



Sent to Council:

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MAY 26 2009
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Memorandum

**TO: HONORABLE MAYOR
AND CITY COUNCIL**

FROM: Nadine Nader

SUBJECT: Early Council Packet

DATE: May 26, 2009

Approved *Deanna Silva* Date *5/26/09*

EARLY DISTRIBUTION COUNCIL PACKET FOR JUNE 9, 2009

Please find attached the Early Distribution Council Packet for the June 9, 2009 Council Meeting.

2.x Lease for Office Space at 1302 N. Fourth Street.

Recommendation: Approve a five-year lease with Smith Family Trust for the use of approximately 20,480 square feet of office space located at 1302 N. Fourth Street in San José, at an initial rate of \$37,888 per month for the first year of the lease increasing to \$41,984 per month in the final year of the lease. CEQA: Not a Project. Council District 3. (Public Works)

2.x Residential Street Surface Sealing 2009.

Recommendation: Report on bids and award of contract for the Residential Slurry Seal 2009 project to the low bidder, Bond Blacktop, Inc. in the amount of \$1,507,436.50 and approval of a five percent (5%) contingency in the amount of \$75,372. CEQA: Exempt, File No. PP09-101. Council Districts 1, 2, 3, 4, 5, 6, 9 and 10. (Transportation)

2.x Fiscal Actions for Redevelopment Agency's Capital Projects.

Recommendation:

- (a) 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 \$2,965,991;
- (2) Increase the appropriation to the Department of Transportation for the Downtown Seasonal Banners Project (PSM 529 Amendment #1) in the amount of \$80,000;
CEQA: Resolution No. 72767 and addenda thereto, File No PP09-055. (Transportation/City Manager's Office)
- (3) Establish an appropriation to the Parks, Recreation and Neighborhood Services Department for the Watson Park Remediation and Phase I Improvements project (PSM 567) in the amount of \$2,000,000;
CEQA: Mitigated Negative Declaration, File No. PP 07-130, September 2008. (Parks, Recreation and Neighborhood Services/City Manager's Office)
- (4) Establish an appropriation to the Department of Public Works for the Utility Undergrounding Program (PSM 575) in the amount of \$100,000;
CEQA: Not a Project. (Public Works/City Manager's Office)
- (5) Establish an appropriation to the Department of Housing for the Washington Housing Rehabilitation Project (PSM 578) in the amount of \$200,000;
CEQA: Not a Project. (Housing/City Manager's Office)
- (6) Establish an appropriation to the Department of Transportation for the North San José Streetlight Conversion to LED project (PSM 577) in the amount of \$200,000;
CEQA: Exempt, File No. PP09-094. (Transportation/City Manager's Office)
- (7) Establish an appropriation to the Department of Public Works for the San José Convention Center Roof Replacement project (PSM 580) in the amount of \$90,000;
CEQA: Not a Project. (Public Works/City Manager's Office)
- (8) Establish an appropriation to the Office of Economic Development for the Inwalle Story and King Development – Public Art Project (PSM 581) in the amount of \$29,000;
CEQA: Exempt, File No. PP05-184. (Economic Development/City Manager's Office)
- (9) Establish an appropriation to the Housing Department for the Neighborhood Housing Services Silicon Valley (PSM #583) in the amount of \$250,000;
CEQA: Not a Project. (Housing/City Manager's Office)
- (10) Increase the appropriation to the Department of Planning, Building, and Code Enforcement for the California Environmental Quality Act (CEQA) Clearance (PSM 365 Amendment #5) in the amount of \$16,991.
CEQA: Not a Project. (Planning, Building and Code Enforcement/City Manager's Office)

- (b) Adopt resolutions making certain determinations regarding the related expenditure of Redevelopment Agency funds on certain public improvements in connection with:
- (1) The Watson Park Remediation and Phase I Improvements project as more specifically described in the memorandum from the Redevelopment Agency, dated March 17, 2009 attached hereto;
 - (2) The North San José Streetlight Conversion to LED as more specifically described in the memorandum from the Redevelopment Agency, dated April 3, 2009 attached hereto;
 - (3) The Utility Undergrounding Program as more specifically described in the memorandum from the Redevelopment Agency, dated March 3, 2009, attached hereto; and
 - (4) The Imwalle Story and King Development – Public Art Project as more specifically described in the memorandum from the Redevelopment Agency, dated April 20, 2009, attached hereto.

3.x Actions relating to the Association of Building, Mechanical and Electrical Inspectors.

Recommendation: Adopt a resolution approving the terms of an agreement with the Association of Building, Mechanical and Electrical Inspectors and authorizing the City Manager to execute the agreement with a term of June 28, 2009 to June 27, 2010. (City Manager's Office)

3.x Actions relating to Operating Engineers, Local No. 3.

Recommendation: Adopt a resolution approving the implementation of the terms of the City's Last, Best, Final Offer for employees represented by Operating Engineers, Local No. 3, effective June 28, 2009. (City Manager's Office)

4.x North San José Area Development Policy.

Recommendation:

- (a) Adopt a resolution amending the North San José Area Development Policy to:
- (1) Add capacity within the Policy to allow for up to one million square feet of large scale regional commercial uses and up to 2,000 hotel rooms outside the Core Area, and to decrease the capacity for new industrial uses by two million square feet;
 - (2) Facilitate the delivery of affordable residential units within North San José consistent with City goals for affordable housing;
 - (3) Other numerous clarifying changes to facilitate implementation of the Policy; and

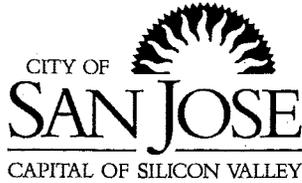
- (4) Allow the Director of Planning the discretion to grant permit time extensions.
- (b) Approve an ordinance amending the North San José Area Traffic Impact Fee.
- (c) Accept the North San José Neighborhoods Plan.
CEQA: Resolution No. 72768, Addendum to the North San José Policy Update
EIR. Council Districts 3 and 4. (Planning, Building and Code
Enforcement/Redevelopment Agency)

TO BE DISTRIBUTED SEPARATELY

These items will also be included in the Council Agenda Packet with item numbers.



NADINE NADER
Assistant to the City Manager



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen

SUBJECT: LEASE RENEWAL FOR THE
POLICE TRAINING UNIT

DATE: 05-18-09

Approved

Date

5/22/09

COUNCIL DISTRICT: 3

RECOMMENDATION

Approval of a five-year lease with Smith Family Trust for the use of approximately 20,480 square feet of office space located at 1302 N. Fourth Street in San José, at an initial rate of \$37,888 per month for the first year of the lease increasing to \$41,984 per month in the final year of the lease. The total rent for the five-year term of this lease is \$2,396,160.

OUTCOME

By approving this lease agreement, Council authorizes the monthly rent for the ongoing space needs for the Police Training Unit.

BACKGROUND

The San José Police Department is required by State regulation to provide sworn police officers with 20 hours of continuous training updates annually. The Police Department currently must provide this training to approximately 1,400 sworn members. The Department also provides other mandated training such as diversity training, emergency response training, computer training, and various wellness and safety training to sworn as well as non-sworn police personnel, approximately 1,800 in all.

This site utilizes special training rooms which were built out in the initial lease in 1999. There are specialized rooms for a shooting simulator, driving simulators, simunitions (simulation) training, computer training and a mat room. In some cases these rooms require maintenance of certain temperatures for the specialized equipment. The building provides adequate parking for all training activities at this site. Given the square footage needs for the training facility and the specialized needs for some of the training equipment, it has been determined that there are no City-owned facilities currently available to relocate this Police unit. Should a City facility become available, the lease contains language that allows for termination with 180 days written notice after the first year.

The City of San José first leased the space in April 1999. In the initial term, City paid \$66,500 for tenant improvements including a driving simulation room with dedicated HVAC, shooting simulator room, noise and sound attenuation to interior walls of the simunitions training room and built our three classrooms. The City renewed the lease commencing June 1, 2004. The lease term of that agreement will expire on June 30, 2009. The monthly rental rate in the final year of that renewal period was \$42,598.40.

ANALYSIS

The current site has housed this operation for the past ten years. The negotiated rent is comparable to similar properties in the surrounding rental market and reflects a reduction of nearly \$69,000 in the first year of the lease from the rate previously charged under the July 1, 2004 lease.

Rent for this agreement is \$454,656.00 the first year, \$466,944.00 the second year, \$479,232.00 the third year, \$491,520.00 the fourth year and \$503,808.00 the fifth year. The total rent for the five-year term of this lease is \$2,396,160.00. An additional \$60,000 is budgeted and will be made available for reimbursement to the Lessor for City requested tenant improvements. Payment on this lease is anticipated to begin in July 1, 2009.

The initial lease term is for five years. The agreement contains language allowing for termination by the City by giving 180 days written notice after the first year of the new lease term. The Lessor has agreed to tenant improvements, reimbursed by City, in an amount not to exceed \$60,000 over the term of the lease, including, but not limited to, restroom upgrades, new carpet and paint in certain portions of the building, changes in some of switching of internal lighting and resurface and restriping of the parking lot.

EVAULATION AND FOLLOW-UP

After the lease is signed, no follow-up action by the City Council is anticipated until the lease term expires and approval of a new lease is required.

POLICY ALTERNATIVES

This site utilizes special training and simunition (simulation) rooms that were built out in the initial lease in 1999. There are currently no City-owned facilities available to relocate this Police unit.

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)**

The approval of this agreement does not meet any of the above criteria; however, this memorandum will be posted on the City's website for the June 9, 2009, Council agenda.

COORDINATION

This item has been coordinated with the Police Department and the City Manager's Budget Office. The City Attorney's Office has reviewed the agreement and approved it as to form.

FISCAL/POLICY ALIGNMENT

This item is consistent with the General Budget Principles in that it protects a vital core City service.

COST SUMMARY/IMPLICATION

Rent for this agreement is \$454,656.00 the first year, \$466,944.00 the second year, \$479,232.00 the third year, \$491,520.00 the fourth year and \$503,808.00 the fifth year. The total rent for the five-year term of this lease is \$2,396,160.00. An additional \$60,000 is budgeted in the first year and will be made available for reimbursement to the Lessor for City requested tenant improvements. Payment on this lease is anticipated to begin in July 1, 2009.

BUDGET REFERENCE

The 2009-2010 Proposed Operating Budget will be reviewed by the City Council during the 2009-2010 Proposed Budget Study Sessions in May 2009 and approved by the City Council on June 23, 2009.

Fund #	Appn #	Appropriation Name	Total Appn.	2008-2009 Proposed Operating Budget-Page	Last Budget Action (Date, Ord. No.)
001	0572	Non Personal/ Equipment – Public Works	\$2,293,308	VIII-122	28506, 2/24/09

HONORABLE MAYOR AND CITY COUNCIL

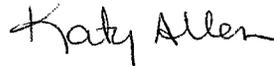
05-18-09

Subject: Lease Renewal for the Police Training Unit

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CEQA

CEQA: Exempt-PP09-117



KATY ALLEN

Director, Public Works Department

For questions please contact PHILIP PRINCE, DEPUTY DIRECTOR, at 535-8300.



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: James R. Helmer

SUBJECT: RESIDENTIAL STREET SURFACE
SEALING 2009

DATE: 05-18-09

Approved

Date

5/22/09

COUNCIL DISTRICT: 1, 2, 3, 4, 5, 6, 9, 10

RECOMMENDATION

Report on bids and award of contract for the Residential Slurry Seal 2009 project to the low bidder, Bond Blacktop, Inc. in the amount of \$1,507,436.50 and approval of a five percent (5%) contingency in the amount of \$75,372.

OUTCOME

Approval of this construction contract to Bond Blacktop, Inc. will help maintain and preserve approximately 88 miles of the City's pavement network (residential streets). Sealing these streets will extend their useful life and defer more costly repairs and rehabilitation. Approval of a five percent contingency will provide funding for any unanticipated work necessary for the proper completion of the project. The recommended action also supports the Transportation and Aviation Services City Service Area goal to *Preserve and Improve Transportation Assets and Facilities*.

BACKGROUND

The Department of Transportation (DOT) annually schedules streets to be sealed as part of the City's Pavement Maintenance Program. Surface sealing is the process of applying one or more quarter-inch thick layers of an oil and aggregate mixture to the existing surface of a street to protect it from the environment and provide a new wearing surface. When used on streets in acceptable or better condition, it is one of the most cost-effective ways to preserve and extend the service life of a street. DOT is scheduled to perform a double surface seal treatment on 88 miles of residential streets throughout the City this summer. This contract is for the application of the second sealing layer of the double surface seal treatment, known as a slurry seal. The application of the first layer of sealing, commonly known as a chip seal, will be performed by in-house City crews.

Past and ongoing shortages in the pavement maintenance program have resulted in the City's residential street maintenance cycle extending well beyond the prescribed 10 year period. With

the forecasted available funds and extended maintenance cycle, the double surface sealing process is the most appropriate treatment to bridge the gap between maintenance treatments and keep the City's street infrastructure in a safe and operable condition.

Information provided by the City's computerized Pavement Management System, by the public, during field investigations, and through reviews of upcoming developments and street-related projects is used to identify candidate streets for sealing. The final list of streets to receive sealing is established using the following criteria:

- Street condition
- Streets due or past due for maintenance based on prescribed maintenance cycles
- Streets with numerous maintenance requests
- Streets not affected by current or future street related projects
- Relative location of street segments to create multiple, continuous segments, consistency within neighborhoods, and project efficiency
- Appropriate distribution of street maintenance throughout the City

Attachment A contains the list of streets designated to receive treatment. It should be noted that the list could be slightly altered as unforeseen circumstances arise or new information regarding other street-related projects becomes available.

