



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Approve a First Amendment to the Agreement Between the Magical Bridge Foundation and the City of Sunnyvale for an All-Inclusive Playground and Budget Modification No. 8

BACKGROUND

In July 2017, Council approved an agreement between the City and the Magical Bridge Foundation (MBF) for the design and construction of an all-inclusive playground at Fair Oaks Park. The all-inclusive playground, designed to address the need of a play area for those living with disabilities, was to be designed in parallel with the Fair Oaks Park Renovation and Enhancement Project and incorporated into the overall design (RTC No. 17-0671).

As per the agreement, the cost of the playground is estimated at \$4.1 million, with the City to pay \$1.8 million of the cost with the remaining paid by the MBF through fund raising, donations, grants, private and corporate donors.

Project 832780 was approved as part of the FY 2017/18 Adopted Budget and includes funding for the all-inclusive playground, with initial project costs expected to begin in FY 2018/19 and construction continuing through FY 2019/20.

EXISTING POLICY

General Plan, Chapter 3, *Land Use and Transportation-Open Space, Goal LT-8*

Adequate and Balanced Open Space - Provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs and the ability of the City to finance, construct, maintain and operate these facilities now and in the future.

Pursuant to Sunnyvale Charter Section 1305, at any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by affirmative votes of at least four members so as to authorize the transfer of unused balances appropriated for one purpose to another, or to appropriate available revenue not included in the budget.

ENVIRONMENTAL REVIEW

This action modification does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378 (b) (4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

DISCUSSION

The executed agreement with the Magical Bridge Foundation requires the City to allocate \$1,800,000

in funding, solely for the purpose of building the playground. Staff received a letter from the MBF on October 9, 2018 identifying that they were successful in raising \$2,150,000 for the project, but that they still had a shortfall of \$160,000. Staff is recommending an amendment the agreement with the MBF to increase the City's contribution to \$1,960,000 to fully fund the project.

FISCAL IMPACT

Funding for this project is appropriated in Project 832780 funding by Park Dedication Fee Revenue, with the design and construction occurring over two years, and the bulk of the expenditures (\$3.5 million) occurring in FY 2019/20. Budget Modification No. 8 includes an additional appropriation of \$160,000 to fully fund the project through completion.

**Budget Modification No. 8
FY 2018/19**

	Current	Increase/ (Decrease)	Revised
Infrastructure Renovation and Replacement Fund			
<u>Transfers In</u>			
Transfer from the Park Dedication Fund (Project 832780 - All Inclusive Playground)	\$3,683,207	\$160,000	\$3,843,207
<u>Expenditures</u>			
Project 832780 - All Inclusive Playground	\$686,664	\$160,000	\$846,664
Park Dedication Fund			
<u>Transfers Out</u>			
Transfer to the Infrastructure Renovation and Replacement Fund (Project 832780 - All Inclusive Playground)	\$3,683,207	\$160,000	\$3,843,207
<u>Reserves</u>			
Capital Projects Reserve	\$37,840,526	(\$160,000)	\$37,680,526

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

RECOMMENDATION

Approve a First Amendment to the Agreement Between the Magical Bridge Foundation and the City of Sunnyvale for an All-Inclusive Playground increasing the City contribution to \$1,960,000 for the

Project and authorize the City Manager to execute the Agreement and Budget Modification No. 8 in the amount of \$160,000.

Prepared by: Timothy J. Kirby, Director of Finance
Reviewed by: Chip Taylor, Director of Public Works
Reviewed by: Teri Silva, Assistant City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. First Amendment to the Agreement with the Magical Bridge Foundation