



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Albert Balagso

**SUBJECT: AGREEMENT WITH 2M FOR
CONSULTANT SERVICES**

DATE: 02-17-09

Approved

Date

2/25/09

COUNCIL DISTRICT: 8
SNI AREA: N/A

RECOMMENDATION

Approval of an agreement with 2M Associates, a California general partnership, for consultant services for a hydrologic study and an update to the Silver Creek Linear Park Master Plan from the date of execution through December 31, 2010 in the amount not to exceed \$139,410.

OUTCOME

Approval of the agreement with 2M Associates will allow a hydrologic study and an update to the Silver Creek Linear Park Master Plan to proceed.

BACKGROUND

Silver Creek Linear Park (SCLP) is an approximately 55-acre park located in Council District 8 at the corner of Silver Creek Road and Yerba Buena Road. The park is partially developed in accordance with an existing Master Plan approved in November 1994 ("Master Plan"). Recent development activity in the area and ongoing flooding problems contribute to the need for an update to the existing Master Plan and associated environmental clearance in conformance with the California Environmental Quality Act (CEQA).

In November 2005, 6.66 acres of land ("Chelmers Property") was dedicated to the City of San José to satisfy the requirements of the Park Dedication Ordinance for the Silver Ridge residential development project. The parcel is adjacent to Silver Creek Linear Park and needs to be programmed and incorporated into the Master Plan.

In June 2006, San José voters passed a ballot measure authorizing the use of one acre of land on SCLP for the purpose of building a two-company fire station ("Fire Station #36"). Final design

of Fire Station #36 is underway and the project is scheduled for completion in April 2010. The design team is minimizing impacts to Silver Creek Linear Park and the new park configuration needs to be updated in the Master Plan.

A community meeting was held in March 2007 to discuss the impact of Fire Station #36 development on SCLP and opportunities and constraints associated with development of the Chelmers Property. The community was generally supportive of a Master Plan update that would:

- Incorporate the Chelmers Property into SCLP
- Show development of the Chelmers Property as a natural area with an interpretive boardwalk
- Acknowledge the development of Fire Station #36
- Resolve vehicular and pedestrian circulation issues at the park's entrance on Silver Creek Road
- Respect the existing development, character and goals of the original Master Plan for SCLP

Silver Creek Linear Park's adjacency to Silver Creek provides opportunities for recreation as well as development constraints. Seasonal flooding impacts a developed portion of the northernmost part of the park on a fairly regular basis. City staff has coordinated with the Santa Clara Valley Water District (SCVWD) and a hydrologic study would be required to assess options for alleviating seasonal flood conditions.

ANALYSIS

PRNS proposes to undertake an update to the existing Master Plan and associated environmental clearance documents for SCLP that will accomplish the following goals:

- Adjust the parcel configuration to incorporate a recently acquired lot of approximately 6.6 acres and remove approximately 1 acre of land in the existing park to accommodate a new fire station
- Update the Master Plan drawing to show existing improvements
- Show a conceptual design for a wetland mitigation area and observation platform in the newly acquired 6.6-acre lot
- Study and recommend a solution to a flooding problem near the main parking area at the Silver Creek Road entrance
- Reconfigure the pedestrian and vehicular entrances at the Silver Creek Road entrance
- Analyze a rearrangement of park facilities to maximize open space
- Confirm that the existing recreational amenities meet the community's current needs and update the park program as necessary

On July 28, 2008, PRNS issued a Request for Proposals (RFP) in accordance with the City's Qualifications Based Consultant Selection Process for consultant teams with expertise in preparing environmental mitigation projects, hydrologic studies, environmental clearance studies and park master plans. The estimated start date of the agreement is from the date of execution with completion on March 31, 2010.