ANALYSIS

Bids for this project were received on April 30, 2009, with the following results:

Contractor	City	Bid Amount	Variance Amount	% Over/ Under Engineer's Estimate
Valley Slurry Seal Company.	Sacramento	\$1,999,462.50	\$85,373.50	4.46%
Project Engineer's Estimate		\$1,914,089.00		
California Pavement Maintenance Company, Inc.	Sacramento	\$1,865,419.52	(\$48,669.48)	(2.54%)
Graham Contractor, Inc.	San Jose	\$1,781,466.00	(\$132,623.00)	(6.93%)
American Asphalt Repair and Resurfacing Co, Inc.	Hayward	\$1,688,448.00	(\$225,641.00)	(11.79%)
Bond Blacktop, Inc.	Union City	\$1,507,436.50	(\$406,652.50)	(21.25%)

The bid documents have been evaluated and found in order. The lowest bid submitted by Bond Blacktop, Inc. is 21.25% under the Engineer's Estimate. The Project Engineer's Estimate for this project is \$1,914,089. The estimate is based on bids received from similar past projects and current estimated construction prices.

Council Policy provides for a standard contingency of five percent on projects involving street sealing. Staff considers the standard contingency appropriate for this project. Approval of a five percent contingency will provide funding for any unanticipated work necessary for the proper completion of the project. Construction is scheduled to begin in July 2009 and will be completed before the end of October 2009.

EVALUATION AND FOLLOW-UP

The project is currently within budget and on schedule with a projected completion in October 2009. 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 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 meets Criterion 1: Requires Council action on the use of public funds equal to \$1 million or greater. To solicit contractors this project was listed on the City's Internet Bid Line and advertised in the *San José Post Record* and bid packages for this construction project were also provided to various contractor organizations and builders' exchanges.

This award memo will be posted on the City's website for the June 09, 2009 Council Agenda.

In addition, when the project commences, the contractor, as stated in the specifications, will provide advance notification regarding working hours, duration of project, and any appropriate schedule and lane closures to affected businesses and residents. To inform traveling motorists of

upcoming construction activities and potential traffic delays, changeable message signs may be used on selected streets stating the schedule dates and time for work to occur on the street.

COORDINATION

This memo has been coordinated with the City Attorney's Office, the City Manager's Budget Office, and the Planning, Building, and Code Enforcement Department.

FISCAL/POLICY ALIGNMENT

This project is consistent with the Council-approved Budget Strategy Economic Recovery sections in that it will spur construction spending in our local economy. The project is also consistent with the Council-approved Budget Strategy General Principles section in that it protects vital core City services.

COST IMPLICATIONS

1. COST OF PROJECT:

Project Delivery/Development	\$217,400.00
Construction Contract	\$1,507,436.50
Contingency	<u>\$ 75,372.00</u>
TOTAL PROJECT COSTS:	\$1,800,208.50

2. COST ELEMENTS OF CONSTRUCTION CONTRACT:

Sealing	\$1,327,599.00
Striping/Markings	\$159,837.50
Police Traffic Control and Misc. Items	<u>\$20,000.00</u>
TOTAL CONSTRUCTION CONTRACT COSTS:	\$1,507,436.50

3. SOURCE OF FUNDING: 465- Construction Excise Tax Fund

4. FISCAL IMPACT: This project will have no net operating and maintenance costs to the General Fund.

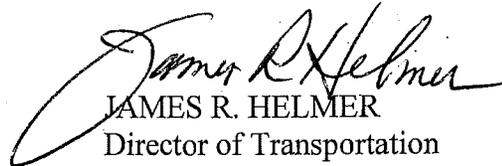
BUDGET REFERENCE

The table below identifies the fund and appropriation proposed to fund the contract recommended as part of this memo, including project delivery, construction, and contingency costs.

Fund #	Appn #	RC #	Appn. Name	Total Appn	Amt. for Contract	2008-2009 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
465	5216	151319	Prop 42 Pavement Maintenance	\$7,800,000	\$1,507,436.50	V-1143	2/10/09, Ord. No. 28492
Total Current Funding Available =				\$7,800,000	\$1,507,436.50		

CEQA

Exempt, File No. PP09-101


JAMES R. HELMER
Director of Transportation

For questions please contact Dale Dapp, Pavement Services Manager, at 277-8147.

Attachment

ATTACHMENT A

Residential Street Surface Sealing 2009

CD	Street Name	From	To	Length (ft)
1	ACORN CT	ACORN WY	E END	250
1	ACORN WY	230'N/VERDANT	EDEN AV	725
1	ACORN WY	VERDANT WY	230'N/VERDANT W	230
4	ADAMS CT	ADAMS DR	E END	100
5	ADOBE CREEK CT	GRANITE CRK PL	S END	210
2	ALLEGAN CR	LEAN AV	LEAN AV	2140
1	AMBER DR	POLK LN	PHELPS AV	740
1	AMBER DR	RUNNYMEDE DR	PHELPS AV	1004
1	AMHERST LN	EDEN AV	RUNNYMEDE DR	820
1	ANDREA CT	ANDREA DR	E END	175
1	ANDREA DR	WALTON WY	PARKLAND AV	750
9	ANNE CT	ANNE WY	S END	265
9	ANNE WY	COPELAND LN	LEIGH AVE	1140
9	ANNE WY	LEIGH AVE	CITY LIMIT	650
2	ANSDELL WY	ELLERBROOK WY	LOS PINOS WY	725
2	APPLE BLOSSOM DR	CHYNOWETH AV	HAYES AV	845
4	ARABELLE WY	SIERRA RD	PIEDMONT RD	1028
4	ARCHANGEL DR	TRINITY PARK DR	TRINITY PARK DR	775
4	ARCHER ST	GRAND BL	STATE ST	740
4	ARCHER ST	STATE ST	N END	130
2	ASH GROVE CT	LEAN AV	W END	180
2	ASHBURTON DR	SANTA TERESA BL	MADISON DR	430
6	ATLAS AV	THE ALAMEDA	SAN FERNANDO ST W	970
2	BANANA GROVE LN	405'W/SIGRID WY	LEAN AV	1230
2	BANANA GROVE LN	SIGRID WY	405'W/SIGRID WY	405
2	BANGOR AV	MAKATI CL	BESWICK AV	195
2	BANGOR AV	TONOPAH DR	COPCO	735
2	BANNER CT	BANNER DR	E END	225
2	BANNER DR	DUNN AV	SANTA TERESA BL	970
2	BARALAY PL	BARALAY PL	W END	127
2	BARALAY PL	OBERT DR	S END	460
2	BARCLAY CT	SANTA TERESA BL	S END	210
6	BASILE AV	CLIFTON AV	140'W/CLIFTON	140
2	BAVA CT	SANTA TERESA BL	S END	200
4	BAYTECH DR	FORTTRAN DR	E END	1300
9	BEACON LN	SHAW DR	S END	205
2	BEECH GROVE CT	BANANA GROVE LN	S END	360
4	BEHLER DR	MINTO DR	PIEDMONT RD	810
4	BELLA TERRA CT	MIRABEAU LN	EAST END	90
4	BELLINI CT	STRAUSS WY	E END	440
2	BENBOW AV	CALPINE DR	COHASSET WY	1025
9	BERNICE WY	JENNIFFER WY	TAPER AV	585
9	BERNICE WY	NEW JERSEY AV	LEIGH AV	850
9	BERNICE WY	TAPER AV	NEW JERSEY AV	850
1	BETLO CT	VILLANOVA RD	W END	440
5	BETTEN CT	MERVYN'S WY	N END	137
2	BINGHAM CT	BANANA GROVE LN	S END	180
2	BIRCH GROVE DR	LARCH GROVE PL	CHYNOWETH AV	850
9	BLOSSOMVIEW DR	WILLOWMONT AV	JACOB AV	1000

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
1	BLUEBIRD DR	EDEN AV	E END	636
1	BOBBIE AV	VILLANOVA RD	E/O ARLEEN WY	725
9	BOBBYWOOD AV	COPELAND LN	BLOSSOM HILL RD	840
9	BOLLA CT	FOXWORTHY AV	N END	261
1	BON AIR CT	CALBORO DR	W END	230
9	BORCHERS DR	NEW JERSEY AV	VIVIAN LN	870
9	BORCHERS DR	VIVIAN LN	NICHOLAS DR	630
2	BOTHELL CR	TOVAR DR	TOVAR DR	1355
4	BOYSOL CT	MINTO DR	E END	240
6	BRADLEY AV	CITY LIMIT	SETEVENS CREEK	125
4	BRAEMER CT	RONCO DR	E END	620
4	BRIARBROOK CT	CROPLEY AV	S END	105
9	BRIONA CT	FOXWORTHY AV	N END	240
2	BROKEN LANCE CT	CHYNOWETH AV	N END	445
9	BROWNING AV	GENEVA AV	S END	230
5	BUCKNER DR	CANDLESTICK WY	MEADOW LN	803
6	BUENA VISTA AV	SAN CARLOS ST	CITY LIMIT	210
4	BUNCE CT	BERRYESSA RD	N END	150
4	BURNHAM DR	SIERRA RD	ADAMS DR	1285
6	BUSH ST	THE ALAMEDA	SAN FERNANDO ST W	968
4	CABALLO CT	BERRYESSA RD	S END	285
1	CALBORO DR	WILLIAMS RD	AMBER DR	1414
9	CAMBRIANNA DR	UNION AV	TAPER AV	1000
5	CANDLESTICK WY	JERILYN DR	S END	973
2	CANMORE CT	POSTON DR	W END	420
5	CAPITOL EX FRONTAGE	400'N/STORY RD	CAPITOL EX	1005
5	CAPITOL EX FRONTAGE	STORY RD	400'N/STORY RD	400
4	CAROBWOOD CT	CAROBWOOD LN	E END	270
9	CARSON WY	COIT DR	W END	110
9	CASA NUEVA CT	FOXWORTHY AV	N END	240
4	CATHERINE ST	HOPE ST	LIBERTY ST	1225
9	CATRINA CT	LOS GATOS ALMAD	W END	139
4	CAVENDISH DR	PARKHAVEN DR	GROSVENOR DR	1025
2	CEDAR GROVE CR	CHYNOWETH AV	CHYNOWETH AV	1060
2	CENTERHART CT	BANANA GROVE LN	N END	130
2	CESSNA CT	GALEN DR	S END	210
9	CHAMBERS DR	ENSALMO AV	WILCOX AV	1575
2	CHANDLER CT	HERMA ST	HERMA ST	940
2	CHANNEL DR	SNELL AV	SUISSE DR	1170
6	CHATSWORTH	MOORPARK AV	S END	660
6	CHAUNCEY CT	CHAUNCEY WY	E END	135
6	CHAUNCEY WY	VIA PISA	MARIANNA LN	520
2	CHERIS CT	CHERIS DR	N END	160
2	CHERIS DR	W END	HANSELL DR	610
6	CHIECHI AV	PAGE ST	SCOTT ST	1100
2	CHRIS DR	90' S/O ROHN WY	HERLONG AV	350
2	CHYNOWETH PARK CT	CHYNOWETH AV	N END	320
5	CLAREMONT AVE	MAHONEY AVE	CITY LIMITS	555
5	CLAREVIEW AV	NEVES WY	CITY LIMIT	440
5	CLAREVIEW CT	NEVES WY	N END	436
9	CLARINDA WY	EMILINE DR	SANDY LN	740
6	CLEAVES AV	THE ALAMEDA	SAN FERNANDO ST W	940
6	CLIFTON AV	SCOTT AV	PARKMOOR AV	810

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
4	CLIPPER CT	MAXEY DR	N END	272
4	CLIPPER CT	MAXEY DR	SOUTH END	70
2	CLISE CT	BOTHELL DR	E END	95
2	COHASSET WY	WYNDOTTE DR	BANGOR AV	1428
9	COIT DR	LEIGH AV	CURTNER AV	1690
2	COLFAX DR	ORCHARD PARK DR	LADNER DR	917
6	COLLEGE DR	FRUITDALE AV	KINGMAN AV	910
6	COLLEGE DR	KINGMAN AV	MOORPARK AV	1010
3	COLUMBIA AV	BIRD AV	JOSEFA ST	600
2	COLVILLE DR	LEAN AV	ZILEMAN DR	870
9	COMO LN	SHAW DR	S END	210
6	CONCORD AV	MOORPARK AV	KINGMAN AV	800
4	CONIFER CT	CONIFER LN	E END	220
4	CONIFER LN	CROPLEY AV	BIRCHWOOD LN	1235
2	CONTESSA CT	GALEN DR	S END	270
2	COPCO LN	COLVILLE DR	LEAN AV	1342
6	CORLISTA DR	KINGMAN AV	FRUITDALE AV	910
4	CORTINA DR	MATTERHORN DR	SAN MORITZ DR	685
5	COUNTRY TREE CT	FLEMING AV	N END	198
2	COY DR	EAGLES LN	SIGRID WY	515
2	COY DR	SIGRID WY	W END	790
2	COZY CT	COZY DR	S END	205
2	COZY DR	DRIFTER DR	GLIDER DR	840
4	CRATER LN	MAUNA KEA LN	W END	1330
4	CRATER LN	STRAUSS WY	E END	685
4	CREEKSIDE DR	MESSINA DR	CROPLEY AV	1260
4	CREWE CT	PARKHAVEN DR	N END	330
4	CROPLEY CT	CROPLEY AV	N END	220
2	CULVERT DR	SUISSE DR	CURIE DR	1045
2	CURRENT DR	JESSE JAMES DR	SUISSE DR	530
4	CUTFORTH CT	CRATER LN	S END	170
2	DATE BLOSSOM CT	WALNUT BLOSSOM	E END	140
5	DAVENPORT DR	FELLER AV	JERILYN DR	996
6	DEL MAR AV	FRUITDALE AV	REXFORD WY	464
9	DEL ORO CT	DEL ORO DR	W END	325
9	DEL ORO DR	ANNE WY	BLOSSOM HILL DR	1050
9	DEL ORO PL	DEL ORO DR	W END	260
6	DELAND AV	KINGMAN AV	NEVIN AV	790
2	DEREK DR	POSTON DR	CHYNOWETH AV	1140
2	DESTRY CT	WAR WAGON DR	E END	475
2	DEWEY WY	CURIE DR	ELVIS DR	235
2	DEXTER DR	BANANA GROVE LN	CHERIS DR	395
6	DI FIORE DR	FRUITDALE AV	N END	443
2	DIDION CT	WEYBRIDGE DR	S END	150
2	DIDION WY	CURIE DR	WEYBRIDGE DR	355
4	DISK CT	NORTECH PY	S END	605
5	DOMINIC CT	DOMINIC WY	S END	200
5	DOMINIC WY	GERARD WY	N END	411
5	DONALD CT	HOBIE LN	S END	436
4	DONIZETTI CT	STRAUSS WY	E END	400
4	DONNORA CT	BERRYESSA RD	S END	120
6	DOUGLAS ST	MERIDIAN AV	CITY LIMIT	220
6	DRAKE ST	AZUERAIS AV	S END	250

