

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JASON NUTT, DIRECTOR
TRANSPORTATION AND PUBLIC WORKS
COLLEEN FERGUSON, DEPUTY DIRECTOR – CAPITAL
PROJECTS ENGINEERING
SUBJECT: COURTHOUSE SQUARE REUNIFICATION PROJECT UPDATE,
EXPENDITURE REPORT, ROSENBERG FAMILY RECOGNITION
AND NAMING PLAZA AND STREETS
AGENDA ACTION: MOTIONS AND RESOLUTIONS

RECOMMENDATION

It is recommended by the Transportation and Public Works Department that the Council, by motion, (1) accept the Courthouse Square Reunification expenditure report and (2) authorize the plaque containing the name of Landscape Architect Leland H. Noel to be given to his daughter Pamela Noel; and by, two separate resolutions, (1) authorize replacement of a Rosenberg plaque in the Square, and (2) confirm the name of the plaza and street sections between Third and Fourth Streets as “Old Courthouse Square”.

EXECUTIVE SUMMARY

Construction of the Courthouse Square Reunification project is progressing quickly. Extensive public communication has been completed and is ongoing. The Project is currently on schedule and on budget, although a significant amount of construction contingency has been expended and unknown impacts of the electrical system redesign may impact the schedule. Action is needed regarding two historic plaques from the Rosenberg Fountain area of the Square and placement of a new plaque. Action is also needed to name the plaza and streets being constructed between Third and Fourth Streets.

BACKGROUND

In 2004, the City Council adopted goals which included reunification of Courthouse Square. Over the following 10 years, Council took several actions in support of that goal. At the meeting on November 3, 2015, City Council approved basic design guidelines for Courthouse Square, approved the public outreach process for the interior of the square, and delegated authority to the City Manager to select a consultant team to design the improvements associated with the reunification of Courthouse Square.

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City staff worked with the Chamber of Commerce to develop and implement a public outreach process for the design of the interior of the square. The City's online survey regarding the reunification of Courthouse Square received over 2,000 comments. The first public outreach meeting was held on December 12, 2015. The project designer, Carlile-Macy, used the comments from the public meeting, other comments provided to the City, and the online survey as well as the basic design guidelines to develop alternative conceptual plans for Courthouse Square. The alternative conceptual plans were presented at a second public meeting on January 9, 2016. Public comments received from members of the public who attended the community meetings have been posted on the project website srcity.org/CHS. In response to public input, the alternative plans were refined into two draft master plan options. An addendum to the Final Tiered Environmental Impact Report (FTEIR) has also been prepared to document the consistency of each master plan option with the FTEIR.

PRIOR CITY COUNCIL REVIEW

1. On February 25, 2014, the City Council by Resolution No. 28437 certified the Final Tiered Environmental Impact Report (FTEIR) for the Reunification of Courthouse Square. The Mitigation Monitoring Program from the certified FTEIR includes various mitigation measures that would be implemented before, during and post-construction to ensure that the Courthouse Square reunification project does not have a significant effect on the environment.
2. On October 14, 2014, the City Council by Resolution No. 28568 approved the preferred alternative which includes the two peripheral streets and may include architectural features and pavilions; adopted the mitigation measures and directed staff to implement and complete the Mitigation Monitoring Program as part of the approved project.
3. On November 3, 2015, the City Council by Resolution No. 28706 authorized the City Manager to appropriate any private donations received for the project as well as up to \$500,000 from the General Fund unassigned fund balance to the project account in order to proceed with project design.
4. On April 19, 2016, the City Council by Resolution No. 28772 approved a revised Master Plan for the Courthouse Square Reunification project and, by motion, awarded a contract for construction of the project.
5. On June 14, 2016, the City Council by Resolution No. 28790 declared intention to reimburse expenditure from the proceeds of certain obligations and directing certain action.
6. On July 12, 2016, the City Council by Resolution No. 28816 approved the new, revised Master Plan for the Courthouse Square Reunification project.

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7. On August 2, 2016, the City Council by Resolution No. 28834 approved the forms of the Preliminary Official Statement which includes as an exhibit the Continuing Disclosure Certificate, Site and Facilities Lease, Lease Agreement, Trust Agreement, Escrow Deposit and Trust Agreement and Certificate Purchase Agreement in connection with the execution and delivery of 2016 Certificates of Participation (Courthouse Square Project and 2007 Lease Refinancing) (the "2016 COPs") in order to (1) finance a portion of the costs of the Courthouse Square Reunification Project costs, (2) refinance the City's outstanding Certificates of Participation (Building Acquisition Project) (the "2007 COPs") for debt service savings, (3) approve the appointment of bond counsel/disclosure counsel and financial advisor for this financing, (4) rescind appropriation of \$4,533,752 from the General Fund unassigned fund balance as authorized in Resolution No. 27882, (5) appropriate \$4,200,000 from debt proceeds into the Courthouse Square Reunification Project, and (6) direct repayment of any funds already expended as authorized under Resolution No. 28790.
8. On August 16, 2016, the City Council by Resolution authorized installation and removal of temporary mid-block crosswalks on Fourth Street at the east and west sides of the Square.
9. On August 30, 2016, the City Council received a project status update on construction activity as well as project schedule and budget status. This update noted a potential project delay of up to 34 days due to changes in the design of the electrical facilities and uncertain timeline for procurement of some electrical components. It also noted that staff is actively working with the contractor to determine the full extent of the delay and begin to identify activities and actions that could help recover some of that time. Staff is coordinating with the Winter Lights planning committee and providing public outreach to the community regarding the potential delay.

