



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Approve Budget Modification No. 33 for a Biological Constraints and Opportunities Analysis for the Sunnyvale Landfill and Baylands Park

BACKGROUND

On December 17, 2013, staff presented to Council a feasibility study for establishing a community farm for children (Animal Assisted Happiness) and alternative recreational uses at the Sunnyvale Landfill (2013 Council Study Issue DPW 13-13, Council Report 13-311). The study analyzed four different uses, each with different levels of feasibility and intensity. The study focused on key elements including infrastructure requirements, access, parking, compatibility with the landfill, constructability, and cost. Council considered the feasibility of the different land uses and gave authorization to further evaluate the technical feasibility of constructing park enhancements such as shade structures, benches, water fountains, and trail connections at the Sunnyvale Landfill. In addition, since the landfill was not a feasible location for Animal Assisted Happiness, Council directed staff to explore Baylands Park as a possible location.

As part of community input and Council discussion a number of concerns were highlighted regarding the existing animal habitat at the Sunnyvale Landfill and the possible effects of constructing park enhancements and Animal Assisted Happiness. To address those concerns, Council directed that a habitat protection plan for both Baylands Park and the Sunnyvale Landfill be completed prior to considering or moving forward with new uses at the sites. The proposed budget modification would fund a Biological Constraints and Opportunities Analysis which will help address the habitat questions and concerns and help guide possible next steps.

EXISTING POLICY

General Plan 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.

General Plan Goal LT-9 Regional Approach to Open Space

A regional approach to providing and preserving open space and providing open space and recreational services, facilities and amenities for the broader community.

Council Policy Manual - Goal 3.2H. Manage the closed Sunnyvale Landfill in a manner that protects the public health and safety and the environment, promotes enjoyable public use of the site, and assists in the achievement of other goals of the Environmental Management Solid Waste section.

ENVIRONMENTAL REVIEW

The analysis is not considered a project under California Environmental Quality Act (CEQA) as it involves only feasibility or planning studies for possible future actions which the Council has not approved, adopted, or funded (Section 15262 of Title 14 of the California Code of Regulations). If Council directs staff to proceed with development and/or construction of a community animal farm or park enhancements, the appropriate CEQA analysis will be required. The future CEQA analysis would need to include all required elements, including the effects on burrowing owls and other wildlife, transportation, parking, and construction.

DISCUSSION

Staff has reviewed the proposal with consultants who focus on biological studies to determine the appropriate next steps. Based on these discussions, staff determined that development of a Biological Constraints and Opportunities Analysis (Analysis) would need to be completed for both sites.

The Analysis will use all existing data as well as additional fieldwork to determine what species currently use the sites and where, what areas currently provide special habitat, and what locations could be used for other uses. The Analysis will also provide a general perspective on the effects on wildlife of Animal Assisted Happiness at Baylands Park and park enhancements at the landfill. In general, the scope of work will include the following elements:

- Inventory species currently using the sites.
- Determine what locations are used by different species and how are they used.
- Identify species of concern and locations.
- Identify areas of Baylands Park where Animal Happiness could be implemented and identify ways to minimize potential impacts to sensitive habitats.
- Identify areas of the landfill where park enhancements could be implemented while minimizing impacts to sensitive habitat.
- Complete a report summarizing the findings.

The cost for the Analysis is approximately \$50,000.

This Analysis will provide the City an overall perspective on the possible impacts on habitat including options and alternatives. Once the findings have been presented, if Council decides to move forward with either Animal Assisted Happiness or Park Enhancements, there are additional steps that will need to be taken. These steps include community outreach, design options and features, final design, cost estimates, environmental review, and construction. All these steps are currently unfunded.

FISCAL IMPACT

Typically for improvements to park and recreational facilities, Park Dedication Fees would be used. However, due to the nature of the work, the Analysis is not eligible for funding through Park Dedication Fees. Ongoing maintenance costs associated with the landfill site are provided for in the Solid Waste Management Fund. Baylands Park is a park facility funded through the General Fund.

Therefore, staff is recommending that funding for the study be appropriated from the Solid Waste Management Fund 20-Year Resource Allocation Plan Reserve and the General Fund Budget Stabilization reserve in equal shares. Budget Modification No. 33 has been prepared to appropriate funding from the General Fund Budget Stabilization Reserve and the Solid Waste Management Fund 20-Year Resource Allocation Plan Reserve to a new project to fund the Analysis.

**Budget Modification No. 33
FY 2013/14**

	Current	Increase/ (Decrease)	Revised
Solid Waste Management Fund			
<u>Reserves</u>			
20-Year Resource Allocation Plan Reserve	\$2,672,161	(\$25,000)	\$2,647,161
General Fund			
<u>Expenditures</u>			
New Project - Biological Constraints and Opportunities Analysis	\$0	\$50,000	\$50,000
<u>Reserves</u>			
Budget Stabilization Reserve	\$46,190,069	(\$25,000)	\$46,165,069

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.

ALTERNATIVES

1. Approve Budget Modification No. 33 to appropriate \$50,000 to complete a Biological Constraints and Opportunities Analysis of Baylands Park and the Sunnyvale Landfill.
2. Defer consideration of funding the Biological Constraints and Opportunities Analysis and present the option as a budget supplement for consideration within the context of the City Manager's FY 2014/15 Recommended Budget.
3. Direct staff to not complete the analysis and maintain Baylands Park and the Sunnyvale Landfill as is.

STAFF RECOMMENDATION

Approve Budget Modification No. 33 to appropriate \$50,000 to complete a Biological Constraints and Opportunities Analysis of Baylands Park and the Sunnyvale Landfill.

This information will allow staff to continue its analysis of both Animal Assisted Happiness and park enhancements and to make recommendations and next steps for Council consideration.

Prepared by: Manuel Pineda, Assistant Director of Public Works

Reviewed by: Kent Steffens, Director, Public Works

Reviewed by: Grace Leung, Director, Finance

Approved by: Robert A. Walker, Interim City Manager