



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen
James Helmer
Jennifer A. Maguire

SUBJECT: SEE BELOW

DATE: June 15, 2009

Approved

Date

6/17/09

COUNCIL DISTRICT: 3 & 6
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 \$245,157 FOR 2008-2009 AND \$207,657 FOR 2009-2010 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 \$245,157;
 - b) Establish an appropriation to the Department of Transportation for the Phase II Circle of Palms Plaza Lighting Enhancement Project (PSM 573) in the amount of \$7,500;
 - c) Establish an appropriation to the Department of Public Works for the William Street and Colton Place Sidewalk Improvement Project (PSM 584) in the amount of \$30,000; and,
 - d) Increase the Ending Fund Balance by \$207,657.

- 2) Adopt the following Appropriation Ordinance and Funding Sources Resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund) for 2009-2010:
 - a) Increase the Beginning Fund Balance by \$207,657;

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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 Expenditures of Agency Funds on Certain Public Improvements

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- b) Increase the appropriation to the Public Works Department for the Hanchett Pillar Project (PSM 527 Amendment #1) in the amount of \$16,307;
 - c) Establish an appropriation to the Department of Transportation for the Phase II Circle of Palms Plaza Lighting Enhancement Project (PSM 573) in the amount of \$41,150;
 - d) Establish an appropriation to the Department of Transportation for the Park Avenue Tree Improvement Project (PSM 579) in the amount of \$15,200;
 - e) Establish an appropriation to the Department of Public Works for the William Street and Colton Place Sidewalk Improvement Project (PSM 584) in the amount of \$135,000.
- 3) 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 Park Avenue Tree Improvement Project as more specifically described in the memorandum from the Redevelopment Agency, dated April 6, 2009 attached hereto;
 - b) The Phase II Circle of Palms Lighting Enhancement Project as more specifically described in the memorandum from the Redevelopment Agency, dated March 5, 2009 attached hereto; and,
 - c) The Williams Street and Colton Place Sidewalk Improvement Project as more specifically described in the memorandum from the Redevelopment Agency, dated May 8, 2009 attached hereto.

OUTCOMES

The City Council's approval of the recommended actions will provide for lighting enhancements to the Circle of Palms to create a safer more attractive environment, necessary streetscape improvements in the Greater Downtown, enhancements within the public right-of way on William Street and Colton place improving pedestrian and traffic safety, and additional funding for the Hanchett Pillar Project due to increased costs.

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.

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ANALYSIS

Phase II Circle of Palms Plaza Lighting Enhancement Project

The Phase II Circle of Palms Plaza Lighting Enhancement Project includes: the installation of over 64 various lighting fixtures, the removal of over 31 various lighting fixtures, the installation of a new digital time clock, the installation of waterproof fused splice connector, and the installation of 32 outlets in the palm trees for the existing twinkle lights. These improvements will eliminate blight in the San Antonio Redevelopment Project Area by enhancing the appearance of the Circle of Palms and the Circle of Palms Plaza; by creating a safer environment which will attract more visitors. The Department of Transportation is responsible for furnishing and installing all fixtures, lamps and equipment excluding those outlined in the CMG Construction Document dated May 2, 2008 as well as perform all construction.

Recommendation item 1b establishes a \$7,500 appropriation (PSM 573) and recommendation item 2c establishes a \$41,150 appropriation in 2009-2010 for a combined total of \$48,650. The source of funding for this project would be a transfer from the Redevelopment Agency in the total amount of \$48,650.

Hanchett Pillar Project

Amendment #1 to the Hanchett Avenue Pillar Project will provide for the design, construction management and construction services for a new landscaped median island at the intersection of the Alameda and Hanchett with pillar elements reminiscent of the pillar features originally built along the Alameda at key entrance areas to the Shasta-Hanchett Neighborhood. This amendment provides additional funding due to increased construction costs. Construction costs rose due to community requests for upgrades to the columns (pillars), quality of wood, and additional wood detailing that exceeded the construction budget, as well as additional design and management costs as a result of additional meetings and delays in relation to the design changes, bidding of project, and parking lot alternative designs. The Department of Public Works is performing all construction management and inspection tasks for the construction contract. The source of funding for this project would be a transfer from the Redevelopment agency in the total amount of \$16,307.

