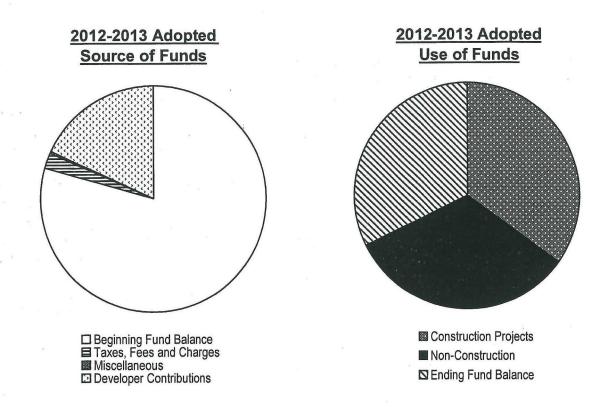
### 2012-2013 CAPITAL BUDGET

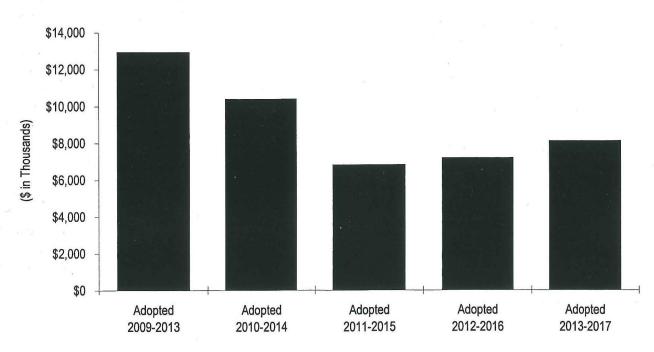
# 2013-2017 CAPITAL IMPROVEMENT PROGRAM

DEVELOPER
ASSISTED PROJECTS

# **DEVELOPER ASSISTED PROJECTS**2013-2017 Capital Improvement Program







PAGE IS INTENTIONALLY LEFT BLANK

### 2013-2017 Adopted Capital Improvement Program

### **Overview**

#### INTRODUCTION

The Developer Assisted Projects Capital Program includes the Underground Utility Fund and the Residential Construction Tax Contribution Fund. These funds are set up primarily to receive money from and/or provide payments to developers and utility companies. The 2013-2017 Adopted Capital Improvement Program (CIP) provides funding of \$8.1 million, of which \$4.1 million is allocated in 2012-2013.

This program is part of the Community and Economic Development City Service Area (CSA) and supports the following outcome: Safe, Healthy, Attractive and Vital Community.

### PROGRAM PRIORITIES AND OBJECTIVES

This capital program is used to facilitate the undergrounding of existing overhead facilities and to reimburse residential developers for the construction of certain street improvements throughout the City.

The Underground Utility Fund is used to collect developer fees when a developer opts out of placing facilities underground at the time of development. The fund is then used to establish Rule 20B Underground Utility These districts combine several smaller undergrounding projects into one large project so as to minimize the undesirable result of piecemeal undergrounding of utility facilities throughout the City and to take advantage of economies of scale. districts pay for the design, construction, and administration of these projects. Projects are prioritized with a five-year plan based on several criteria, the most important of which is the total amount of fees collected within each Underground Utility District.

criteria include whether or not the undergrounding work can be coordinated with other capital improvement work such as street widening and established equity in the amount of undergrounding among Council Districts.

The Underground Utility Fund is also responsible for the administration of the Rule 20A Program. Through Rule 20A, the Public Utilities Commission California requires Pacific Gas and Electric (PG&E) to set aside funds annually to finance the undergrounding of overhead electrical facilities located on public streets within the City of San José. AT&T and Comcast also set aside funds to participate in projects in which PG&E Rule 20A funds are programmed. City staff administers the underground utility districts, reviews plans and designs, and coordinates, manages, and undergrounding projects. In prior years, there was a backlog of Rule 20A projects due to utility company funding and resource issues. However, PG&E and the utility companies have agreed to implement a more aggressive work plan; spending approximately \$10 million to \$20 million per year in San José for utility undergrounding work.

Developers who construct residential dwelling units pay a Residential Construction Tax. In turn, payments from the fund are made to developers who construct eligible improvements on City streets in connection with new residential developments.

