



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Jon Cicirelli

**SUBJECT:** SEE BELOW

**DATE:** April 22, 2021

Approved

Date

**4/22/2021**

**COUNCIL DISTRICT: 3**

**SUBJECT: URBAN CONFLUENCE SILICON VALLEY DESIGN RANKINGS AND  
FUTURE WORK PLAN**

## **RECOMMENDATION**

- (a) Accept the staff report on the Urban Confluence Silicon Valley Project including the jury recommended rankings of the three finalists, and acceptance of *Breeze of Innovation* as the winning design;
- (b) Approve the expected work plan for next phases of the project; and
- (c) Acknowledge the staff and budget resources required to move this project forward.

## **OUTCOME**

This action will result in the selection of a winning design for the Urban Confluence Silicon Valley Project (the Project) and acknowledge that the project will alter Arena Green: public parkland within the regional Guadalupe River Park in downtown San José. It will further acknowledge that City Council was made aware of the expected work plan for the remaining phases of the Project and the staff and budget resources needed to continue supporting the project.

This action does not confirm approval for construction to proceed, and such approval will be dependent upon Council approval of the Project's 35% and 100% Design, a Maintenance Management Plan, Business Plan, appropriations for City staff and contract resources, and other milestones to be determined with further development of the work plan.

## **EXECUTIVE SUMMARY**

The Urban Confluence Silicon Valley Project is a project of the San José Light Tower Corporation (SJLTC). Since the last Council Action in March 2019, the effort to identify a winning concept has continued to advance. Phase I was initiated in July 2019 with entries due on July 1, 2020. A total of 963 entries were received from 72 countries around the world. Three finalists were selected and announced in late September 2020 by a Jury selected by SJLTC. The three Phase I finalists were: 1) *Welcome to Wonderland*; 2) *Breeze of Innovation*; and 3) *Nebula Tower*. Information about all three can be found at: <https://www.urbanconfluencesiliconvalley.org/3-finalists>

With *Breeze of Innovation* selected as the winning design, SJLTC intends to continue to move the project forward. Major work items include fundraising, design development, environmental review, project scheduling, business planning, and operation and maintenance management planning. Agreements with the City will be required for a number of these work items. These agreements will be brought forward to City Council for approval as they are developed.

As the project advances to construction, the City will provide construction inspection services. At this time, it is not possible to estimate the total staffing costs for the life of the project, but staff time in Fiscal Year 2021-2022 across all departments could exceed 1,000 hours.

## **BACKGROUND**

The Urban Confluence Silicon Valley Project is a project of the San José Light Tower Corporation (SJLTC). SJLTC is a 501(c)(3) and currently has a three-person Board of Directors. The stated intent of SJLTC is to provide a gift to San José that will build civic pride by drawing residents and visitors to an active destination and enhance economic development in the Downtown Core. Fundraising to further carry a winning concept through design and construction is on-going.

### *Project History*

On May 1, 2018, City Council endorsed<sup>1</sup> the general concept of SJLTC giving a gift to the City, and directed the Parks, Recreation and Neighborhood Services Department (the Department) and the Office of Economic Development's Office of Cultural Affairs to coordinate with SJLTC in performing a site selection study. Sites evaluated included three sites within Guadalupe River Park: Arena Green, Discovery Meadow and Guadalupe Gardens Park, plus Plaza de Cesar Chavez, St James Park, Park Avenue, and the Diridon Station Area. These last two spaces are not parks but were identified as areas that may have space to support the project and might serve as an appropriate location for an iconic structure.

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<sup>1</sup> <https://sanjose.legistar.com/LegislationDetail.aspx?ID=3477925&GUID=064E445A-81CF-4617-BF22-21A6B7025D4F>

On March 12, 2019, the results of the Site Selection Study were accepted by City Council<sup>2</sup>, and Arena Green at Guadalupe River Park was identified as the preferred site for the project. During this council action, a process and schedule for executing an international ideas competition (the Competition) was established, including requirements for public outreach and communication.

Since the last Council Action in March 2019, the effort to identify a preferred concept has continued to advance. Phase I was initiated in July 2019 with entries due on July 1, 2020. A total of 963 entries were received. Three finalists were selected and announced in late September 2020 by a Jury consisting of the following professionals:

- Jon Ball – Chairman, San José Light Tower Corporation
- Susan Chin – Principal, Design Connects
- Jon Cicirelli – Director, San José Department of Parks, Recreation and Neighborhood Services
- Julia Czerniak - Associate Dean and Professor, Syracuse Architecture
- Jerry van Eyck - Founder and Principal, !melk Landscape Architecture
- Walter Hood – Creative Director / Founder, Hood Design Studio
- Katja Irvin – Sierra Club Loma Prieta Chapter
- Lisa Iwamoto – Founder, IwamotoScott Architecture; Professor of Architecture University of California Berkeley
- Daan Roosegaarde – Founder, Studio Roosegaarde
- Erin Salazar – Executive Director, Exhibition District San Jose
- Jodi Starbird - Past President of the Board of Directors, Guadalupe River Park Conservancy
- Rob Steinberg – Chairman, Steinberg Hart
- John Travis – Vice President World Brand Marketing, Adobe
- Michael E. Willis – Retired, Founder MWA Architects

In evaluating entries, the Jury was asked by SJLTC to consider the following criteria:

- Iconic concept
- Strength of visual presence
- Constructability
- Sensitivity to park’s existing infrastructure and operation
- Ability of design to activate site and surroundings
- Regional responsiveness (Does the design reflect the spirit of Silicon Valley?)
- Cultural sensitivity and inclusiveness
- Sustainability minded
- Environmental sensitivity
- Financially thoughtful
- Quality of team composition
- Responsive to submission requirements

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<sup>2</sup> <https://sanjose.legistar.com/LegislationDetail.aspx?ID=3871636&GUID=6E11BF0F-5D33-4866-80BE-0811F12A3BEC>

The three Phase I finalists selected from the 963 entries were: 1) *Welcome to Wonderland*; 2) *Breeze of Innovation*; and 3) *Nebula Tower*. Information about all three can be found at: <https://www.urbanconfluencesiliconvalley.org/3-finalists>

Each of the finalists entered into contract with SJLTC for Phase II work. Phase II focused on advancing the design of each entry. SJLTC assigned advisors to assist the three teams as none of the finalists were based in the United States, and two of the three were recent college graduates. The advisors were experienced in the fields of design and construction in Northern California and supported each finalist in developing a team that could assist in meeting the technical requirements of the submissions as defined by SJLTC. Advisors attended project coordination meetings and provided advice to the entrants as requested by each team.

Each finalist submitted their Phase II design packages to SJLTC on January 18, 2021. On January 30, 2021, each entrant presented their design to the Jury and select community members via video conference meeting. In February, March and April 2021, the Phase II designs were presented by SJLTC at community meetings and forums.

#### *Arena Green as a Park Space*

Over the course of the project, staff reviewed and considered existing plans for Arena Green to determine what recommendations, if any, might influence current considerations for the park. Documents reviewed include the Guadalupe River Park Master Plan, the Department's Strategic Plan ActivateSJ, and the Mission, Values and Priorities of the Guadalupe River Park Conservancy. In reviewing those documents, staff believes that future projects should:

- Promote nature based and ecological education
- Encourage art
- Increase social cohesion and community health
- Advance the identity of San José
- Enhance the connectivity / accessibility to the park from all neighborhoods

#### **ANALYSIS**

On March 6, 2021, the Jury met to evaluate the three Phase II submissions and selected *Breeze of Innovation* as the winning design, with *Nebula Tower* as the second choice and *Welcome to Wonderland* as the third. SJLTC intends to enter a design contract with the *Breeze of Innovation* designer, pending approval of the concept by City Council. If contract negotiations are not successful, the SJLTC may enter into agreement with the design team for the second ranked design.

The winning design - *Breeze of Innovation* - was submitted by architect Fer Jerez with SMAR Architecture Studio. The architectural design aims to create a landmark structure that makes clean energy harvesting obvious and visible, "in order to trigger, to change perception, to

question reality... to inspire.” As stated by SMAR Architecture Studio, “The challenges facing the world in the 21st century are many, but if there is one that, due to its relevance, acquires an importance that affects the entire planet, it is climate change and the need to shift the way we generate energy, in search of cleaner energy sources. This project does not intend to solve climate change, but we believe that large public projects could serve to send a message; a world with clean energy is entirely possible.”

#### *Expected Work Plan*

With *Breeze of Innovation* selected as the winning design, SJLTC intends to continue to move the project forward. Major work items include fundraising, design development, environmental review, project scheduling, business planning, and operation and maintenance management planning. Agreements with the City will be required for a number of these work items. These agreements will be brought forward to City Council for approval as they are developed.

Attachment A provides SJLTC’s intended approach to executing the project. Many of these items cannot be fully developed until the Project progresses further. The major items are summarized below.

Project Schedule – Development of a project schedule with milestones and deliverables will be critical to advancing the Project and to promote community understanding and expectations. Staff expects that milestones will be set for design development and fundraising to provide clarity and transparency about the progress of the project. Staff anticipates that if certain milestones are not met, the future of the project may be re-evaluated. Staff recommends that this information be provided within 120 days of City Council action on this current item and that target dates be provided at that time for the work plan items noted below.