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
2	DRIFTER DR	SUISSE DR	COZY DR	370
6	DUPONT ST	SAN CARLOS ST W	MCEVOY ST	895
5	EAST HILLS DR	CITY LIMIT	CRAGMONT AV S	1120
5	EAST HILLS DR	CRAGMONT AV S	MAHONEY AV	1040
1	EDEN AV	WILLIAMS RD	PAYNE AV	2594
4	EL DORADO ST	MOFFAT ST	160' N of Catherine	1240
2	EL PORTAL WY	COTTLE RD	SPODE WY	1480
9	ELAINE DR	BERNICE WY	CAMBRIANNA DR	730
9	ELAINE DR	GENEVA AV	S END	230
2	ELDER CT	GALEN DR	W END	110
9	ELECTRA AV	KIMBERLY DR	WILLOWMONT AV	270
9	ELGIN LN	SHAW DR	S END	200
2	ELLERBROOK WY	LOS PINOS WY	ANSDELL WY	1020
6	ELLIOT ST	LASWELL AV	BASCOM AV	175
2	ELLYRIDGE CT	ELLYRIDGE DR	W END	320
2	ELLYRIDGE DR	COY DR	ELLYRIDGE CT	415
2	ELVIS DR	DUNN AV	RADIANT DR	1665
2	EMBEE DR	COPCO LN	HERLONG AV	1112
5	EMILE DR	WILBUR AV	125'N/WILBUR AV	125
9	ENSALMO AV	HILLSDALE AV	WILLOWMONT AV	980
4	ESSEX ST	STATE ST	GRAND BL	735
2	ETTERSBERG DR	HERLONG AV	CALPINE DR	1112
6	EUGENE AV	RACE ST	E END	530
9	EVORA DR	ASSUNTA WY	JOSEPHINE AV	285
2	FALON WY	HERLONG AV	EMBEE DR	1094
9	FAWN DR	GENEVA ST	BERNICE WY	1445
2	FEDERATION CT	HAYES AV	N END	400
4	FERREL CT	CRATER LN	S END	180
2	FEVER DR	MAHAN DR	DUNN AV	230
1	FINCH DR	EDEN AV	E END	680
4	FLANDERS	PIEDMONT RD	W END	1210
5	FLORENCE AV	CAPITOL AV S	NANCY LN	1080
5	FLORENCE AV	WHITE RD S	345'W/WHITE RD	345
5	FLORENCE CT	WHITE RD S	E END	925
2	FORBES WY	GALEN DR	CURIE DR	225
4	FORTTRAN CT	BAYTECH PY	S END	480
4	FORTTRAN DR	NORTECH PY	BAYTECH DR	640
2	FRAGRANT HARBOR CT	ELLYRIDGE DR	W END	320
1	FREED AV	ROSALIA AV	TOPAZ AV	1330
2	GALEN DR	CURIE DR	CESSNA CT	2300
6	GARLAND AV	KEEBLE AV S	RACE ST	540
2	GARRISON CR	HAYES AV	HAYES AV	1515
9	GAYLOR LN	SHAW DR	S END	200
9	GENEVA AV	JENNIFER WY	TAPER AV	725
9	GENEVA AV	LEIGH AV	NEW JERSEY AV	850
9	GENEVA AV	TAPER AV	NEW JERSEY AV	1490
5	GERARD WY	BUCKNER DR	S END	582
2	GERINE BLOSSOM DR	APPLE BLOSSOM	CHYNOWETH AV	1140
5	GIANT WY	LOES WY	S END	677
3	GIFFORD AV	PARK AV	SAN FERNANDO ST W	620
3	GIFFORD AV	SAN CARLOS ST W	AUZERAIS AV	538
9	GILDA WY	HARLOW	HARWOOD	765
9	GILDA WY	MARY JO WY	HARLOW WY	255

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
2	GLEN HARBOR DR	SANTA TERESA BL	MADISON DR	1275
1	GLENEDEN WY	EDEN AV	E END	685
2	GLIDER DR	SUISSE DR	ELVIS DR	1285
4	GOLD ST	CATHERINE ST	N TAYLOR ST	310
4	GOLD ST	ELIZABETH ST	CATHERINE ST	330
2	GOLDFIELD DR (CULDESAC)	GOLDFIELD DR	E END	127
2	GOLDFIELD DR (CULDESAC)	GOLDFIELD DR	W END	124
6	GOODWIN AV	FRUITDALE AV	KINGMAN AV	910
6	GRAND AV	SAN CARLOS ST W	145 N/OF SAN CARLOS ST W	145
5	GRANITE CREEK PL	MERVYN'S WY	S END	1200
1	GREENTREE WY	EDEN AV	E END	680
6	GREGORY ST	AUZERAIS AV	S END	442
1	GRIMSBY CT	GRIMSBY DR	S END	275
2	GUAVA BLOSSOM CT	CHYNOWETH AV	S END	100
4	GURNEY CT	BERRYESSA RD	N END	130
2	HALEY CT	GALEN DR	N END	155
4	HALGRIM CT	SABAL DR	W END	130
6	HANNAH ST	AUZERAIS AV	S END	720
2	HANSELL DR	CHERIS DR	BANANA GROVE LN	355
3	HARMON AV	MERIDIAN AV	E END	350
2	HAYES AV	EAGLES LN	LEAN AV	1190
9	HEATHER CT	HEATHER DR	N END	255
9	HEATHER DR	WARWICK RD	UNION AV	780
1	HEATHER GLEN DR	WOODGLEN DR	CAMPBELL AV	867
1	HEATHVIEW DR	HEATHER GLEN DR	WOODGLEN DR	336
4	HEIDI CT	SAN MORITZ DR	E END	443
4	HEIDI DR	HEIDI CT	MATTERHORN DR	650
5	HEIRLOOM CT	TOWNSQUARE DR	S END	180
4	HEITMAN CT	SABAL DR	E END	150
4	HELMSLEY DR	E END	SUMMERVIEW DR	1420
2	HERLONG AV	LEAN AV	BESWICK DR	4111
2	HERRICK AV	KEYMAR DR	ORCHARD PARK DR	538
9	HILARY DR	GENEVA ST	BERNICE WY	1485
4	HILFORD CT	BERRYESSA RD	S END	200
5	HOBART AV	WHITE RD S	CITY LIMIT	150
9	HOCKING WY	JOSEPHINE AV	CURTNER AV	235
6	HOME ST W	SUNOL ST	S END	620
4	HOPE ST	CATHERINE ST	TAYLOR ST	315
4	HOPE ST	N END	CATHERINE ST	710
2	HUTTON CT	SANTA TERESA BL	S END	210
3	ILLINOIS AV	AUZERAIS AV	S END	206
10	ILLSEY CT	SKYWAY DR	S END	270
9	INVICTA WY	WILLOWMONT AV	FAIRHAVEN DR	880
3	IRENE ST	TAYLOR ST	ASBURY ST	415
9	JANET AV	BROWNING AV	KATHLEEN ST	470
2	JASON CT	SANTA TERESA BL	S END	100
2	JAYBEE CT	LEAN AV	W END	120
9	JENNIFER WY	CAMBRIANNA DR	BERNICE WY	740
9	JENNIFER WY	GENEVA AV	BYRON DR	265
1	JERICO LN	MACON AV	SAVANNAH DR	505
5	JERILYN DR	CITY LIMIT	DAVENPORT DR	789
2	JESSE JAMES DR	ELVIS DR	CURRENT DR	845
3	JOSEFA ST	AUZERAIS AV	SAN CARLOS ST	510

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
3	JOSEFA ST	S END	AUZERIAS AV	334
3	JOSEFA ST	SAN CARLOS ST	PARK AV	455
9	JOSEPHINE AV	NEW JERSEY AV	NICHOLAS DR	1460
5	JULIET PARK DR	ROSEMAR AV	CITY LIMIT	425
9	KATHLEEN ST	JANET AV	GENEVA ST	1245
6	KEEBLE AV S	SAN FERNANDO ST W	THE ALAMEDA	970
4	KENMAR CT	RONCO DR	S END	275
9	KENSINGTON WY	HERSHNER DR	CITY LIMIT	555
2	KEYMAR DR	BLOSSOM HILL RD	LADNER DR	1150
9	KIMBERLY DR	ELECTRA AV	MARKS AV	580
9	KIMBERLY DR	MARKS AV	CHERRY AV	450
6	KINGMAN AV	80'E/CORLISTA	LEIGH AV	1240
6	KINGMAN AV	DELAND AV	80'W/CORLISTA D	940
6	KINGMAN DR	MANSFIELD DR	E END	445
9	KOBARA LN	NICHOLAS DR	EVORA DR	1160
2	LADNER DR	N END	S END	715
3	LAKEHOUSE ST	GIFFORD AV	DELMAS AV	424
2	LANDAU CT	HAYES AV	N END	290
2	LARCH GROVE PL	BIRCH GROVE DR	N END	295
2	LARCH GROVE PL	HAYES AV	BIRCH GROVE DR	265
2	LATHROP CT	LATHROP DR	E END	120
2	LATHROP DR	BLOSSOM HILL RD	BANGOR AV	1282
9	LAURA DR	KAY DR	ANNE WY	760
4	LAURANT WY	BEHLER DR	MINTO DR	1080
6	LAUREL GROVE LN	Park Av	Bush St	1306
9	LAURINDA DR	MAITLAND DR	685'W/MAITLAND	685
4	LAUSANNE CT	SAN MORITZ DR	E END	460
2	LEAN WY	HERLONG AV	LEAN AV	445
4	LEISURE CT	SABAL DR	E END	155
6	LELAND AV	SAN CARLOS ST	CITY LIMIT	90
2	LEMON BLOSSOM CT	GERINE BLOSSOM	E END	335
4	LENARK CT	BERRYESSA RD	N END	295
4	LENARK DR	BERRYESSA RD	MAXEY DR	830
2	LIME BLOSSOM CT	LEAN AV	E END	160
4	LISBON CT	PIEDMONT RD	E END	250
4	LISBON DR	PARIS WY	PIEDMONT RD	1315
4	LOCKWOOD DR	CROPLEY AV	STONEWOOD LN	1230
5	LOES WY	DAVENPORT DR	GIANT WY	461
9	LONE HILL RD	600'N/LG ALMADE	LAURINDA DR	655
9	LONE HILL RD	LG ALMADEN RD	600'N/LG ALMADE	600
2	LONG CT	SANTA TERESA BL	S END	100
3	LORRAINE AV	JOSEFA ST	MONTGOMERY ST	475
10	LOST TRAIL CT	BRANHAM LN	N END	250
5	LOUIS CT	HOBIE LN	S END	410
4	LUGANO WY	MATTERHORN DR	ADAMS DR	480
6	LUTHER AV	RACE ST	RAINIER AV	630
6	LUTHER AV	RANIER AV	E END	108
2	LYONCROSS WY	LADNER DR	MAT AVE	1450
6	MAC ARTHUR AV	STEVENS CREEK	CITY LIMIT	120
5	MACKENZIE CT	DOMINICK WY	E END	289
1	MACON AV	SAVANNAH DR	WALTON WY	536
2	MADISON DR	LEAN AV	SANTA TERESA BL	2210
2	MADISON DR	SANTA TERESA BL	LEAN AV	1805