Park Avenue Tree Improvement Project

The Park Avenue Tree Improvement Project provides for necessary streetscape infrastructure needs within the Greater Downtown. The project includes: removal and disposal of existing pan lids around trees along Park Avenue, removal of top layer of soil, installation of City Arborist approved materials for appropriate drainage, and installation of Arborist approved toppings flush with adjacent sidewalk. This project eliminates blight by removing a potentially hazardous condition in the sidewalk area adjacent to the Tech Museum of Innovation where extensive pedestrian activity occurs. In addition, these improvements replace pan lids with an Arborist

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approved material that allows for better watering and draining thus enabling the existing trees to grow strong and be an attractive streetscape element. The Department of Transportation will perform all design, construction documents and specification preparation; administer the bid process, construction management, and inspection services. The source of funding for this project would be a transfer from the Redevelopment Agency in the total amount of \$15,200.

William Street and Colton Place Sidewalk Improvement Project

The William Street and Colton Place Sidewalk Improvement Project will rehabilitate roadways and sidewalks within the public right-of way on William Street and Colton place in the existing Market/Almaden Neighborhood. Enhancements include new pavement, sidewalks, curbs, gutters, ADA compliant curb ramps and street trees at selected locations. The project limits are William Street (west of Market Street) and Colton Place from Pierce Avenue to William Street.

These proposed improvements will enhance pedestrian and traffic safety, ADA compliance and improve the urban esthetics of the neighborhood.

Recommendation item 1c establishes a \$30,000 appropriation (PSM 584) to fund preliminary engineering in 2008-2009. Recommendation item 2e establishes a \$135,000 appropriation in 2009-2010 for final design and bid and award services for a combined total of \$165,000.

The total budget for the project is estimated at \$971,000. Once the project is ready to bid, addition funding will be transferred to PSM 584 to support the following: construction contract, construction contingency, construction management and inspection, and project close-out and acceptance. The source of funding for this project would be a transfer from the Redevelopment Agency in the total amount of \$165,000.

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)**

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- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-Mail Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this project does not meet the \$1 million threshold for Criterion 1, this memorandum is posted on the City's website for the June 23, 2009 Council Agenda.

COORDINATION

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

FISCAL/POLICY ALIGNMENT

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

COST IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/ COST OF PROJECTS: \$245,157
2. SOURCE OF FUNDING: 450 - Services For Redevelopment Capital Projects Fund

3. OPERATING COSTS:

The Hanchett Pillar project will have minimal operating and maintenance impacts on the General Fund in the amount of \$500 annually, currently budgeted in the Public Works Department.

The Phase II Circle of Palms Plaza Lighting Enhancement Project anticipates no ongoing operating and maintenance costs associated with the General Fund. The lighting enhancements and ongoing utility costs are maintained by and outside entity.

Ongoing maintenance and operation costs are not anticipated in relation to the Park Avenue Tree Improvement Project per departmental review.

The William Street and Colton Place Sidewalk Improvement Project does not anticipate any costs above the current level of operating and maintenance costs already budgeted for.

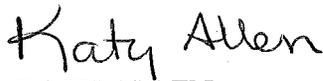
HONORABLE MAYOR AND CITY COUNCIL
06-15-09

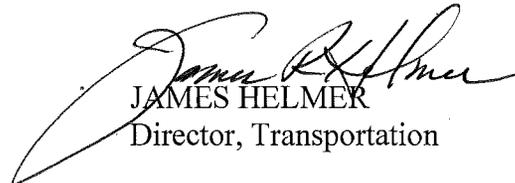
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CEQA

CEQA: Hanchett Pillar Project: Exempt, PP08-115; Phase II Circle of Palms Plaza Lighting Enhancement Project: Resolution No. 72767, Use of FEIR, San Jose Downtown Strategy 2000, File No. PP06-116; Park Avenue Tree Improvement Project: Exempt, File No. PP06-105; and William Street and Colton Place Sidewalk Improvement Project: Exempt, File No. PP09-133.