Fundraising – SJLTC will continue to fundraise to support the project. In the next phases of work, a formal fundraising campaign will be developed with defined “give and get” levels for the project. For example, donors of \$1 million may receive naming rights to a certain element of the design. Donors at smaller levels may have their name on a plaque at the site. Since this is a city facility, the fundraising plan will require approval by City Council. Based on the initial cost estimates the project cost could exceed \$100 million, but this number will continue to be refined as the project progresses.

Design Development – SJLTC will enter into contracts to advance the design toward construction documents. This will include contracts with the designer, as well as with a contractor that will be selected by SJLTC. The contractor will be hired as early as summer 2021 to work alongside the design team in developing the project plans. Some initial investigations (e.g., geotechnical investigations) that will be needed for the design may be completed through a standard right of entry process which is administered by the City. Prior to construction of the Project, the City Council will need to approve the final design and construction approach (e.g., Design-Build, etc.).

As design and construction proceeds, staff from Public Works and the Department will be required for design review and oversight, permitting, and construction inspection. Budget resources to support staff efforts have not been identified. To date, staff from the Department, Office of Cultural Affairs, and Public Works spent an estimated 850 hours of time supporting the Project. Staff from the Department have been paid by overhead allocations. Staff from other departments have charged time to charge codes funded by Parks, Recreation and Neighborhood Services. It is anticipated that the project will require an increasing amount of staff time due to the scope and complexity of the winning concept.

Public Outreach – SJLTC will continue to complete outreach regarding the project. As the project advances, staff will need to lead community engagement and outreach regarding redesign of the park (should that be necessary) and for modification of the park master plan. Typical staff approach to park master planning process calls for a minimum of three community meetings, but the complexity of this project suggests that additional meetings may be needed. The scope of outreach will be determined by the Department after the design of the *Breeze of Innovation* structure has advanced.

Environmental Review – The size and complexity of the project will necessitate development of a project level Environmental Impact Report (EIR). Since the City owns the property, staff anticipates the City will serve as the lead agency of this work. Staff will need to work with SJLTC to determine the appropriate time to complete the EIR and to define the exact work plan. Fundraising by SJLTC will need to support this effort and funds will need to be transferred to the City to compensate for staff and consultant time to manage this effort. Although not yet resolved, the structure or this type of attraction was not contemplated when the Guadalupe River Park was last master planned. A review and potential update to that Plan may be required.

Maintenance Management Plan – The SJLTC has committed to funding the maintenance and operation of the finished project. SJLTC will develop a detailed maintenance plan that will outline annual maintenance needs, proposed staffing levels for maintenance and the estimated costs of routine maintenance and future capital repair needs. The plan will need to consider the complexity of the design and the fact that it will be a custom-built structure. This information will be presented to the City Council in a memorandum documenting the Gift Acceptance and provide an opportunity for the City Council to consider resource impacts and priorities. Staff has recommended that a long-term endowment will be needed to support future maintenance, operations and the potential future decommissioning of the building.

Business Plan – The SJLTC will contract a consultant to evaluate revenue generating opportunities for the Project. This work will outline the opportunities and constraints of the building as a revenue generator and define how much, if any of the required maintenance costs may be offset by revenue generation. The opportunities for operation of this building will be bound by City Charter, Ordinances and regulations. The selected

consultant will have a track record for assessing and defining viable and long-term revenue-generating arrangements to sustain major attractions.

Agreements with the City – At various stages of the Project, agreements with the City will be needed. These may include cost reimbursements for City staffing time, legal agreements needed to move forward with design and construction, a gift acceptance that outlines the terms of the SJLTC gift to the City, etc. These agreements will be developed and put forward to City Council as the Project advances.

Charter / Park Regulations Review – It seems likely that the proposed SJLTC project has certain elements that may not be viable under the city's current ordinances. Staff is undertaking an evaluation of city ordinance and park rules as part of the Department's work plan. The work is funded by a grant through the Knight Foundation and is intended to provide recommendations to guide the Department's work with our non-profit partners. The SJLTC project will be considered among the universe of potential City partners as staff undertakes this evaluation.

#### *Staffing Needs*

As noted above, staff estimates that approximately 850 hours has been spent by City staff in support of this project to date. Support has been provided by the Office of Cultural Affairs, Planning Building and Code Enforcement, and Public Works. Department staff time has been paid from the Capital Project program overhead. Staff time for Public Works and Planning Building and Code Enforcement and Public Works has been paid by the Construction and Conveyance Tax Funds (C&C) dedicated to Council District 3. Office of Cultural Affairs staff time has been funded through a combination of Transient Occupancy Tax and Council District 3 C&C funds. To date an estimated \$23,287 of Parks Funding and \$20,000 of Transient Occupancy Tax has been spent. The Project refunded the Parks C&C spending in April 2021.

