



A ROADMAP FOR ST. JAMES PARK

A strategy for bringing St. James Park
to life through innovative governance
and stewardship

SPUR WHITE PAPER

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ST. JAMES PARK: THE OPPORTUNITY

St. James Park is an historic 7.6-acre park on the northern edge of downtown San Jose. Like older downtown parks throughout the country, it has suffered from disinvestment as new growth moved elsewhere and competing needs diverted funding to other compelling civic needs. In addition, the park has come to be characterized by homelessness and other social problems whose causes go far beyond San Jose and are part of a national pattern. But today, San Jose's downtown is experiencing new vitality and growth. Decades of reinvestment in downtown are paying off, and residents of the region are developing a new appreciation of downtown living. The San Jose Downtown Association had identified revitalization of St. James Park as one of its top three priorities. A new courthouse is under construction on the northern border of the park, and new residential buildings are under development adjacent to the park and nearby, promising new parks users and new park resources. Just two blocks west, San Pedro Square is a successful gathering place for food and fun. The San Jose Levitt Pavilion Committee has identified St. James Park as the location of a potential new family-oriented music and entertainment venue and is moving ahead with planning. The Department of Parks, Recreation and Neighborhood Services (PRNS) is in the second of year of increased investment in St. James Park, with augmented maintenance, capital improvements, programming and security.

Now is the time for the downtown community to take the next steps and for the city to initiate a deliberate phased program of focused stewardship and enhanced resources that can transform St. James Park into the jewel it deserves to be.



Photo by Sergio Ruiz



St. James Park is an approximately 7.6-acre park located on the northern edge of downtown San Jose. The park is bounded by St. James Street to the north, North Third Street to the east, St. John Street to the south, and North First Street to the west. St. James Park is bisected north-south by North Second Street and the Valley Transit Authority (VTA) light rail right-of-way. Historic resources are shown in red, potential development sites in orange. Image courtesy Google, Graphic by SPUR.

BACKGROUND

In 2014, SPUR, in consultation with PRNS and the San Jose Office of Economic Development, began developing a management strategy for turning around St. James Park over time. The goal of the project is to return St. James Park to a premier civic space that is utilized and loved by residents, businesses and visitors alike. All parties recognized that this would be an incremental process involving many community and governmental decisions and funding allocations. In the Fall of 2014, SPUR in turn asked MJM Management Group, a nationally recognized public space management firm, to participate in the process to contribute its national experience with best practices. Three stakeholder meetings were held in the fall of 2014 and the winter/spring of 2015 to present alternative concepts and obtain guidance from the community on the recommendations.

The purpose of this white paper is to recommend a preferred management and governance strategy that will create the foundation for improved stewardship, a renewed vision, additional resources and eventual capital improvements. We hope that this paper will inform the San Jose City Council, Mayor’s Office and community stakeholders as they consider policy decisions and funding allocations for St. James Park. The recommendations in this white paper are built on adopted SPUR policy found in the reports *Getting to Great Places* (2013) and *The Future of Downtown San Jose* (2014).

PROJECT PROCESS

In 2014, SPUR received funding from the Knight Foundation to contribute to ongoing efforts to improve St. James Park. Given the variety of efforts already underway (including activation, social service outreach policing and enhanced maintenance) SPUR, in consultation with PRNS and other agencies, determined it could add the most value by defining an effective approach to management and governance. The process included the following phases:

- Interviews with a wide variety of stakeholders
- Project definition
- Engage MJM Management for support of research and analysis
- Precedents research
- SPUR lunchtime forum
- Stakeholder meetings:
 1. St. James Park: Overview and Input
 2. Parks Stewardship Concepts and Precedents
 3. Draft Recommendations for St. James Park
- Recommendations development and vetting

HISTORIC CONTEXT

When St. James Park was built more than 150 years ago, it was modeled on both the central *plaza* of the Spanish *pueblo* and the New England town square, a block set aside close to the center of town for civic purposes such as community gatherings, political rallies and market days. In the era before universal literacy, and long before electronic communications, the only way civic participation could take place was to gather the citizenry in one place.

1848, the year the land for St. James Park was set aside, was a full decade before the first urban “pleasure ground” — Manhattan’s Central Park — was even begun. It was not until 1868 that we have record of trees being planted in St. James Park. Throughout the late 19th century and early 20th century, St. James Park, in addition to its purpose as a place for civic gatherings, was undoubtedly a place for the “polite” elements of society to stroll, see and be seen, dressed in their Sunday finery. A number of fine buildings were built surrounding the park, including the original County Courthouse (1866), and the still-existing Trinity Cathedral (1863), First Unitarian Church (1891), St. Claire Club (1894) and First Church of Christ Scientist (1904).

During this period, virtually all stewardship was provided by the City of San Jose: governance, maintenance, funding, and periodic civic political and entertainment events on special occasions.

By the 1930s and the Great Depression, conditions in American cities changed. Our cities were filled with thousands of unemployed, and parks took on different functions. The federal government, through the Works Progress Administration (WPA), built public toilets in Saint James Park to serve those with no other facilities. In an effort at job creation and civic beautification, the WPA also built an expanded courthouse and a new post office (both 1933) across from St. James Park.

After World War II, demographics, public policy and popular taste conspired to drive growth to suburban areas, and by the 1960s, American cities and their great civic spaces were in a steep decline. Central cities, and parks like St. James, suffered from neglect, and many governmental policies exacerbated urban poverty and homelessness. San Jose burgeoned in the postwar period, annexing large swaths of suburban land and becoming a low-density bedroom community. Efforts to revive the downtown through redevelopment struggled in the absence of strong urban culture and faced mounting fiscal challenges. Several attempts to revive St. James Park foundered. Although there was interest in the park's historic assets and symbolic value, it lacked a natural constituency of users and became a refuge for San Jose's homeless population.

