



TOWN OF LOS GATOS
FINANCE COMMISSION REPORT

MEETING DATE: 3/13/2023

ITEM NO: 7

DATE: March 8, 2023
TO: Finance Commission
FROM: Laurel Prevetti, Town Manager
SUBJECT: Receive Preliminary Fiscal Year 2023/24 – 2027/28 Five-Year Capital Improvement Program Information and Provide Recommendations to the Town Council

RECOMMENDATION:

Receive preliminary Fiscal Year 2023/24 – 2027/28 Five-Year Capital Improvement Program information and provide recommendations to the Town Council.

EXECUTIVE SUMMARY:

The existing Town of Los Gatos Capital Improvement Program is supported by funding from numerous sources and includes 14 annually funded projects and 54 one-time projects for discrete locations. The largest funding sources for the capital program support roadway enhancements (including bicycle and pedestrian infrastructure), while sources for buildings, parks, and trails are smaller.

This report identifies the funding sources available for capital projects. Future projects and needs are discussed in the context of the following categories: 1) Ongoing and Annual Projects; 2) Underfunded Existing One-Time Projects; 3) Infrastructure Backlog Items; and 4) Other Project Types for Consideration.

Based on the available information of funding sources (Attachment 3), the status of existing on-time projects (Attachment 4) and the needs of the Town, capital project recommendations are presented in Attachment 5.

PREPARED BY: Nicolle Burnham
Parks and Public Works Director

Reviewed by: Town Manager, Town Attorney, and Finance Director

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BACKGROUND:

This report is provided annually to the Finance Commission and Town Council to raise awareness about the current status of capital projects and discuss priorities for the upcoming budget cycle. The report provides preliminary information to allow for Commission recommendations and Council direction on project priorities and raise awareness about the Town of Los Gatos capital program.

The Town of Los Gatos Capital Improvement Program (CIP) supports the safe and efficient operation and management of Town-owned infrastructure and assets. Town-owned assets include 17 park and open space areas that total 24 acres, 112 miles of roadways (236 lane miles), 12 public buildings totaling 139,373 square feet, and 23 surface parking lots (including lots in parks), and one underground parking structure. These major assets are supported by ancillary assets like restroom buildings (five total), sidewalks, storm drainage systems, retaining walls, traffic signals and signs, and street lighting.

Summary of Funding Sources

The CIP is five-year plan that is revised annually to guide investments in the Town's infrastructure. Each year, the Council adopts the Five-Year Plan and the capital budget for the first year of the Plan. The Capital Budget is supported through numerous funding sources as described in detail in the [Adopted Capital Budget](#). The flow of any budget surplus to the General Fund Appropriated Reserve (GFAR) for the capital program is depicted in Attachment 1. Attachment 2 graphically identifies the other inputs to GFAR and other sources for the capital program, including:

- **Measure G:** In past years Council has directed staff to allocate 50% of the Town's dedicated one-eighth sale tax revenue to capital projects of any type. The revenue is added to the General Fund Appropriate Reserve (GFAR) for distribution to projects of any type.
- **Construction Impact Fees:** These fees are assessed on new construction and can be used to support projects of any type.
- **Gas Tax:** This revenue source comes from a per gallon tax on gasoline sales collected by the State and distributed to the Town and is allocated to street related projects.
- **Refuse Vehicle Impact Fees:** These are paid by the Town's waste hauler to mitigate impacts to our roadways that results from the waste collection vehicles. These funds are allocated to street related projects through the GFAR.
- **Utility Undergrounding Funds:** This funding is derived from the Town's Construction Tax. These funds are used to support street related projects.

