



## Agenda Report

19-398

Agenda Date: 5/21/2019

### REPORT TO COUNCIL

#### SUBJECT

Action on the Raymond G. Gamma Dog Park Schematic Design Update with Synthetic Turf, and the Larry J. Marsalli Park Site Plan Update to include the Off Leash Dog Areas and Introduction of an Ordinance Approving the Raymond G. Gamma Dog Park Schematic Design Update in Accordance with City Charter Section 714.1

#### BACKGROUND

##### **Raymond G. Gamma Dog Park**

The Reed Street Dog Park located at 888 Reed Street (APN 224-02-001) was dedicated January 13, 2007 and renamed the Raymond G. Gamma Dog Park (“Dog Park”) by Council Resolution No. 16-8342 on July 12, 2016. In September 2013, Council set a goal “to enhance community sports and recreational assets”. In furtherance of Council’s goal, the City began construction of the Reed & Grant Streets Sports Park Project (“Project”) in August 2018. The Project would, in addition to the primary Project objectives to provide new sports fields, a recreation center and a playground to serve the community, provide Dog Park “Phase Two” improvements including a paved parking lot, a permanent restroom building, and facility night lighting (Attachment 1). The Dog Park is adjacent to the Project. On May 22, 2018, Council requested that staff review synthetic turf options for the Dog Park as well as added signage for consideration during the 2019-20 budget cycle.

In summer 2018, the City contracted with Dillingham & Associates, the original Dog Park landscape architect (LA) to work with the Parks & Recreation Department to conduct community outreach through meetings and an online survey, as well as to research and develop schematic design options that would improve the large and small dog off leash areas for the anticipated increased hours of use, address the health and safety considerations in the Dog Park, and provide more efficient and effective operations and maintenance. The City also contracted with subject matter expert Susyn Stecchi from Dog Parks USA, who has experience consulting and review of over 1,000 dog parks worldwide.

On October 30 and November 6, 2018, the City met with community members and Dog Park users to discuss the Dog Park. Discussion included natural and synthetic turf options and samples, expectations and project design criteria, alternative uses of space, mound heights, maintenance issues and challenges, relative sizes and preferred locations of the large dog and small dog areas, dog wash station, buffer from railroad, and the potential use of the un-programmed space (adjacent to the railroad tracks). In fall 2018, an [Open City Hall online <http://santaclaraca.gov/government/open-city-hall?pd\\_url=https%3A%2F%2Fwww.opentownhall.com%2Fportals%2F98%2FIssue\\_6847>](http://santaclaraca.gov/government/open-city-hall?pd_url=https%3A%2F%2Fwww.opentownhall.com%2Fportals%2F98%2FIssue_6847) survey regarding the Dog Park was completed by over 260 respondents with over 460 visitors providing 13 hours of public comment. Responses represented persons who frequent the Dog Park daily and weekly, primarily on

weekends, and would like to visit afternoons and evenings. Responses were primarily from those with small dogs and those who typically bring 1-2 dogs to the Dog Park. The survey indicated a strong preference for having mounds versus flat areas, natural turf, and additional areas for small dogs. There was less concern about seating, shade, and site furnishings.

The City reviewed the public comments and design options that would effectively meet both operation and maintenance needs. Based on that input, staff recommends the following performance and design criteria for the park surfacing:

- durability needed for the intensity of use (high traffic)
- additional hours of use (evening as a lit facility)
- adequate soil conditions (compaction/urine)
- effective sanitation methods to support animal health
- park safety
- lower operation and maintenance costs
- decreased quantity and duration of maintenance (or deterioration) closures
- higher visibility and ensure inclusive use and compliance with all ADA requirements
- aesthetically pleasing elements
- reduced amounts of dust and mud

The team also considered the relative sizes, uses and potential location of the large and small dog areas. Based on these factors, two design alternatives were developed for the Dog Park as described below.

