

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SANTA CLARA,
CALIFORNIA, APPROVING THE CITY PLAZA PARK
SCHEMATIC DESIGN UPDATE WITH ADDITIONAL
CONCRETE ACTIVITY AREA IN ACCORDANCE WITH CITY
CHARTER SECTION 714.1**

BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City Plaza Park (“Park”) was dedicated as parkland in 1850’s; and

WHEREAS, improvements to the City Plaza Park Gazebo are part of the City Plaza Park Gazebo Enhancement Project;

WHEREAS, the Park improvements include a concrete pathway/activity area, seat wall, Americans with Disabilities Act and electrical upgrades to the Gazebo, and changes to the irrigation and planting area in order to increase connectivity to the Mission Branch Library and year round use of the area;

WHEREAS, the voters of the City of Santa Clara passed Measure R in 2016, which added section 714.1 to the City Charter, which prohibits substantial building, construction, reconstruction, or development of parks and recreation facilities except pursuant to ordinance subject to referendum;

WHEREAS, the Park improvements constitutes as substantial building, construction, reconstruction and/or development, and is subject to Measure R; and,

WHEREAS, the City Council desires to approve the Park improvements by ordinance in accordance with City Charter section 714.1.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA, AS FOLLOWS:

SECTION 1: That the City Council hereby approves the building, construction,

reconstruction and/or development of City Plaza Park in accordance with the City Plaza Park Gazebo Enhancement Schematic Design Option B, attached hereto and incorporated by this reference, and in accordance with City Charter section 714.1.

SECTION 2: Savings clause. The changes provided for in this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any right established or accruing before the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to the effective date of this ordinance. All fee schedules shall remain in force until superseded by the fee schedules adopted by the City Council.

SECTION 3: This Ordinance shall not be codified in the Santa Clara City Code.

SECTION 4: Effective date. This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of “The Charter of the City of Santa Clara, California.”

PASSED FOR THE PURPOSE OF PUBLICATION this 14th day of September, 2021, by the following vote:

AYES:	COUNCILORS:
NOES:	COUNCILORS:
ABSENT:	COUNCILORS:
ABSTAINED:	COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. City Plaza Park Gazebo Enhancement Schematic Design Option B