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- **Measure B:** The 2010 Measure B program provides funding each year that is used for street related projects through the GFAR. The 2016 Measure B provides a more diverse funding portfolio for the Town. Annual revenue from 2016 Measure B is provided for street related improvements (distributed through the GFAR); but additional revenue supports the Safe Routes to School staffing and program, plus various capital projects (e.g., Highway 17 Pedestrian Overcrossing, Los Gatos Creek Trail Connector at Route 9, etc.) through grant distributions.
- **Traffic Mitigation Funds:** Development projects are charged Traffic Mitigation Fees to offset the increase in traffic that is generated by the development. This source is used to support traffic improvement projects that were identified in development of the impact fee program.
- **Storm Drain Funds:** New development is charged per square foot of impervious surface. Funds are allocated across three areas of the Town based on geography and are available for use for storm drainage related projects.
- **General Fund Special/Capital Projects Reserve:** If additional General Fund surplus is identified, the Council may add it to the General Fund Special/Capital Projects Reserve. The Council may then direct some or all to the GFAR for use on projects of any type.
- **Grant Funds:** An increasingly important source of project funds for the Town's Capital Budget, grants support projects ranging from building enhancements to bike lane installations to vegetation management and wildfire mitigation. Staff continually considers and evaluates grant opportunities and once received, works to manage the grant requirements carefully to meet the various grant requirements of each program.
- **American Rescue Plan Act (ARPA):** While much of the ARPA funding was used to bolster economic development in Town, Town Council did allocate up to \$2.9 million of ARPA money for capital projects of any type. In August of 2022, Council allocated \$580,000 of that \$2.9 million to specific projects; holding the remaining \$2.23 million in reserve for future projects (see Attachment 6).

Each year as budget development progresses, staff evaluates and considers each of these funding sources, identifying the current balance in each and forecasting potential future revenues that may be available for projects. Attachment 3 is a preliminary estimate of available capital funds for 2023/24 through 2027/28.

Capital Budget Distribution to Projects

In developing the CIP projects are “bucketed” into three program categories: Streets, Parks and Trails, and Public Facilities. Those three buckets are further divided as shown in Table 1.

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BACKGROUND (Continued):

Table 1
List of CIP Programs and Project Types

Program Name	Project Type
Streets	Street Reconstruction and Resurfacing Street Repairs, Maintenance and Safety Street Improvements Bridges
Parks and Trails	Parks Trails
Public Facilities	Town Infrastructure Equipment

Table 2 is the history of new funding (exclusive of carryforward from prior years) to each of these Programs over the past five years. Carryforward has been excluded to provide an overview of new funding into the capital programs.

Table 2
Summary of Funding History by Program (Exclusive of Carryforward)

Program Name	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
Street Reconstruction and Resurfacing	\$ 2,528,767	\$ 4,237,770	\$ 2,211,715	\$ 3,078,604	\$ 3,343,169
Street Repairs, Maintenance & Safety	435,000	2,465,100	2,435,000	935,000	385,000
Street Improvements	4,201,782	3,464,908	8,195,786	638,250	1,143,501
Bridges	-	-	50,000	-	522,314
Park Improvements	338,000	260,000	25,000	445,904	65,000
Trail Improvements	550,491	350,000	-	736,000	5,728,687
Town Infrastructure	144,100	1,862,000	285,000	1,051,979	160,000
Equipment	400,000	525,000	-	-	1,200,000
	\$ 8,598,140	\$ 13,164,778	\$ 13,202,501	\$ 6,885,737	\$ 12,547,671

Existing Capital Projects

The new funds noted above plus carryforward from previous years are assigned to specific projects. Each year funding is allocated to certain ongoing projects such as roadway resurfacing and retaining wall and guardrail replacement. Generally speaking, funding is allocated as available and the scope of work each year is established to match the available funding. Table 3 presents these annual on-going allocations.