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
4	MADRID CT	PIEDMONT RD	E END	385
4	MADRID DR	PIEDMONT RD	CAROBWOOD LN	1845
2	MAHAN DR	MCCAMISH AV	LEAN AV	2173
5	MAHONEY AV	DAVENPORT DR	EAST HILLS DR	825
5	MAHONEY DR	140'N/EAST HILL	CLAREMONT AV	720
5	MAHONEY DR	EAST HILLS DR	140'N/EAST HILL	140
9	MAITLAND DR	MICHON DR	LAURINDA DR	655
2	MAKATI CR	BANGOR AV	BANGOR AV	3246
5	MALABAR DR	WESTBORO DR	435'N/WESTBORO	435
2	MANGO BLOSSOM CT	CHYNOWETH AV	S END	370
6	MARIANNA LN	CHAUNCEY WY	COLLEGE DR	390
2	MAT AVE	312'E/LYONCROSS	HERMA ST	396
2	MAT AVE	LYONCROSS WY	312'E/LYONCROSS	312
4	MATTERHORN DR	BERRYESSA RD	SIERRA RD	1854
4	MAUNA LOA CT	CRATER LN	E END	545
4	MAXEY DR	W END	PIEDMONT RD	815
6	MAYELLEN AV	SCOTT ST	S END	610
2	MAYTEN GROVE CT	BANANA GROVE LN	S END	360
2	MCCAMISH AV	LEAN AV	MAHAN DR	1155
2	MCCAMISH CT	MCCAMISH AV	N END	100
5	MCCOVEY LN	JERILYN DR	EAST HILLS DR	903
6	MCEVOY ST	PARK AV	SAN CARLOS ST	800
5	MCGINNESS AV	445'N/STORY RD	MERVYN'S WY	470
5	MCGINNESS AV	STORY RD	445'N/STORY RD	445
6	MENKER AV	KINGMAN AV	FRUITDALE AV	910
6	MENKER AV	MOORPARK AV	KINGMAN AV	976
6	MENKER AV	SCOTT ST	PARKMOOR AV	840
5	MERVYNS WY	MCGINNESS AV	CAPITOL EX FRNT	540
4	MESSINA DR	CROPLEY AV	S END	1130
4	MICHIGAN AV	TAYLOR ST	SPRECKLES AV	3215
2	MINDY WY	SNELL AV	GALEN DR	1175
3	MINOR AV	AUZERAIS AV	S END	317
4	MINTO CT	MINTO DR	E END	530
4	MIRABEAU CT	MIRABEAU LN	EAST END	113
4	MIRABEAU LN	ARABELLE WY	MIRABEAU CT	388
4	MOFFAT ST	EL DORADO ST	GOLD ST	290
4	MOFFAT ST	GOLD ST	E END	670
6	MOORPARK AV	350'S/CONCORD	KINGMAN AV	660
6	MOORPARK AV	CONCORD AV	350'S/CONCORD	350
6	MOORPARK AV	MENKER AV	CONCORD AV	1260
6	MORRISON AV S	SAN FERNANDO ST W	THE ALAMEDA	930
2	MUSTANG ST	HERMA ST	HERMA ST	1117
2	MUSTO AV	MAKATI CR	POUGHKEEPSIE RD	298
9	MYRTLE AV	JAVIS AV	INVICTA WY	220
9	MYRTLE AV	OVERBROOK DR	CHERRY AV	629
5	NANCY LN	ROSE AV	S END	600
2	NATURE CT	NATURE DR	E END	185
2	NATURE DR	SANTA TERESA BL	COTTLE RD	1030
9	NESTA DR	SHAW DR	S END	200
5	NEVES WY	FLEMING AV	CLAREVIEW AV	662
6	NEVIN AV	DELAND AV	KINGMAN AV	630
9	NEW JERSEY AV	CAMDEN AV	FOXWORTHY AV	1985
9	NEWARK WY	ORANGE GROVE DR	RUSTIC DR	570

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
9	NICHOLAS DR	ASSUNTA WY	MINNA WY	650
9	NICHOLAS DR	JOSEPHINE AV	ASSUNTA WY	520
5	NOB HILL CT	NOB HILL DR	E END	113
5	NOB HILL DR	NOB HILL DR	NOB HILL CT	365
5	NOB HILL DR	W END	JULIET PARK DR	550
9	NOELLA WY	LG ALMADEN RD	LAURINDA DR	1330
5	NORDYKE DR	415'N/WESTBORO	WESTBORO DR	415
2	NORTHDAL CT	GALEN DR	S END	255
1	NORTHLAWN CT	NORTHLAWN DR	E END	120
6	NORTHRUP ST	S END	PARKMOOR AV	215
1	NOTTINGHAM PL	WILLIAMS RD	RHODA DR	1240
2	NOYO DR	BENBOW AV	COHASSET WY	1250
2	OAKBERRY WY	SPRINGER WY	SANTA TERESA BL	1130
2	OBERT DR	POSTON DR	RUE CALAIS	525
2	OBERT DR	RUE CALAIS	SNELL AV	665
4	OLD PIEDMONT RD	150'N/ROWLEY DR	BERRYESSA CRK	960
2	OMIRA DR	LATHROP DR	LEAN AV	820
9	ORANGE GROVE DR	LEIGH AV	VARDEN AV	990
1	ORIOLE DR	EDEN AV	E END	685
6	OTTERSON ST	MONTGOMERY ST S	W END	333
4	PACIFIC AV	STATE ST	GRAND BL	740
4	PACIFIC ST	STATE ST	N END	260
2	PADDON CL	ZILEMAN DR	ZILEMAN DR	1735
2	PANCHO CT	GALEN AV	S END	285
9	PANDORA DR	POTRERO DR	RUSTIC DR	705
4	PARIS WY	LANDESS AV	MADRID DR	520
10	PARK ARCADIA DR	BRANHAM LN	PARK PAXTON PL	878
10	PARK BELMONT PL	PARK PAXTON PL	N END	418
10	PARK BOLTON PL	PARK SOMMERS WY	E END	385
10	PARK BRISTOL PL	PARK BOLTON PL	N END	374
10	PARK CHERRY PL	PARK PAXTON PL	N END	82
10	PARK CONCORD PL	PARK SHARON DR	N END	341
10	PARK DARTMOUTH PL	PARK SOMMERS WY	E END	237
10	PARK DOUGLAS PL	PARK SHARON PL	N END	248
10	PARK ESSEX PL	PARK PAXTON PL	N END	411
10	PARK GROTON PL	PARK PAXTON PL	N END	412
10	PARK MILFORD PL	PARK ELLEN DR	N END	395
10	PARK NORTON PL	PARK ELLEN DR	N END	210
10	PARK OXFORD PL	PARK PAXTON PL	N END	410
10	PARK PAXTON PL	SKYWAY DR	PARK SHARON DR	1926
10	PARK SHARON DR	PARK ELLEN DR	PARK PLAXTON PL	2475
10	PARK SHARON DR	PARK PAXTON PL	N END	300
10	PARK SOMMERS WY	SKYWAY DR	PARK ELLEN DR	870
10	PARK SUTTON PL	PARK SHARON DR	N END	253
10	PARK VILLAGE PL	PARK PAXTON PL	N END	410
10	PARK WARREN PL	PARK PAXTON PL	N END	350
10	PARK WATSON PL	PARK SHARON DR	E END	260
4	PARKHAVEN CT	PARKHAVEN DR	E END	340
4	PARKHAVEN DR	965'W MINTO DR	MESSINA DR	1060
4	PARKHAVEN DR	PARKHAVEN CT	965'W MINTO DR	965
6	PARKMOOR AV	BASCOM AV	MACARTHUR AV	1700
6	PARKMOOR AVE	MACARTHUR AV	CITY LIMIT	615
2	PEAR BLOSSOM CT	CHYNOWETH AV	S END	105

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
5	PEBBLE CREEK CT	GRANITE CRK PL	S END	210
2	PECAN BLOSSOM DR	GERINE BLOSSOM	HAYES AV	925
2	PENTZ WY	BESWICK DR	COHASSET WY	240
2	PENTZ WY	COHASSET WY	WYANDOTTE DR	504
2	PENTZ WY	WYANDOTTE DR	HERLONG AV	230
4	PEPITA CT	SABAL DR	E END	280
2	PISMO CT	CURIE DR	S END	155
10	POINSETTIA CT	SKYWAY DR	S END	550
9	POTRERO DR	NEW JERSEY AV	LEIGH AV	1420
5	PUEBLO HILL CT	PUEBLO VISTA	E END	300
5	PUEBLO VISTA	NOB HILL DR	40'E/BLUE GUM D	230
9	QUINLAN LN	BRYAN AV	HUGO LN	500
2	RADIANT DR	ELVIS DR	SUISSE DR	740
6	RAINIER AV	SAN FERNANDO ST W	PARK AV	930
1	RANCHERO WY	270'E/MITZI DR	MITZI DR	270
1	RANCHERO WY	WILLIAMS RD	270' E/MITZI DR	1815
2	RED RIVER WY	WAR WAGON DR	EDENVALE AV	830
6	REXFORD WY	DEL MAR AV	MANSFIELD DR	60
2	RIBCHESTER CT	LYONCROSS WY	E END	370
6	RICHMOND AV	FRUITDALE AV	KINGMAN AV	910
6	RICHMOND AV	KINGMAN AV	MOORPARK AV	1020
6	RICHMOND AV	PARKMOOR AV	SCOTT ST	820
2	RIO GRANDE DR	CHYNOWETH AV	ROOSTER DR	890
2	RIO LOBO DR	ROOSTER DR	WAR WAGON DR	1200
2	ROCHESTER RD	MAKATI CR	COTTLE RD	542
2	ROCKING HORSE CT	SNELL AV	E END	240
1	ROEWILL DR	RHODA DR	WILL ROGERS DR	920
2	ROHN WY	CHRIS DR	350' N/O CHRIS DR	350
2	ROHN WY	ROHN WY	E END	94
9	ROMFORD DR	CHEVALIER DR	ROXANNE DR	940
4	RONCO DR	MORRILL AV	MATTERHORN DR	1528
2	ROOSTER CT	ROOSTER DR	W END	210
2	ROOSTER DR	RIO LOBO DR	TIFFIN DR	1110
1	ROSALIA AV	PAYNE AV	TEALE AV	590
5	ROSE AV	CAPITOL AV S	WHITE RD S	2400
4	ROWLEY DR	STONEWOOD LN	OLD PIEDMONT RD	1800
9	ROXANNE DR	RUCKER DR	CHEVALIER DR	1480
6	ROYAL AV	AUZERAIS AV	S END	170
6	ROYAL AV	AUZERAIS AV	SAN CARLOS ST W	516
2	ROYAL OAK CT	VALROY DR	N END	520
9	RUCKER DR	LOS GATOS ALMAD	CHEVALIER DR	1235
2	RUE PARIS	SNELL AV	RUE CALAIS	192
2	RUNNING BEAR CT	TOMAHAWK DR	N END	240
2	RUNNING BEAR DR	TOMAHAWK DR	CHYNOWETH AV	940
9	RUSTIC DR	N END	POTRERO DR	110
9	RUSTIC DR	NEW JERSEY	ORANGE GROVE DR	1330
9	RUSTIC DR	POTRERO DR	ORANGE GROVE DR	620
9	RUSTIC DR	TRENTON DR	NEW JERSEY	540
4	SABAL DR	BERRYESSA DR	E END	510
4	SABAL DR	SIERRA RD	BERRYESSA RD	1790
4	SAGEWOOD LN	WOODY LN	CROPLEY AV	2290
6	SAN FERNANDO ST W	ATLAS AV	RACE ST	750
6	SAN FERNANDO ST W	SUNOL AV	ATLAS AV	734

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
6	SAN FERNANDO ST W	WILSON ST	SUNOL AV	245
4	SAN MORITZ DR	RONCO DR	SIERRA RD	1260
2	SAND BLOSSOM ST	SUN BLOSSOM DR	WALNUT BLOSSOM	350
2	SANTA TERESA CT	SANTA TERESA BL	S END	65
6	SAVAKER ST	SUNOL ST	LINCOLN AV	726
1	SAVANNAH DR	WALTON WY	MACON AV	1030
4	SEEBECK CT	CROPLEY AV	N END	180
9	SELINDA LN	LAURINDA DR	S END	609
9	SELINDA LN	LOS GATOS ALMAD	N END	775
1	SHALEN CT	VILLANOVA RD	W END	425
9	SHARON LN	ANNE WY	KAY DR	775
9	SHAW DR	JARVIS AV	ENSALMO AV	2700
2	SHENADO PL	CHYNOWETH AV	E END	675
6	SHERMAN OAKS DR	KINGMAN DR	FRUITDALE AV	910
4	SIERRAVILLE AV	IONE DR	MORRILL AV	2050
2	SIGRID WY	CHYNOWETH AV	COY RD	1185
2	SIGRID WY	CHYNOWETH AV	RIO LOBO DR	125
4	SLATER CT	PIEDMONT RD	E END	535
2	SNELL CT	SNELL AV	E END	290
2	SNOWBERRY CT	SANTA TERESA BL	S END	190
3	SONOMA ST	LAKEHOUSE ST	PARK AV	290
3	SONOMA ST	PARK AV	SAN CARLOS ST W	480
1	SPAICH DR	PAYNE AV	SUNNYHAVEN DR	1100
2	SPODE WY	EL PORTAL WY	SPRINGER WY	1800
3	SPRING ST	TAYLOR ST	HEDDING ST	1800
2	SPRINGER DR	SANTA TERESA BL	CANOAS CK	575
2	SPRINGER WY	LOS PINOS WY	CANOAS CK	865
9	STARK WY	CHERRY AV	W END	155
4	STATE ST	CATHERINE ST	SPRECKLES AV	3080
4	STONEWOOD LN	SAGEWOOD LN	MADRID DR	2010
4	STRAUSS WY	SIERRAVILLE AV	CRATER LN	745
4	SUMMERDALE DR	PENITENCIA CK R	BERRYESSA RD	1305
4	SUMMERDAYS CT	SUMMerview DR	E END	280
4	SUMMERGARDEN CT	BERRYESSA RD	S END	220
4	SUMMERHEIGHTS DR	BERRYESSA RD	SUMMERDALE DR	1130
4	SUMMERSONG CT	HELMSLEY DR	S END	105
4	SUMMERTREE CT	BERRYESSA RD	S END	210
4	SUMMERWIND CT	HELMSLEY DR	S END	270
4	SUMMERWINGS CT	BERRYESSA RD	S END	285
4	SUMMERWOOD CT	HELMSLEY DR	S END	410
2	SUN BLOSSOM DR	WALNUT BLOSSOM	SAND BLOSSOM ST	870
1	SUNNYDALE CT	SPAICH DR	W END	430
1	SUNNYGATE CT	SPAICH DR	W END	440
1	SUNNYHAVEN DR	PHELPS AV	POLK LN	750
1	SUNNYLAKE CT	SPAICH DR	W END	440
1	SUNNYMEAD CT	SPAICH DR	W END	435
6	SUNOL ST	AUZERAIS AV	S END	950
6	SUNOL ST	PARK AV	THE ALAMEDA	1875
6	SUNOL ST	SAN CARLOS ST	AUZERAIS AV	850
9	SUTRO DR	CODY WY	LEIGH AV	975
4	SYDNEY CT	PIEDMONT RD	E END	440
4	SYDNEY DR	STONEWOOD LN	PIEDMONT RD	1045
9	TAPER AV	FOXWORTHY AV	CAMDEN AV	2015