Today, downtown is thriving to a degree that was hard to imagine just a few years ago, with new residents and amenities centered at nearby San Pedro Square Market. With new projects underway adjacent to St. James Park, it is an opportune moment for revitalization. Residents and workers need St. James Park, developers and businesses have an interest in its success, and city agencies are rebounding in resources and capacity after years of budget austerity. A successful approach must draw these constituencies together and focus the strengths of each on making the park a success.

Major Milestones in and Around St. James Park

- 1848: Initial park survey by Charles Lyman¹
- 1868-1869: First of several known tree plantings
- 1887-1890: Possible park design by a Mr. Ulrich, gardener
- 1891: First known drawing of park (*Sanborn Fire Insurance Map*); symmetrical Beaux Arts plan with diagonal cross axis paths, undulating path around the perimeter, central fountain; no structures
- 1920: First official map by city architect
- 1930s: WPA restrooms built; removed 1980s
- 1952-1955: North Second Street extended through park after successful ballot initiative
- 1973: Seven-pavilion Senior Center (St. James Community Center) constructed in park (removed 2011)
- 1978: National Register St. James Square Historic District established
- 1985: *Master Plan for St. James Park* by Michael Painter Associates, Landscape Architects (MPA Design); new trees planted; brick paving installed
- 1988: VTA Light Rail project completed along North Second Street and through park
- 1988: New fountain installed per 1985 plan
- 1989: San Jose City Council adopts *St. James Square Historic District Design Guidelines 1998-2008*: Music in the Park produced in St. James Park in June by the San Jose Downtown Association
- 2001-2002: Plan for major park rebuild prepared for San Jose Redevelopment Agency by Royston, Hanamoto, Alley and Abbey, Landscape architects (RHAA), including Management Plan, Arborist report, historic analysis, lighting master plan, schematic design plan, cost estimates
- Tot Lot built
- 2008: Measure M passes, allowing park use agreements with non-city entities for up to 25 years in parks over 5 acres (includes St. James Park)
- 2011: Senior Center removed from park
- March 2014 San Jose State University urban planning studio: *Re-envisioning St. James Park: A Community Café Proposal*
- 2014: PRNS establishes St. James Park Activation Team, which continues to meet (as of summer 2015)
- June-September 2014 Summer in St. James Park, funded by the Knight Foundation and the city, provided programming and enhanced public safety in the park; continuing through 2015
- Summer 2014: SPUR process begins
- February 2015: A Levitt Pavilion in San Jose? released by the Levitt Pavilion Exploratory Committee
- Summer 2015: PRNS and partners continue Summer in St. James activation

¹ While some sources say the park was designed by Frederick Law Olmsted, Sr., attribution has been questioned. Olmsted Associates, the successor firm to Frederick Law Olmsted, Sr., worked on a project entitled *San Jose City Plan*, in 1916, 14 years after Olmsted Sr.'s death. The park is a part of the St. James Square National Register Historic District.

PRINCIPLES AND OBJECTIVES

The following principles were developed based on feedback from park stakeholders:

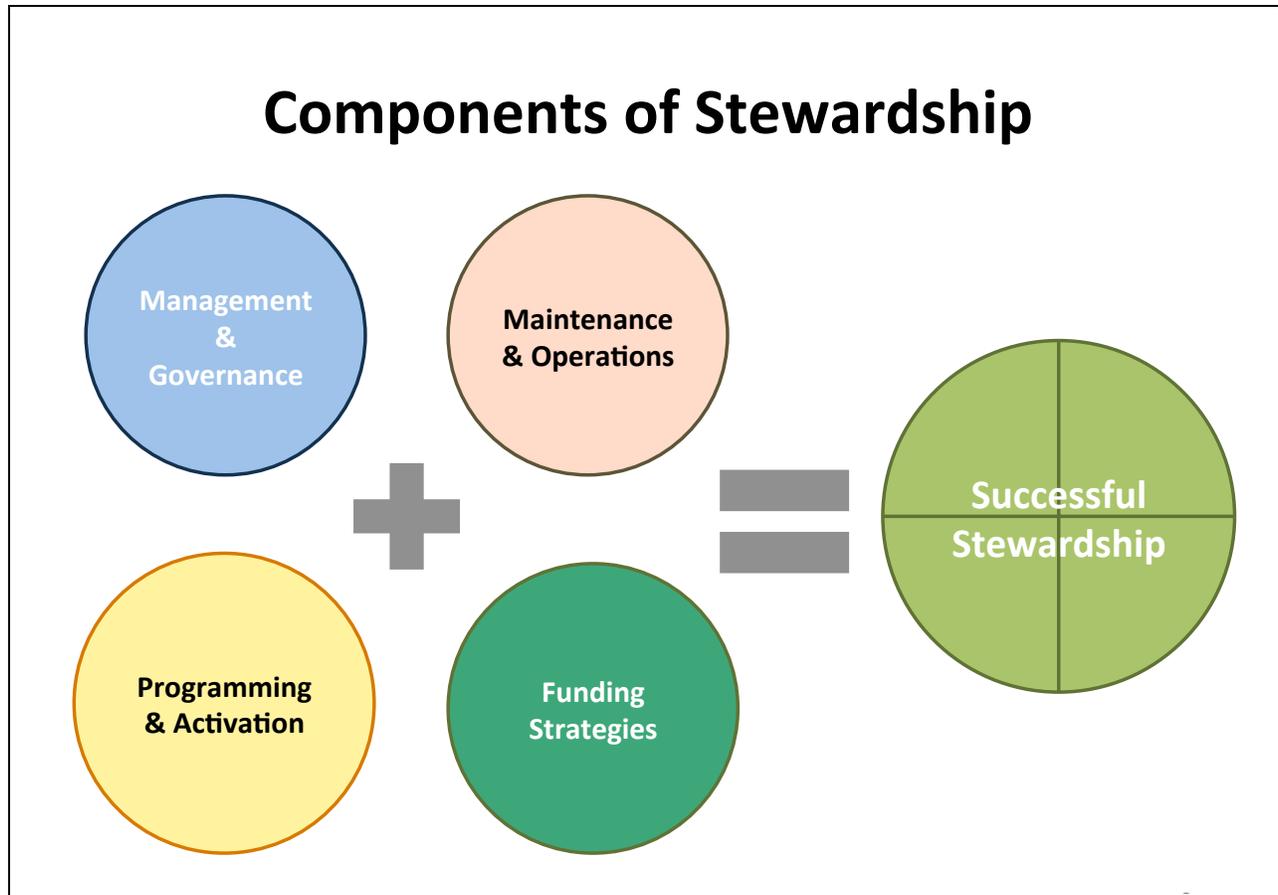
- St. James Park is a public park. Public access and control must be maintained now and in the future, even as the community develops a focused, independent stewardship program.
- Turning St. James Park around will require a broad, cross-sectoral partnership among government, civic organizations, community members, advocates and businesses.
- That partnership should occur expeditiously but in phases to build increased trust, partnership, commitment and capacity.
- St. James Park should draw on national best practices, adapted to San Jose's needs and values.
- Financial resources should be captured from the current development cycle and also from longer-term revenue streams and dedicated to St. James Park.
- City resources are necessary not only to accomplish specific elements but also to build confidence and inspiration to help leverage private and philanthropic resources.
- The park should invite a broader range of users, uses and activities and cultivate a sense of ownership and commitment by many facets of the community.
- The concentration of homeless people in St. James reflects its neglect and availability and can likely be resolved with focused management and by creating a broader user base rather than through punitive means.
- Activation, resources and organizational capacity should come first and set the foundation for future capital improvements.

