



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Albert Balagso

**SUBJECT:** SEE BELOW

**DATE:** 03-07-07

Approved

*Deanna Santana*

Date

3/19/07

**COUNCIL DISTRICT:** 3, Citywide  
**SNI AREA:** N/A

**SUBJECT: GRANT AGREEMENT BETWEEN THE CITY OF SAN JOSE AND THE FRIENDS OF GUADALUPE RIVER PARK & GARDENS**

## RECOMMENDATION

Adoption of a resolution delegating authority to the City Manager to negotiate and execute a grant agreement with the Friends of Guadalupe River Park & Gardens (Friends) to develop a proposed amendment to the Guadalupe Gardens (Gardens) Master Plan to include design guidelines and a preferred location for a dog park within the Gardens of an amount not to exceed \$75,000.

## OUTCOME

The City Council's action will permit development and execution of an agreement with the Friends that will enable the Friends to retain a consultant who will develop a proposed amendment to the Guadalupe Gardens Master Plan. City staff will then process the amendment for environmental clearance and appropriate Commission and Council approvals. The updated Master Plan will provide more detailed design guidelines and implementation strategies which will be utilized by the City in ongoing Master Plan project implementation and review. In addition, the community engagement process provided for as part of the Master Plan update will ensure that the proposed dog park location at the Gardens will align with the community's priorities.

## BACKGROUND

The Friends have served for many years as the City's non-profit partner in the development of both Guadalupe River Park and Guadalupe Gardens, the approximately 120 acres of City-owned Airport Approach Zone property bounded by Coleman Avenue, Interstate-880 and the Guadalupe River Park. The Friends worked with City staff and community stakeholders to

develop a master plan for the Gardens, which was adopted by the City Council and subsequently approved by the Federal Aviation Administration (FAA) in 2002.

The goal of the existing Master Plan is to achieve a comprehensive set of open space improvements that provides local residents and visitors with an attractive place for horticultural appreciation, passive recreation and visual respite in the heart of the City. The Gardens focuses on demonstrating and showcasing San José's "garden city" heritage and can be considered a model of successful airport-vicinity land-use compatibility. The existing Master Plan consists of a phased program that provides for short-term, feasible open space uses in advance of a comprehensive build-out of longer-term improvements.

Projects implemented since Master Plan approval in 2002 include installation of turf and meadow landscaping with recycled water irrigation, two pathways, public parking south of Taylor Street and the establishment of a new Garden Center building at 438 Coleman Avenue. Projects underway or in final design include Taylor Street improvements, utility under grounding throughout the Guadalupe Gardens, and a community gardens facility at the southwest corner of Walnut and Asbury Streets.

The existing Master Plan is limited in detail regarding specific implementation and design guidelines. In the process of implementing Phase One of the plan, the board and staff of the Friends and the Guadalupe Gardens Technical Committee (composed of City staff including representatives from the Airport and PRNS, as well as the Executive Director of the Friends) concluded that due to the general nature of the Master Plan, more detailed design guidelines and a clearer strategy for implementation were needed, especially due to the incremental implementation of the Plan.

On September 19, 2006, the City Council approved the Columbus Park Master Plan Update (to include a horseshoe pitching facility), and additional actions related to the Master Plan update that were recommended in a memorandum by then Vice Mayor Chavez and Councilmember Yeager. The actions included direction to staff to contract with the Friends to assist in managing the development of design guidelines for the Gardens Master Plan, incorporating planning for a dog park into the process.

On November 13, 2006, the San José Airport Commission completed a public outreach process for determining recommended uses of revenue from noise curfew fines. On November 21, 2006, the City Council adopted a resolution establishing a policy for the use of the administrative citation fines as recommended by the Airport Commission. The City Council-approved uses of collected revenues included the Friend's proposal to use \$50,000 to hire a consultant to develop more detailed design guidelines for continued implementation of the Guadalupe Gardens Master Plan. On February 13, 2007, the San José City Council approved an additional \$26,000 as part of the mid-year budget process to provide additional funding for the project.

## **ANALYSIS**

The Friends will engage a qualified consultant to develop more detailed design guidelines and implementation strategies for the City's Guadalupe Gardens Master Plan, adopted in 2002. The work plan will include consideration and recommendation of a proposed location for a dog park to be incorporated into the Master Plan, as requested by the San José City Council in September 2006. This effort will be supported by a \$75,000 Grant Agreement to be executed by the City Manager's Office following adoption of the proposed resolution.

To ensure compliance with the City's practices and policies for hiring of consultants, the Friends will follow the City's Qualification Based Consultant Selection Policy and San José Municipal Code Section 4.06.030 to retain consultant services for the project.

The Friend's existing Master Plan Committee will be used as framework for the project team to provide oversight and input into the process. Neighborhood representatives and a member of the Parks and Recreation Commission will be asked to join the Committee to ensure adequate representation. Two general community meetings are proposed to present and receive public input on the proposed Guadalupe Gardens design guidelines and dog park location. The Guadalupe Gardens Technical Committee (which includes City staff) will provide review and oversight throughout the design refinement process, including the separate approval process for the Master Plan amendment. The community engagement process is anticipated to begin in Summer 2007 with the Master Plan update anticipated to be brought before Council in Spring 2008.