Looking forward, staff anticipates the need to spend an increasing amount of time to support the Project's development and the Department will need additional staffing and an appropriation to support this. Developing the necessary agreements, evaluating maintenance plans and business plans, reviewing and securing approvals for the fundraising plans, reviewing and approving engineering documentation, and executing the EIR will all require staff time from the Department. Staff believes that complexity of the project will necessitate assigning project manager with 30% to 50% of their time dedicated to the project. Review of design plans will necessitate staff time from Public Works and OCA. As the project advances to construction, the City will provide construction inspection services.

At this time, it is not possible to estimate the total staffing costs for the life of the project, but staff time in Fiscal Year 2021-2022 across all departments will exceed 1,000 hours at an estimated cost of \$130,000 to \$150,000. This estimate is based on the cost of the Department's staff time and not the approved fees charged by Development Services staff. Staff will work with Urban Confluence to execute an agreement to secure the necessary resources for the 2021-2022 fiscal year. Funding for future years will need to be negotiated as the project moves forward. Even with additional funding, current staffing levels are not adequate to support a project this large and additional staffing resources will be needed.

### **CONCLUSION**

This memorandum documents the SJLTC work completed during Phase I and Phase II of the Project and outlines major tasks and agreements that will be required in the coming years. The Project promises to be a landmark and icon for the City with economic development benefits. Its delivery requires a sustained and significant fundraising effort and contracting by the SJLTC. Supporting and guiding the project also will necessitate a greater amount of staff time in the future.

### **EVALUATION AND FOLLOW-UP**

Given its size and complexity, this Project is expected to return to council numerous times in the future. Future items include approval of the Project Fundraising Plan, a Gift Acceptance Agreement that will outline the terms of the gift and the SJLTC's expectations for the city in receiving the gift, approval of the Project Design and associated EIR, and approval of the Business Plan and the Maintenance Management Plan.

Within 120 days of this Council action, the City Council will receive a Project Schedule as defined by the Analysis section. Staff proposes this be provided as an Information Memorandum.

Staff acknowledges that the San José Park Advocates submitted a detailed comment letter dated March 31, 2021. This letter outlines a number of concerns that need to be addressed as this project develops. A copy of the letter is posted on the Council Agenda for this item

### **CLIMATE SMART SAN JOSÉ**

The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.



## **PUBLIC OUTREACH**

This memorandum will be posted on the City's Council Agenda website for the May 4, 2021 Council Meeting.

Ongoing outreach includes monthly meetings with certain stakeholders of Arena Green area including the Department, Little Italy, SPUR, the Guadalupe River Park Conservancy, the Office of City Councilmember Raul Peralez, Valley Water, Google, and the SAP Center/San José Sharks. Other outreach to community groups and the public continues as appropriate.

SJLTC has hosted Project related outreach in the form of video-based community meetings through February and March. Specific dates for these meetings were: February 10, 12, 18, and 23, 2021; and March 2, 2021. Two additional community meetings are scheduled in April 2021. Videos of each meeting are on the Project web site, along with a list of questions that were asked by attendees. Additional outreach was conducted throughout the competition and a complete list of community meetings can be found on the project website.

## **COORDINATION**

The memorandum was developed by the City of San Jose's Parks, Recreation and Neighborhood Services Department, and coordinated with the Office of Cultural Affairs, City Attorney's Office, and Public Works Department.

## **COMMISSION RECOMMENDATION/INPUT**

The final rankings for the Urban Confluence Silicon Valley competition were presented to the Public Art Committee (PAC) on the evening of Tuesday, April 6, 2021. PAC members were receptive to the number one ranked finalist selection as well as inquisitive and look forward to future iterations of the design as it develops further. As this was a report/update no action was needed or taken.

The final rankings for the project were presented to the Parks and Recreation Commission (PRC) on April 7, 2021. The PRC approved by a 5-3 vote the recommended action to accept the jury rankings and the proposed work plan. PRC further requested that staff develop and implement an outreach plan for the project independent of the outreach that has been conducted by the SJLTC.

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**CEQA**

Not a Project, File No. PP17-007 Preliminary direction to staff and eventual action requires approval from decision-making body and File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

/s/

JON CICIRELLI

Director of Parks, Recreation and  
Neighborhood Services

For questions, please contact Nicolle Burnham, Deputy Director, at  
nicolle.burnham@sanjoseca.gov.

