



## Legislation Details (With Text)

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**Title:** Action on the Adoption of Ordinance No. 2032 Approving the City Plaza Park Schematic Design Update in Accordance with City Charter Section 714.1

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance No. 2032 (Intro), 2. Ordinance No. 2032 (Adopted)

Date	Ver.	Action By	Action	Result
9/28/2021	1	Council and Authorities Concurrent Meeting	Adopted	Pass

## REPORT TO COUNCIL

### SUBJECT

Action on the Adoption of Ordinance No. 2032 Approving the City Plaza Park Schematic Design Update in Accordance with City Charter Section 714.1

### COUNCIL PILLAR

Enhance Community Engagement and Transparency

### BACKGROUND

In 2018, the City received initial public input on opportunities to improve the gazebo at City Plaza Park as part of the Project for Public Spaces (PPS) placemaking workshops. In response to the PPS recommendations, the City developed a project scope and allocated funding to improve the gazebo and its connection with the Mission Branch Library, while providing an additional activity space and meeting Americans with Disabilities Act (ADA) accessibility requirements.

The City Plaza Park Gazebo Enhancement Project (Project) located at 853 Lexington Street will:

- Strengthen the connection and access between the Mission Branch Library and the gazebo;
- Provide additional space for outdoor recreation classes & activities; and,
- Refresh the appearance of gazebo.

An online survey was conducted by the City from May 1 to May 18, 2021 seeking community input on the two options developed by the landscape architect (Attachment 1). On June 10, 2021, the survey results were shared with the Santa Clara Board of Library Trustees (BOLT) at their Special Meeting. The BOLT did not have a majority recommendation although there was concern about reducing the green space. On June 15, 2021, the Parks & Recreation Commission reviewed the community survey, BOLT and community input. The Parks & Recreation Commission made a unanimous recommendation that Council approve Option B as the preferred schematic design that includes an expanded pathway and activity space with seat wall. Pending Council review and approval of the

schematic design, the architect will proceed with developing construction plans, specifications and a cost estimate. The design is scheduled to be finalized in Spring of 2022. The project will then be bid out and it is anticipated that construction will begin in late summer 2022.

At the September 7, 2021 Council meeting, proposed Ordinance No. 2032 was introduced and passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812, proposed Ordinance No. 2032 was published on September 22, 2021, and copies were posted in three public places. The Ordinance now comes to Council for final adoption. (Attachment 1)

### **DISCUSSION**

The recommendation for changes to City Plaza Park is 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 substantial building, construction, reconstruction or development upon dedicated parkland except pursuant to ordinance subject to referendum. The referendum process is set forth in the California Elections Code.

The recommendation for changes to City Plaza Park is subject to Measure R because it involves “substantial building, construction, reconstruction, or development” of the existing Park. 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 City Plaza Park Gazebo Enhancement, and adopt the ordinance in accordance with City Charter sections 808 and 812.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

### **FISCAL IMPACT**

The City Plaza Park Gazebo Enhancement Project is currently funded in the City’s Capital Improvement Project Budget in the amount of \$200,000. Current design estimates indicate that the project is in line with similar projects that are experiencing cost escalation for building materials. The initial construction cost estimate for the City Plaza Park Gazebo Enhancement Project Option B as shown in the schematic design (Attachment 1) would be approximately \$180,000. Any additional funding needed based on the construction bids received will be requested at time of award of construction contract from available unallocated funds in the Parks & Recreation CIP budget. Site maintenance is included in the Parks & Recreation Department operating budget.

### **COORDINATION**

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

### **PUBLIC CONTACT**

A summary of proposed Ordinance No. 2032 was published to the Santa Clara Weekly on September 22, 2021, and copies were posted in three public places and made available for public inspection at the City Clerk's Office.

Public contact was made by posting the Council 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, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

### **RECOMMENDATION**

1. Adoption of Ordinance No. 2032 Approving the City Plaza Park Schematic Design Update in Accordance with City Charter Section 714.1.

Reviewed by: James Teixeira, Director of Parks & Recreation

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Ordinance No. 2032 (Intro)