



## Legislation Details (With Text)

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**Title:** Action on the Montague Park and Playground Schematic Design Update and Introduction of an Ordinance Approving the Montague Park Schematic Design Update and Playground Schematic Design Option 2 in Accordance with City Charter Section 714.1

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**Attachments:** 1. Montague Park Schematic Design Update, 2. Montague Park Preferred Playground Option 2, 3. Ordinance, 4. Ordinance No. 2002

Date	Ver.	Action By	Action	Result
6/25/2019	1	Council and Authorities Concurrent Meeting	Approved	

## REPORT TO COUNCIL

### SUBJECT

Action on the Montague Park and Playground Schematic Design Update and Introduction of an Ordinance Approving the Montague Park Schematic Design Update and Playground Schematic Design Option 2 in Accordance with City Charter Section 714.1

### BACKGROUND

Montague Park, located at 3595 MacGregor Avenue (APN 101-09-27), was purchased in 1966 and dedicated in 1970. The park proper is bounded on the North by two PG&E parcels adjacent to the school, on the East by De La Cruz Blvd., on the West by MacGregor Lane and on the South by residential and church properties. In September 2013, Council set a goal to enhance community sports and recreational assets.

In February and March 2014, the Parks & Recreation Department held community meetings at Montague Park to gather public input on the scope for a park rehabilitation with the potential to add formal athletic facilities. While the neighborhood was not in favor of converting the grass meadow to multipurpose sports fields, there was consensus on the need to improve park access and parking to reduce neighborhood impacts, complete a pedestrian pathway loop, provide park safety lighting, and renovate the playgrounds, picnic areas, tennis courts, landscaping and trees, as well as expand or replace the community building based on an a facility condition assessment. While park rehabilitation plans were delayed until funding was available, the Parks & Recreation Department addressed the Montague Park maintenance needs by installing safety lighting, resurfacing the tennis courts, and pruning and replanting trees.

In 2016, Council allocated funding in the amount of \$3,190,000 toward a new Capital Improvement Project #3184 Montague Park Rehabilitation ("Project"). In 2017, the City completed a facility

condition assessment that indicated that the current park condition index is 13, or “poor”, and the building condition index is 5, or “fair” (Kitchell, 2017). In addition, the playground was graded “D” on an A-F scale, and the City has prioritized rehabilitation or replacement of older playgrounds that do not meet Americans with Disabilities Act (ADA) and Consumer Product Safety Commission (CPSC) requirements.

In August 2017, Council approved a contract with Gates & Associates, Inc. to work with the Parks & Recreation Department to solicit fresh community input on preferred park elements, prepare a revised Park Site Plan, complete architectural and landscape construction plans, specifications and cost estimate for all site improvements including park, playground and building (PS&E) and to provide bid, construction, and post-construction services for the rehabilitation of Montague Park.

## **DISCUSSION**

A community meeting was held on October 21, 2017. The top three park features were the informal natural turf sports field/meadow, the site lighting, and playground for ages 6-12. The items requested by the community at the onsite workshop included a covered picnic area, a loop pathway, and senior fitness area. A follow-up online survey was conducted from September 11, 2018 to September 26, 2018. The preferences expressed included: a nature themed playground, improved site furnishings, bathroom (addition to existing recreation building) for park patron use, new play areas for ages 2-5 and 6-12, installation of a new park loop path, retention of the multipurpose grass meadow & berms, addition of a covered group picnic area, and addition of landscaping & trees. The preference was to upgrade the Recreation Building in its existing location.

On February 19, 2019, the Park & Recreation Commission reviewed and recommended Council approval of the proposed Montague Park Schematic Design Update (Plan) (Attachment 1). The Plan addresses all of the Project design principles:

- use research based principles for play and inclusionary/universal design;
- include the seven elements of play that will accommodate additional community use;
- retain Montague Park’s history and integrate the proposed design elements with existing park features, trees and vegetation;
- consider asset lifecycle maintenance costs;
- support safe routes to Parks & Schools;
- support the City’s sustainability and age-friendly goals;
- the community preference for a “nature” themed playground that is appropriate for ages 6-12 and 2-5, and provides required fall heights and safety zones, within site topography/constraints; and,
- comply with applicable grant guidelines to potentially qualify for playground equipment grant funds.