Attachment A: San Jose Light Tower Corporation - City of San Jose Partnering Proposal for  
Urban Confluence Silicon

# San Jose Light Tower Corporation - City of San Jose

## Partnering Proposal for Urban Confluence Silicon

**Location: Arena Green at Guadalupe River Park and Gardens**

### Mission Statement

The mission of the San Jose Light Tower Corporation (SJLTC) is to build an artistically inspired iconic landmark that will become the architectural legacy of current generations and present it as a gift to the city of San Jose, Silicon Valley – and the world! The project is NOT a “light tower”. The founders were simply inspired by the original San Jose Electric Light Tower that existed from 1881 to 1915. Created by the people, the Urban Confluence Silicon Valley organization envisions an impressive symbolic structure appropriate for this unique region that is recognized as the world-wide center of **innovation**. This bold destination landmark will provide a major enhancement to downtown San Jose, and be an important catalyst for Silicon Valley culture and long-term regional economic development. With prestigious allure, the internationally respected icon will offer a must-see place of hope, healing, and human connection – creating a compelling world-class experience for tourists and the local community.

### Business Plan

The funding plan will be developed in the future months. SJLTC will return to city council for approval. SJLTC will continue the work described in the above Mission Statement. The SJLTC is the non-profit organization, and Urban Confluence Silicon Valley is the name of the International Open Ideas Competition that has resulted in a winning finalist being selected by the [Jury](#) of 14 individuals

Moving forward, the SJLTC will manage the process, as they have done to date, and will work in close coordination with the city staff of PRNS, DPW, and OED/OCA.

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SJLTC will run this project as a private non-profit enterprise. In keeping with the requirements expected for a project in a city owned park, these public policy expectations will be observed:

- Certifications for general liability, worker's compensation, and builder's risk insurance coverage will be provided to SJLTC by all contractors and made available for review by the City of San Jose staff, upon request.
- Proper advance notice of future work activities will be respected.
- Environmental approvals will be led by the city and supported by SJLTC. SJLTC has engaged the services of a reputable and local environmental services firm, and a reputable and experienced San Jose based environmental legal firm. Both firms are very experienced in working on environmental approvals in the city of San Jose and are familiar names to City of San Jose staff. SJLTC, as previously stated, will continue to be stewards of the flora and fauna of Arena Green at Guadalupe River Park and Gardens, and will abide by local codes and ordinances as required when working around the Guadalupe River, Los Gatos Creek, and the riparian corridor.
- Prevailing wage will be in effect for onsite construction labor.
- Hours of onsite work as adopted by the city will be observed. Any requested variances will follow established procedure.
- One Engine Inoperable (OEI) height limits, as adopted by city council in May 2019, have been posted in the Phase One and Phase Two Briefs for all submitters to follow, and will be complied with as the winning design develops in the future.
- Lighting will be in accordance with FAA requirements, and SJLTC will work through the SJC Mineta staff to obtain a "negative effect" approval from the FAA.
- For a future city council approval, SJLTC will present a funding plan that will demonstrate its ability to not only fund the design and construction, but also its ability to fund a sustainable Operations, Maintenance and Revenue Generation Plan.

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- Regarding SJLTC reimbursement of city staff time spent supporting this project after May 4, 2021 (anticipated city council approval date), SJLTC understands a method of determining a fair calculation will be developed as dates are finalized for EIR scope development and reviews, community meeting support, schematic design reviews (SD), design development reviews (DD), construction document reviews (CD), and construction administration reviews (CA). SJLTC understands the necessity of providing some funding for staff support, but SJLTC also requests the city be mindful that, unlike most other projects being developed by for-profit business entities, the Urban Confluence Silicon Valley iconic landmark project is being presented as a gift to the city and its people. A complete, sustainable, and enduring O&M plan is a basic premise of this “Once in the City’s Lifetime” philanthropic effort (i.e., the project will not be a drain on the city’s general fund to keep it clean, safe, functional, and properly maintained). SJLTC will demonstrate and quantify the expected positive economic impact the built project will bring to the city, so there is a SJLTC expectation the city will be mindful of this, and to treat the staff reimbursement issue with a tempered approach.

## Management

Following is a narrative of select management categories, what has been accomplished to date, and what needs to be accomplished in the next phases.

## Competition

**Phase One:** July 2019 to July 2020. The winning design was selected from the 963 submissions received on or before July 1, 2020. These submissions were received from individuals, students, and established architects and artists, from 72 countries spanning six of the seven continents. Submitters’ identities were

## **Attachment A**

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kept anonymous from the jury through all of Phase One to eliminate any potential bias. Submissions from San Jose, Santa Clara County, Silicon Valley, and everywhere else in the world were encouraged equally.