KATY ALLEN
Director, Public Works


JAMES HELMER
Director, Transportation


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) monies in excess of those heretofore appropriated there from, said excess being at least

In the Fiscal Year 2008-2009	\$ 245,157
In the Fiscal Year 2009-2010	\$ 207,657


JENNIFER A. MAGUIRE
Budget Director

For more information regarding this project, contact:
Hanchett Pillar Project: Henry Saiidnia, Senior Civil Engineer, (408) 793-4141.
Phase II Circle of Palms Plaza Lighting Enhancement Project: Tony Ortiz, Electrical Supervisor, (408) 277-3207.

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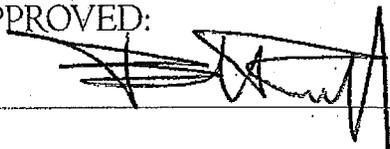
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Park Avenue Tree Improvement Project: Alex Mordwinow, Operations Manager, (408) 277-3612.

William Street and Colton Place Sidewalk Improvement Project: Jess Tanciango, Engineer, (408) 793-4145.

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

MEMORANDUM

TO: KENN LEE CAPITAL BUDGET COORDINATOR	FROM: LISA MULVANY PROJECT MANAGER
SUBJECT: SEE BELOW	DATE: MARCH 5, 2009
APPROVED: 	DATE: 3-5-09

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

The Agency is processing a PSM in the amount of \$48,650.00 to fund Department of Transportation (DOT) for the Phase II Circle of Palms Lighting Enhancement Project which is located in the Circle of Palms Plaza in downtown San Jose. Upon execution of the PSM the Agency will be transferring \$48,650.00 to the Department of Transportation.

The Phase II Circle of Palms Plaza Lighting Enhancement Project will provide for additional lighting improvements at the Circle of Palms Plaza. These lighting improvements will provide illumination of the palms and plaza at night and provide for a more pedestrian friendly, safe environment.

Under Redevelopment Law, Section 33445 of Health and Safety Code 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.) All work is within and will benefit the San Antonio Redevelopment Project Area.
- 2.) This Project is not currently included in the City's Capital Budget and there are no reasonable means of financing the project.

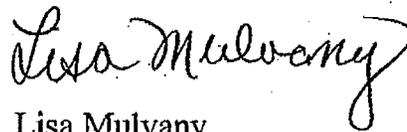
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DETERMINATIONS REGARDING FUNDS TO
BE TRANSFERRED TO THE CITY FOR PUBLIC
IMPROVEMENT PROJECT

- 3.) The Phase II Circle of Palms Plaza Lighting Enhancement Project will eliminate blight in the San Antonio Redevelopment Project Area by enhancing the appearance of the Circle of Palms and the Circle of Palms Plaza; by creating a safer environment which will attract more visitors to this centrally located public plaza.

- 4.) In the Redevelopment Agency's Adopted Five-Year Implementation Plan for the period of 2005 – 2009, one of the goals for the Downtown Redevelopment Areas is to "Establish the Downtown as the 24-hour center of urban life and activity"; and its objectives are to use public investment in land, infrastructure and public-use space to attract and stimulate private investment; and to continue design and construction of Downtown infrastructure. Another goal is to "Provide infrastructure to support private development". An objective is to implement the Downtown Streetscape and Street and Pedestrian Lighting Master Plans. This project is consistent with the goals contained in the Implementation Plan.

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.



Lisa Mulvany
Project Manager

cc: Tom Murtha
David Baum
Abraham M. Andrade, Jr.
Bob Ruff

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

MEMORANDUM

TO: KENN LEE CAPITAL BUDGET COORDINATOR	FROM: BOB RUFF ASSISTANT DIRECTOR OF PROJECT MANAGEMENT
SUBJECT: SEE BELOW	DATE: April 6, 2009

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

The Agency has transferred \$15,200 to fund the Department of Transportation to manage the Park Ave. Tree Improvement Project.