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
4	TAYLOR ST	HOPE	E END	290
4	TAYLOR ST N	EL DORADO ST	GOLD ST	320
2	TEABERRY CT	SANTA TERESA BL	S END	195
1	TEALE AV	ROSALIA AV	FREED AV	1380
9	TESORO CT	DEL ORO DR	W END	360
2	TIFFIN DR	POSTON DR	ROOSTER DR	544
9	TODD WY	BERNICE WY	GENEVA ST	1440
2	TOMAHAWK DR	CHYNOWETH AV	RUNNING BEAR DR	860
2	TONOPAH DR	BANGOR AV	LATHROP DR	1250
4	TONY P SANTOS	WILSON ST	N 1ST ST	700
1	TOPAZ AV	WILL ROGERS DR	PAYNE AV	2274
2	TOVAR DR	LEAN AV	MAHAN DR	895
5	TOWNSQUARE DR	FLEMING AV	S END	870
9	TRENTON DR	470'N/FOXWORTHY	NEW JERSEY AV	670
9	TRENTON DR	FOXWORTHY AV	470'N/FOXWORTHY	470
4	TRINITY PARK DR	1ST ST N	GRAND BL	1005
4	TRONSON CT	PIEDMONT RD	E END	530
4	TUNIS AV	PIEDMONT RD	OLD PIEDMONT RD	755
2	URLIN CT	SANTA TERESA BL	S END	200
2	VALE CT	SANTA TERESA BL	S END	210
2	VALROY CT	VALROY DR	W END	450
2	VALROY DR	CURIE DR	LOS PINOS WY	1750
9	VARDEN AV	RUSTIC DR	POTRERO DR	950
1	VERDANT WY	EDEN AV	ACORN WY	640
6	VIA PISA	COLLEGE DR	CHAUNCEY WY	350
1	VILLANOVA RD	BUCKNALL RD	CITY LIMIT	980
6	VIRGINIA ST W	HANNAH ST	E END	200
9	VIVIAN LN	FOXWORTHY AV	MINNA WY	510
9	VIVIAN LN	MINNA WY	ABINANTE LN	555
4	WABASH ST	SPRECKLES AV	W END	3040
6	WAINWRIGHT AV	STEVENS CREEK	CITY LIMIT	110
1	WALTON WY	EDEN AV	CALBORO DR	1060
2	WAR WAGON CT	WAR WAGON DR	S END	465
2	WAR WAGON DR	ROOSTER DR	CHYNOWETH AV	1580
9	WARWICK RD	LG ALMADEN RD	N END	865
2	WASKOW DR	LEAN AV	MAHAN DR	1000
2	WATERFALL CT	CHYNOWETH AV	N END	110
5	WATTERS CT	W END	N END	645
5	WATTERS DR	STORY RD	CITY LIMIT	300
4	WEEDIN CT	PIEDMONT RD	E END	555
4	WEEDIN CT	WEEDIN CT	S End	117
5	WESTBORO DR	WHITE RD S	735'W/WHITE RD	735
2	WEYBRIDGE DR	DIDION WY	CURIE DR	975
1	WHITWOOD LN	4606 WHITWOOD L	WOODGLEN DR	540
2	WIGWAM CT	SHENADO PL	N END	160
9	WILCOX AV	CHAMBERS AV	SHAW DR	430
9	WILCOX AV	SHAW DR	HILLSDALE AV	230
5	WILKEY CT	MERVYN'S WY	S END	210
6	WILLARD AV	SAN CARLOS ST	CITY LIMIT	350
6	WILLARD AV	SCOTT ST	195'N/SCOTT ST	195
6	WILLARD AV	SCOTT ST	CHIECHI AVE	350
3	WILLIS ST	AUZERAIS AV	S END	356
9	WILLOW DR	LAURINDA DR	LOS GATOS ALMAD	1515

ATTACHMENT A

CD	Street Name	From	To	Length (ft)
9	WILLOWBROOK DR	BLOSSOMVIEW DR	WILLOWVIEW DR	865
9	WILLOWBROOK DR	MERIDIAN AV	WILLOWPARK DR	1170
9	WILLOWGATE DR	WILLOWVIEW AV	BLOSSOMVIEW DR	865
9	WILLOWMONT AV	JARVIS AV	ELECTRA AV	620
9	WILLOWMONT AV	MERIDIAN AV	JARVIS AV	2880
6	WILSON WY	THE ALAMEDA	SAN FERNANDO ST W	935
1	WOODGLEN DR	BUCKNALL RD	CAMPBELL AV	990
4	WOODY CT	WOODY LN	N END	200
4	WOODY LN	LIMEWOOD DR	SAGEWOOD LN	1185
2	WYANDOTTE DR	CALPINE DR	COHASSET WY	1820
9	YOLANDA CT	CHERRY AV	W END	210
2	ZILEMAN CT	ZILEMAN DR	E END	332
2	ZILEMAN DR	HERMA ST	COLVILLE DR	752
4	ZURICH CT	BERRYESSA RD	N END	265



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen
Albert Balagso
James Helmer
Joseph Horwedel
Leslye Krutko
Paul Krutko
Jennifer A. Maguire

SUBJECT: SEE BELOW

DATE: May 18, 2009

Approved

Date

5/22/09

COUNCIL DISTRICT: All
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 \$2,965,991 FOR 2008-2009 AND ADOPTION OF RESOLUTIONS MAKING CERTAIN DETERMINATIONS REGARDING THE EXPENDITURE OF AGENCY FUNDS ON CERTAIN PUBLIC IMPROVEMENTS

RECOMMENDATION

- 1) 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:
 - a) Increase the estimate for Earned Revenue by \$2,965,991.
 - b) Increase the appropriation to the Department of Transportation for the Downtown Seasonal Banners Project (PSM 529 Amendment #1) in the amount of \$80,000.
 - c) Establish an appropriation to the Parks, Recreation and Neighborhood Services Department for the Watson Park Remediation and Phase I Improvements project (PSM 567) in the amount of \$2,000,000.
 - d) Establish an appropriation to the Department of Public Works for the Utility Undergrounding Program (PSM 575) in the amount of \$100,000.
 - e) Establish an appropriation to the Department of Housing for the Washington Housing Rehabilitation Project (PSM 578) in the amount of \$200,000.

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SUBJECT: **ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES RESOLUTION AMENDMENTS IN THE SERVICES FOR REDEVELOPMENT CAPITAL PROJECTS FUND (CITY-SIDE REDEVELOPMENT FUND) AND ADOPTION OF RESOLUTIONS MAKING CERTAIN DETERMINATIONS REGARDING THE EXPENDITURE OF AGENCY FUNDS ON CERTAIN PUBLIC IMPROVEMENTS**

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- f) Establish an appropriation to the Department of Transportation for the North San Jose Streetlight Conversion to LED project (PSM 577) in the amount of \$200,000.
 - g) Establish an appropriation to the Department of Public Works for the San Jose Convention Center Roof Replacement project (PSM 580) in the amount of \$90,000.
 - h) Establish an appropriation to the Office of Economic Development for the Imwalle Story and King Development – Public Art Project (PSM 581) in the amount of \$29,000.
 - i) Establish an appropriation to the Housing Department for the Neighborhood Housing Services Silicon Valley (PSM #583) in the amount of \$250,000.
 - j) Increase the appropriation to the Department of Planning, Building, and Code Enforcement for the California Environmental Quality Act (CEQA) Clearance (PSM 365 Amendment #5) in the amount of \$16,991.
- 2) It is also recommended that the Council adopt resolutions making certain determinations regarding the related expenditure of Redevelopment Agency funds on certain public improvements in connection with
- a) The Watson Park Remediation and Phase I Improvements project as more specifically described in the memorandum from the Redevelopment Agency, dated March 17, 2009 attached hereto,
 - b) The North San Jose Streetlight Conversion to LED as more specifically described in the memorandum from the Redevelopment Agency, dated April 3, 2009 attached hereto,
 - b) The Utility Undergrounding Program as more specifically described in the memorandum from the Redevelopment Agency, dated March 3, 2009 attached hereto, and,
 - c) The Imwalle Story and King Development – Public Art Project as more specifically described in the memorandum from the Redevelopment Agency, dated April 20, 2009 attached hereto.

OUTCOMES

The City Council's approval of the recommended actions will provide for the continuation of the Downtown Seasonal Banners Project as well as the continuation of CEQA clearances to be performed by the Department of Planning. In addition, the recommended action will provide for: the purchase and replacement of streetlight to LED lights, staff services in relation to the Utility Undergrounding Program, the administration of an exterior improvement grant demonstration housing project, staff services in relation to the Convention Center roof replacement, public art as part of the larger Alum Rock Cultural History Project, a contribution to the Neighborhood

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Housing Services Silicon Valley for a community revitalization program; and provide additional funding for the remediation and restoration of Watson Park.

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

Downtown Seasonal Banners Project

The Downtown Seasonal Banner project provides for the installation of five seasonal banners at approximately 200 locations within the Greater Downtown area. This project will enhance the street and pedestrian environment throughout the Greater Downtown. In addition, it will continue the seasonal banner program previously funded by the Redevelopment Agency in 2008. The streets where the banners are to be hung are all within the Greater Downtown. The Downtown Seasonal Banner Project will be managed by the Department of Transportation in collaboration with the Office of Cultural Affairs. The source of funding for this project would be a transfer from the Redevelopment Agency in the total amount of \$80,000.

Watson Park Remediation and Phase I Improvement

The Watson Park Remediation and Phase I Improvement project provides funding, in part, for the remediation and restoration of Watson Park estimated at a total cost of \$13.3 million according to the April 28, 2009 memorandum to City Council for award of the project. More specifically, the funds provided in this Project Services Memorandum will be utilized to fund a portion of the remediation work associated with the City's remediation and construction contracts for the project to complete site remediation. This project assists in restoring and enhancing an important park which provides additional open space and recreational opportunities to the community. The Parks, Recreation and Neighborhood Services Department in conjunction with the Public Works Department will provide project management services for the project including management of consultant(s) contract(s), other contract(s) required for the project, maintenance of the budget and schedule, public bid process, award of construction contract, and management of the construction contract and construction. The source of funding for this project would be a transfer from the Redevelopment Agency in the total amount of \$2,000,000.

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North San Jose Streetlight Conversion to LED

The North San Jose Streetlight Conversion to LED project provides funding for the purchase and installation of programmable streetlights and communications systems in the North San Jose Redevelopment Area. The Department of Transportation will perform all construction associated with the removal of the existing low pressure sodium fixtures and installation of LED fixtures as well as coordinate progress with client departments. This project will benefit the Rincon de Los Esteros Redevelopment Project Area by improving the safety in this industrial area by providing a better range of light spectra improving visibility. The source of funding for this project would be a transfer from the Redevelopment Agency in the total amount of \$200,000.

Utility Undergrounding Program

The Utility Undergrounding Program project provides funding for Department of Public Works staff time in relation to the removal of utility lines in the Greater Downtown, Neighborhood Business Districts and Strong Neighborhood Initiative areas by relocating the utility infrastructure underground. The Department of Public Works will dedicate staff to assist in coordination among various City Departments, the Redevelopment Agency, public utilities, and neighborhood groups and residents. Staff will also assist in modifying the five year work plan as well as coordinate with utility companies on design and plan review of the projects according to the 2008-2009 to 2014 Underground Utility Program as approved by City Council. In addition, dedicated staff will assist in the facilitation of the approval of all necessary permits. The source of funding for this project would be a transfer from the Redevelopment Agency in the total amount of \$100,000.

Washington Housing Rehabilitation Project

The Washington Housing Rehabilitation Project provides funding to administer an exterior improvement grant demonstration project. The Housing Department will administer this project and will provide grants designated for home improvement not to exceed \$25,000 per property to both single-family owner-occupied and single-family rental units within the Washington Strong Neighborhoods Initiative (SNI) Area. Participation will be limited to households earning less than 80% of Area Median Income (AMI) adjusted for family size. This project will be delivered over two phases: 1) will be limited to owner-occupied residences and 2) will be offered to both owner-occupied and rental units. This funding provides for Housing Department and SNI staff to provide outreach for, oversight of, and the administration of this project as well as provide reports through the Housing Department's Rehabilitation Quarterly Status Reports which may be presented to the Washington SNI Rehab Subcommittee and/or the Washington Coalition by the San Jose Redevelopment Agency staff. The source of funding for this project would be a transfer from the San Jose Redevelopment Agency in the total amount of \$200,000.

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San Jose Convention Center Roof Replacement

The San Jose Convention Center Roof Replacement project provides funding for a Project Engineer in the Department of Public Works to assist in project coordination with the San Jose Redevelopment Agency by performing multidisciplinary plan check services for code review and quality assurance and attending project coordination meetings during the construction phase of the project. The Department of Public Works will dedicate one Project Engineer to conduct inspections during construction to ensure quality and conformance with the approved plans, prepare final acceptance of the project in coordination with the San Jose Redevelopment Agency's project manager. The San Jose Redevelopment Agency will design, bid, and construct the project. The source of funding for this project would be a transfer from the San Jose Redevelopment Agency in the total amount of \$90,000.

Imwalle Story and King Development – Public Art Project

The Imwalle Story and King Development – Public Art Project provides for additional art features for a new development in the Story Road redevelopment project area next to the public right of way. The Office of Cultural Affairs under the Office of Economic Development will develop the project related to the Alum Rock Cultural History Project, select the appropriate artist(s), oversee the site selection, project design development and review, and fabrication and installation of the artwork. The source of funding for this project would be a transfer from the San Jose Redevelopment Agency in the total amount of \$29,000.

Neighborhood Housing Services Silicon Valley

The Neighborhood Housing Services Silicon Valley project provides for financial education and volunteer-based community revitalization program to eliminate blight in Strong Neighborhood Initiative areas through a contribution to the nonprofit organization Neighborhood Housing Services Silicon Valley (NHSSV). NHSSV and SNI staff will coordinate outreach efforts during Phase I recruitment activities, provide project oversight, and the Housing Department will provide project status reports to the San Jose Redevelopment Agency and will oversee the management of the contract for the SNI Demonstration project. The source of funding for this project would be a transfer from the San Jose Redevelopment Agency in the total amount of \$250,000.