### **Temporary Off-Leash Dog Areas at Larry J. Marsalli Park**

In summer 2018, the City met with the Dog Park stakeholder group, a subset of frequent Dog Park Users subscribing to an online social network group, to propose an interim solution due to the anticipated periodic and ongoing closure of the Dog Park during Project construction. In December 2018, the City opened a fenced, natural grass, temporary off leash facility with areas for large and small dogs (“Off Leash Dog Areas”) at Larry J. Marsalli Park on the corner of Lafayette Street and El Camino Real. Since then, the temporary Off Leash Dog Areas has been well used and will be open weather permitting for the duration of Project construction (Attachment 2). Since opening, there have been requests from the public to keep it open permanently.

## **DISCUSSION**

### **Raymond G. Gamma Dog Park**

On March 19, 2019, the Parks & Recreation Commission reviewed two proposed design options as summarized in Table 1 below, and synthetic turf samples and characteristics. Based on the supportive public comments and preference for Option B, the Commission recommended that Council approve the Raymond G. Gamma Dog Park Schematic Design Update Option B (Attachment 3), provided that the small dog area be slightly larger and the synthetic turf performance criteria include: thatch layer, antimicrobial properties, quick drain backing, no infill requirement, support efficient cleaning and maintenance, provide a warranty and measurable lifecycle durability.

### **Table 1. Raymond G Gamma Dog Park Comparison Chart**

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Attributes	Existing Dog Park	Option (A)	Proposed Design (B)
Large Dog Area	25,015 sf	25,141 sf (+/-)	26,326 sf (+/-)
Small Dog Area	9,553 sf	14,478 sf (+/-)	13,378 sf (+/-)
Total Area of Dog Park	34,568 sf	36,619 sf (+/-)	39,704 sf (+/-)
Net Total Add		5,051 sf (+/-)	5,136 sf (+/-)
Location of Dog Area	Large-North; Small-South	Large-North; Small-South	Large-South; Small-North
Mounds	Yes, 36"+	Yes 12-24"	Yes, 12-24"
Dog wash station	No	Yes	Yes
Turf	Natural	Synthetic	Synthetic
High traffic wear	No	Yes	Yes
Duration of Closures	Long	Short	Short
Frequency of Closures	Often	Periodic	Periodic

### Alternative

As an alternative, Council could decide to not move forward with the preferred Option B. However, this "no Project option" would result in no update to the Raymond G. Gamma Dog Park Schematic Design. In this case, the Dog Park would be reopened in its existing design configuration, with natural turf, and the additional area along the railroad would remain un-programmed space.

### Off-Leash Dog Areas at Larry J. Marsalli Park

On March 19, 2019 the Parks & Recreation Commission also recommended that Council permanently add the Off-Leash Dog Areas to the Larry J. Marsalli Park Site Plan. The Larry J. Marsalli Park Off Leash Dog Areas were constructed to temporarily serve the public during Dog Park closure for construction and have been favorably received and in use since December 2018. The continued use of the facility will provide a natural turf alternative to the Raymond G. Gamma Dog Park synthetic turf.

### Alternative

As an alternative, Council could decide to not move forward with the Marsalli Park Site Plan update. However, this "no Project option" would result in no update to the Marsalli Park Schematic Design and the Off-Leash Dog Areas would be returned to their original configuration as unfenced, open lawn areas upon completion of the Reed & Grant Street Sports Park construction and facility opening. Programmatically, this means persons would always need to keep dogs on a six-foot leash in Marsalli Park.

### Measure R Compliance

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 Elections Code.

### **Raymond G. Gamma Dog Park**

The recommendation for changes to Raymond G. Gamma Dog Park is subject to Measure R because it involves “substantial building, construction, reconstruction, or development” of the existing Dog 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 Raymond G. Gamma Dog Park Schematic Design Update, and introduce the ordinance (Attachment 5) to ensure compliance with Measure R. The ordinance will come back to Council on June 25, 2019, for adoption in accordance with City Charter sections 808 and 812 and press publication schedule.