COMPONENTS OF STEWARDSHIP OF ST. JAMES PARK

Best open space practice breaks down park stewardship into four interrelated categories:

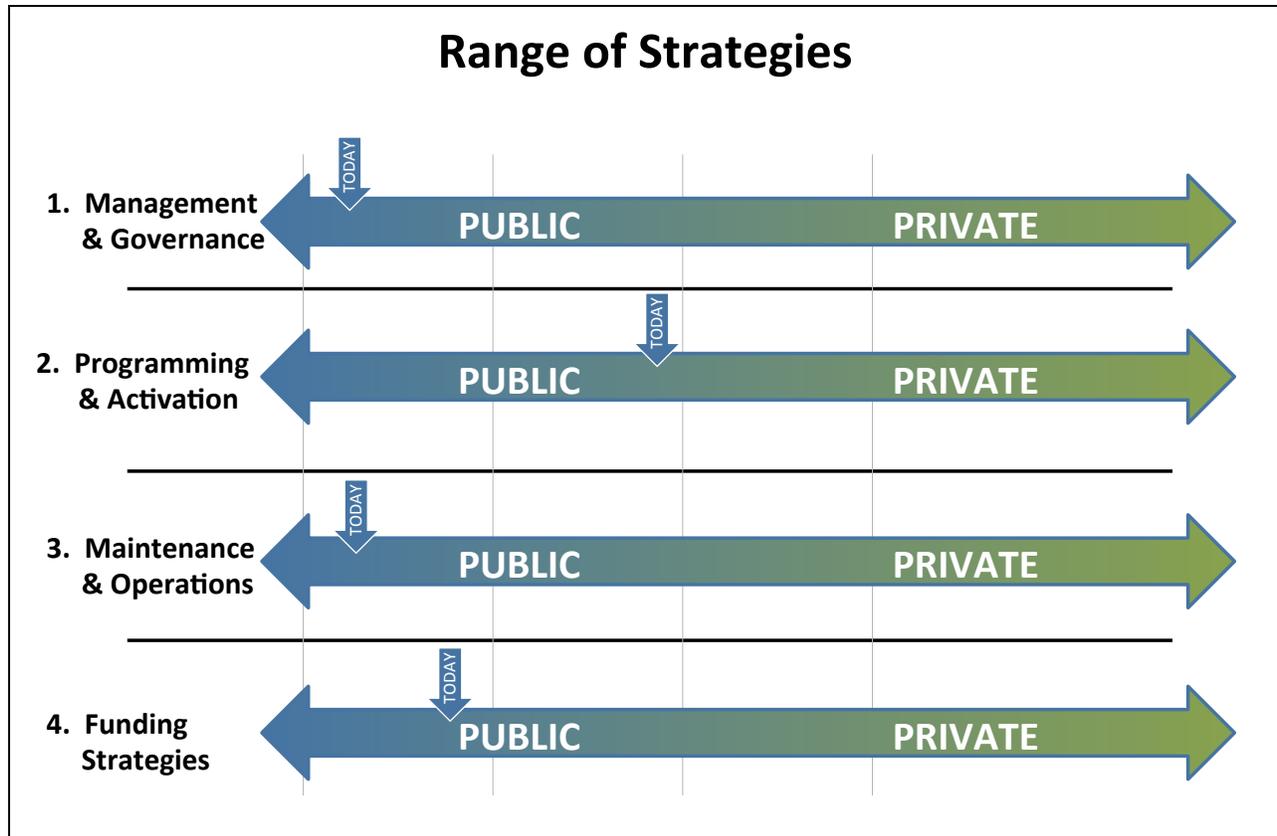
1. **Management and governance** describes executive decision-making authority, including decisions about the expenditure of resources and the other categories described below. This can consist of city departments, overseen by commission and elected officials, or other entities like a nonprofit or conservancy. Different governance models will require different degrees of autonomy from traditional governance structures, with attendant tradeoffs.
2. **Maintenance and operations** may rely on existing city operations or layer on supplemental or enhanced service delivered by city staff or privately contracted services. Typically parks departments face significant resources challenges in providing adequate maintenance across a large system, but this area may raise labor or contracting questions to the degree that outside services are engaged.
3. **Programming and activation** include events and concessions of many types, from coffee carts to large festivals. This is one of the most common areas for external groups to take on, and is critical to drawing new users and audiences to a park.
4. **Funding strategies** may include enhancements to general park budgets, the use of fees or assessments, and the solicitation of private funds through events, concessions or philanthropic support. Some of these can be accomplished through traditional city mechanisms; others (such as philanthropic support) generally require an outside entity.