This program implements the City's General Plan Goals and Policies, which state that the City should assign priority to the installation and maintenance of landscaping in median islands and back-up strips along major thoroughfares. Reimbursements to developers for qualifying improvements are

### 2013-2017 Adopted Capital Improvement Program

#### **Overview**

### PROGRAM PRIORITIES AND OBJECTIVES

made on a first-come, first-served basis according to when the improvements are accepted by the City and when developers subsequently invoice the City with appropriate documentation of their costs. In addition, staff programs anticipated reimbursements according to a five-year schedule and actively monitors the status of each to ensure some fund flexibility in the event that an urgent unanticipated reimbursement is requested. The major program priority and objective is to ensure that residential developments within San José include the construction of public improvements necessary to maintain or improve the infrastructure of the City.

#### SOURCES OF FUNDING

Revenue for this CIP is derived from two sources: the Underground Utility In-Lieu Fee and the Residential Construction Tax, which are both paid by developers. Revenues in both categories had previously been impacted by the severe economic downturn, although in 2010-2011 and 2011-2012, Residential Construction Tax increased due to several development projects in North San José including Crescent Village, Northpointe, and Vista Montana.

Underground Utility In-Lieu Fee estimates (estimated at \$4.25 million over the next five years) are consistent with what was assumed in the 2012-2016 Adopted CIP. Fee collections are projected to increase slightly from \$700,000 in 2011-2012 to \$750,000 in 2012-2013 and realize slight increases in each of the remaining years of the CIP, assuming a slow recovery in development activity.

Based on anticipated construction activity and the annual collection patterns for the Residential Construction Tax, the revenue projections for the tax (estimated at \$500,000 over the next five years) are significantly higher than the \$200,000 included in the 2012-2016 Adopted CIP. Annual Residential Construction Tax revenues are now projected to increase from \$40,000 to \$100,000 in each year of the CIP.

In both the Underground Utility Fund and Residential Construction Tax Contribution Fund, a significant portion of the respective fund balances will be used along with the projected tax and fee revenues to support undergrounding projects and reimbursements to developers for street improvement projects.

#### PROGRAM HIGHLIGHTS

Within the Underground Utility Fund, current City Council approved Underground Utility District project priorities include:

- Stevens Creek Blvd. (Stearns Avenue to Calvert Drive) Rule 20A project construction started winter 2011 in coordination with City of Cupertino as part of a larger underground utility project. The part of the project that is within San José was completed in March 2012.
- Jackson St./Taylor St. (4<sup>th</sup> Street to 9<sup>th</sup> Street) Rule 20A/B project will be completed by summer 2012.
- Park Ave./Naglee Ave. (Naglee Avenue to Shasta Avenue and Park Avenue to Bascom Avenue) Rule 20A project is expected to start construction in summer 2012.

### 2013-2017 Adopted Capital Improvement Program

#### Overview

#### **PROGRAM HIGHLIGHTS**

Delmas Ave./Park Ave. (San Fernando Street, Cahill Street, Auzerais Avenue) Rule 20A project is expected to start construction in summer 2012.

The following Underground Utility District projects are currently in design and are expected to be in construction in 2012-2013:

- Aborn Rd. (Renfield Way to Thompson Creek) Rule 20A project.
- Evergreen Park (Yerba Buena Road to San Felipe Road) Rule 20A project.
- Delmas Ave./Park Ave. (Delmas Avenue, Park Avenue and San Fernando Street) Rule 20B project.
- Camden Ave. (Bascom Avenue to Leigh Avenue) Rule 20A project.
- White Rd. at Alum Rock Ave. (Alum Rock Library) Rule 20A project.

Residential Construction the In Contribution Fund, the Communications Hill development project is complete and, to date, approximately \$555,000 is programmed to developer reimburse the Communications Hill project for median island and center strip paving improvements in 2012-2013. In addition, approximately \$190,000 is programmed for developer reimbursements for general street improvements constructed at the Hawthorn Place and Hampton Park projects, located at Oakland Road and Rock Avenue.

#### MAJOR CHANGES FROM THE 2012-2016 ADOPTED CIP

The revenue estimate for the Residential Construction Tax Contribution Fund is significantly higher than anticipated in the previous CIP increasing by \$300,000 from \$200,000 to \$500,000 due to higher anticipated construction activity. Rule 20A administrative expenditures increased by approximately \$500,000 from the 2012-2016 Adopted CIP due to increased workload with PG&E on program level issues in order to emphasize timely implementation of the five year work plan.

#### OPERATING BUDGET IMPACT

There are no additional operating and maintenance costs associated with the projects programmed in the 2013-2017 Adopted CIP, given that the median island construction and paving related to the strip Communications Hill project will maintained through an assessment district funded by property owners. Within the Underground Utility Program, companies maintain their own facilities.

