

## Legislation Details (With Text)

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**On agenda:** 5/21/2019      **Final action:**

**Title:** Approval of the Amended and Restated Turnkey Parkland Agreement and Adoption of Appropriation Ordinance and Funding Sources Resolution Amendments in the Subdivision Park Trust Fund for the North Capital Avenue at Gimelli Way Park Site.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Memorandum, 2. Agreement

Date	Ver.	Action By	Action	Result
5/21/2019	1	City Council		

### **Approval of the Amended and Restated Turnkey Parkland Agreement and Adoption of Appropriation Ordinance and Funding Sources Resolution Amendments in the Subdivision Park Trust Fund for the North Capital Avenue at Gimelli Way Park Site.**

(a) Approve an Amended and Restated Turnkey Parkland Agreement between the City of San José and Pulte Home Company, LLC, a Michigan limited liability company for the dedication and development of a 0.58 gross acre site, the construction of park improvements on this site, and return a portion of paid park impact in-lieu fees relating to approved File Nos. PDC16-002, PD16-025 (as amended), and PT16-035 (as amended).

(b) Adopt a resolution authorizing the City Manager or designee to negotiate and execute a maintenance agreement with Pulte Home Company, LLC for maintenance of the park for one calendar year after the City accepts the park.

(c) Adopt the following 2018-2019 Appropriation Ordinance and Funding Sources Resolution Amendments in the Subdivision Park Trust Fund:

- (1) Establish Capitol at Gimelli Turnkey Park Developer Reimbursement appropriation for \$490,000.
- (2) Increase Future PDO/PIO Future Projects Reserve by \$169,000.
- (3) Decrease Capitol Turnkey Park Design Review and Inspection appropriation by \$586,000.
- (4) Increase the Developer Contributions by \$73,000.

CEQA: Mitigated Negative Declaration for 641 North Capitol Avenue Mixed-Use Project (Resolution No. 78053), File Nos. PDC16-002, PD16-025 (Resolution No. 78055 as amended), & PT16-035 (Resolution No. 78054, as amended). (Parks, Recreation and Neighborhood Services/City Manager)