Whereas in prior eras, these four components were all the purview of parks departments, such as PRNS, today there is a range of approaches to each, often designed to draw resources from the private and nonprofit sectors into collaboration around a specific park. Just as there is no one cause of the challenges at St. James Park, there is no one strategy to address them, or no one institution ideally suited to oversee the process. San Jose will need to develop an approach that creates stronger capacity and more resources, while reflecting local values and sensibilities.



ST. JAMES PARK: A RANGE OF STEWARDSHIP ALTERNATIVES

Many governments no longer have the financial resources, experience, skill sets and public trust necessary to single-handedly steward public parks. Virtually every city and parks department in the country is facing these same challenges and seeking creative solutions. National experience indicates that lack of resources to steward parks may be at first perceived as a problem, but with some effort and creativity it can in fact be turned into a solution. While parks are public land and must remain public land, they can engage many other facets of society to reach new levels of success. The City of San Jose will continue to own St. James Park in perpetuity, and PRNS will continue to be the responsible government agency. But there are a number of enhancements to the “all government” approach that SPUR has considered. It is useful to briefly look at this range of alternatives before presenting our recommendation. Then we will examine case studies of parks using a range of approaches in order to prescribe for St. James Park.



1. Alternative Approaches to Management and Governance

The range of approaches presented and considered for management and governance follows, in order from most public to most private:

- **PRNS.** Today, the City of San Jose, through PRNS, is almost solely responsible for management and governance of St. James Park.
- **Other City Department.** Governance could be transferred to another city department, such as the City Administrator’s office, the Department of Economic Development, the Cultural Affairs Department, an interdepartmental collaborative, or an entirely new department, e.g., the St. James Park Department.
- **Advisory Consortium.** An existing (or new, expanded) group of stakeholders could be *empowered* by the city to steer governance of park, with a strong guiding voice that falls short of governing authority. This could, for example, follow the established national Levitt Pavilions model – coordination between community stakeholders, the city, and an events organization to govern the park.
- **Existing Nonprofit.** An existing nonprofit could be selected to provide governance and oversight for St. James Park, e.g. the San Jose Parks Foundation, the Guadalupe River Conservancy, or a different type of organization such as History San Jose or the San Jose Downtown Association.
- **New Nonprofit.** A wholly new nonprofit could be created to steward St. James, with community, downtown stakeholder, and city oversight, e.g., the St. James Park Conservancy.
- **Private Company.** At the end of the continuum, all or most responsibilities could be transferred to private company, operating under contract from the city.

2. Alternative Approaches to Maintenance and Operations

The range of approaches presented and considered for maintenance and operations follows, in order from most public to most private:

- **PRNS.** The Park could continue to be wholly maintained by existing PRNS staff. Improved operations and maintenance may be achieved through a combination of improved city budgets or innovations in service delivery.
- **Collaborate with community stewards.** In addition to continued use of PRNS staff, PRNS could collaborate with existing community stewards, with such extra activities as clean-up days, encouraging community stewardship over parts of park landscaping and gardening. PRNS could empower stewards with PRNS staff direction and assistance, mulch, supplies, plants, etc.
- **Developer agreements.** PRNS could secure service agreements from surrounding developments, in lieu of or in addition to development fees, to take responsibility for certain new maintenance and operations activities not currently done by PRNS employees.
- **Enhanced services.** PRNS could contract out supplemental maintenance and operations activities not currently done by PRNS employees to a nonprofit, such as a youth job-training organization, or private contractor, such as Groundwerx.
- **Private enhancement.** A private company could be contracted to provide maintenance and operations services in lieu of city services. This could result in issues around public sector employment, or foregone services could be applied elsewhere in the park system.

3. Alternative Approaches to Programming and Activation

The range of approaches presented and considered for programming and activation follows, in order from most public to most private:

- **PRNS.** PRNS staff could manage and staff all programming for park.
- **Other City Department.** Alternatively, programmatic responsibilities could be transferred to another city department, e.g., Economic Development, the City Manager's Office, or Cultural Affairs, or housed within new stand-alone independent division of PRNS.
- **Nonprofit Collaboration.** Or, PRNS could collaborate with other nonprofit partners, working together to program St. James Park. These could include the San Jose Parks Foundation, the Knight Foundation, the San Jose Downtown Association, etc. This is essentially the condition today, where the city partners and/or gives free permits to organizations to conduct specific activities.
- **Levitt Collaboration.** If Levitt Pavilion is constructed, it would of course program the Pavilion; it could also collaborate (e.g., have board seats) on a nonprofit organization programming the remainder of the Park.
- **Transfer to Nonprofit.** Programmatic responsibilities could be wholly transferred to another non-profit. This would mean that PRNS would not be involved in park programming at St. James.
- **Private Company.** Finally, a private company could be brought in to conceive, schedule, and manage programmatic activities.

4. Alternative Approaches to Funding Strategies

The range of approaches presented and considered for funding strategies follows, in order from most public to most private:

