

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SANTA CLARA,
CALIFORNIA, APPROVING THE MAGICAL BRIDGE ALL
INCLUSIVE PLAYGROUND IN CENTRAL PARK
SCHEMATIC DESIGN IN ACCORDANCE WITH CITY
CHARTER SECTION 714.1**

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

WHEREAS, the Central Park (“Park”) site located at Kiely Blvd. (APNs 290-29-026, 290-39-032, 290-29-009, 290-14-249) as recorded in County of Santa Clara January 1, 1973 and dedicated as parkland in the City of Santa Clara’s General Plan; and,

WHEREAS, the funding for the Central Park Arbor Center Playground/Magical Bridge All-Inclusive Playground Project (“Project”) was approved by City Council in the Capital Improvement Project Budget (CIP #3183) in 2020, and the City has been awarded an All Inclusive Playground Grant by the County of Santa Clara (AIPG) in 2019; and,

WHEREAS, the Project proposes improvements as recommended by the Parks & Recreation Commission October 2020 and as depicted in the Magical Bridge All Inclusive Playground Schematic Design, include replacement of the Arbor Center Playground with construction of a new playground for all ages and abilities based on research based best practices and all elements of play, new site furnishings, Arbor Center bathroom rehabilitation, landscaping and trees, among other items (“Park Project Improvements”); and,

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; and,

WHEREAS, the Park Project Improvements constitutes a substantial building, construction, reconstruction and/or development, and is subject to Measure R; and,

WHEREAS, the City Council desires to approve the Park Project 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 Central Park in accordance with the Magical Bridge All-Inclusive Playground Schematic Design, 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.

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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 day of , 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. Magical Bridge All Inclusive Playground In Central Park Schematic Design