The consultant will be employed under contract to the Friends, but the scope of work will be developed in coordination with the Guadalupe Gardens Technical Committee, co-chaired by Airport and PRNS staff, and will be subject to the approval of City staff. The Technical Committee will review the consultant's work as it proceeds, to ensure that the final product supports the Master Plan and is consistent with City interests and obligations.

The development of additional design details and an implementation strategy for the Master Plan will include discussion of issues such as:

- Appropriate transitional landscaping and unifying elements between various garden elements, i.e. pathway plantings, varieties of trees, signage, etc.;
- Thematic treatment at the key entrances to the Gardens;
- Application of "green building" and environmental gardening concepts;
- Priority for additional garden elements and other amenities;
- Coordination with ongoing Redevelopment Agency design analysis of potential improvements at and around the existing Visitor & Education Center; and
- Implementation strategies for further Gardens development.

Consistent with expressed City Council interest the Master Plan design, refinement would also include the identification of a preferred location for a dog park as one of the Master Plan land-use elements, associated modification of existing Master Plan land-use elements, assessment and update (if necessary) of the Master Plan's CEQA clearance, and updated Master Plan graphics for presentations and publications. The CEQA clearance will be processed by City staff.

The product of the study will be a proposed amendment to the Guadalupe Gardens Master Plan that City staff would process with the Parks and Recreation Commission, Airport Commission, and County Airport Land Use Commission prior to recommended review and action by the FAA and City Council.

### **POLICY ALTERNATIVES**

*Alternative #1:* Do nothing.

**Pros:** Processing of agreement and associated staff time are not required.

**Cons:** There will be no comprehensive planning document to ensure that each project in the Gardens is developed with a common sense of design guidelines. The City will continue to "reinvent the wheel" each time a new project is developed at the Gardens.

**Reason for not recommending:** This approach is inconsistent with the Council's direction in September 2006 to work with the Friends to develop an update to the Master Plan to include a dog park location and design guidelines.

### **PUBLIC OUTREACH/INTEREST**

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

No specific outreach has occurred with respect to this agreement. Formal outreach will occur during the community engagement portion of this project.

**COORDINATION**

This memorandum was developed in coordination with the City’s Attorney’s Office, Airport Department, City Manager’s Office, Department of Planning, Building and Code Enforcement, and the Friends of Guadalupe River Park & Gardens.

**FISCAL/POLICY ALIGNMENT**

This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur planning, environmental study, and design work necessary to encourage construction spending in our local economy.

**COST SUMMARY/IMPLICATIONS**

Negotiation and execution of this Grant Agreement does not present any new cost implications for the City. A total of \$76,000 has already been appropriated for this purpose from the Council District 3 and 6 Construction and Conveyance Tax Funds (\$26,000) and Airport Curfew Funds (\$50,000). The agreement seeks to clearly define the roles and responsibilities for the Friend’s and City staff in the update of the Guadalupe River Park & Gardens Master Plan. An additional \$1,000 will remain in the appropriation, which will be used by City staff to support the master planning effort.

Future development of improvements will require City Council authorization. Projects will be clearly defined at that stage and staff will be able to provide accurate estimation of costs associated with operation and maintenance of facilities.

**BUDGET REFERENCE**

Fund #	Appn. #	Appn. Name	RC #	Total Appn.	Amt. For Grant	2006-2007 Adopted Budget (Page)	Last Budget Action (Date, Ord. No.)
<b>Current Funding Available</b>							
380	5829	Guadalupe Gardens Master Plan and Design	NA	\$13,000	\$12,500	NA	2/13/2007 Ord. No. 27973
384	5829	Guadalupe Gardens Master	NA	\$13,000	\$12,500	NA	2/13/2007 Ord. No.

HONORABLE MAYOR AND CITY COUNCIL

03-14-07

Subject: Grant Agreement Between the City of San José and the Friends of Guadalupe River Park & Gardens

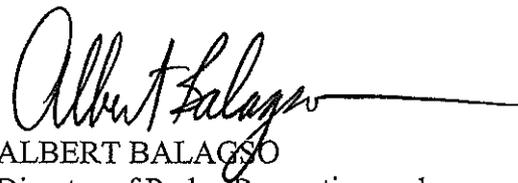
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		Plan and Design					27973
523	0802	Airport Non Personal/Equipment	80-147110	\$50,000*	\$50,000	Page XI-3	2/13/2007 Ord. No. 27973
<b>Total Current Funding Available</b>				<b>\$76,000</b>	<b>\$75,000</b>		

\*The Airport Department has allocated \$50,000 from its total Non-Personal/Equipment budget (which totals \$37,125,041) for Guadalupe Gardens Master Plan.

CEQA

CEQA: Not a project.



ALBERT BALAGSO  
Director of Parks, Recreation and  
Neighborhood Services

For questions, please contact Matt Cano, Division Manager, at (408) 535-3580.