



## CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk  
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San José, California 95113  
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City Clerk

STATE OF CALIFORNIA)  
COUNTY OF SANTA CLARA)  
CITY OF SAN JOSÉ)

I, Lee Price, City Clerk & Ex-Officio Clerk of the Council of and for the City of San José, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 28735**, the original copy of which is attached hereto, was adopted on the **20th day of April, 2010** by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

VACANT: NONE.

Said ordinance is effective as of **April 20, 2010**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San José, this **May 11, 2010**.

(SEAL)

  
LEE PRICE, MMC  
CITY CLERK & EX-OFFICIO  
CLERK OF THE CITY COUNCIL

**ORDINANCE NO. 28735**

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING ORDINANCE NO. 28593 TO APPROPRIATE MONIES IN THE CONSTRUCTION EXCISE TAX FUND FOR THE PROP 1B – PAVEMENT MAINTENANCE PROJECT; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:**

SECTION 1. Section 2.40 of Ordinance No. 28593 is hereby amended to read as fully set forth on EXHIBIT "A," entitled "AMENDMENTS TO ORD. 28593," which is attached hereto and incorporated herein as though fully set forth in this Section of this Ordinance.

SECTION 2. This ordinance shall become effective immediately upon adoption, pursuant to Section 605(c) of the Charter of the City of San Jose.

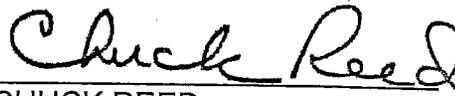
**ADOPTED** IN ACCORDANCE WITH CHARTER SECTIONS 605(c) and 1208 this 20<sup>th</sup> day of April 2010, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA, KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.

  
CHUCK REED  
Mayor

ATTEST:



LEE PRICE, MMC  
City Clerk

2009-2010 APPROPRIATION ORDINANCE

SECTION NO      ITEM NO

CURRENT APPROPRIATION      28735

2.40

**Construction Excise Tax Fund  
Construction Excise Tax Fund**

Each of the following sums of money is hereby appropriated from the Consturction Excise Tax Fund to various departments for the City's

**Ending Fund Balance**

**1,527,300**

**Reserves**

Reserve - Prop 1B Pavement Maintenance

Reserve - Regional System Expansion

Reserve - Seven Trees Boulevard Sidewalk Project

Reserve - Evergreen Traffic Impact Fees

11,000

Reserves - Route 101/Oakland/Mabury Traffic Impact Fees

195,000

**206,000**

**To the Department of Transportation for:**

BART Project Management

250,000

Bicycle and Pedestrian Facilities

823,000

Bridge Maintenance and Repair

50,000

Budget Administration

100,000

Project Development Engineering

City-Wide Emergency Repairs

Congestion Management Policy Conformance

Miscellaneous Street Improvements

North San Jose Deficiency Plan Improvements

123,000

Pavement Maintenance

70,000

Traffic Calming

**2009-2010 APPROPRIATION ORDINANCE**

CURRENT  
APPROPRIATION

**28735**

SECTION  
NO      ITEM  
NO

2.40

**Construction Excise Tax Fund  
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Each of the following sums of money is hereby appropriated from the Consturction Excise Tax Fund to various departments for the City's

Traffic Forecasting and Analysis	143,561
Traffic Safety Data Collection	350,000
Traffic Safety Improvements	328,000
Traffic Safety - School Walking Routes	325,000
Traffic Signals - Developer Assisted	
Traffic Congestion Studies	13,000
Local Transportation Policy and Planning	
Land Management and Weed Abatement	50,000
ITS: Operations and Management	226,000
Regional Policy and Legislation	
Bike/Pedestrian Project Development	450,000
CIP Delivery Management	200,000
Traffic Flow Mgt & Signal Retiming	
Diridon Station Expansion Planning	43,000
Inter-Agency Encroachment Permit	
Federal Pavement Maintenance	120,000
Prop 42 Pavement Maintenance	328,000

## 2009-2010 APPROPRIATION ORDINANCE

CURRENT  
APPROPRIATION

28735

SECTION  
NO      ITEM  
NO

2.40

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Vendome Area and 7th Street Traffic Calming	5,242,000
Traffic Safety Education	115,000
Transportation Needs Master Plan	265,000
Traffic Congestion Relief Program Payback - Pavement Maintenance	
Congestion Management Program Dues	
Grant Management	841,000
North San José - Administration	60,000
Transportation Demand Management and Taxi Program	
Prop 1B - Pavement Maintenance	
Prop 1B - Route 101/Tully Interchange Upgrade	15,606,000
Street Light Engineering	
Rural Road Safety Improvements	
School Sign Upgrade	
Minidoka Avenue Sidewalk Improvement	313,000
Airport People Mover	192,000
High Speed Rail	70,000
Hitachi Maintenance Agreement	130,000
	92,000

**2009-2010 APPROPRIATION ORDINANCE**

SECTION NO      ITEM NO

CURRENT APPROPRIATION

**28735**

**2.40**

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Each of the following sums of money is hereby appropriated from the Construction Excise Tax Fund to various departments for the City's

Maintenance Assessment District Development	150,000
Mechanical Storm Units	144,000
Diridon Station Planning	250,000
General Plan Update	100,000
Traffic Congestion Data Management	200,000
Transportation Development Review	300,000
Transportation Sustainability Program	100,000
Recovery Act - Street Resurfacing and Rehabilitation	15,144,000
Seven Trees Boulevard Sidewalk Project	574,000
ADA Sidewalk Accessibility Program	10,000
Maintenance Backlog - Traffic Infrastructure	396,000
San Carlos Multimodal Streetscape Improvements	343,000
	<b>44,629,561</b>
<b>To the Office of Economic Development for:</b>	
Public Art	81,000
	<b>81,000</b>
<b>To the Planning, Building and Code Enforcement Department for:</b>	
PBCE Transportation Support	116,000
BART Station Planning	7,000
	<b>123,000</b>

**To the Public Works Department for:**

2009-2010 APPROPRIATION ORDINANCE

SECTION NO      ITEM NO

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2.40

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Infrastructure Management System (IMS/GIS)	250,000
Fiber Optics Permit Engineering	1,200,000
Ortho Photo Project	
Community Facilities District No. 13 Feasibility Study Project	
Public Works Capital Management Costs	435,000
Public Works Transportation Support	
Land Management	
Community Facilities District No. 14 Feasibility Study Project	5,000
Bollinger Road Developer Reimbursement	
Bollinger Road Improvements	40,000
	10,000
	<b>1,940,000</b>
<b>Transfer to the City Hall Debt Service Fund</b>	
	<b>613,000</b>
<b>Transfers to the General Fund for:</b>	
Pavement Maintenance	
	2,500,000
General Purpose	
	2,500,000
	<b>5,000,000</b>
<b>2.40 Construction Excise Tax Fund</b>	<b>54,119,861</b>