



# City of Morgan Hill

## Legislation Text

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## **CITY COUNCIL STAFF REPORT**

### **MEETING DATE: SEPTEMBER 21, 2016**

PREPARED BY: Chris Ghione, Community Services Director  
APPROVED BY: City Manager

## **DOWNTOWN PARKS FINAL DESIGNS AND LAND ACQUISITION**

### **RECOMMENDATION(S)**

1. Approve project scope;
2. Approve designs for the Downtown Parks; and
3. Adopt resolution authorizing the City Manager to execute a purchase agreement with the Santa Clara Valley Water District for two properties for an amount not to exceed \$126,000.

## **COUNCIL PRIORITIES, GOALS & STRATEGIES:**

### **Ongoing Priorities**

Supporting youth

### **2016 Focus Areas**

Developing Our Community

### **REPORT NARRATIVE:**

The downtown parks and trails project was initiated in February of 2014, when the City Council directed staff to begin work on the Downtown Placemaking Investment Strategy. Following the approval of the concept designs in October of 2015, the City Council approved an agreement with Verde Design, Inc. to develop final designs and construction documents for the proposed downtown parks and trails. These final designs have been prepared and graphic versions of the designs are included as Attachment 1.

### **Designs**

The final designs are very similar to the concept designs presented to the Council last October. The designs provide for three park areas with separate and different amenities that together will provide a comprehensive park experience for downtown residents and visitors. The "Depot Park" is planned to replace 54 parking spaces within the parking lot adjacent to Depot Street just south of the train platform. The concept design for this park space focuses on an active park with play equipment designed to serve younger children and families. The "Little West Llagas Creek Park" would be constructed on the north side of West Third Street on the City owned property there. This park and access to the "Hilltop Trail" are unique in that they would be constructed next to existing residences. The park would utilize the area's natural features to provide a welcoming park area just steps away

from the City's downtown. The "Hilltop Trail" will connect Third Street to Fifth Street at Del Monte Avenue via a walking path and provide locations for par-course equipment and a hilltop slide.

The designs call for converting the section of roadway west of the Third Street Bridge and south of Nob Hill Terrace on Del Monte Avenue to a one way street (westbound from the bridge). By reducing the traffic to one direction and reducing the width of the street, enough space would be available to place the trail safely next to the street. This would however require that the Third Street Bridge be replaced to allow for emergency vehicles and the garbage trucks to cross over the bridge (the current bridge has a weight limitation that prevents these uses). Replacement of the bridge would also provide for a pedestrian lane, so that those accessing the park can do it safely. Through design development City staff determined that improvements to Del Monte Avenue south of the "Hilltop Trail" to West Dunne Avenue are recommended.

The design of the "Little West Llagas Creek Park" park includes the use of two properties currently owned by the Santa Clara Valley Water District, which are proposed for purchase. One of these parcels would provide for a walking path to Second Street and the other would serve to enhance the park gateway at the Third Street Bridge and provide a permanent location for the downtown "Bike Hub".

The significant changes to the plan that have occurred since the concept designs are listed here:

- Changing specific play equipment at the "Depot Park" to meet the needs of a larger age range of children.
- Alternating the large slide tower in the "Depot Park". The slide tower will still be present, but the tower specified will come from an alternate manufacturer and include plastic instead of metal slides. It will stand approximately 30 feet high instead of 40 feet high.
- Including a 7 foot high sound wall at the "Depot Park" to reduce noise from passing trains.
- Adding a train theme to the "Depot Park" play equipment.
- Utilizing one single bridge with separate pedestrian and traffic lanes instead of two bridges on Third Street.
- Providing only ADA parking at the "Little West Llagas Creek" Park.
- Utilizing a plastic multi-section slide on the "Hilltop Trail" instead of one large metal slide.
- Improving the street/sidewalk area south of the trail to West Dunne Avenue.
- No trail access at 4<sup>th</sup> Street.