ANALYSIS

1. The history of the Courthouse Square area includes a gift from Mrs. Fred S. Rosenberg of \$50,000 for the installation of a water feature located on the north part of the east half of Old Courthouse Square. The City used this gift to construct a water feature that was commonly called the Rosenberg Fountain. This fountain needed to be removed as part of the Courthouse Square Reunification project. Two plaques (Attachment 1) were placed on the Rosenberg Fountain:
 - A plaque in memory of Fred S. Rosenberg. The heirs of Mrs. Fred S. Rosenberg, through communication with City staff, have agreed that the original memorial plaque should be replaced with a new plaque (Attachment 2) in reunified Courthouse Square and that there is no need to replace the fountain.

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- An Old Courthouse Square dedication plaque dated November 1971 that lists the names of the Mayor (John H. Downey, Jr.), Councilmen (Hugh B. Coddington, Clement R. Guggiana, Gregory Jones, Jr. and Gerald M. Poznanovich), the City Manager (Kenneth R. Blackman) and the Landscape Architect (Leland H. Noel, A.S.L.A.). The landscape architect's daughter, Pamela Noel, has requested that this plaque be given to her.
 - Council Resolution No. 24408, dated May 16, 2000, amending policy No. 000-25 "Park Naming Policy and Procedure" is included for reference as Attachment 3.
2. The Courthouse Square land was established as a public plaza in 1854. The streets on the east and west sides of the Square were called Exchange Avenue on the west side and Hinton Avenue on the east side. When a new section of street was constructed linking Santa Rosa Avenue at Third Street and Mendocino Avenue at Fourth Street in 1966, the Council by resolution named the plaza and street section "Old Courthouse Square". The businesses fronting the Square have an Old Courthouse Square address. Several businesses have requested that they be allowed to keep an Old Courthouse Square address. The Courthouse Square Reunification project is reconstructing side streets on the east and west sides of the Square. Initial research by staff concluded that different names would likely be required for each side street. Naming of these streets was discussed with the Council Downtown Subcommittee on August 2. At that time, based on street naming constraints described by staff, the Downtown Subcommittee recommended that the Council name the side streets "Old Courthouse Square West" and "Old Courthouse Square East".
 3. On September 2, 2016, staff received communication on behalf of the Coalition to Restore Old Courthouse Square as well as the property owners around the Square who have Old Courthouse Square addresses. This communication urged the Council to take every step possible to retain the "Old Courthouse Square" address for both sides of the Square. It also expressed opposition to re-naming each side street "Courthouse Square West" and "Courthouse Square East" or using "Old Courthouse Square" on one side while renaming the other side "Courthouse Square East or West". This communication was discussed with the Downtown Subcommittee on September 6, 2016.
 4. Based on the strength of the request from the downtown businesses and the input from members of the Downtown Subcommittee, staff recommends that Council action be taken to confirm the name of the plaza and street sections as "Old Courthouse Square".

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FISCAL IMPACT

As described during the presentation to Council as part of the contract award action on April 19, 2016, staff intends to keep Council informed of the details as construction proceeds and actual construction costs and construction management and inspection costs are incurred. The table below shows costs incurred to date in the "Expenditures" column and the authorized contract, contingency (10%) and construction management and inspection (10%) amounts in the "Allowance" column. A significant portion of the construction contingency has been expended as a result of changes to the design of the electrical facilities. The impacts of these design changes exceed the unanticipated construction issues for which the construction contingency allowance was provided. At a future project update, when the complete costs of the electrical system redesign have been determined, staff expects to request that Council increase the contingency allowance so that project construction can move forward without additional delay.

	Expenditures	Allowance	Notes
Design	\$897,000.	\$906,000.	Amendment needed for additional electrical design work
Advanced Tree Work	\$115,770.	\$130,120.	Work complete March 10, 2016
Construction	\$2,159,935.	\$6,719,253.	
Construction Contingency	\$458,987.	\$671,925.	
Construction Management and Inspection	\$388,519.	\$671,925.	
TOTAL	\$4,020,211.	\$9,099,223.	

ENVIRONMENTAL IMPACT

Council certified the Final Tiered Environmental Impact Report on February 25, 2014. An Addendum to the FTEIR has been prepared pursuant to Section 15164 of the California Environmental Quality Act for the updated plan options, and documents that the project involves only minor technical changes and additions. It further documents that none of the conditions described in Section 15162, which would require a subsequent EIR, have occurred because neither Courthouse Square Reunification Master Plan involves substantial changes to the project or the circumstances under which the project has been undertaken. Based on this analysis, staff found it appropriate to rely on the FTEIR.

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BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

In addition to the City Council, the Courthouse Square Reunification project has been on the agenda of the Bicycle and Pedestrian Advisory Board, the Art in Public Places Committee, the Board of Community Services, the Community Advisory Board and the Downtown Subcommittee.

NOTIFICATION

Not applicable

ATTACHMENTS

- Attachment 1 – Photos of Historic Rosenberg Plaques
- Attachment 2 – Rosenberg Family Recognition Plaque
- Attachment 3 – Park Naming Policy and Procedure Resolution No. 24408

CONTACT

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