California Environmental Quality Act (CEQA) Clearance

The California Environmental Quality Act (CEQA) Clearance project provides funding for the Planning, Building and Code Enforcement Department to pay for CEQA Clearances for Board Reports in the 2008-2009 Fiscal Year. Authorization to release the funds shall be approved by

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Redevelopment Agency staff. The source of funding for this project would be a transfer from the Redevelopment Agency in the total amount of \$16,991.

EVALUATION AND FOLLOW-UP

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 meets the \$1 million threshold for Criterion 1, this memorandum is posted on the City's website for the June 9, 2009 Council Agenda.

COORDINATION

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

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FISCAL/POLICY ALIGNMENT

These projects are consistent with the Council-approved Budget Strategy to continue with capital improvement projects that will spur spending in our local economy.

COST IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/ COST OF PROJECTS: \$2,965,991
2. SOURCE OF FUNDING: 450 - Services For Redevelopment Capital Projects Fund
3. OPERATING COSTS:

The Downtown Seasonal Banners project does not anticipate any operating and maintenance costs per the Department's review.

Watson Park Remediation and Phase I Improvements proposed operating and maintenance costs of have been reviewed and estimated at \$32,000 beginning in 2010-2011. This funding was included in the 2010-2014 General Fund Forecast, released on February 27, 2009. A planting and mitigation cost estimated at \$380,000 for 10 years (\$50,000 per year for the first five years and \$130,000 total for the next five years) will be incurred to comply with the Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Game (CDFG) requirements to maintain and monitor the mitigation planting areas. The required annual status reports will describe how and when all criteria were met. Funding for the planting mitigation is included in the total project costs as detailed in the Watson Park Remediation and Phase I Improvements memo approved by City Council on April 28, 2009.

North San Jose Streetlight Conversion to LED project is anticipated to generate \$10,000 in electricity savings in the General Fund which is assumed in the 2009-2010 Proposed Operating Budget.

Utility Undergrounding Program does not anticipate operating and maintenance costs as the facilities are owned and maintained by utility companies per the Department's review.

Washington Housing Rehabilitation Project does not anticipate operating and maintenance costs per departmental review as these funds are utilized for grant programs for private rehabilitation as well as education and services to residents.

San Jose Convention Center Roof Replacement project provides funding for plan check services for code review and quality assurance and no operating and maintenance costs are anticipated for

HONORABLE MAYOR AND CITY COUNCIL

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these services. In addition, operating and maintenance costs in relation to the San Jose Convention Center including the roof replacement would be funded by the Convention and Cultural Affairs fund and have no General Fund impact.

Imwalle Story and King Development – Public Art Project will be a permanent art work installation and no operating and maintenance costs are anticipated per the Department's review. In addition, should annual maintenance and conservation costs arise, these costs would be funded with percent for art monies and have no General Fund impacts.

Neighborhood Housing Services Silicon Valley project not anticipate operating and maintenance costs per departmental review as these funds are utilized for grant programs for private rehabilitation as well as education and services to residents.

California Environmental Quality Act (CEQA) Clearance projects does not require any operating and maintenance costs per departmental review.

CEQA

CEQA:

Downtown Seasonal Banners Project: Resolution No. 72767 and addenda thereto, File No PP09-055;

Watson Park Remediation and Phase I Improvements: Mitigated Negative Declaration, PP 07-130, September 2008;

North San Jose Streetlight Conversion to LED: Exempt File No. PP09-094;

Utility Undergrounding Program: Not a Project;

Washington Housing Rehabilitation Project: Not a Project;

San Jose Convention Center Roof Replacement: Not a Project;

Imwalle Story and King Development – Public Art Project: Exempt, File No. PP05-184;

Neighborhood Housing Services Silicon Valley: Not a Project; and*

California Environmental Quality Act (CEQA) Clearance: Not a Project.

HONORABLE MAYOR AND CITY COUNCIL

03-16-09

SUBJECT: **ADOPTION OF APPROPRIATION ORDINANCE AND FUNDING SOURCES
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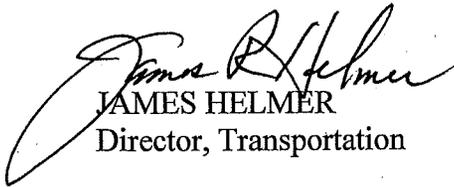
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KATY ALLEN
Director, Public Works



ALBERT BALAGSO
Director, Parks, Recreation & Neighborhood
Services



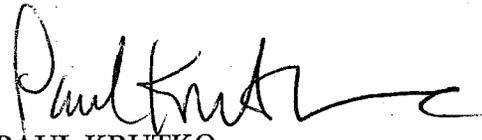
JAMES HELMER
Director, Transportation



JOSEPH HORWEDEL
Director, Planning, Building
& Code Enforcement



LESLEYE KRUTKO
Director, Housing

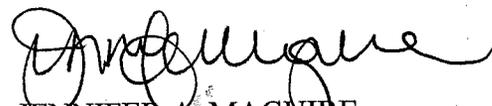


PAUL KRUTKO
Director, Office of Economic Development



JENNIFER A. MAGUIRE
Budget Director

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 \$2,965,991.



JENNIFER A. MAGUIRE
Budget Director

For more information regarding this project, contact:

HONORABLE MAYOR AND CITY COUNCIL

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For more information regarding this project, contact:

Downtown Seasonal Banners Project: Diane Milowickie, Division Manager, (408) 277-5496.

Watson Park Remediation and Phase I Improvements: Matt Cano, Division Manager, (408) 793-5505.

North San Jose Streetlight Conversion to LED: Amy Olay, Senior Civil Engineer, (408) 975-3283.

Utility Undergrounding Program: Rich Coco, Acting Division Manager, (408) 975-7444

Washington Housing Rehabilitation Project: James Stagi, Housing Policy and Planning Administrator, (408) 535-8238.

San Jose Convention Center Roof Replacement: Paul Marino, Senior Architect, (408) 535-8445

Imwalle Story and King Development – Public Art Project: Lynn Rogers, Public Art Program Officer, (408) 277-5144 ext. 15.

Neighborhood Housing Services Silicon Valley: Dave Bopf, Division Manager, (408) 535-3860.

California Environmental Quality Act (CEQA) Clearance: Susan Walsh, Senior Planner, (408) 535-7910.

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

MEMORANDUM

TO: KENN LEE	FROM: PAUL PEREIRA NEIGHBORHOOD TEAM MANAGER
SUBJECT: SEE BELOW	DATE: March 17, 2009

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

The Redevelopment Agency intends to transfer \$2,000,000 to the Department of Parks, Recreation and Neighborhood Services to fund, in part, the remediation and restoration of Watson Park in the Strong Neighborhoods Initiative Redevelopment Project Area. The project consists of site remediation and restoration according to the Watson Park Master Plan approved by the City Council on August 19, 2008.

Watson Park is a 35-acre park located approximately two miles northeast of downtown San José. It is located in the 13th Street Strong Neighborhoods Initiative area. In June 2004, contractors encountered ash dump debris consistent with a burn dump site during excavation for the construction of a skate park at Watson Park. The construction project was halted and the park was fenced off and closed to the public. Testing of the park site and adjacent properties on Terrace Drive confirmed the presence of burn ash and dump debris from an incinerator that had operated on this site for approximately 20 years starting around 1914.

The preliminary cost estimate for the basic remediation and restoration of Watson Park is \$18.69 million. Of this \$18.69 million, \$13.56 million has already been funded. At the end of fiscal year 2007-2008, over \$4.04 M in funds had been expended and encumbered towards remediation and restoration of the Watson Park project, including the restoration of Terrace Drive properties. The remaining \$9.52 million is budgeted in FY 2008-2009. The addition of \$2 million in Agency funds will bring the total allocated funds for the project to \$15.56 million. An additional \$750,000 was awarded as a grant from the California Waste Management Board towards this project. \$2.4 million in Park Dedication Ordinance fees from new downtown high rises are anticipated in 2nd half of FY 2008-2009.

Agency funds which are the subject of this PSM will be used to fund a portion of the remediation work associated with the City's remediation and construction contracts

for the project. The purpose of the present PSM is to transfer funds to the City of San Jose to complete site remediation.

The improvements resulting from the remediation and restoration project will be City-owned. Section 33445 of California Redevelopment Law requires that the City Council adopt a resolution making certain determinations with respect to publicly-owned improvements funded by the Redevelopment Agency. Following are the required determinations and the facts supporting each one:

- The public improvements will be of benefit to the Project Area.

The project consists of improvements to Watson Park, located within the Strong Neighborhoods Initiative Redevelopment Project Area. This project benefits the Project Area by restoring and enhancing an important park which provides additional open space and recreational opportunities to the community, thereby serving the redevelopment purpose of providing valuable recreational resources for the community.

- There are no other reasonable means of funding the public improvements.

No other reasonable means of financing the project funding shortfall is available, as the City has no funds currently budgeted or otherwise identified to pay for the project funding shortfall, and no other source, public or private, has been identified to provide funds to satisfy this shortfall.

- The public improvements will assist the elimination of one or more blighting conditions in the Project Area.

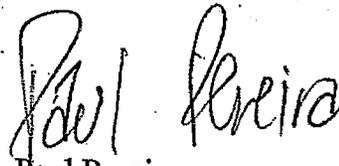
Restoring and enhancing Watson Park will encourage further investment in the Project Area neighborhoods and make them more desirable places to visit and live, and assist the rehabilitation of deteriorated buildings and alleviate the existence of substandard structures. By providing additional recreation facilities certain crimes related to gang activity should be reduced.

- The public improvements are consistent with the Implementation Plan for the Project Area.

The project is consistent with the adopted Five-Year Implementation Plan, including the specific goal of the Plan to provide quality parks, community gardens and trail connections in the neighborhoods.

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.

A handwritten signature in black ink, appearing to read "Paul Pereira". The signature is written in a cursive, slightly slanted style.

Paul Pereira
Neighborhood Team Manager

Attachment

cc: David Baum
Sandy Shayesteh
Tom Murtha

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

MEMORANDUM

TO: KENN LEE, CAPITAL BUDGET COORDINATOR	FROM: R. JAMES, SENIOR DEVELOPMENT OFFICER
SUBJECT: SEE BELOW	DATE: April 20, 2009
APPROVED: 	DATE: 4/20/09

SUBJECT: PROJECT SERVICES MEMORANDUM FOR IMWALLE PUBLIC ART

Attached is the Project Services Memorandum (PSM) for the transfer of \$29,000 to the City of San Jose Office of Cultural Affairs.

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

1. This project benefits the Story Road redevelopment project area by improving public right of way areas within the project area. This project will add art features to a new development next to the public right of way.
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 eliminate blight by being part of the redevelopment of formerly blighted parcels and by making the neighborhood a more desirable place to live and visit.
4. The implementation plan for the Story Road redevelopment project area includes public art development.

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.



R. James
Senior Development Officer

Attachment

Cc: David Baum
Tom Murtha

undergrounded. There are no other reasonable means of financing the project.

3. The project will help eliminate visual blight in the redevelopment project areas by removing old overhead utility lines, transformers, poles and other infrastructure and provide a clean, more attractive street and pedestrian environment. These improvements are consistent with the goals stated in the Downtown Streetscape Master Plan and the various SNI Improvement Plans which are the basis for a number of planned public realm streetscape improvements after the utility lines are eliminated
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

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

MEMORANDUM

TO: KENN LEE CAPITAL BUDGET COORDINATOR	FROM: BOB RUFF ASSISTANT DIRECTOR, PROJECT MANAGEMENT
SUBJECT: SEE BELOW	DATE: March 3, 2009

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

The Agency has transferred \$100,000 to fund the Department of Public Works to manage the Utility Undergrounding Program within Redevelopment Project areas. The Utility Undergrounding Program Project consists of the removal of overhead utility lines in the Greater Downtown, Neighborhood Business Districts, and in SNI areas by relocating the utility infrastructure underground and facilitating the connection of each adjacent building to the new underground service. This project will enhance the street and pedestrian environment throughout these Redevelopment Project Areas.

Before these funds can be spent by the city, the City Council must make certain determinations under Redevelopment law H & S Code Section 33445 regarding the benefit to the project areas. A brief summary for the public improvement project is provided below.

1. The removal of the overhead utility lines and utility poles are of benefit to the Merged Redevelopment Project areas by eliminating unsightly overhead utility lines, transformers, poles and other infrastructure of PG&E, AT&T, and Comcast in the commercial and residential areas and will provide new underground utility systems meeting current codes and requirements.
2. In the past the City has funded these services from the General Fund and most recently by the Rule 20B program. The General Fund is no longer available and the Rule 20B program fund is insufficient to maintain staffing levels needed for the workload. Cutbacks of staff will delay the implementation of the program within the Redevelopment Project areas and this delay will cause scheduling problems with planned streetscape and other improvements within the project areas after the utilities are

3. The public improvements will assist in the elimination of one or more blighting conditions in the Project Area.

The City Council and Agency Board made a formal determination that blight exists in the Project Area prior to the establishment of the Rincon de Los Esteros Redevelopment Project Area. These improvements allow the City to achieve its goals of providing better quality streetlighting, operating cost savings, and reduced energy usage, and will help attract additional visitors into the Project Area. This project is also a large scale demonstration project of this emerging technology. Much of the science behind LED systems continues to be developed in the Rincon de Los Esteros, and this project will encourage further investment in San Jose industries and job creation.

4. The public improvements are consistent with the adopted Five-Year Implementation Plan for the Redevelopment Project Area.

The Adopted Five-Year Implementation Plan calls for improvements to public infrastructure.

Goal: Create a market for private industrial development in the Industrial Project Areas.

Objectives: Develop strategies to attract anchor companies to locate and expand in the Industrial Project Areas.