On March 19, 2019, the Commission had additional review and discussion of the revised playground designs and recommended approval of the preferred Montague Park Playground Schematic Design Option 2 by Landscape Structures (Attachment 2) which provides: (a) for ages 2-5, six elements of play (8 beginner level, 4 intermediate level, 2 advanced level; seven which are inclusive) that will serve a capacity of 60 children; and, (b) for ages 6-12, seven elements of play (4 beginner level, 6 intermediate level, 4 advanced level; of which 3 are inclusive), to serve a capacity of 75 children. The total playground capacity will be 135 children.

## **MEASURE R**

The recommendation for changes to the existing Montague Park may be subject to Measure R. In November 2016, voters passed Measure R, which added Section 714.1 Protection of Parkland and

Public Open Space to the City Charter. Measure R prohibits selling, leasing, or otherwise disposing of parkland for a period of one hundred eighty (180) days or more, and also prohibits its use from changing, being abandoned, or discontinued without such sale, lease, disposal or changed use having first been authorized or ratified by a two-thirds majority vote of the electorate during a general municipal election for that purpose. Measure R also prohibits changes in park use for over 180 days without a majority vote of the electorate and substantial building, construction, reconstruction or development upon dedicated parkland except pursuant to ordinance subject to referendum. The referendum process is set forth in the Elections Code.

The Montague Park Schematic Design Update and Playground Schematic Design Option 2 may be considered as “substantial building, construction, reconstruction, or development” of the existing park and playground. The approval of the schematic design will require an ordinance in order to comply with Measure R and is being introduced tonight for the Council’s consideration. It does not include a sale, lease, disposal, or change in use requiring a majority vote of the electorate. Staff recommends City Council approve the Montague Park Schematic Design Update, and introduce the ordinance (Attachment 3) to ensure compliance with Measure R. The ordinance will come back to Council at a subsequent meeting for adoption in accordance with City Charter sections 808 and 812.

### **ENVIRONMENTAL REVIEW**

The action being considered is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15301 “Existing Facilities”, 15302 “replacement or reconstruction”, and 15303 “new construction or conversion of small structures” as the activity consists of the operation, repair, maintenance, permitting or minor alteration of existing public facilities or topographical features involving negligible expansion of use beyond that existing at the time of the lead agencies determination.

### **FISCAL IMPACT**

The Project’s approved budget allocation is \$3.19 million. The estimated construction costs for the Project as presented in the proposed schematic design is approximately \$1.6 million. The remaining Project funds are budgeted for Project design, administration, and permitting including mobilization, general conditions, bonding, escalation, permits, insurance, and City Project administration. Additional/alternate park building improvements identified in the proposed Project for kitchenette cabinets and equipment, and sliding door replacement are estimated to be in the amount of \$130,000 and are unfunded at this time. If approved, additional funding would be requested at award of construction bid. Current park maintenance activities are included in the Parks & Recreation Department’s annual operating budget.

### **COORDINATION**

This report has been coordinated with the Finance Department, Public Works Department and City Attorney’s Office.

### **PUBLIC CONTACT**

Public contact was made by posting the Parks & Recreation Commission’s agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, e-mail [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) or at the public information desk at any City of Santa Clara public library

As described in the Discussion section, the following meetings were held:

- February and March 2014 community meetings to discuss initial site improvements and potential for athletic fields and improvements;
- October 21, 2017, community meeting to discuss three design options;
- September 11 and 26, 2018, an Open City Hall online survey was conducted;
- February 19, 2019 Parks & Recreation Commission reviewed the Park and Playground Schematic Design Update; and
- March 19, 2019 Parks & Recreation Commission reviewed the revised Playground options.

### **RECOMMENDATION**

Introduce an Ordinance to approve the Montague Park Schematic Design Update and Playground Schematic Design Option 2 for the Montague Park Rehabilitation Project.

Prepared by: James Teixeira, Director of Parks & Recreation

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Montague Park Schematic Design Update
2. Montague Park Preferred Playground Option 2
3. Ordinance