### **Off-Leash Dog Areas at Larry J. Marsalli Park**

Making the Off-Leash Dog Areas at Larry J. Marsalli Park permanent does not fall within Measure R because the installation of fences around a portion of the park does not constitute as a sale, lease, disposal, or change in use nor does it constitute as substantial building, construction, reconstruction, or development. Accordingly, updating Larry J. Marsalli Park’s Site Plan does not require a majority vote of the electorate or adoption of an ordinance.

### **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**

#### **Raymond G. Gamma Dog Park**

The initial cost estimate for the preferred Raymond G. Gamma Dog Park Update Option B (Dog Park Update) as shown in the schematic design (Attachment 3) would be approximately \$1.2 - \$1.5 million (Attachment 4) and in line with similar projects. However, if the Dog Park Update is approved by Council, then the LA would produce final Plans, Specifications and Engineer’s Cost Estimate (PS&E). Total Project costs could be higher accounting for administration, mobilization, general conditions, bonding, permits, insurance, escalation, City Project administration and Project contingency. If the Dog Park upgrades are approved, then staff would need to return to Council to request specific Project funding. If the Dog Park Upgrade project is integrated into the adjacent Reed & Grant Streets Sports Park project, then staff would also return with a change order to the current contractor’s scope and seek budget approval for the actual bid costs.

Depending upon coordination of project schedules, there could be potential cost savings for some aspects of the Project. Design efficiencies and project delivery options will be explored. Current Dog Park operation and maintenance activities are included in the Parks & Recreation Department’s annual operating budget. Any additional or alternate items to those proposed in the Dog Park Update would be an added cost to the project and are currently not recommended.

While the City did receive a small donation from Raymond G. Gamma for \$1,750 toward synthetic turf, the Project is unfunded and therefore would need an identified and significant funding source, most likely unallocated Developer Contributions, Mitigation Fee Act funds or From Capital Projects Reserve and budget appropriation by Council to the City's FY2019/20 Capital Improvement Project budget. The City currently has other priority Park projects, such as playground replacements that are in the design development and construction bid phases ahead of any potential Dog Park improvement project. Given construction cost escalation, additional funding may be needed from available sources for the other priority Park projects.

### **Off-Leash Dog Areas at Larry J. Marsalli Park**

There is no anticipated additional capital cost if the Off-Leash Dog Areas were to be permanently designated for this use and the existing fencing and entry areas remain "as is." There will be some incidental additional maintenance and supplies costs for the natural turf program of periodic overseeding and top dressing, and dog waste bags and removal, which currently are being absorbed in the Parks & Recreation Department's park maintenance 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 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>> 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:

- In Summer 2018, the City met with the Dog Park stakeholder group to propose an interim solution to closure of the Dog Park.
- In Fall 2018, an Open City Hall online survey was conducted.
- On October 30 and November 6, 2018, the City met with community members and Dog Park users.
- On March 19, 2019, the Parks & Recreation Commission reviewed two proposed design options with Dog Park users in attendance.

### **ALTERNATIVES**

1. Introduce an ordinance to approve the Raymond G. Gamma Dog Park Schematic Design Update Option B with Synthetic Turf,
2. Update the Larry J. Marsalli Park Site Plan to include the Off-Leash Dog Areas.
3. Do not introduce an ordinance to approve the Raymond G. Gamma Dog Park Schematic Design Update Option B with Synthetic Turf.
4. Do not Approve an Update of the Larry J. Marsalli Park Site Plan to include the Off-Leash Dog Areas.

### **RECOMMENDATION**

Alternatives 1 and 2:

1. Introduce an ordinance to approve the Raymond G. Gamma Dog Park Schematic Design Update Option B with Synthetic Turf, and
2. Update the Larry J. Marsalli Park Site Plan to include the Off-Leash Dog Areas.

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Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Raymond G. Gamma Dog Park Existing Schematic Design
2. Larry Marsalli Park Interim Off Leash Dog Areas
3. Raymond G. Gamma Dog Park Schematic Design Update Option B
4. Conceptual Cost Estimate
5. Ordinance