**Phase 2:** September 2020 to March 2021.

Three finalists developed their designs in accordance with the requirements provided in the Phase Two Brief, which was formally released to the three teams on September 25, 2020. \$150,000 stipends were paid to each of the three teams in accordance with the timeline provided in the Phase Two Brief (\$450,000 in total of stipends). Phase Two submissions were received on January 18, 2021, as spelled out in the original brief. Formal presentations were made to the jury, select observers, and available city staff on January 30, 2021. These recorded presentations were posted on the Urban Confluence website a few days later, where they currently remain. Recordings of five community meetings to seek input and comments from interested members of the community, specifically focusing on the three Phase Two designs submitted on January 18, also appear on the website. Those five meetings were advertised in advance, coordinated with city staff, and held on February 10, 12, 18, 23, and March 2, 2020. Following the jury deliberations held March 6, 2021, two additional community meetings were held on April 1 and April 5 to seek input and comments on the top-ranked design, for a total of seven separate community meetings. All public comments resulting from community meetings one through five and from a “Leave a Comment” button on the Urban Confluence Silicon Valley website, were posted on the website, and were provided to the jury before and during their March 6 deliberations. These comments will remain on the website for an indefinite period.

## **City Approvals**

- Design Approvals for:
  - \* Schematic Design Documents (SD)
  - \* Design Development Documents (DD)

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- \* Construction Documents (CD)
- \* Construction Administration Support (CA)
- Environmental Application and Approval
- Fundraising Plans for:
  - \* Capital
  - \* Revenue Generation
  - \* Operations and Management (O&M)
- Acceptance of the gift
- Staff time commitments

## Organizational Structure

SJLTC is governed by a Board of Directors. There are currently three members of the Board. The Board has established an Executive Committee, which is headed up by the company's Board Chair. The Executive Committee is tasked with making critical decisions necessary to advance the stated goals of the SJLTC, and to overcome the challenges as they are presented.

Additionally, the Board has established an Advisory Committee of a minimum of 30 individuals. The Advisory Committee operates as a committed volunteer body, and is tasked with advising the Board regarding:

- \* design management
- \* construction management
- \* labor relations
- \* public relations
- \* media relations
- \* environmental compliance and advocacy
- \* city relations and communications

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- \* sustainability and energy efficiency
- \* neighboring stakeholder relations and communications
- \* FAA and SJC Mineta compliance
- \* revenue generation strategy development and implementation
- \* operations and maintenance (O&M) strategy development and implementation
- \* capital fundraising outreach and marketing, development and implementation

Moving forward, SJLTC intends to enhance its organizational structure by growing its' board of directors (BOD) from three to seven by August 1, 2021, in a manner that will result in a board that is diverse and representative of the community that is serves.

## **Tax-exempt Status**

SJLTC is a 501(c)(3) charitable organization and has been qualified as such by the IRS and the Franchise Tax Board since 2017. Federal Tax ID: 82 – 1108949

## **Management Plan for Post Construction**

SJLTC will develop a plan for how this facility will be managed after construction is completed. The premise of this plan is for the Operations and Maintenance costs to be funded by gifting, as well as from revenue generation from onsite food and beverage sales, retail, and private events. Upon approval of the winning design by city council, the SJLTC team will work with PRNS, the winning design team, and the SJLTC revenue generation consultant to develop a financially sustainable plan which will be presented to the city as soon as it can be developed.



## The Project / Program

SJLTC plans to design and build an iconic landmark and present it as a gift to the City of San Jose. The project will be designed by the winner of an international open ideas competition that began in 2019 and will conclude in May 2021. Arena Green at Guadalupe River Park and Gardens, the project site, was unanimously approved by the San Jose City Council on March 12, 2019. The Operations and maintenance plan for the project will be determined in collaboration with the City of San Jose Department of Parks, Recreation, and Neighborhood Services and the Guadalupe River Park Conservancy following city council approval in May 2021. The project will be designed for public use and welcome all community members, neighbors, and tourists.

- a. Sources and Value of Funding:
  - i. Project funding to date, and during the time before a capital campaign begins, comes from members of the local community including individuals, companies, foundations, and The County of Santa Clara. A capital campaign will begin as soon as adequate design details have been developed during Phase Three, which will begin once the city council has approved the rankings of the three finalists' designs.
- b. Sources of Community Support
  - ii. Financial support has come in the form of cash donations and in-kind donations from local and non-local individuals and organizations. Non-financial support has been provided by many volunteer community advisors working as part of the Urban Confluence Community Competition Panel, Advisory Council, Emerging Leaders Council, and Arena Green Stakeholders Committee.
- c. Surrounding and Compatible Land Uses
  - iii. The land uses in the area surrounding Arena Green include:

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- Mixed-use development and Little Italy directly North
  - “Google Downtown West” directly South (and to the West and Northwest)
  - Highway 87 and the existing downtown San Jose core commercial area directly East
  - SAP Center directly West
- d. User Need and Proximity of Target Population
- iv. San Jose and Silicon Valley currently have no universally identifiable physical structure that represents the city and the region. All citizens of San Jose, Silicon Valley, and the Bay Area, and visitors from throughout the world will benefit from the Urban Confluence landmark.

