

**ORDINANCE NO. 28772**

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING ORDINANCE NO. 28765 TO APPROPRIATE MONIES IN THE CONSTRUCTION EXCISE TAX FUND FOR THE SANTA CLARA – ALUM ROCK BUS RAPID TRANSIT PROJECT AND FOR THE CAPITOL EXPRESSWAY LIGHT RAIL PEDESTRIAN IMPROVEMENTS PROJECT; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION**

**WHEREAS**, it has been certified that there will be available for appropriation in the Construction Excise Tax Fund in the fiscal year 2010-2011 moneys in excess of those heretofore appropriated therefrom, said excess being at least \$461,100;

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

SECTION 1. Section 2.40 of Ordinance No. 28765 is hereby amended to read as fully set forth on EXHIBIT "A," entitled "AMENDMENTS TO ORD. 28765," which is attached hereto and incorporated herein as though fully set forth in this Section of this Ordinance.

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SECTION 2. The provisions of this ordinance are contingent upon this Council's adoption of the fiscal year 2010-2011 appropriation ordinance, Ordinance No. 28765, which was adopted on June 29, 2010. 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 22<sup>nd</sup> day of June 2010, by the following vote:

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

NOES: NONE.

ABSENT: CAMPOS, CONSTANT.

DISQUALIFIED: NONE.



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CHUCK REED  
Mayor

ATTEST:



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LEE PRICE, MMC  
City Clerk

**2010-2011 APPROPRIATION ORDINANCE**

CURRENT  
APPROPRIATION

28772

SECTION  
NO

ITEM  
NO

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**

**Reserves**

Reserve - Regional System Expansion

Reserve - Evergreen Traffic Impact Fees

Reserves - Route 101/Oakland/Mabury Traffic Impact Fees

Reserve - Federal Transportation Bill

Reserve - North San José Traffic Impact Fees

**To the Department of Transportation for:**

BART Project Management

Bicycle and Pedestrian Facilities

Bridge Maintenance and Repair

Budget and Technology Support

City-Wide Emergency Repairs

North San Jose Deficiency Plan Improvements

Pavement Maintenance

Traffic Calming

Traffic Forecasting and Analysis

Traffic Safety Data Collection

Traffic Safety Improvements

## 2010-2011 APPROPRIATION ORDINANCE

SECTION  
NO

ITEM  
NO

CURRENT  
APPROPRIATION

28772

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

Traffic Signals - Developer Assisted

Local Transportation Policy and Planning

Land Management and Weed Abatement

Regional Policy and Legislation

Bike/Pedestrian Project Development

CIP Delivery Management

Traffic Flow Mgt & Signal Retiming

Inter-Agency Encroachment Permit

Federal Pavement Maintenance

Gas Tax - Pavement Maintenance

Vendome Area and 7th Street Traffic Calming

Traffic Safety Education

Congestion Management Program Dues

Grant Management

Prop 1B - Pavement Maintenance

School Sign Upgrade

Minidoka Avenue Sidewalk Improvement

## 2010-2011 APPROPRIATION ORDINANCE

SECTION  
NO

ITEM  
NO

CURRENT  
APPROPRIATION

28772

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

Airport People Mover

High Speed Rail

Hitachi Maintenance Agreement

Maintenance Assessment District Development

Mechanical Storm Units

Diridon Station Planning

General Plan Update

Traffic Congestion Data Management

Transportation Development Review

Transportation Sustainability Program

Recovery Act - Street Resurfacing and Rehabilitation

Seven Trees Boulevard Sidewalk Project

ADA Sidewalk Accessibility Program

Maintenance Backlog - Traffic Infrastructure

San Carlos Multimodal Streetscape Improvements

Montague Expressway Improvements

Capitol Expressway: Story Road and Aborn Road Improvements

## 2010-2011 APPROPRIATION ORDINANCE

SECTION  
NO

ITEM  
NO

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2.40

### Construction Excise Tax Fund Construction Excise Tax Fund

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

North San José Area Trail

Santa Clara - Alum Rock Bus Rapid Transit

Capitol Expressway Light Rail Pedestrian Improvements

151,875

309,225

461,100

#### To the Office of Economic Development for: Public Art

#### To the Planning, Building and Code Enforcement Department for:

PBCE Transportation Support

BART Station Planning

#### To the Public Works Department for: Infrastructure Management System (IMS/GIS)

Fiber Optics Permit Engineering

City-wide and Public Works Capital Support Costs

Public Works Miscellaneous Support

Community Facilities District No. 14 Feasibility Study Project

Bollinger Road Developer Reimbursement

Bollinger Road Improvements

#### Transfer to the City Hall Debt Service Fund

#### Transfers to the General Fund for: Pavement Maintenance

**2010-2011 APPROPRIATION ORDINANCE**

**28772**

**CURRENT  
APPROPRIATION**

**SECTION  
NO**      **ITEM  
NO**

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

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

General Purpose

**2.40 Construction Excise Tax Fund**

**461,100**

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