# COUNCIL-APPROVED REVISIONS TO THE PROPOSED CAPITAL IMPROVEMENT PROGRAM

None.

PAGE IS INTENTIONALLY LEFT BLANK

### 2012-2013 CAPITAL BUDGET

# 2013-2017 CAPITAL IMPROVEMENT PROGRAM

# DEVELOPER ASSISTED PROJECTS

Source of Funds

Use of Funds

2012-2013 Use of Funds by Funding Source

The Source of Funds displays the capital revenues by funding source for each year of the Five-Year Capital Improvement Program. The Use of Funds displays the capital expenditures by line-item for each year of the five-year period. The 2012-2013 Use of Funds by Funding Source displays the funding sources for the capital expenditures that are budgeted in 2012-2013.

# V - 11

### **Developer Assisted Projects**

# 2013-2017 Adopted Capital Improvement Program Source of Funds (Combined)

	Estimated 2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	5-Year Total
SOURCE OF FUNDS							
<b>Underground Utility Fund (416)</b>							
Beginning Fund Balance	2,174,446	2,213,446	1,017,446	1,216,446	812,446	548,446	2,213,446 *
Interest Income	5,000	5,000	9,000	14,000	13,000	12,000	53,000
Miscellaneous Revenue							
PG&E/Private Electrical Service	15,000						
Panel Conversion  Developer Contributions	700,000	750,000	800,000	850.000	900,000	950,000	4,250,000
Reserve for Encumbrances	, 55,555	,		,			
Total Underground Utility Fund	2,894,446	2,968,446	1,826,446	2,080,446	1,725,446	1,510,446	6,516,446 *
Residential Construction Tax Contribution Fund (420)							
Beginning Fund Balance	1,107,765	1,073,765	316,765	314,765	312,765	310,765	1,073,765 *
Taxes, Fees and Charges:							
Residential Construction Tax	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Interest Income	4,000	2,000	3,000	4,000	6,000	6,000	21,000
Reserve for Encumbrances							
Total Residential Construction Tax Contribution Fund	1,211,765	1,175,765	419,765	418,765	418,765	416,765	1,594,765 *
TOTAL SOURCE OF FUNDS	4,106,211	4,144,211	2,246,211	2,499,211	2,144,211	1,927,211	8,111,211 *

<sup>\*</sup> The 2013-2014 through 2016-2017 Beginning Balances are excluded from the FIVE-YEAR TOTAL SOURCE OF FUNDS to avoid multiple counting of the same funds.

# V - 12

### **Developer Assisted Projects**

### 2013-2017 Adopted Capital Improvement Program

### Use of Funds (Combined)

USE OF FUNDS	Estimated 2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	5-Year Total
Construction Projects							
Underground Utility Program (20B)	176,000	1,450,000	100,000	750,000	650,000	700,000	3,650,000
<b>Total Construction Projects</b>	176,000	1,450,000	100,000	750,000	650,000	700,000	3,650,000
Non-Construction							
<b>General Non-Construction</b>		_					
Capital Program and Public Works Department Support Service Costs	64,000	77,000	78,000	79,000	80,000	81,000	395,000
PG&E/Private Electrical Service Panel Conversion Reimbursement	15,000						
Reimbursement to     Developers for Center Strip     Paving	50,000	220,000	25,000	25,000	25,000	25,000	320,000
Reimbursement to     Developers for Landscaping	25,000	570,000	25,000	25,000	25,000	25,000	670,000
Residential Program     Administration	30,000	30,000	20,000	20,000	20,000	20,000	110,000
5. Street Improvements for New Development	20,000	30,000	25,000	25,000	25,000	25,000	130,000
6. Underground Utility Administration (20A)	332,000	345,000	350,000	355,000	360,000	365,000	1,775,000
7. Underground Utility Administration (20B)	70,000	72,000	74,000	76,000	78,000	80,000	380,000
<b>Total General Non-Construction</b>	606,000	1,344,000	597,000	605,000	613,000	621,000	3,780,000

### Contributions, Loans and Transfers to General Fund

Transfer to the General Fund:

