



## Agenda Report

19-684

Agenda Date: 6/4/2019

### REPORT TO COUNCIL

#### SUBJECT

Action on Adoption of Ordinance No. 2001 Approving the Raymond G. Gamma Dog Park Schematic Design Update with Synthetic Turf in Accordance with City Charter Section 714.1

#### BACKGROUND

At the May 21, 2019 Council meeting, proposed Ordinance No. 2001 was introduced and passed for the purpose of publication. Pursuant to City Charter Sections 808 and 812, proposed Ordinance No. 2001 was published on May 29, 2019, and copies were posted in three public places. The Ordinance now comes to Council for final adoption.

#### DISCUSSION

On May 21, 2019, based on public outreach and upon recommendation by the Parks & Recreation Commission, City staff recommended to Council to approve the Raymond G. Gamma Dog Park Schematic Design Update Option B. The following table provides a summary of the changes:

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

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.

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.

The Raymond G. Gamma Dog Park Schematic Design Update Option B was approved by Council and the ordinance was introduced and passed for purpose of publication on May 21, 2019 and is now before Council for final adoption.

### **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 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 landscape architect 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.

**COORDINATION**

This report has been coordinated with the Parks and Recreation Department and the 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.

**RECOMMENDATION**

Adopt Ordinance No. 2001 Approving the Raymond G. Gamma Dog Park Schematic Design Update with Synthetic Turf in Accordance with City Charter Section 714.1.

Reviewed by: Brian Doyle, City Attorney

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Ordinance