## Schedule

A schedule for the entire project will be developed in the months following the May 4 city council approval. EIR scope development, EIR approval, design development, fundraising, and city staff support will be addressed in the schedule.

## Operational Strategy

SJLTC will work with the winning team to offset operating expenses for the park by incorporating revenue-generating strategies and programs into the selected design. Arena Green at Guadalupe River Park and Gardens is a public park and care must be taken to avoid over-commercializing the experience. The approach will include designing and constructing a powerful symbol for innovation, education, and the environment – strong themes that overlap the philanthropic missions of many of San Jose’s private and corporate citizens. In partnership with the city, SJLTC will create community outreach programs, festivals, education tools, and other channels for individuals and brands to engage with the public

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around these themes. SJLTC will raise funds by enabling public and private partners to support these themes by sponsoring events, entitling spaces, or underwriting programs. In addition, and in further support of these themes, SJLTC will establish an extensive program of free events and activations, a robust food-and-beverage program, a connectivity program with public WIFI, and other revenue streams consistent with the mission of the park and landmark.

SJLTC will also develop a comprehensive operations plan that supports, and is funded by, the revenue-generating programs. This will include event planning and production, partnership sales and fulfillment, operations and maintenance of audiovisual equipment, and staffing and operations of the food-and-beverage program.

## **Team Experience**

### **Urban Confluence Team**

#### **Jon Ball / San Jose Light Tower Corporation / Board Chair**

Jon Ball is a builder who retired 12/31/16, concluding his career managing large, complex construction projects in the Western US. For the last 33 years of his 40-year career, Jon progressed through the ranks at Hensel Phelps (HP), a 100% employee-owned commercial building contractor. During his last 20 years at HP, Jon provided leadership as a senior voice on their board of directors, while in command of all work in Northern California. Along the way, Jon's responsibilities were expanded to include all of California, Hawaii, and Guam.

Earlier in life, while still in his native state of Illinois, he achieved a Bachelor of Science degree in Civil Engineering from the University of Illinois, Champaign-Urbana campus, and later became a licensed professional engineer.

More recently, Jon has become a civic leader, with focus on:

- The Rotary Club of San Jose
  - Past board member

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- Cabinet member and in-kind general contractor sponsor of the Rotary PlayGarden, the Club's \$6 million centennial gift to the City of San Jose, and the residents of the neighboring communities.
- Silicon Valley Monterey Bay Council, Boy Scouts of America, which serves over 13,000 local youth
  - President, 2017 and 2018
- Cancer CAREpoint
  - Jon and his wife Paula are proud to be among the initial and continuing donors and supporters of this organization which provides free non-clinical support to cancer patients and their caregivers.
- Associated General Contractors of California
  - 22-year member
  - President, 2015
- Via Services, Inc.
  - Sponsor and in-kind project mentor

Most importantly, Jon is a founding director and chairman of the San Jose Light Tower Corporation, along with founding partner Steve Borkenhagen and Board of Directors Vice-Chair Christine Davis.

Jon enjoys biking, sailing, climbing, sports cars, and helping others.

Jon has been married to Paula for 42 years, and they are the very proud parents of their daughter, Kathleen.

### **Christine Davis / San Jose Light Tower Corporation / Board Vice-Chair**

Raised and educated on cattle ranches in New Mexico and Texas, Christine brings a tough and vibrant "cowgirl" energy to her professional career, business management, marketing development, philanthropy, and, *most recently*, her participation in the Urban Confluence Silicon Valley competition.

Christine launched her career in 1975 at Key Management Association, rising swiftly through the ranks to become CEO of the company's two Northern California retail meat divisions, and deeply honed skills in her favorite side of business – sales and marketing. In 1992 Christine retired from the company to start a family, then God quickly added to those plans.

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Four months after the birth of her son Cole, she was invited to chair the massive Air Systems Car Show & Family Fun-Fest, which unleashed a new talent in event planning and a passion for community service. Christine capitalized on the show's philanthropic popularity, and for 11 years thereafter brought fresh energy to a full-time position as leader of promotional marketing and special events for Air Systems Inc., a Silicon Valley mechanical firm founded by her husband, John. Kids Are Our Driving Force! Furthering her commitment to giving back, in 1997 Christine founded the non-profit Air Systems Foundation, Inc., which she continues to serve as president today.