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.



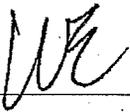
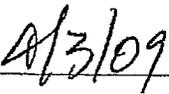
BILL EKERN
Project Manager

Attachment

cc: Tom Murtha
Sandy Shayestehi

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

MEMORANDUM

TO: KENN LEE PRINCIPAL BUDGET ANALYST	FROM: BILL EKERN DIRECTOR
SUBJECT: SEE BELOW	DATE: APRIL 3, 2009
APPROVED: 	DATE: 

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

The North San Jose Streetlight Conversion to LED project will replace low pressure sodium streetlights with energy efficient Light Emitting Diode (LED) streetlights on Tasman Drive between First Street and Cisco Way and on Orchard Parkway between Trimble Road and Charcot Avenue in the Rincon de Los Esteros Redevelopment Project Area.

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 public improvements will be of benefit to the Rincon de Los Esteros Redevelopment Project Area.

The public improvements will benefit the Rincon de Los Esteros Redevelopment Project Area by improving the safety of this critical industrial area. LED streetlights will improve the way pedestrians and drivers perceive their surroundings by improving color rendition and better enabling them to recognize faces and other distinguishing features. Low pressure sodium is notorious for its yellow light and its distortion of color. The existing conditions make users of the streets and sidewalks physically uncomfortable because they perceive a poor light quality. LED lighting provides a better range of light spectra which improves the way humans see in that light. This improves the safety of the area by encouraging increased use of the streets and especially sidewalks, as well as likely deterring crime by making it easier to identify features and colors. All work will occur within the Project Area.

2. There are no other reasonable means of funding the public improvements.

This project is not included in the City's Capital Budget.



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Alex Gurza

SUBJECT: SEE BELOW

DATE: May 22, 2009

Approved

Date

5/22/09

SUBJECT: AGREEMENT WITH THE ASSOCIATION OF BUILDING, MECHANICAL AND ELECTRICAL INSPECTORS (ABMEI)

COUNCIL DISTRICT: N/A
SNI AREA: N/A

RECOMMENDATION

Adoption of a resolution approving the terms of an agreement with the Association of Building, Mechanical and Electrical Inspectors (ABMEI) and authorizing the City Manager to execute the agreement with a term of June 28, 2009 to June 27, 2010.

OUTCOME

Adoption of the resolution and authorization to execute this agreement would implement an agreement between the City and ABMEI to reduce the regular work hours for all employees represented by ABMEI by 10% for Fiscal Year 2009-2010. The savings generated from the reduction in work hours will be utilized to save jobs and reduce the number of layoffs for employees represented by ABMEI during Fiscal Year 2009-2010.

BACKGROUND

The City of San Jose has a labor agreement with the bargaining unit, ABMEI. ABMEI represents approximately fifty seven (57) full time positions including, Building Inspectors and Building Inspector Supervisors.

The current Memorandum of Agreement is in effect until December 10, 2009. This Tentative Agreement is a supplement to the full agreement in the form of a side letter. All the terms of the existing MOA will remain in effect except for those that are modified by this side letter which is attached. This Tentative Agreement was ratified by the membership on May 20, 2009.

ANALYSIS

The following is a summary of the Tentative Agreement, attached hereto, between the City of San Jose and ABMEI:

Term

June 28, 2009 through June 27, 2010

- Reduced Work Week** The normal work schedule for full-time employees is forty (40) hours per work week. Effective June 28, 2009, all employees represented by ABMEI will temporarily reduce their regular work week hours by 10% for Fiscal Year 2009-2010.
- Compensation, Leave Accruals and City Seniority** The annual compensation, sick leave accruals, vacation accruals and seniority will be reduced in correlation with the reduced work hours for all employees represented by ABMEI. This means that, employees will earn approximately 10% less wages, sick leave, vacation and City Seniority during Fiscal Year 2009-2010.
- Retirement Contributions** Retirement contributions are paid by employees and the City at the established rates as a percentage of base salary. During the term of this agreement, it is the intent that both the City and the employees represented by ABMEI will continue to make contributions to the Retirement System for all paid hours and all regular hours that employees represented by ABMEI would have worked, but did not as a result of this agreement, which equates to eight (8) hours per pay period. However, this is subject to review by the Federated Retirement Board and the City Attorney's Office.
- Training Side Letter** Exhibit II in the current ABMEI MOA is a side letter agreement to provide twenty-four (24) hours of technical training per fiscal year during non-regular work time. During the term of this agreement, any training will occur during regular work hours and will not result in any employee working additional hours above the reduced work week schedule or overtime.

EVALUATION AND FOLLOW-UP

Staff does not anticipate any follow-up actions necessary at this time.

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 item meets Criterion 2. This memorandum will be posted on the City's website for the June 9, 2009, Council Agenda.

COORDINATION

This memorandum was coordinated with the City Attorney's Office and the City Manager's Budget Office.

COST IMPLICATIONS

The one-time direct cost savings of the ABMEI agreement is approximately \$565,232. The City's retirement contributions for the hours not worked will be approximately \$104,271 resulting in a net one-time savings of \$460,961.



Alex Gurza
Director of Employee Relations

For questions please contact Alex Gurza, Director of Employee Relations, at (408) 535-8150.

**CITY OF SAN JOSE
AND
ASSOCIATION OF BUILDING, MECHANICAL & ELECTRICAL INSPECTORS
(ABMEI)
REDUCED WORK WEEK TENTATIVE SIDE LETTER AGREEMENT**

Reduced Work Week

1. The normal work schedule for full-time employees is forty (40) hours per work week. Effective June 28, 2009, all employees represented by ABMEI will temporarily reduce their regular work week hours by 10% for Fiscal Year 2009-2010.
2. A 10% reduction in work hours equates to 36 hours per work week. However, employee schedules will include a total of nine (9) work days per pay period. Employees may request any work schedule so long as the weekly scheduled hours do not exceed 40 hours and the total hours equals 72 for the pay period. The Department Director or Designee will have final approval over the regularly scheduled hours of work for each employee.

Healthcare Benefits

3. During this temporary reduction in work hours, employees will continue to receive health and dental insurance in accordance with the current MOA, so as long as the employee works or is in paid status for 36 hours per work week or 72 hours per pay period.

Compensation, Leave Accruals and City Seniority

4. The annual compensation, sick leave accruals, vacation accruals and seniority will be reduced in correlation with the reduced work hours for all employees represented by ABMEI. This means that, employees will earn approximately 10% less wages, sick leave, vacation and City Seniority during Fiscal Year 2009-2010. It is the intent of the parties that no employee shall be authorized or permitted to work hours in excess of this agreement that would result in any one employee earning City Seniority in excess of 72 hours per pay period during Fiscal Year 2009-2010.

Retirement Contributions

5. Retirement contributions are paid by employees and the City at the established rates as a percentage of base salary. During the term of this agreement, it is the intent that both the City and the employees represented by ABMEI will continue to make contributions to the Retirement System for all paid hours and all regular hours that employees represented by ABMEI would have worked, but did not as a result of this agreement, which equates to eight (8) hours per pay period. However, this is subject to review by the Federated Retirement Board and the City Attorney's Office.

**CITY OF SAN JOSE
AND
ASSOCIATION OF BUILDING, MECHANICAL & ELECTRICAL INSPECTORS
(ABMEI)
REDUCED WORK WEEK TENTATIVE SIDE LETTER AGREEMENT**

Training Side Letter Agreement

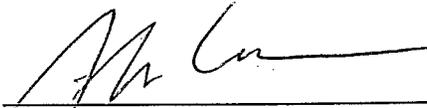
6. Exhibit II in the current ABMEI MOA is a side letter agreement to provide twenty-four (24) hours of technical training per fiscal year during non-regular work time. During the term of this agreement, any training will occur during regular work hours and will not result in any employee working additional hours above the reduced work week schedule or overtime.

Term and Expiration

7. This agreement shall be in effect once it has been both ratified by the ABMEI membership and approved by the City Council, and shall expire June 27, 2010.

FOR THE CITY

FOR THE UNION



Alex Gurza
Director of Employee Relations

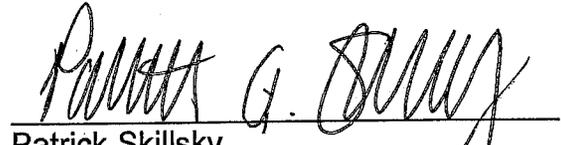
Tom Brim
President, ABMEI

5/19/09

5-19-09

Date

Date



Gina Donnelly
Deputy Director of Employee Relations

Patrick Skillsky
Secretary, ABMEI

05/19/09

5-19-09

Date

Date



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Alex Gurza

SUBJECT: SEE BELOW

DATE: May 21, 2009

Approved  Date 5/22/09

SUBJECT: APPROVAL OF IMPLEMENTATION OF TERMS CONTAINED IN THE CITY'S
LAST, BEST, FINAL OFFER TO THE OPERATING ENGINEERS, LOCAL NO. 3

COUNCIL DISTRICT: N/A
SNI AREA: N/A

RECOMMENDATION

Adoption of a resolution approving the implementation of the terms of the City's Last, Best, Final Offer for employees represented by Operating Engineers, Local No. 3, effective June 28, 2009.

OUTCOME

Adoption of the resolution and authorization to implement the terms contained in the City's Last, Best, Final Offer for employees represented by Operating Engineers, Local No. 3, effective June 28, 2009. Implementation of terms does not result in implementation of a Memorandum of Agreement (MOA).

BACKGROUND

The City of San Jose had a labor agreement with the bargaining unit, Operating Engineers, Local No. 3 (OE#3), which expired on April 17, 2009. A complete copy of the prior agreement can be found at http://www.sanjoseca.gov/employeeRelations/moas/moa_oe3.pdf. OE#3 represents approximately 839 full time positions including Maintenance Worker I/II, Parking and Traffic Control Officer, Maintenance Assistant, Groundworker and Plant Operator.

The City and OE#3 have been in negotiations for a successor agreement since January of 2009, and have met approximately seventeen times. The parties reached impasse on April 8, 2009, and began the impasse procedures under Employee-Employer Relations Resolution No. 39367, which is engaging in mediation. On May 11, 2009, the parties engaged in mediation and unfortunately, were unable to reach an agreement.

The City provided OE#3 with its Last, Best, Final Offer on May 14, 2009, which is attached.

Despite the dedication of time and effort into these negotiations, the City and OE#3 were unable to reach an agreement. Pursuant to the Meyers-Miliias-Brown Act under California Government Code Section 3505.4, if after meeting and conferring in good faith, an impasse has been reached between the public agency and the recognized employee organization, and impasse

procedures, where applicable, have been exhausted, a public agency that is not required to proceed to interest arbitration may implement its last, best, and final offer, but shall not implement a memorandum of understanding. OE#3 has been notified that this item was being placed on the Council Agenda for implementation of the terms contained in the City's Last, Best, Final Offer for employees represented by Operating Engineers, Local No. 3.

ANALYSIS

The following is a summary of the terms contained in the City's Last, Best, Final Offer that would be implemented for employees represented by Operating Engineers, Local No. 3:

Wages

Currently, there are employees represented by OE#3 who are not at top step and are eligible to receive a 5% pay increase during Fiscal Year 2009-2010.

Effective June 28, 2009, all employees represented by OE#3 will have step and merit increases frozen through June 30, 2010. This means that all wages for employees represented by OE#3 will be frozen through June 30, 2010. After June 30, 2010, employees will become eligible for step increases upon completion of an additional 2080 seniority hours after the date they did not receive a step increase for which they were previously eligible.

Health Insurance Premium

Currently, the City pays 90% of the cost of the lowest priced plan and the employee pays the remaining 10% of the premium for the lowest priced plan up to a maximum of \$150 per month. Effective the beginning of pay period fifteen (15) of payroll calendar year 2009, employees' contribution for the lowest-priced medical insurance plan will be 10% of the premium with no cap.

This cost sharing formula has previously been agreed to by eight of the City's ten bargaining units.

Health Insurance Co-Pays

Effective July 1, 2009, co-pays for all available HMO plans shall be as follows:

- a. Office Visit Co-pay: \$10
- b. Prescription Co-pay: \$5 for generic and \$10 for brand name (The Blue Shield HMO will continue to include \$15 non-formulary drug co-pay.)
- c. Emergency Room Co-pay: \$50

This will result in Kaiser Office Visit Co-pays being increased from \$0 to \$10 and Blue Shield HMO Office Co-pays being increased from \$5 to \$10. In addition, Kaiser's Emergency Room Co-pay will increase from \$0 to \$50.

OE#3 is the only bargaining unit out of the City's ten bargaining units that does not have the above co-pays.

Retiree Healthcare

Effective June 28, 2009, employees represented by OE#3 will have the same retiree healthcare pre-funding terms as all other members in the Federated City Employees' Retirement System as was agreed to by seven bargaining units in March of 2009. OE#3 is the only bargaining unit who are members of the Federated City Employees' Retirement System that does not have the full pre-funding of retiree healthcare.

The current partial pre-funding of retiree medical and dental healthcare benefits (referred to as the "policy method") shall transition to pre-funding of the full Annual Required Contribution (ARC) for the retiree healthcare plan ("Plan"). The transition shall be accomplished by phasing into fully funding the ARC over a period of five (5) years beginning June 28, 2009. The Plan's initial unfunded retiree healthcare liability shall be fully amortized over a thirty year period so that it shall be paid by June 30, 2039 (closed amortization). Amortization of changes in the unfunded retiree healthcare liability other than the initial retiree healthcare liability (e.g. gains, losses, changes in actuarial assumptions, etc.) shall be determined by the Plan's actuary. The City and Plan members (active employees) shall contribute to funding the ARC in the ratio currently provided under Section 3.28.380 (C) (1) and (3) of the San Jose Municipal Code. Specifically, contributions for retiree medical benefits shall be made by the City and members in the ratio of one-to-one. Contributions for retiree dental benefits shall be made by the City and members in the ratio of eight-to-three. When determining the contribution rates for the Plan, the Plan actuary shall continue to use the Entry Age Normal (EAN) actuarial cost method and a discount rate consistent with the pre-funding policy for the Plan as outlined in this Article.