The plans call for public restrooms at the "Depot Park". Both the Parks and Recreation Commission and the Planning Commission have recommended the restrooms be installed. The decision to add City maintained public restrooms in the downtown parks and the downtown in general has been one that has been highly discussed by our community members and both commissions that reviewed the concept designs. The current Parks, Recreation and Facilities Master Plan calls for bathrooms to only be placed in the larger community park classification. However, the downtown parks will be a

unique resource, providing for recreation in the City's urban center and do not really fit into the plan's current classification system. Restrooms allow visitors to stay at parks longer, which could be a positive impact for the downtown. A concern that was often repeated during the planning process was that park visitors would unfairly impact nearby business restrooms if the parks did not have their own restroom facilities.

Public restrooms were not included in the initial capital budget for the downtown park project. The designs call for a more expensive type of self cleaning restroom to be installed. City staff have worked with Verde Design to identify a restroom type that should provide high aesthetics and minimize ongoing operational costs. In addition to being self cleaning, the restrooms would be self locking and provide for other features that will help protect them from damage and misuse. These restrooms will cost approximately \$100,000 more to install than a standard park restroom, but will save \$30,000-\$50,000 annually in maintenance costs. Ongoing operational costs would need to increase by \$25,000 annually to support this ongoing restroom maintenance.

### **Project Budget**

The current budget for the construction of the parks is \$3.6 million. The current construction estimates developed by Verde Design total approximately \$4.8 million. The \$4.8 million includes a 10 percent construction contingency, a 3% design contingency and the cost of the "Depot Park" restrooms (approximately \$270,000). The higher than anticipated cost estimates are due to the high cost of construction that the area is currently experiencing and the addition of some roadway improvements that City staff are recommending be completed with this project. Attachment 2 outlines the construction cost estimates and the proposed funding. It should be noted that alternate funding outside of Park Impact Funds is recommended to support non-park improvements. Should the Council not wish to increase funding for this project, aspects of the project can be eliminated to reduce costs.

Verde Design is also recommending that should the City wish to get the best price on this project bidding in October or November for construction to begin in March would likely provide support in achieving lower bids. City staff is also recommending that the restroom construction and "Hilltop Trail" slide be bid as an add-alternates to the project.

Should the Council move forward and the City put the project to bid, a budget adjustment would be brought for Council review based on the actual bid results.

### **Purchase of Water District Property**

As was previously discussed with the Council the design of the parks includes the use of two properties currently owned by the Santa Clara Valley Water District (Attachment 3). One of these parcels would provide for a walking path to Second Street and the other would serve to enhance the park gateway at the Third Street Bridge, and provide for a new location for the "Bike Hub" that was previously located at the original Pop-up Park. The Water District staff had informed City staff that because the District received State Funds to purchase these properties that they must be sold at fair market value so the District can reimburse the State. On February 3, 2016 the City Council asked staff to work with the Water District to see if there could be a way to reduce or eliminate this cost. City staff has discussed this with the District, but because of the restrictions placed on the District's ownership of these properties this effort has not been successful.

An appraisal of the sites has been completed and the price would be \$126,000 for both. A purchase agreement has been developed for the properties. It is important to note that the sale agreement provided by the District provides for the purchase of the properties “as is”. The City contracted with a consultant to do an environmental assessment of the sites to help ensure there are no unknown issues that could cause problems in the future. Additionally, the environmental consultant performing the CEQA work and designers have included these sites in the work they have performed and believe the City will be able to move forward with park construction at the sites once purchased. A resolution and agreement authorizing the City Manager to move forward with the land purchase are included as Attachment 4.

### **Staff Recommendation**

City staff is recommending that the Council move forward approving the designs as provided, which would have the following implications:

- A budget adjustment will likely be necessary at the time of awarding the construction contract.
- Restrooms would be installed at the “Depot Park”, which will necessitate an increase in the Downtown Maintenance Budget following completion of the parks in the summer of 2017.
- Staff will bid the project in November with the intention for construction to begin in the spring of 2017.

