$2,081,000		V-725	10/21/2008 Ord. No. 28422
385	6095	Seven Trees Community Center-Multi Service	\$1,650,000		V-465	
471	5145	Seven Trees Community Center-Multi Service	\$2,212,000	\$257,973	V-841	10/21/2008 Ord. No. 28422
472	5159	Seven Trees Branch	\$5,091,000	\$128,987	V-272	10/21/2008 Ord. No. 28422
Total Current Funding Available			\$11,034,000	\$386,960		
Funding in Future Years of CIP						
471	5145	Seven Trees Community Center-Multi Service	\$450,000		V-841	
472	5159	Seven Trees Branch	\$100,000		V-272	
Total Funding Available			\$11,584,000	\$386,960		

CEQA

CEQA: Mitigated Negative Declaration, File No. PP06-175. Resolution approved by Council on September 11, 2007.

Katy Allen

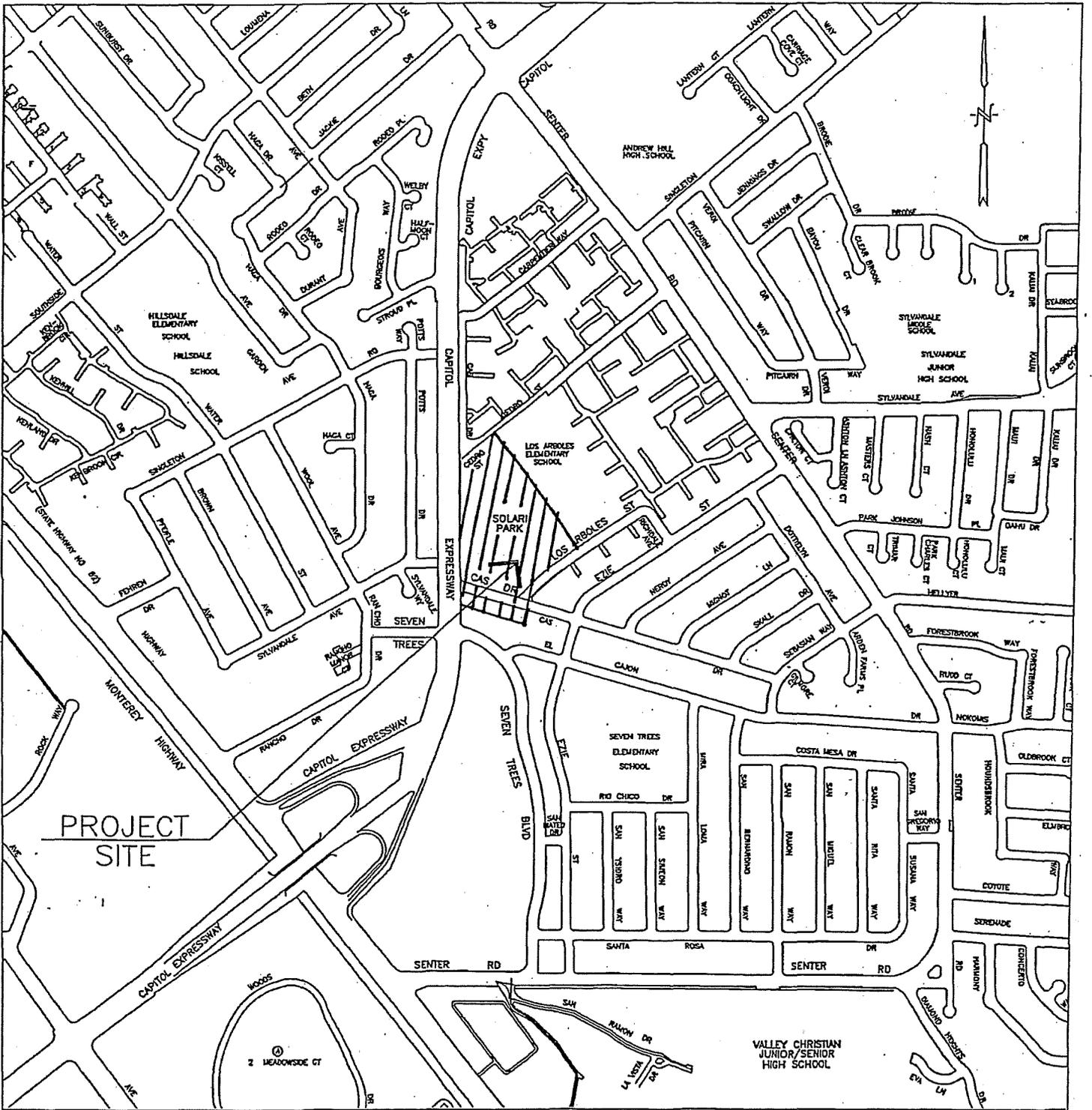
KATY ALLEN
Director, Public Works Department

For questions please contact DAVID SYKES, ASSISTANT DIRECTOR, at 408-535-8300.

KJ:dt:dz:do

Attachment

01_27_09 Seven Trees SJWC.doc



PROJECT SITE

SOLARI PARK
 LOCATION MAP
 NOT TO SCALE