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 existing pan lids and the installation of City Arborist approved planting materials over existing street tree roots (project) are of benefit to the Park Center Redevelopment Project area in the Greater Downtown.
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. The project eliminates blight by removing a potentially hazardous condition in the sidewalk area adjacent to the Tech Museum of Innovation where extensive pedestrian activity occurs and replaces the pan lids with a Arborist approved material that allows for better watering and drainage for the trees within the sidewalk, thus enabling the existing trees to grow strong and be an attractive streetscape element within the project area. The improvements are consistent with the Downtown Streetscape Master Plan and the Downtown Street and Pedestrian Lighting Plan, which were approved by City Council in

2003. These Master Plans provides guidelines for a number of planned public realm improvements within the Greater Downtown.

4. The project supports the various goals in the adopted five year Redevelopment Agency Implementation Plan, including:

Goal: Provide public infrastructure improvements to support private development.

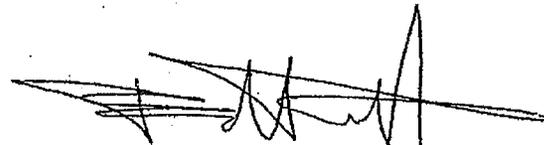
Objectives: Implement the Downtown Streetscape Master Plan as funding is available

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

Objectives:

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

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



Bob Ruff
Assistant Director,
Project Management

Attachment

cc: David Baum
Sandy Shayesteh
Tom Murtha

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

MEMORANDUM

TO: KENN LEE CAPITAL BUDGET COORDINATOR	FROM: PAUL PEREIRA NEIGHBORHOOD TEAM MANAGER
SUBJECT: SEE BELOW	DATE: May 8, 2009

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

The Redevelopment Agency has transferred \$165,000 to the Department of Public Works for a project in the Market / Almaden neighborhood in the Strong Neighborhoods Initiative Redevelopment Project Area. The proposed project shall implement enhancements within the public right-of-way on William Street and Colton Place, within the Market/ Almaden Neighborhood. Enhancements include the following: Surveying, log of boring, site preparation, street, sidewalk, driveway, curb and gutter construction, ADA ramps at selected locations, street tree planting at selected locations, and coordination with utility companies for the Project. The project limits are William Street from Market Street west to the terminus of the street, and Colton Place from Pierce Ave to William Street, all in City of San Jose right of way.

The Department of Public Works (DPW) will provide design services and a complete set of construction document and specification preparation and cost estimates (PS&E) for the construction project. In addition, DPW staff will administer the bid process, construction management, and inspection services.

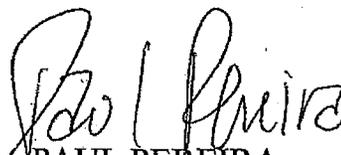
Section 33445 of the Redevelopment Law requires the City Council to make certain determinations with respect to publicly owned improvements funded by the Redevelopment Agency. The required findings are as follows:

1. This project will benefit the Strong Neighborhoods Initiative Redevelopment Project Area by improving the pedestrian environment

and traffic safety enhancements along the pedestrian and traffic corridor. This project will enhance the area for pedestrian, bicycle and vehicular traffic while minimizing congestion, bring the current infrastructure up to ADA standards, and upgrade the area's appearance.

2. This project is not currently included in the City's Capital Budget and there are no other reasonable means of fully financing the project.
3. This project will assist in the elimination of blight in the area by improving the built environment for pedestrian, bicycle and vehicular traffic while minimizing congestion and upgrading the area's appearance.
4. The implementation plan for the Strong Neighborhoods Initiative Redevelopment Project Area includes providing safer streets for pedestrian, bicycle and vehicular traffic while minimizing congestion. This includes street reconstruction, installing traffic calming devices, and improving the pedestrian environment.

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
Tom Murtha