- **PRNS.** Today the city is essentially the sole funder of ongoing expenses for Saint James Park, through the annual city budget and general fund allocation to PRNS. Funding is subject to annual budget fluctuations.
- **Other Department or Collaborative.** If a new city department or interdepartmental collaborative were formed, it would receive its own general fund budget allocation each year. It of course would be subject to annual budget fluctuations just as is every other city department.
- **Grants.** Today PRNS successfully obtains some grants from foundations and other philanthropic sources. These sources could be examined for potential to increase their share of the total St. James Park budget, utilizing a dedicated PRNS grants staff person.
- **Permit Fees.** Parks permit fees have historically been kept below market since parks are public property and have historically been viewed as amenities for everyone. However, today most parks departments around the country are increasing fees by necessity. An increase in special events or programming fees would need to be coordinated with the programming and activation strategy, would be more compatible with some types of events than others, and could create barriers to a robust activation program.
- **Development Fees.** Developers are already subject to significant fees under the Parkland Dedication Ordinance, which support capital projects through the citywide parks trust fund. Current proposals would shift some development fees into a local park management district, which could be spend on a wider variety of functions in designated parks like St. James.
- **Sponsorships.** Events, spaces, or amenities (temporary or permanent) can all be sponsored by businesses or foundations. This can be a source of income for the park, but must be sensitively managed so as not to compromise its public spirit or character.
- **Donations.** Of all public facilities, schools, public theaters and parks are perhaps the most attractive recipients of philanthropic dollars. The public benefits of parks are readily explained and understood, and are generally non-controversial. To obtain significant new donations to parks, a culture of giving must be carefully developed, and assurances given to the donors, in the form of public dollars, that they are not simply replacing public funds but rather supplementing them.
- **Assessment District.** In addition to the one-time development fees noted above, St. James park could also be funded by funds obtained through Development Agreements (DAs) Community Facilities Districts (CFDs), Enhanced Infrastructure Finance Districts (EIFDs), and Business Improvement Districts (Property-based – PBIDs and Business-based – BBIDs) each with their own advantages and disadvantages. In every case, they require approval both of the city and of those to be assessed.

BEST PRACTICES CASE STUDIES

The SPUR team examined 13 case studies, and presented the five most relevant ones to the St. James Park stakeholders workshops in order to obtain feedback on the range of possible alternatives and to help steer us to our recommendations for St. James Park. The two judged by the stakeholders and SPUR to be most relevant were Balboa Park, in San Diego, and Pioneer Courthouse Square, in Portland, described below.



Photos courtesy Jim Nix (left) and Jack Wei (right).

Balboa Park, San Diego

A City-Initiated Process Yields a Nonprofit Conservancy

Balboa Park is a 1200-acre park with literally dozens of amenities and attractions. The City of San Diego maintains contractual agreements with the many cultural institutions and other nonprofits in the park. These include 15 museums, 3 principal gardens and numerous sub-gardens, and 10 attractions and venues, including the San Diego Zoo. The relationship between most of these cultural, scientific and recreational institutions in the park and the city itself is symbiotic. The organizations are able to lease land or a facility for little or no rent, while the city receives the benefit of having the kinds of cultural, educational, science and recreational institutions that are expected in a major city, and that activate Balboa Park.

Because there are a large number of separate entities using, programming and operating within Balboa Park, there has been a convoluted and not always coordinated governance structure. One consequence is that on occasion the Park as a whole has been underfunded to meet its overall operational and maintenance needs. Funding for Balboa Park still has to compete with other city parks in San Diego for its share of the annual parks budget. And as in most cities, parks are not the city's top funding priority. Park governance and management has historically been complex, with no one organization ultimately overseeing strategies and outcomes of the many institutions in the park. The result has been a lack of clarity for both park managers and for park users and stakeholders. San Diegans are currently developing a mechanism to solve this confusion that has historically resulted in sub-optimal results.

In 2006, the city created the Balboa Park Committee to serve as an advisor to the mayor, city council, and city manager on policy issues relating to the acquisition, development, maintenance and operation of Balboa Park. In 2008, this committee was tasked by the city to examine:

- Whether the city has the ability to adequately fund the park
- Regardless of the answer to that question, should the city try to fund the park on its own
- Whether the city should expand its management and governance role to oversee the many quasi-independent institutions in the park, and if so, how

The 2008 report on *Balboa Park Governance* recommended the creation of, alternatively, a joint powers authority, or a single overarching nonprofit corporation, under contract to the city, to address these issues. The nonprofit conservancy model was chosen. The resulting organization is responsible for financial planning, clarifying roles, and authoring a conditions report on the park. The intent was that there would be a single board of directors over all of Balboa Park. This nonprofit organization is intended to advocate for the park, leverage public-private collaborations, raise funds, and manage philanthropy.

It took two years to set up the new conservancy as an overarching city-sanctioned nonprofit corporation, and they are now in the trial run stages on this overall management and funding model.

Lessons for St. James Park

- Quality institutions in a park can successfully fundraise for themselves and at the same time help contribute to the overall activation and success of the park.
- Innovation in governance was developed through a clear, multi-stage process : 1) a formal Park Committee 2) a trial run of the new approach and 3) empowering a city-sanctioned nonprofit.
- Coordination among the separate institutions in the park is critical . This coordination will be extremely important in St. James Park if the Levitt Pavilion moves forward.



Photos courtesy Margaret Napier (left) and Aaron Brown (right).

Pioneer Courthouse Square, Portland, OR

Stakeholder Governance Plus Community Support

In the late 1960s, downtown interests in Portland proposed building an 800-car parking garage on this site. That plan was rejected in favor of building a plaza. In 1980, a national design competition was held and the square was opened in 1984. A nonprofit, Friends of Pioneer Square, helped fund construction through the sale of brick pavers.

While Pioneer Courthouse Square is owned by the City of Portland, it is wholly managed under a city contract by the nonprofit Pioneer Courthouse Square, Inc. There is a 31-member board of directors, consisting of 10 community representatives, 10 downtown business representatives, 10 regional representatives, and one city commissioner. The annual budget of \$2.2 million includes all asset management and programming. Cleaning and maintenance is outsourced to the downtown BID. Programming is done in-house. About 85 percent of revenues come from sponsorships, events, facility rentals, and concessions, including a Starbucks in the park. About 15 percent comes from the city.

Known as “Portland’s Living Room,” it is a popular and financially sustainable success. Pioneer Courthouse Square has been judged the best urban plaza in North America by the Project for Public Spaces. The model provides a high degree of public use, programming and maintenance at minimal cost to the city. This city-nonprofit partner model is highly successful.

Lessons for St. James Park

- A single nonprofit entity, legally responsible to the city, bears all operating responsibility.
- Excellent public space and public access can be stewarded by a non-governmental management structure.
- Small-scale community sponsorship (the sale of bricks) can raise funds and cultivate a sense of participation and investment.
- A separate, existing BID is contracted to provide maintenance services.