The Municipal Code and/or applicable plan documents shall be amended in accordance with the above.

The parties have been informed by cost estimates prepared by the Federated City Employees' Retirement System Board's actuary that the actual contribution rates to reach full pre-funding of retiree healthcare will differ. The phase-in to the ARC shall be divided in five steps (using a straight line method), each to be effective on the first pay period of the City's fiscal year in each succeeding year. The first increment of the phase-in shall be effective on June 28, 2009. Because of changes resulting from future actuarial valuations, the amount of each increase may vary upward or downward. The Plan member cash contribution rate shall not have an incremental increase of more than .75% of pensionable pay in each fiscal year and the City cash contribution rate shall not have an incremental increase of more than .75% of pensionable pay in each fiscal year. For example, if the members' contribution rate is 4% of pensionable pay, the subsequent fiscal year's contribution rate for retiree healthcare cannot exceed 4.75% of pensionable pay. Notwithstanding the limitations on the incremental increases, by the end of the five year phase-in, the City and plan members shall be contributing the full Annual

Required Contribution in the ratio currently provided under Section 3.28.380 (C) (1) and (3) of the San Jose Municipal Code.

The City will establish a qualified trust ("Trust") before June 27, 2010. Until such time as a Trust is established, the City and employee contributions shall be made into the existing Medical Benefits Account for as long as the contributions can be made into the Medical Benefits Account in accordance with IRS limitations. The Trust created shall become the sole funding vehicle for Federated retiree healthcare benefits, subject to any legal restrictions under the current plan, or other applicable law.

Please note that in 2009-2010, only one year of the phase in will occur.

Disciplinary Appeals

The Municipal Code and the City's Discipline Policy provide for appeals of formal discipline to the Civil Service Commission. This language will clarify that the appeal process for any disciplinary action shall be only the appeal process, which is described in the San Jose Municipal Code and City Policy Manual section regarding discipline.

EVALUATION AND FOLLOW-UP

Staff does not anticipate any follow-up actions necessary at this time.

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 item meets Criterion 2. This memorandum will be posted on the City's website for the June 9, 2009, Council Agenda.

COORDINATION

This memorandum was coordinated with the City Attorney's Office and the City Manager's Budget Office.

COST IMPLICATIONS

There is no ongoing known increased cost to these terms, except retiree healthcare. The implementation of these terms essentially "freeze" wages for employees represented by Operating Engineers, Local No. 3 and will result in a budget savings to the City of \$1.02 million, and of that, it saves approximately \$403,000 in the general fund. These costs do not include the currently unknown cost increases for healthcare for active employees.

In regards to retiree healthcare, the City and employees represented by OE#3 will phase-in to fully fund the Annual Required Contribution (ARC) over a five-year period. This will result in an incremental increase of up to 0.75% of pensionable pay in each fiscal year for employees, and an incremental increase of up to 0.75% of pensionable pay in each fiscal year for the City. The Plan's initial unfunded retiree healthcare liability shall be fully amortized over a thirty-year period so that it shall be paid by June 30, 2039 (closed amortization).

The maximum cost to the City in Fiscal Year 2009-2010 is approximately \$213,000, based on the contribution rates that were approved by the Federated City Employees' Retirement Board on May 14, 2009. The incremental increase of the 2009-2010 City rate from the 2008-2009 City rate is 0.45% of pensionable pay.



Alex Gurza
Director of Employee Relations

For questions please contact Alex Gurza, Director of Employee Relations, at (408) 535-8150.

May 14, 2009

Bill Pope
Operating Engineers, Local No. 3
1654 The Alameda, Suite 110
San Jose, CA 95126

RE: City's Last, Best, Final Offer

Dear Mr. Pope:

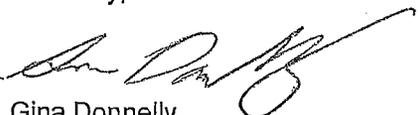
We first want to express our sincere appreciation for the dedication and work that OE#3 has put into the 2009 successor Memorandum of Agreement (MOA) negotiations. As you know, the City and OE#3 have dedicated a lot of time and effort into these negotiations, meeting approximately seventeen times and engaging in the mediation process on May 11, 2009. It is unfortunate that despite these efforts, we were unable to reach an agreement.

Enclosed please find the City's Last, Best, Final Offer. We also wanted to provide you with updated information, using Fiscal Year 2009-2010 proposed budget numbers, regarding what the cost savings would be for freezing step and merit increases for employees represented by OE#3. Freezing step and merit increases for Fiscal Year 2009-2010 for employees represented by OE#3 would save approximately \$1.02 million, and of that, it saves approximately \$403,000 in the General Fund.

It is the City's intent that the savings be used to maintain services that are proposed to be eliminated in the Fiscal Year 2009-2010 proposed budget. This would apply to budget proposals that contain services that are primarily provided by employees represented by OE#3 and would be used to reduce position eliminations. This is not a guarantee of no layoffs in solving the current \$84.2 million deficit for Fiscal Year 2009-2010. Further, if the City's fiscal situation worsens because of impacts of the State budget or other factors, additional position eliminations may be necessary.

We also received your letter dated May 12, 2009, that indicated a desire to meet as provided for in Section 23(b) of the Employer-Employee Relations Resolution. As indicated in previous correspondence, the City is always willing to meet with OE#3, and we are willing to meet with OE#3 to discuss Section 23(b). However, it is our intent to take this Last, Best, Final Offer for Council approval in open session in early June and therefore, it is important that we meet soon. Please let us know your earliest availability.

Sincerely,



Gina Donnelly
Deputy Director of Employee Relations

Enclosure

c: Alex Gurza, Director of Employee Relations

**2009 OE#3 NEGOTIATIONS
CITY LAST, BEST, FINAL OFFER**

TERM

One year, effective the beginning of the first full pay period following ratification by the OE#3 membership and approval by the City Council.

STEP INCREASES

All OE#3 represented employees will have step and merit increases frozen through the term of the agreement. This means that all wages will be frozen through the term of this agreement for employees represented by OE#3. Upon the expiration of this agreement, employees will become eligible for step increases upon completion of an additional 2080 seniority hours after the date they did not receive a step increase for which they were previously eligible.

HEALTH INSURANCE

See Attached

DISCIPLINARY ACTION

See Attached

RETIREE HEALTHCARE

See Attached

2009 CITY OF SAN JOSE – OE#3 NEGOTIATIONS
LAST, BEST, FINAL OFFER

ITY PROPOSAL #7, 8 and 9- HEALTH INSURANCE

Proposed Language

5.5 Health Insurance.

5.5.1 ~~The City will pay 90% of the full premium cost of the lowest cost plan for employee or for employee and dependent coverage, and the employee will pay 10% of the premium for the lowest priced plan up to a maximum of \$50.00 per month. If an employee selects a plan other than the lowest priced plan, the employee shall pay the difference between the total cost of the selected plan and the City's contribution towards the lowest priced plan.~~

~~Effective the beginning of pay period one (1) of payroll calendar year 2007, the City shall pay ninety percent (90%) of the full premium cost of the lowest priced plan for employee or employee and dependent coverage, and the employee will pay ten percent (10%) of the premium for the lowest priced plan up to a maximum of one hundred (\$100) per month. If the employee's ten percent (10%) contribution for the lowest priced plan exceeds one hundred dollars (\$100) per month the City shall pay the difference. If an employee selects a plan other than the lowest priced plan, any additional amount required for the premium of any other plan beyond the cost of the lowest priced plan shall be paid for by the employee.~~

~~Effective the beginning of pay period one fifteen (15) of payroll calendar year 20082009, the City shall pay ninety (90%) of the full premium cost of the lowest priced plan for employee or employee and dependent coverage, and the employee will pay ten percent (10%) of the premium for the lowest priced plan for the employee or for employee and dependent coverage up to a maximum of one hundred and fifty dollars (\$150) per month. If the employee's ten percent (10%) contribution for the lowest priced plan exceeds one hundred and fifty dollars (\$150) per month the City shall pay the difference. If an employee selects a plan other than the lowest priced plan, any additional amount required for the premium of any other plan beyond the cost of the lowest priced plan shall be paid for by the employee~~the employee shall pay the difference between the total cost of the selected plan and the City's contribution towards the lowest priced plan for~~ employee or for employee and dependent coverage.~~

5.5.2 Effective July 1, 2009, co-pays for all available HMO plans shall be as follows:

a. Office Visit Co-pay shall be increased to \$10

b. Prescription Co-pay shall be increased to \$5 for generic and \$10 for brand name. (The Blue Shield HMO will continue to include \$15 for non-formulary drug co-pay.)

c. Emergency Room Co-pay shall be increased to \$50

5.5.3 The Benefits Review Forum representatives may evaluate and recommend appropriate changes in the Health Insurance, Dental, and Orthodontic coverage, subject to approval by the City and ratification by the employee organization.

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CITY PROPOSAL #30- DISCIPLINARY ACTION

Proposed Language

ARTICLE 28 DISCIPLINE

Disciplinary action is defined as dismissal, demotion and suspension. In addition, the appointing authority may reduce an employee's salary step. The salary may be reduced to no lower than step one of the five-step salary range, and the term of the salary reduction will be specified in the notice of intended discipline. The salary may be reduced either for a specified period of time or until the condition which caused the salary reduction has been corrected. The employee may appeal this action to the Civil Service Commission according to the same rules as apply to other formal disciplinary appeals.

The City has a policy of progressive discipline. Discipline is intended to be corrective whenever possible. Discipline will be initiated pursuant to the guidelines outlined in the City of San Jose Discipline Training Handbook. When the need for disciplinary action arises, disciplinary action will be taken commensurate with the seriousness of the offense.

The City recognizes the process of timely, fair and consistent disciplinary actions is a key factor in maintaining positive employer-employee relations. It is in the interests of both parties to have allegations of misconduct investigated in a thorough and timely fashion.

The appeal process for any disciplinary action shall continue to be only those in effect at the time of the execution of this agreement.

When an employee is being interviewed and the employee reasonably believes that the investigation is likely to result in disciplinary action, the employee has the right to request to have a union representative present during the investigative interview.

No provisions of this Article 28 shall be subject to the grievance procedures of this agreement. The appeal process for any disciplinary action shall only be those described in the San Jose Municipal Code and City of San Jose Discipline Policy in the City Policy Manual and are not subject to appeal through the grievance procedure of this Agreement.

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ARTICLE 27 RETIREE HEALTHCARE
(Current Article 27 and subsequent articles to be re-numbered)

- 27.1 The City and the Union agree to transition from the current partial pre-funding of retiree medical and dental healthcare benefits (referred to as the "policy method") to pre-funding of the full Annual Required Contribution (ARC) for the retiree healthcare plan ("Plan"). The transition shall be accomplished by phasing into fully funding the ARC over a period of five (5) years beginning June 28, 2009. The Plan's initial unfunded retiree healthcare liability shall be fully amortized over a thirty year period so that it shall be paid by June 30, 2039 (closed amortization). Amortization of changes in the unfunded retiree healthcare liability other than the initial retiree healthcare liability (e.g. gains, losses, changes in actuarial assumptions, etc.) shall be determined by the Plan's actuary. The City and Plan members (active employees) shall contribute to funding the ARC in the ratio currently provided under Section 3.28.380 (C) (1) and (3) of the San Jose Municipal Code. Specifically, contributions for retiree medical benefits shall be made by the City and members in the ratio of one-to-one. Contributions for retiree dental benefits shall be made by the City and members in the ratio of eight-to-three. When determining the contribution rates for the Plan, the Plan actuary shall continue to use the Entry Age Normal (EAN) actuarial cost method and a discount rate consistent with the pre-funding policy for the Plan as outlined in this Article.
- 27.2 The City and the Union further agree that the Municipal Code and/or applicable plan documents shall be amended in accordance with the above agreement and that the Union will support such amendments.
- 27.3 It is understood that in reaching this agreement, the parties have been informed by cost estimates prepared by the Federated City Employees' Retirement System Board's actuary and that the actual contribution rates to reach full pre-funding of retiree healthcare will differ. The phase-in to the ARC shall be divided in five steps (using a straight line method), each to be effective on the first pay period of the City's fiscal year in each succeeding year. The first increment of the phase-in shall be effective on June 28, 2009. It is understood that because of changes resulting from future actuarial valuations, the amount of each increase may vary upward or downward. The City and Union agree that the Plan member cash contribution rate shall not have an incremental increase of more than .75% of pensionable pay in each fiscal year and the City cash contribution rate shall not have an incremental increase of more than .75% of pensionable pay in each fiscal year. For example, if the members' contribution rate is 4% of pensionable pay, the subsequent fiscal year's contribution rate for retiree healthcare cannot exceed 4.75% of pensionable pay. Notwithstanding the limitations on the incremental increases, by the end of the five year phase-in, the City and plan members shall be contributing the full Annual Required Contribution in the ratio currently provided under Section 3.28.380 (C) (1) and (3) of the San Jose Municipal Code.
- 27.4 The City will establish a qualified trust ("Trust") before June 27, 2010. Until such time as a Trust is established, the City and employee contributions under this agreement shall be made into the existing Medical Benefits Account for as long as the contributions can be made into the Medical Benefits Account in accordance with IRS limitations. If the

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Trust is not established prior to reaching the IRS limitation, the parties agree to meet and discuss alternative funding vehicles.

27.5 It is the objective of the parties that the Trust created pursuant to this agreement shall become the sole funding vehicle for Federated retiree healthcare benefits, subject to any legal restrictions under the current plan, or other applicable law.

27.6 Healthcare Cost Mitigation. The Union hereby waives any potential right to meet and confer over retiree healthcare benefits for future hires.