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BACKGROUND (Continued):

Table 3
Ongoing and Annually Funded Capital Projects

Project No.	Funding Program	Project Type ¹	Project
831-4605	Parks and Trails	1,3,4	Parks Playground Fibar Project
832-4507	Parks and Trails	3	Forbes Mill Footbridge Improvements
821-2002	Public Facilities	3,5	Town Beautification
812-0134	Streets	1,2,3	Measure B Education & Encouragement
813-0221	Streets	1,2,3,5	Sidewalk Improvements - Multiple Locations
813-0231	Streets	1,2,3	Bicycle and Pedestrian Improvements
816-0414	Streets	3,4	Stormwater System - Pollution Prevention Compliance
816-0420	Streets	1,3,4,5	Annual Storm Drain Improvement Project
811-9901	Streets	1,2,3,5	Street Repair & Resurfacing
811-9902	Streets	1,2,3,5	Annual Street Restriping
811-9903	Streets	1,2,3,5	Pavement Rehabilitation
812-9910	Streets	1,2,3	Traffic Calming Projects
813-9921	Streets	1,3,4	Curb, Gutter, Sidewalk Maintenance
815-9930	Streets	1,2,3,5	Retaining Wall + Guardrails Repairs

Notes: 1. Project Types are: (1) Safety, (2)Traffic/Transportation, (3) Quality of Life, (4) Regulatory or Legal Mandate, (5) Effective Management of Existing Assets and (6) Improvement

In addition to the 14 ongoing projects, the current capital program includes an additional 54 one-time projects. While these one-time projects may span numerous years the project is still

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considered one-time in that it has a specific starting and ending point. Attachment 4 provides the list of these projects, their current status, and expenditure history.

DISCUSSION:

In considering funding priorities for the CIP, staff follows the guidance provided by various Town documents including: [Council Strategic Priorities](#), [General Plan](#), [Bicycle and Pedestrian Master Plan](#), Pavement Management Program, Stormwater Master Plan, Facilities Condition Assessments, the Americans with Disabilities Act (ADA) Transition Plan, and legislative mandates. Project ideas and needs are also identified from field observations by Town staff, input from residents, and Town Commission discussions.

For this discussion and to provide insight into the considerations for CIP recommendations, projects are presented and discussed in four categories:

- 1) Ongoing and Annual Projects;
- 2) Underfunded Existing One-Time Projects;
- 3) Infrastructure Backlog Items; and
- 4) Other Project Types for Consideration

At the conclusion of the report, staff identifies the recommended capital projects and priorities for the Proposed Capital Improvement Program (Attachment 5).

Ongoing and Annual Projects

As noted in Table 3, there are currently 14 ongoing and annual projects supported in the Capital Budget. With the Proposed Five-Year CIP 2023/24 – 2027/28, staff is recommending that these project categories be maintained. Each of these projects support various identified strategic initiatives of the Town, such as quality public infrastructure and safety for all modes of travel (motorist, cyclist, and pedestrian) and playground safety. Staff will evaluate whether any of these programs can be combined in an effort to reduce the total number of projects that require separate oversight.

Starting with Fiscal Year 2023/24, staff is recommending the following new annual on-going projects be established:

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- **Roadside Vegetation Management:** Recent CIP's have included funding to support this critical wildfire reduction strategy and the Town has been successful in securing grant funds to support this work. While extensive work was completed in 2021 and 2022, all priority roadways have not been addressed, and the recent rains in January and February 2023 have resulted in accelerated vegetation growth in areas that were previously cleared. It is clear that keeping pace with the vegetation management demand will not be a one-time effort. An ongoing and annual project with funding will help staff plan deliver a sustained effort in this area.
- **Open Space Vegetation Management:** As part of its wildfire prevention efforts, the Town has completed a plan to manage vegetation in its open space property and environmental clearances for this work is underway. Once the environmental work is completed, open space vegetation management will require a sustained effort similar to the roadways. As such, staff recommends establishment of an ongoing project with funding for this work.
- **Americans with Disability Act (ADA) Compliance:** The Town completed a transition plan that assessed all Town assets for compliance with the ADA. It is important that the Town continue to upgrade its buildings, sidewalks, and other features to meet this legal requirement. Staff recommends establishing an ongoing project with a small amount of funding (e.g., \$25,000 to \$30,000 per year). This small amount would support the procurement and installation of ADA compliant fixtures (such as push-button doors, water fountains, etc.) that can be replaced or installed during the course of other ongoing work.