- The governing board has a defined composition representing different sectors of the community.
- An intensively programmed and managed public space requires minimal city funding.

Additional Case Studies

In addition to the 2 case studies described above, the SPUR team researched the following 11 precedents. While these are not as directly pertinent to St. James Park, they include valuable lessons and may be of interest as plans for St. James proceed:

- **Nonprofit stewardship:** Piedmont Parks Conservancy, Atlanta, Georgia
- **Nonprofit planning, advocacy and fundraising:** Bushnell Park Foundation, Hartford, Connecticut
- **Public-private partnership funded by Business Improvement District and Transit Agency:** Dilworth Park, Philadelphia, Pennsylvania
- **Independent Foundation with City Support:** Buffalo Olmsted Parks Conservancy, Buffalo, New York
- **Government-owned corporation (Pike Place Preservation and Development Authority):** Pike Place Market, Seattle, Washington
- **Non-public-private partnership to restore four parks:** Pittsburg Parks Conservancy, Pittsburgh, Pennsylvania
- **Nonprofit developer:** (Columbus Downtown Development Corporation), Columbus Commons, Columbus, Ohio *
- **Nonprofit developer:** (Cincinnati Center City Development Corporation), Washington Park, Cincinnati, Ohio
- **Development Agreements:** Klyde Warren Park, Dallas Texas *
- **Development Agreement:** Orange County Great Park, Orange County, California
- **\$10M bequest:** LeBauer City Park, Greensboro, North Carolina

* *Examples presented in greater detail to stakeholders*

ONGOING PROJECTS AND PROCESSES

There are several current processes and proposals under consideration in San Jose that should inform the approach to St. James Park. These efforts are testing different approaches, shaping the policy landscape, and building collaborative relationships that provide the foundation for a new approach to stewardship.

Parkland Dedication Ordinance Modification. The Parkland Dedication Ordinance (PDO) fee, enable by the state's Quimby Act, imposes a per-unit fee on new housing development to fund the Citywide Parks Trust Fund. In the past several years, the city of San Jose has provided a 50 percent reduction in PDO fees as part of its Downtown High Incentive Program, which has now expired. Proposals are currently under consideration to modify the PDO ordinance downtown or in select areas to provide for funds that would be locally dedicated and could be expended on maintenance, operations and programming in addition to capital improvements. This proposal would require at least 50 percent of the PDO fees to be paid up front through the current process, but up to 50 percent would be deferred until a certificate of occupancy is issued and diverted into a Park Management District. This provides an incentive for downtown development by delaying funds and ensuring they are spent locally on projects that provide immediate visible impacts. It is also well-suited for downtown parks like St. James, whose most pressing needs are for more focused and intensive management.

St. James Park Management District. This proposal would form a defined district in the vicinity of St. James Park, taking in key development parcels. This district would have the ability to secure and manage funds from a variety of sources for enhanced operations, maintenance, activation and programming. Initial funding would be from a modified PDO fee structure (above) but the structure could over time provide the framework for managing funds from an assessment district or other sources.

PBID/EIFD Assessment District. A thriving, active, well-used St. James Park would be a major economic asset and confer real value on nearby properties and businesses. An assessment district, integrated with a St. James Park Management District could provide a long-term source of funds as development fees are exhausted. Assessment districts can take a variety of forms, from Development Agreements (DAs) Community Facilities Districts (CFDs), Enhanced Infrastructure Finance Districts (EIFDs), and Business Improvement Districts (Property-based – PBIDs and Business-based – BBIDs). Downtown San Jose's Property-Based Improvement District provides a variety of services, including enhanced maintenance and beautification on Downtown streets and plazas, but excludes St. James Park. Because it was recently renewed (a process requiring an election by property owners) an expansion would likely be several years off. The appropriate form an assessment district for St. James Park would take could be determined once the long-term governance framework is in place.

Café proposal. *Re-Activating Saint James Park: A Community Café Proposal*, January to November 2014. During 2013 and 2014, graduate students at San Jose State University prepared an extensive proposal with the mission of revitalization of St. James Park by creating a local cafe that engages area residents and professionals. The short-term strategy includes continuing providing food services in the park by food trucks and pushcart vendors year-round. The medium-term strategy is establishing a partnership with an established café in the community to operate a mobile café on a daily basis. The long-term strategy includes the development and construction of a permanent structure that would be open on a daily basis.

Summer in St. James Park

With assistance from the Knight Foundation, Summer in St. James (2014) succeeded both in improving the physical and social conditions of the park, and in focusing a great deal of attention on the park. Permit fees were waived to encourage use. Grants of \$2,500 were available to community groups to hold events. The most successful efforts were extended in the winter of 2014-2015, and an expanded Summer in St. James is underway in the summer of 2015.

Activation Over Summer 2014

- Twice weekly food truck lunches
- Twice weekly games
- Twice weekly Be the Change yoga,
- Happy Hollow (family)
- Zoo to You (family)
- Televised World Cup games
- SF Mime Troupe performance
- Akoma Arts performance
- The Commons performance (music, dance)
- San Jose Jazz Society
- Firebird Youth Chinese Orchestra
- Electronic Sriracha Music Festival
- National Night Out
- Aztec dancing
- Dance off
- Library event
- Pick-up soccer

Additional Activation Concepts Beyond 2014

- yoga at noon, Mondays and Wednesdays. Sponsored by the San Jose Parks Foundation
- music/dance event, the Commons, Wall of Sound, October 24
- discussion of concept of a clear tent in the park, for San Jose Downtown Association holiday boutique, possibly beginning 2015
- discussion of concept of Christmas in the Park decorations and activities
- discussion of consideration of moving holiday ice rink to St. James Park in 2015

Park permit fees continue to be waived to encourage park use.

