



COUNCIL AGENDA: 06-09-09  
ITEM: 2.12

# 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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- 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

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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

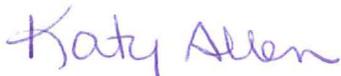
California Environmental Quality Act (CEQA) Clearance: Not a Project.

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03-16-09

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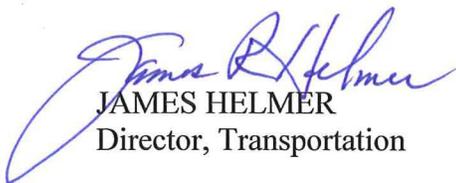
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KATY ALLEN  
Director, Public Works



ALBERT BALAGSO  
Director, Parks, Recreation & Neighborhood  
Services



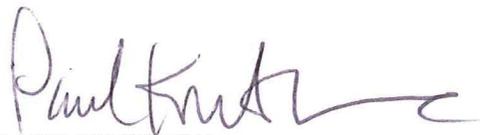
JAMES HELMER  
Director, Transportation



JOSEPH HORWEDEL  
Director, Planning, Building  
& Code Enforcement



LESLIE 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:

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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 13<sup>th</sup> 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.

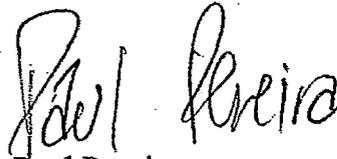
Restoring and enhancing Watson Park will encourage further investment in the Project Area neighborhoods and make them more desirable places to visit and live, and assist the rehabilitation of deteriorated buildings and alleviate the existence of substandard structures. By providing additional recreation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



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

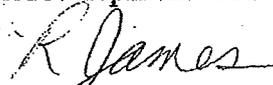
SUBJECT: PROJECT SERVICES MEMORANDUM FOR IMWALLE PUBLIC ART

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.

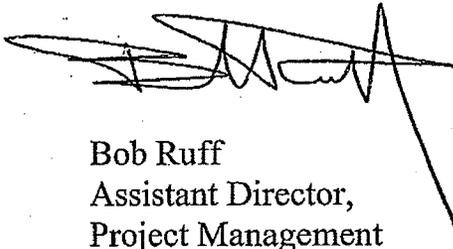
**Objectives:** Implement the Downtown Streetscape Master Plan as funding is available

**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 Shayesteh

# 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.