Of the twelve firms that responded to the RFP, the four top ranked firms were selected for interviews. The selection criteria was based on the following:

- Qualifications of the lead personnel of the firm (15 points)
- Experience designing public park projects (15 points)
- Experience designing environmental mitigation projects (15 points)
- Experience with community outreach (10 points)
- Quality of conceptual level graphic images (10 points)
- Project Approach (25 points)
- Classification as local/small firm per Council policy (10 points)

On October 9, 2008, the Departments of Parks, Recreation and Neighborhood Services, Public Works and Planning, Building and Code Enforcement staff interviewed the four selected firms. The top ranked firm was selected for contract negotiation. The firms were ranked as follows by the interview panel:

1. 2M Associates
2. Callander Associates
3. Royston Hanamoto Alley & Abey
4. Bellinger Foster Steinmetz

The scope of work includes the preparation of conceptual and schematic site designs, participation in community outreach meetings, and preparation of a Master Plan Update Report for SCLP. The project includes a minor hydrologic study to recommend solutions to the seasonal flooding problem and coordination with the Santa Clara Valley Water District. The Consultant is to coordinate project work with various City departments and outside regulatory agencies.

Environmental clearance documents will be prepared by an in-house team of environmental planners in conformance with the California Environmental Quality Act (CEQA).

EVALUATION AND FOLLOW-UP

Execution of the consultant agreement will allow staff to begin the Master Plan Update which will be reviewed by the Park and Recreation Commission and Council with a request for final approval of the document.

POLICY ALTERNATIVES

Alternative #1: Do not update the Silver Creek Linear Park Master Plan and execute parcel configuration changes through Council action independent of the Master Plan process.

Pros: An expenditure of less than \$10,000 will be required and the parcel configuration change can be completed by in-house staff.

Cons: The community will continue to question how and when the Chelmers Property land will be programmed for development, pedestrian access and seasonal flooding issues will continue to be unresolved and Park Dedication Ordinance fees collected for use in this area will remain unspent.

Reason for not recommending: Silver Creek Linear Park remains a significant recreational asset to the community. There is strong public interest in the incorporation of the Chelmers Property into the Park, and the work is funded by the Park Trust Fund which is a funding source that can only be used to construct parks.

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)**

This action does not meet any of the criteria above. However, this memo, along with the proposed agreement, will be posted on the City's website prior to the Council meeting. PRNS staff conducted a formal Request for Proposals process in fall 2008 for consulting services. Outreach to the consultant community included advertisement on the City of San José's Bid Hotline. In accordance with the Qualifications Based Consultant Selection Policy, staff successfully negotiated agreement terms with the top-ranked firm, 2M Associates.

COORDINATION

This agreement and memorandum have been coordinated with the Department of Planning, Building and Code Enforcement, Environmental Services Department, Department of Public Works, City Manager's Budget Office, and the City Attorney's Office.

COST SUMMRY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:

Consultant Contract	\$139,410
Environmental Clearance	<u>60,000</u>
Total Project Costs	\$199,410

2. SOURCE OF FUNDING: 375 – Subdivision Park Trust Fund

3. FISCAL IMPACT: Approval of this memorandum will allow the Silver Creek Master Plan to be updated and will not result in an additional operating and maintenance impact to the General Fund. However, the preliminary operating and maintenance cost estimate for the expanded portion of the facility when completed is \$36,000 annually, beginning in 2010-2011. When a construction project is finalized, updated operating and maintenance costs will be determined. This funding was included in the 2010-2014 Preliminary General Fund Forecast, released on November 20, 2008.

BUDGET REFERENCE

Fund #	Appn #	Appn. Name	Total Appn	Amt. for Contract	Adopted Budget Page	Last Budget Action (Date, Ord. No.)
Current Funding Available						
375	5861	Chelmers Park Development	\$178,000	\$139,410	V-684	10/21/2008 28422
375	6053	Silver Creek Linear Park Development	\$113,000	0	V-726	
Total Funding Available			\$291,000	\$139,410		

CEQA

CEQA: Not a project.



ALBERT BALAGSO
 Director of Parks, Recreation
 and Neighborhood Services

For questions, please contact MARYBETH HARASZ, Senior Landscape Architect, at 793-4183.