2014 Maintenance Enhancements

- 17 new trees planted; trees trimmed
- Hydration station installed
- \$100,000 budget adjustment passed by City Council on October 7, 2014

2014 Public Safety Enhancements

- Five Police officers added for downtown, including St. James Park, beginning in April 2014
- Increased Ranger presence in St. James Park
- Ordinance under development in the fall 2014 for shopping cart removal

Levitt Pavilion

Levitt Pavilions is a national nonprofit organization behind the largest free concert series in America. The Levitt Foundation's goal is to reinvigorate public spaces through creative placemaking and creating opportunities for everyone to experience performing arts. There are six Levitt Pavilions in existence, and more in planning. Each presents 50 free professional concerts annually in an open lawn setting. Each venue is a city-owned facility that is managed and programmed by a local Friends of Levitt Pavilion nonprofit organization. Through this public/private partnership, resources are leveraged to reduce expenses and ensure cost-efficient operations. Each Friends of Levitt is part of the national Levitt network, which offers numerous resources and funding opportunities.

During 2013 and 2014, an Exploratory Committee met to develop a report *A Levitt Pavilion in San Jose?* released in February 2014. The Exploratory Committee consisted of ten members who are parks advocates, adjoining and nearby property owners, current and past Parks Commissioners, downtown advocates, with supporting city staff from PRNS and the Office of Cultural Affairs.

The next steps are to seek the endorsement of relevant city commissions, seek City Council endorsement of the concept, and form a Friends of Levitt San Jose Advisory Committee. The Levitt Pavilion report sets 2015 as the goal for city endorsement, followed by initial development, funding, and technical studies, and final site selection, with finalization of the legal agreement in early 2016. Site and venue design would continue in 2017 and construction begin in 2018, with a grand opening in 2019.

The national Levitt Pavilions group would offer Friends of Levitt San Jose seed funding, annual operating and capacity building grants, best practices, technical assistance, cost-saving resources, and a support system to maximize impacts.

According to the Exploratory Committee report, a Levitt Pavilion in St. James Park must conform to the goals set forth in the 2002 St. James Park Master Plan Update, adhere to the St. James Square Historic District Guidelines, and enhance, not intrude on the quality of life of the neighbors.

A Friends of Levitt San Jose nonprofit would lead the capital campaign to build the bandshell, contribute to the maintenance, manage, at a minimum, audio and technical, and consider a comprehensive safety and security plan. Management would be quasi-public or by the Friends of Levitt San Jose, and the Exploratory Committee report recommends that the city consider a full-time on-site PRNS staff-person at St. James Park. The Friends would also participate in national Levitt programs.

Levitt Pavilions also are available for use when the Levitt concert series isn't taking place, providing the community and other local nonprofits with state-of-the-art outdoor venues for additional music events, theatrical performances, community programs, and private functions.

SPUR recommends that if a Levitt Pavilion at St. James Park is implemented, that Friends of Levitt San Jose would have standing seats on the board of the conservancy formed to undertake the overall management of St. James Park, and that the conservancy have standing seats on the Levitt board, as maximum coordination is imperative.

Key Questions: How Can Current Proposals and Processes Be Best Integrated?

- Who will have the decision-making authority in St. James Park?
- Should a new St. James Park management entity be created? Will it be advisory or governing?
- A modified Parkland Dedication Ordinance is projected to provide \$11.85m in fees over 5 years. Then what happens? (An alternate split could generate up to \$16.68m)
- How would a Levitt Pavilion and Friends of Levitt organization be integrated?
- How would a café be integrated?
- What is the philanthropic potential?
- What is the earned revenue potential?
- Should an assessment district be formed to create a sustained revenue source? Through what mechanism?



2014's Summer in St. James programming included screenings of World Cup soccer games. Photo courtesy San Jose Downtown Association.

RECOMMENDED APPROACH FOR ST. JAMES PARK

Based on the stakeholder principles and objectives, precedent studies, and feedback from a variety of stakeholders SPUR recommends:

A “Middle Path” Stewardship Approach between the traditional public-sector governance model currently in force and wholly independent management. The goal is to be able to take advantage of the flexibility, creativity and fund-raising capacity that the nonprofit sector can tap but still maintain the public trust that St. James Park is and will remain a public institution, open and welcoming to all; honor the long heritage and unique standing of PRNS and its employees; demonstrate to the philanthropic community that this is a true partnership and that the city is honoring its financial obligations; and build a model that will endure over time.

A Broad, Multi-Sector Coalition. It is essential that all sectors of society, including government, civic organizations, businesses, and community groups, are brought into the new approach and move forward together. While this may not be the fastest or most efficient approach, it is the strongest and most viable. Stakeholders from all sectors need to feel that it is their responsibility to commit to and participate in the process despite any differences in approach or vision.

A City-Sanctioned Nonprofit Conservancy. To ensure focused, intensive management that draws on the strongest assets of all sectors of the San Jose community, we recommend the establishment of a nonprofit St. James Park Conservancy. This entity would be run by a governing board approved by the Parks Commission and City Council, and would also be periodically renewed as an oversight mechanism. Its composition would be defined in its bylaws to represent different sectors, modeled on the Pioneer Courthouse Square board reference in the case study above. It would operate under a contract with the City, which would maintain ownership and therefore ultimate authority over the park, but is insulated from short-term political expediencies and budget fluctuations. Once fully established, the conservancy would:

- Receive and direct on-going city funding, with the goal of reduce the city’s share of St. James Park funding over time.
- Lead day-to-day operations and management by directing funds, staff, and contract services
- Develop and implement programming, activation, marketing, identity initiatives.
- Receive and direct supplemental funding by:
 - a revised PDO fee, directing funds through a St. James Park Management District
 - a possible future Assessment District, such as an Enhanced Infrastructure Financing District, Community Facilities District, or revised BID
 - Philanthropic Support
 - Sponsorships
 - Concessions and Fees
- Lead long term visioning, planning, and design process with city partners
- Lead fundraising and implementation of capital improvements with city partners

Levitt Pavilion can readily be integrated into this model if it happens. What is important is that although Friends of Levitt San Jose must be independent of the other park functions and dedicated to Levitt Pavilion activities, the conservancy and the Friends of Levitt organization should be strongly associated, such as having dedicated seats on each other’s boards, sharing office space, and so on.