1,000

Human Resources/Payroll

System Upgrade

# V - 13

### **Developer Assisted Projects**

### 2013-2017 Adopted Capital Improvement Program

### **Use of Funds (Combined)**

USE OF FUNDS (CONT'D.)	Estimated 2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	5-Year Total
Non-Construction			*				
Contributions, Loans and Transfe	ers to General F	und					
Transfer to the General Fund:	4,000	2,000	3,000	4,000	6,000	6,000	21,000
Interest Income Total Contributions, Loans and Transfers to General Fund	5,000	2,000	3,000	4,000	6,000	6,000	21,000
Contributions, Loans and Transfe	ers to Special Fu	ınds				*	
Transfer to the City Hall Debt Service Fund	27,000	14,000	15,000	15,000	16,000	17,000	77,000
Transfer to the Federated Retirement Fund for 2010-2011 Add'l Pymt	5,000						
Total Contributions, Loans and Transfers to Special Funds	32,000	14,000	15,000	15,000	16,000	17,000	77,000
Total Non-Construction	643,000	1,360,000	615,000	624,000	635,000	644,000	3,878,000
<b>Ending Fund Balance</b>	3,287,211	1,334,211	1,531,211	1,125,211	859,211	583,211	583,211*
TOTAL USE OF FUNDS	4,106,211	4,144,211	2,246,211	2,499,211	2,144,211	1,927,211	8,111,211*

<sup>\*</sup> The 2012-2013 through 2015-2016 Ending Balances are excluded from the FIVE-YEAR TOTAL USE OF FUNDS to avoid multiple counting of the same funds.

# 2013-2017 Adopted Capital Improvement Program 2012-2013 Use of Funds by Funding Source

		(416) Underground Utility Fund	(420) Residential Construction Tax Contribution Fund	Total		
TOTAL R	RESOURCES					
- 1		2,968,446	1,175,765	4,144,211		
Construc	ction Projects					
1. Und	erground Utility Program (20B)	1,450,000		1,450,000		
Total Co	nstruction Projects	1,450,000		1,450,000		
	estruction					
General	Non-Construction					
	ital Program and Public Works artment Support Service Costs	71,000	6,000	77,000		
2. Reir	mbursement to Developers for ter Strip Paving		220,000	220,000		
3. Reir	mbursement to Developers for dscaping		570,000	570,000		
	idential Program Administration		30,000	30,000		
	et Improvements for New elopment		30,000	30,000		
	lerground Utility Administration	345,000		345,000		
	lerground Utility Administration	72,000		72,000		
Total Ge	neral Non-Construction	488,000	856,000	1,344,000		

# 2013-2017 Adopted Capital Improvement Program 2012-2013 Use of Funds by Funding Source

	(416) Underground Utility Fund	(420) Residential Construction Tax Contribution Fund	Total
-			
Non-Construction			
Contributions, Loans and Transfers to General Fund			
Transfer to the General Fund: Interest Income		2,000	2,000
Total Contributions, Loans and Transfers to General Fund		2,000	2,000
Contributions, Loans and Transfers to Special Funds			
Transfer to the City Hall Debt Service Fund	13,000	1,000	14,000
Total Contributions, Loans and Transfers to Special Funds	13,000	1,000	14,000
Total Non-Construction	501,000	859,000	1,360,000
Ending Fund Balance	1,017,446	316,765	1,334,211
TOTAL USE OF FUNDS	2,968,446	1,175,765	4,144,211

PAGE IS INTENTIONALLY LEFT BLANK

### 2012-2013 CAPITAL BUDGET

# 2013-2017 CAPITAL IMPROVEMENT PROGRAM

# DEVELOPER ASSISTED PROJECTS

DETAIL OF
CONSTRUCTION PROJECTS

DETAIL OF
NON-CONSTRUCTION
PROJECTS

The Detail of Construction Projects section provides information on the individual construction projects with funding in 2012-2013. The Detail of Non-Construction Projects section is abbreviated and provides information on the individual non-construction project, with funding in 2012-2013. On the Use of Funds statement, these projects are numbered.

# 2013-2017 Adopted Capital Improvement Program Detail of Construction Projects

#### 1. Underground Utility Program (20B)

CSA:

Community and Economic Development

Initial Start Date:

Ongoing

**CSA Outcome:** 

Safe, Healthy, Attractive and Vital Community

**Revised Start Date:** 

rigoling

Department:

Public Works

Initial Completion Date:

Ongoing

Council District:

City-wide

Revised Completion Date:

. Oligo

Location:

City-wide

**Description:** 

Rule 20B Underground Utility Districts are established with fees paid to the City when a developer opts out of placing facilities underground at the time of development. Projects are prioritized with a five-year plan based on several criteria, the largest of which is the total amount of fees collected within the Underground District. This allocation is used for the design, construction, and administration of these projects.