### **COMMUNITY ENGAGEMENT:       Involve**

Since early 2014, staff has made an extended effort to outreach to the overall Morgan Hill community, the downtown businesses, and nearby residents. This outreach has included:

- May 1, 2014 public meeting on parks and trails
- November 13, 2014 downtown business meeting on parks and trails
- November 13, 2014 public meeting on downtown parks and trails
- Four separate meetings with downtown residents on 3rd Street
- Three meetings with PRC Subcommittee and City staff with design consultants
- Multiple one on one meetings with individuals and business owners
- November 18, 2014 PRC review of community input
- May 7, 2015 meeting to review of concept designs by downtown residents
- May 14, 2015 review of concept designs at Downtown Association Board Meeting
- May 14, 2015 public meeting to review concept designs
- May 19, 2015 review of concept designs by the Parks and Recreation Commission
- June 23, 2015 review of concept designs by the Planning Commission
- June 14, 2016 open house for review of final designs by the public
- June 21, 2016 review of final designs by the Parks and Recreation Commission

In addition to the formal meetings listed above, City staff has met with groups of downtown residents, individual residents, and a sub-committee of the Parks and Recreation Commission on numerous occasions.

### **ALTERNATIVE ACTIONS:**

The Council has several alternative actions to the Staff recommendation, including reducing the scope of the project or eliminating whole sections of parks from the project. Should the Council, wish to reduce the scope of the project to the existing budget, staff would work with the consultant and return in October with a reduction in scope. The Council could also provide specific direction on excluding specific park amenities such as the restrooms facilities at this time. Attachment 2 outlines

the construction cost estimates and proposed funding for the designs.

**PRIOR CITY COUNCIL AND COMMISSION ACTIONS:**

June 16, 2014 - The City Council authorized the City Manager to enter into a consultant agreement with Joni Janecki & Associates for concept design for the downtown parks and trails.

May 19, 2015 - The Parks and Recreation Commission provided input on the concept designs and recommended Council Approval, with a public restroom located at the “Depot Park”.

June 23, 2015 - The Planning Commission provided input on the concept designs.

October 21, 2015 - The City Council approved concept designs

February 3, 2016 - The City Council received an update on the project scope and approved an agreement with Verde Design, Inc. to develop final designs and construction documents for the downtown parks.

**FISCAL AND RESOURCE IMPACT:**

This project is a currently funded CIP project within the FY 16-17 Budget. As previously noted in the report the cost estimates for construction are higher than budgeted by \$1.2 million dollars. At this time there is no requested budget adjustment, but if bid at this proposed design a budget adjustment will likely be necessary at the time of awarding a construction contract.

Purchase of the Water District property would be for \$126,000 and is budgeted in the project budget. Funding would come from the Park Impact Fund (301).

**CEQA (California Environmental Quality Act):**

Project, Description of CEQA requirements

The City has utilized Geier and Geier Consulting to perform the environmental analysis and document preparation. The consultants and City staff believes it appropriate to analyze the three park sites individually from an environmental review perspective.

Through the analysis it is believed that both the “Hilltop Trail” and “Depot Park” can be declared categorically exempt from the provisions of CEQA. Section 15332 of the Public Resource Code provides a categorical exemption for infill projects that meet specific criteria. The proposed Notice of Exemptions are included as Attachment 5 and provide both the criteria and rational for these exemptions.

For the “Little West Llagas Creek Park”, there are biological resource and stream issues as well as road work that would preclude the use of a Categorical Exemption for environmental review; an Initial Study and Mitigated Negative Declaration will still be needed for this particular park project and will be brought forward to the Council in October.

**LINKS/ATTACHMENTS:**

- 1) Final Park Designs
- 2) Proposed Project Budget

- 3) Water District Properties
- 4) Resolution for Purchase of Water District Property
- 5) Notice of Categorical Exemptions