Key Early Policy Steps

- Create a St. James Park Management District to receive and disburse funds
- Modify the Parks Development Ordinance (PDO) so that:
 - Fees generated in proximity to St. James Park are used in St. James Park
 - The formula redistributes some of the money generated to maintenance
- Create the St. James Park Conservancy

A Phased Approach: 3 Steps to a New Model

In order to maximize continuity with existing efforts and build confidence in the proposed framework, we recommend that a new governance and stewardship strategy be implemented in three stages. This would allow manageable steps to be taken at each stage, building confidence, capacity, and buy-in without undue risk and allowing for effective interim management as longer-term processes are implemented. Each phase is designed to include the legal and legislative steps needed to get to the next phase.

SPUR recommends that this will best be accomplished by phasing the approach, where each phase includes the steps to create the subsequent one:

PHASE 1: FOUNDATION-SETTING

Governance Regime: Partner-Enhanced City Governance

Time Period: 2015

This phase would build on and formalize the existing activation efforts, continuing the city's current multi-agency focus and programming partnerships. During this phase a St. James Park Advisory Board would be established, formalizing the current stakeholder engagement. It would also include the initial legislative steps toward creating and funding a special maintenance district for St. James Park.

PHASE 2: EXECUTION

Governance Regime: Advisory Board Oversight of City Governance

Time Period: 2016-2017

In Phase 2, the St. James Park Advisory Board would be seated and take a leadership role in managing St. James Park in close collaboration with PRNS, who would retain governance authority. This role would include planning the expenditure of any new resources generated for a St. James Park Management District, and letting supplemental service contracts for enhanced maintenance activity, a public information campaign, and continued programming and activation. During this period, the St. James Park Conservancy would be incorporated and its legal commitments and governing board approved by the Parks Commission and City Council.

PHASE 3: TRANSFORMATION

Governance Regime: St. James Park Conservancy Under Renewable City Contract

Time Period: 2018 and beyond

With a governing board, legal authority and new revenues in place, the stage is set for an ambitious transformation of St. James Park. With three years in increased activation, improved maintenance, and public communication in place, and new resources available, the conservancy will have the capacity to hire staff, ramp up enhanced services, and deliver significant capital improvements to the park. It would also be an appropriate time to form an assessment district to provide a long term revenue stream, This three-phase process is intended to provide the institutional capacity — authority, resources, partnerships and trust — that will allow St. James Park to be transformed into the exceptional public and civic resource it deserves to be.

St James Park Management and Stewardship-- Summary of Recommendations

SPUR/MJM Management
7/23/2015

Phase	1. Foundation-Setting	2. Execution	3. Transformation
time frame	2015	2016-2017	2018-
Governance Structure	PRNS with stakeholder support Activation and stakeholder teams continue, work toward Phase 2	PRNS + Advisory Board Advisory Board provides direction on maintenance and programming Advisory Board provides direction on use of SJPMDFees, foundation grants, sponsorship and concession revenues	City-owned nonprofit SJP Conservancy Governing Board with defined composition directs maintenance, programming, marketing, fundraising, capital improvements Conservancy receives and disburses funds from all sources, city contribution reduced as feasible
Maintenance and Operations	Continued enhanced city focus: activation, security, maintenance, social services	supplemental service contracts + city staff	supplemental service contracts + city staff + nonprofit staff
Legislative and Policy Efforts	PDO fee modification establish SJP Management District Advisory Board Formation	Incorporate city-owned nonprofit SJP Conservancy work toward SJP Master Plan Revision Governing Board Formation, city-approved	Assessment District Formation + Election Capital Projects design Multi-year Capital Improvement Plan
Programming	continue city activation campaign coffee cart coordinated with programming ongoing regular activities: yoga, tai chi, dancing, etc develop programming plan, including revenue concepts explore larger family oriented events: e.g. skating rink/holiday celebration expand council district fee waiver to include 1 downtown/SJP event	temporary café, regular hours farmer's market, held in 2nd street roadway family-oriented concerts continue regular activities initiate Public Information Campaign, using external consultants	café and food concession robust season of family-oriented concerts farmer's market, held in 2nd street roadway continue regular activities
Capital Improvements	temporary amenities: dog run, ball court, fence and sign tot lot	temporary café renovate tot lot temporary stage/bandshell	full renovation as defined in Master Plan update consider road closure
Fundraising	continued city/foundation funding sponsorship of temporary amenities	capture, retain event, concession, sponsorship fees foundation support development fees	foundation support BID or EIFD assessment revenues
Levitt Pavilion (if proceeding)	Obtain Seed Funding present "Levitt-style" concerts in SJP	Execute Levitt Pavilion Agreement Friends of Levitt Organization Begin Pavilion Design and Development continue "Levitt-style" concerts, using temporary stage/bandshell build performing arts partnerships	dedicated Conservancy Governing Board seats, working committee dedicated Levitt Staff, housed at Conservancy construction of Levitt Pavilion

APPENDIX 1: ST. JAMES PARK CONSERVANCY ESTABLISHMENT AND APPOINTMENT OF GOVERNING BOARD

There will be many details to be worked out in the initial phase, including the precise configuration and composition of the conservancy's governing board. SPUR offers the following recommendations as a starting point in the discussion:

- Establish the conservancy as a city-sponsored nonprofit with an initial 3-year trial term, 2018 – 2019 – 2020.
- Rolling renewal so in 2019, the term is extended to 2019 – 2020 –2021 unless denied by a super-majority of the City Council.
- Et seq., until 2023 when the conservancy is established for a 50-year period.
- Board members recommended by Parks Commission and approved by City Council
- Board composition:
 - 1/3 city
 - 1/3 business
 - 1/3 community
 - + 2 Levitt
 - + 1 county
- The conservancy's governing board must include demonstrated expertise in operations, fiscal management, fundraising, historic preservation, design, programming and events.