



## Agenda Report

21-149

Agenda Date: 1/26/2021

### REPORT TO COUNCIL

#### **SUBJECT**

Action on Adoption of an Ordinance No. 2027 Approving the Update of the Fairway Glen Park Master Plan to include a Restroom in Accordance with City Charter Section 714.1

#### **COUNCIL PILLAR**

Enhance Community Sports, Recreational and Arts Assets

#### **BACKGROUND**

At the January 12, 2021 Council meeting, proposed Ordinance No. 2027 was passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812, a summary of proposed Ordinance No. 2027 was published to the Santa Clara Weekly on January 20, 2021, and copies were posted in three public places.

Proposed Ordinance No. 2027 would approve the update of the Fairway Glen Park Master Plan to include a Restroom in Accordance with City Charter Section 714.1.

Council approved the FY2019/20 Capital Improvement Program (CIP) Budget, including Project #3186 to construct a restroom building to serve users of Fairway Glen Park, located at 2051 Calle de Primavera. The neighborhood park currently has accessible play spaces for ages 2-5 and 6-12, two tennis courts, a BBQ area, a large grass meadow, and landscaping.

In 2020, the City hired SSA Landscape Architects, Inc. to design a restroom building within the CIP budget, and to solicit community input. The restroom building will provide two accessible stalls, a drinking fountain with water bottle filler & dog bowl, and a maintenance/utility chase. The project includes new utility connections, ADA entry, security lighting, camera, touchless faucets, hand dryers, modest landscaping and will comply with current building codes and regulations. A site evaluation identified two feasible locations convenient to utilities and compatible with the park's overall site plan.

#### **Community Outreach.**

From October 3 through October 21, 2020, the City design team conducted an online community survey through the City's Open City Hall digital platform, invited participation through various social media, and provided images to illustrate the options. The City had 109 attendees and 70 responses with approximately 3.5 hours of public comment. Based on the community response, 62% preferred the restroom location midway between the playground/picnic area and tennis court amenities. The public also preferred that the restroom design have a standing seam roof, board and batten siding, and stone veneer. The community had a less clear preference on the color palate.

#### **Parks & Recreation Commission.**

At their Regular Meeting on November 17, 2020, the Parks & Recreation Commission discussed the Project and recommended that Council approve the Schematic Design Option 1 for the Fairway Glen

Park Restroom Project.

### **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.

An action to approve the Fairway Glen Park Restroom Schematic Design would change the existing Fairway Glen Park and therefore may be subject to Measure R as the update of the Fairway Glen Park Master Plan to include the restroom building may be considered as “substantial building, construction, reconstruction, or development” of the existing park. The approval of the restroom schematic design will also require an ordinance to assure compliance with Measure R and will be introduced as part of the Council’s consideration of the Commission recommendation. The ordinance does not include a sale, lease, disposal, or change in park use requiring a majority vote of the electorate.

### **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 Fairway Glen Park Restroom Project (#3186) in the Parks and Recreation Capital Fund has an approved budget allocation of \$900,000 for design, construction, administration, permits and contingency. Current maintenance activities for the park are included in the Parks & Recreation Department annual operating budget.

### **PUBLIC CONTACT**

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, e-mail [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>. In addition, a community survey and Parks & Recreation Commission Meeting were held to provide opportunities for public comment.

### **COORDINATION**

This report has been coordinated with the City Attorney’s office.

**RECOMMENDATION**

Adopt Ordinance No. 2027 Approving the Update of the Fairway Glen Park Master Plan to include a Restroom in Accordance with City Charter Section 714.1

Reviewed by: Brian Doyle, City Attorney

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Fairway Glen Park Restroom Project Schematic Design
2. Ordinance