Justification:

Underground Utility Ordinance No. 23187 mandates that fees collected pursuant to the ordinance be used to fund the conversion of overhead utility facilities to underground facilities. The purpose of the conversion is to implement the urban design policies of San José's General Plan.

Burnston Starte	18 18 3	W Per L	E	XPENDIT	URE SCH	EDULE (0	00'S)		147 60	A Part I	1
Cost Elements	Prior Years	2011-12 Appn.	2011-12 Estimate	2012-13	2013-14	2014-15	2015-16	2016-17	5-Year Total	Beyond 5-Year	Project Total
Construction		1,450	176	1,450	100	750	650	700	3,650		
TOTAL		1,450	176	1,450	100	750	650	700	3,650		
	All Polys	100	FUN	IDING SO	URCE SC	HEDULE (	(000'S)	reservation.	4 4	A reliab	( D. C.)
Underground Utility Fund	4	1,450	176	1,450	100	750	650	700	3,650		
TOTAL		1,450	176	1,450	100	750	650	700	3,650		
		St. 10. 1 2 10	ANNUA	L OPERA	TING BUE	GET IMP	ACT (000'	S)	F1 189	Section 1	43+20,10

#### ANNUAL OPERATING BUDGET IMPACT (U

None

Major Changes in Project Cost:

N/A

Notes:

Project schedule, dates, and selected budget information are not provided due to the ongoing nature of this project.

FY Initiated:

Ongoing

Appn. #:

4654

**Initial Project Budget:** 

**USGBC LEED:** 

N/A

# 2013-2017 Adopted Capital Improvement Program Detail of Non-Construction Projects

#### 2. Reimbursement to Developers for Center Strip Paving

CSA:

Community and Economic Development

**CSA Outcome:** 

Safe, Healthy, Attractive and Vital Community

Department:

Public Works

Description:

This allocation provides reimbursements to developers of residential projects that are built adjacent to major collectors for the costs of paving the street beyond the 30 foot width for residential streets.

	V4 0 11		E	XPENDIT	URE SCH	EDULE (0	00'S)	0 80			
Cost Elements	Prior Years	2011-12 Appn.	2011-12 Estimate	2012-13	2013-14	2014-15	2015-16	2016-17	5-Year Total	Beyond 5-Year	Project Total
Payment to Developers		245	50	220	25	25	25	25	320		
TOTAL		245	50	220	25	25	25	25	320		
PROPERTY OF STREET	100		FUN	IDING SO	URCE SC	HEDULE (	(000'S)	A Park	38920		1000
Residential Construction Tax Contribution Fund		245	50	220	25	25	25	25	320		
TOTAL		245	50	220	25	25	25	25	320		

Notes:

Selected budget information is not provided due to the ongoing nature of this project.

Appn. #

4314

#### 3. Reimbursement to Developers for Landscaping

CSA:

Community and Economic Development

**CSA Outcome:** 

Safe, Healthy, Attractive and Vital Community

Department:

Public Works

**Description:** 

This allocation provides reimbursements to residential developers to install landscaping on City

streets near residential developments.

world property	- yearn	10	E	XPENDIT	URE SCH	EDULE (0	00'S)		1000		34301.81
Cost Elements	Prior Years	2011-12 Appn.	2011-12 Estimate	2012-13	2013-14	2014-15	2015-16	2016-17	5-Year Total	Beyond 5-Year	Project Total
Payment to Developers		570	25	570	25	25	25	25	670		
TOTAL		570	25	570	25	25	25	25	670		
		18-25	FUN	IDING SO	URCE SC	HEDULE (	(000'S)	1	11.22	1 - 1 - 1	
Residential Construction Tax Contribution Fund		570	25	570	25	25	25	25	670		
TOTAL		570	25	570	25	25	25	25	670		

Notes:

Selected budget information is not provided due to the ongoing nature of this project.

Appn. #:

5148

# 2013-2017 Adopted Capital Improvement Program Detail of Non-Construction Projects

#### 4. Residential Program Administration

CSA:

Community and Economic Development

**CSA Outcome:** 

Safe, Healthy, Attractive and Vital Community

Department:

Public Works

Description:

This allocation provides for the administration of the Residential Construction Tax Contribution Fund.