Underfunded Existing One-Time Projects

For the next five-year CIP, the goal is to finish currently funded priority projects and provide supplemental funding for those in progress. Attachment 5 provides a list of all current projects (Annual Ongoing and On-Time), their current status and funding, along with recommendations for priority of future funding. If it would like, the Finance Commission should provide recommendations to Council to further prioritize the underfunded projects and if a project is defunded, then the funds could be reallocated to the remaining projects.

For example, staff recommends that project Winchester Boulevard Complete Streets (813-0238) be considered for defunding at this time. The current funding of approximately \$543,000 is from GFAR and could be reallocated for use on different project(s). The Winchester Boulevard Complete Streets Project was intended as the permanent phase of the Winchester

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bike lanes that were previously installed. The Complete Streets Project would provide further enhancement of the area, making the bike lane infrastructure more permanent and possibly adding landscape features. Staff has applied for grant funding for this project and was unsuccessful.

This project also has a commitment of \$1,734,250 from the 2016 Measure B program. A grant agreement for the Measure B funds has not been executed at this time and it may be possible [with authorization from the Valley Transit Authority (VTA) Board of Directors] to have those funds allocated to a different Los Gatos Measure B Project, such as the Highway 17 Overcrossing.

Infrastructure Backlog Items

When considering new projects for future funding, staff continues to consider the project needs that were identified in the [CIP report](#) presented as Item 13 in the Town Council meeting of March 1, 2022. Needs that were identified in March 2022 included:

Facilities Needs: Facility assessments were completed in 2022 for all Town-owned facilities and deficiencies were identified. While the total 15-year funding need for facilities was estimated to be \$19,957,500, five buildings represented 84.5% of that cost: Adult Recreation Center (\$2,051,500), Civic Center (\$6,424,000), Library (\$1,620,000), Police Operations Building (POB) (\$1,492,500), and the Theatre (\$5,274,500). Minor improvements (characterized as less than \$1 million per building 15 years) were identified at park restrooms, the Parks and Public Works Yard, the Youth Recreation Center. The 2022/23 capital budget did address a number of facilities related needs and these improvements are currently underway. Notably, there is some overlap between these costs and the ADA Upgrade Requirements discussed below.

Civic Center is the building that was identified with the largest need and has not yet been allocated much funding. The largest upcoming expenditures and needs are in the mechanical system.

While some work has been completed at the POB, a more important issue relates to Police Department operations being split between two locations. A portion of the Department operates out of the Civic Center, while another portion is located at POB. This disconnect in locations creates operational challenges and Police Department has asked that Parks and Public Works conduct a study to evaluate what modifications would be needed at POB to allow staff from Civic Center to be relocated to POB.

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ADA Upgrade Requirements: The Town contracted consultant services to perform analysis of all Town owned assets (including buildings, sidewalks, parking areas, sidewalks, trails and parks) for compliance with the ADA. The study identified over \$25 million in necessary upgrades. Staff has been addressing these issues in the context of other projects when possible. For example, planned improvements to the Adult Recreation Center include plans to improve the parking area and walkways to the building; the annual curb, gutter and sidewalk project provide annual funding to for ADA ramps at intersections; and staff is currently using grant funding to work with a contractor to address sidewalk tripping hazards.

Despite all of this effort, upgrading facilities to comply with ADA requires concerted staff time (the transition plan identified some 11,000 items that need attention). At this time, there is no dedicated funding for ADA compliance nor is there staffing to specifically manage this program. The Town ADA Coordinator is the Chief Building Official and the majority of corrective action is led by PPW. As noted above, Town staff recommends creating an annual project to begin to address these needs.

Pavement Maintenance: In 2016, an assessment of street pavement was conducted and revealed a Pavement Condition Index (PCI) of 67, on a scale of 1 (Lowest) to 100 (new roadway). Based on this, the Town Council set a PCI goal of 75. The current PCI is 73. It is common for the PCI goal to be increased as a goal is achieved. Therefore, the Town should be considering an increase in PCI goals to 78. Funding of \$4.4 million annually is required to achieve that goal.