In 1999, Christine and John sold Air Systems and became partners in TMFC, Inc. investments. Currently, they focus on Club Auto Sport, where she steered the marketing with a vibrant flow of ideas that turned into effective, in vogue, and finger-on-the-pulse campaigns.

Christine proudly serves on notable boards, continuing to channel her gifts of creativity, and good business judgment based on decades of experience. She has been recognized for her work through multiple awards, which include: the Leading Citizen Award from the Boys and Girls Clubs of Silicon Valley, the Extraordinary Women Making a Mark Award, the Legacy Award, a Distinguished Citizen of the Year Award from the Boy Scouts of America, a Business Journal Woman of Influence, and the Junior Achievement Leadership Award.

Moving into 2018, Christine and her husband of 30 years intended to ride off into the sunset and enjoy a life with family and travel – however a real cowgirl never gives up on a dream, no matter how bold it may seem. Enthusiastically she said “YES” to this prestigious San Jose Light Tower Corporation project. An ICON waits!

### **Steve Borkenhagen / San Jose Light Tower Corporation / Board Member and Executive Director**

Steve Borkenhagen has been an entrepreneur and business owner in Silicon Valley since 1975. He opened Camera One Theater, the first repertory cinema in San Jose, along with partners in 1975. During the years since, Steve has founded

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and operated multiple bars and restaurants in the South Bay Area including Eulipia Restaurant from 1977 to 2012.

He studied Classics at San Jose State University after attending Santa Clara University and New College of California in San Francisco.

Steve worked in the energy management field for two years as an energy auditor and is a certified LEED AP (Leadership in Energy and Environmental Design Accredited Professional). He was also the project manager and part of the founding team of the San Pedro Square Market, a public market built in the tradition of Pike Place Market and other public markets. He worked with his family to found and operate Cafe Stritch, the Bay Area's pre-eminent jazz club from 2013 until 2018.

In 2017 Jon Ball, Thomas Wohlmutter, and Steve started the San Jose Light Tower Corporation, a non-profit organization working to build an iconic world-class landmark in downtown San Jose.

Steve has been on numerous non-profit boards over the past 30 years including Notre Dame High School, the San Jose Chamber of Commerce and Convention and Visitors Bureau, the Santa Clara University Department of Pastoral Ministries, the San Jose Downtown Association, Loaves and Fishes Family Kitchen, JW House, and Music for Minors.

He has been an active member of the Rotary Club of San Jose for over 25 years, will be the club president in 2021/2022, and has participated in numerous Rotary domestic and international programs.

Steve is the father of four adult children (Michael, Matthew, Melissa, and Maxwell) and grandfather of three (Jameson, Dylan, and Stella).

### **Links to designers assisting entrants**

- [Greg Gidez](#) / HENSEL PHELPS / Director of Design Services / Architect

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- [Karen Kuklin](#) / DGA / Principal / Architect
- [Pat Crosby](#) / Crosby Group / Principal / Structural Engineer
- [Kevin Sauser](#) / C2K Architecture / Owner and Principal / Architect
- [Ray Quesada](#) / Project Manager / Architect

### Links to affiliated professionals assisting SJLTC with Phase Two finalist submissions

- [Darren Leary](#) / HENSEL PHELPS / General Superintendent / Scheduling Support
- [Dale Weislak](#) / HENSEL PHELPS / Senior Estimator / Estimating Support
- [Randy Zechman](#) / Clean Solar / Principal / Net zero input and analysis
- [Ernie Yamane](#) / Steinberg Hart / Owner and Principal / Code analysis and interpretation
- [David LaVelle](#) / BKF Engineers / Principal / CEO Emeritus / Site and civil engineering considerations
- [Thai Nguyen](#) / HENSEL PHELPS / Director of Virtual Design and Construction
- [Carl Goodiel](#) / HENSEL PHELPS / Manager of Virtual Design and Construction
- [Jim Park](#) / HENSEL PHELPS / Manager of Virtual Design and Construction

### Links to affiliated companies assisting SJLTC with EIR/CEQA

- [Shannon George](#) / David J. Powers / VP / Principal Project Manager / Environmental support
- [Andrew Faber](#) / Berliner Cohen, LLP / Partner / Legal support
- [Brian Orter](#) / BOLD / Owner and Principal / Environmentally safe lighting design

### Links to City of San Jose Staff Liaisons

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- xii. [Nicolle Burnham](#) / PRNS / Deputy Director Capital Programs
- xiii. [Michael Ogilvie](#) / OCA / Public Art Director
- xiv. [Michael O'Connell](#) / DPW / Deputy Director
- xv. [Rodney Rapson](#) / DPW / Division Manager
- xvi. [Ronald Cruz](#) / DPW / Structural Engineer