			My Jan E	XPENDIT	URE SCH	EDULE (0	00'S)	1. 2. 18			
Cost Elements	Prior Years	2011-12 Appn.	2011-12 Estimate	2012-13	2013-14	2014-15	2015-16	2016-17	5-Year Total	Beyond 5-Year	Project Total
Program Management		30	30	30	20	20	20	20	110		
TOTAL		30	30	30	20	20	20	20	110		
The state of the	to the state	* 11 11	FUN	IDING SO	URCE SC	HEDULE (	(000'S)		W.	Ly Art	
Residential Construction Tax Contribution Fund		30	30	30	20	20	20	20	110		
TOTAL		30	30	30	20	20	20	20	110		

Notes:

Selected budget information is not provided due to the ongoing nature of this project.

Appn. #:

5140

#### 5. Street Improvements for New Development

CSA:

Community and Economic Development

**CSA Outcome:** 

Safe, Healthy, Attractive and Vital Community

Department:

Public Works

**Description:** 

This allocation provides reimbursements to developers for voluntary off-site street improvements

typically adjacent to an ongoing private development project.

1 1/4 1/4 1/4 1/4 1/4 1/4 1/4 1/4 1/4 1/	(S) bill	1	E	XPENDIT	URE SCH	EDULE (0	00'S)	04:50	44.		
Cost Elements	Prior Years	2011-12 Appn.	2011-12 Estimate	2012-13	2013-14	2014-15	2015-16	2016-17	5-Year Total	Beyond 5-Year	Project Total
Payment to Developers		25	20	30	25	25	25	25	130		
TOTAL		25	20	30	25	25	25	25	130		
	66 4	Carlo San	FUN	IDING SO	URCE SC	HEDULE (	(000'S)		14	17.71.19	1. 1/2 1/2 1/2
Residential Construction Tax Contribution Fund		25	20	30	25	25	25	25	130		
TOTAL		25	20	30	25	25	25	25	130		

Notes:

Selected budget information is not provided due to the ongoing nature of this project.

Appn. #:

5402

### 2013-2017 Adopted Capital Improvement Program Detail of Non-Construction Projects

#### 6. Underground Utility Administration (20A)

CSA:

Community and Economic Development

**CSA Outcome:** 

Safe, Healthy, Attractive and Vital Community

Department:

**Public Works** 

**Description:** 

PG&E and other utility companies allocate their own funds to replace existing overhead electrical facilities with underground electrical facilities within the communities they serve. This allocation provides funding for the day-to-day administration of the undergrounding program, including design and plan review, coordination, inspection of undergrounding projects, underground service alert

location, and legislation of the Underground Utility Districts.

Markey Commission	I WAY	11 W N . A	E	XPENDIT	URE SCH	EDULE (0	00'S)		1	A HEEL	100
Cost Elements	Prior Years	2011-12 Appn.	2011-12 Estimate	2012-13	2013-14	2014-15	2015-16	2016-17	5-Year Total	Beyond 5-Year	Project Total
Program Management		332	332	345	350	355	360	365	1,775		
TOTAL		332	332	345	350	355	360	365	1,775		
Visigna Charles Co.	No. of	1 4 M - 1 - 1	FUN	IDING SO	URCE SC	HEDULE (	(000'S)				1111
Underground Utility Fund		332	332	345	350	355	360	365	1,775		a)
TOTAL		332	332	345	350	355	360	365	1,775		

Notes:

Selected budget information is not provided due to the ongoing nature of this project.

Appn. #:

4786

### 7. Underground Utility Administration (20B)

CSA:

Community and Economic Development

**CSA Outcome:** 

Safe, Healthy, Attractive and Vital Community

Department:

Public Works

Description:

Ordinance No. 23187 established an Underground Utility Fee Program whereby developers can pay a fee in-lieu of being required to underground all overhead utilities adjacent to their developments.

This allocation provides funding for the day-to-day administration of this Ordinance.

TELEVISION OF THE PARTY OF THE			E	XPENDIT	URE SCH	EDULE (0	00'S)	1-11-14	light.	46.0	100-15
Cost Elements	Prior Years	2011-12 Appn.	2011-12 Estimate	2012-13	2013-14	2014-15	2015-16	2016-17	5-Year Total	Beyond 5-Year	Project Total
Program Management		70	70	72	74	76	78	80	380		
TOTAL		70	70	72	74	76	78	80	380		
	S. N. See		FUN	IDING SO	URCE SC	HEDULE (	(000'S)			41.545	THE PARTY
Underground Utility Fund		70	70	72	74	76	78	80	380		
TOTAL		70	70	72	74	76	78	80	380		

Notes:

Selected budget information is not provided due to the ongoing nature of this project.

Appn. #:

5147