It should be noted that the pavement maintenance funding serves a dual role, whenever possible, of enhancing crosswalks for pedestrian safety and providing bike lanes. When planning paving projects, the design team considers necessary bicycle and pedestrian improvements and incorporates those into the work plan each year.

Stormwater Infrastructure: In 2020, a project was created to perform Stormwater Master Planning. While initially conceived as a Town-wide project, the funding was not adequate to analyze drainage systems throughout the Town so a select number of systems were evaluated and improvements were recommended. The value of those improvements were estimated at \$15M.

During the January 2023 rainstorms, additional areas of drainage concern were identified. For example, Loma Avenue has very few catch basins so the road is subject to flooding during rain events, and the Town-owned pipe that runs between homes on Belridge and Belcrest Drives is the cause of persistent concern from residents and is inaccessible for maintenance activities. In

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addition, other drainage problems have arisen during this past fall at Oak Grove and at Maple Place. Emergency repairs were completed, but long-term improvements may be needed.

Perhaps most notably, the Town does not have complete mapping of the storm drainage system in our Geographic Information System (GIS). Staff has entered some limited data when they are available, but the lack of system wide mapping that identifies pipe locations and structures hinders analysis of the system and makes routine maintenance more challenging.

Other Project Types for Consideration

Prior year CIP's have not mentioned or presented a holistic plan for the Town's parks and trails. Past Council discussions indicated that there may be interest in a Town-wide Park Master Plan, or a Master Plan for certain parks, like Oak Meadow, but these have not been funded at this time.

Los Gatos Creek Trail has not received significant funding in recent years. Data provided by Santa Clara County Parks indicates that Los Gatos Creek Trail near Vasona had 342,043 users in 2021 and 346,057 users in 2022. While usage south of Vasona may be lower, the Vasona data does provide some indication that Los Gatos Creek Trail sees a high volume of usage.

North and south of Vasona Park, the trail lacks signage to support wayfinding, and in some cases has access slopes that are steep and challenging for users (e.g., the south side of Lark Avenue). In addition, PPW does not have record of recent inspection of the Forbes Mill Pedestrian Bridge and the timber walkway on the north side of the bridge. While Caltrans performs structural inspection of the support structure for the highway portion, the decking and fencing is the responsibility of the Town. The Town owns a second (much smaller) timber bridge over Ross Creek at Camino del Cerro that is similarly lacking in inspection data.

There is currently no dedicated funding source for Parks and Trails.

Staff Recommendations

Attachment 5 presents the staff recommended priorities for the 2023/24 through 2028/29 Capital Improvement Program. This table summarizes the information presented throughout this discussion. Since it will not be possible to fund all projects and needs, staff has identified projects by priority and will allocate funding in order of priority until funding is exhausted.

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CONCLUSION:

Staff has developed a list of proposed projects to fund for the five-year CIP. In developing that list, the primary focus is increasing funding to existing priority projects to insure they are funded through construction. Since some of the priority projects won't be in construction until later in the five-year cycle or after, staff is proposing incremental funding each year to build the balance of the project budget.

COORDINATION:

This report was coordinated with the Town Manager, Finance Director and Town Attorney.

FISCAL IMPACT:

There is no fiscal impact from the discussion of this staff report. The Council will consider the Finance Commission's recommendations on March 21 when it provides direction on the FY 23/24-2027/28 Capital Improvement Program.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under the California Environmental Quality Act, and no further action is required. Individual capital projects will have their own environmental clearances.

Attachments:

1. Flow of Funds Diagram
2. Capital Improvement Program Funding Sources Diagram
3. Preliminary Estimate of Projected Available Capital Funds for 2023/24 – 2027/28
4. Status of Currently Funded One-Time Capital Projects
5. Recommended Capital Project Priorities 2023/24 through 2028/29
6. Council Allocation of ARPA to the Capital Program