



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### REPORT TO COUNCIL

#### **SUBJECT**

Authorize the City Manager to Execute a Joint Use Agreement between the City of Sunnyvale and Santa Clara Valley Water District for the Sunnyvale West Channel and Sunnyvale East Channel Project

#### **BACKGROUND**

In 2013, the City was awarded a One Bay Area Grant (OBAG) for the construction of the East and West Channel trails. The West Channel trail will extend from Caribbean Drive to Mathilda Avenue, and the East Channel trail will extend from Caribbean Drive to Moffett Park Drive (Attachment 1). Combined, the project will provide approximately 1.7 miles of new trails.

The trails are currently being designed as part of the Santa Clara Water District (SCVWD) Sunnyvale East and West Channel Flood Protection Project (Attachment 2). The flood protection project is expected to start in 2016 and will be completed in 2017. However, that timeframe could change depending on permitting. Staff is working with the SCVWD to determine the best option and timeframe for construction of the trails. In addition, a section of the trail will also be constructed by Moffett Place LLC as part of the development located at 1152 Bordeaux Avenue approved by City Council in December 2013 (RTC 13-283).

Prior to the SCVWD finalizing design and bidding the East West Channel project and allowing the development to construct a section of the trail, a Joint Use Agreement is required to assign trail maintenance responsibility to the City.

#### **EXISTING POLICY**

General Plan, Chapter 3, Policy LT-8.8 - Support the acquisition or joint use through agreements with partners of suitable sites to enhance Sunnyvale's open spaces and recreation facilities based on community need and through such strategies as development of easements and right-of-ways for open space use, conversion of sites to open space from developed use of land and landbanking.

#### **ENVIRONMENTAL REVIEW**

The Joint Use Agreement does not require CEQA review. The SCVWD certified an EIR for the project, including the trails, on September 9, 2014.

#### **DISCUSSION**

Over the last few months staff from the City and SCVWD developed a Joint Use Agreement (Attachment 3) to allow for the recreational use of the trails and assign certain maintenance responsibilities to the City.

In general the Joint Use Agreement allows for the following:

- To construct, operate, maintain, repair, replace, and remove City Improvements for recreational purposes
- To allow for non-motorized bicycling, walking, jogging, and hiking activities
- To host special recreational events

In general the City's maintenance responsibilities include:

- Trash removal associated with trail uses
- Trail vegetation management
- Graffiti removal
- Security
- Responsibility for all City improvements
- Closure of trail when needed by the SCVWD or due to water level

In addition the agreement has a number of items regarding public complaints, indemnification, use limitations, damages, and clarifying that the District can require the City to remove the trail improvements if they deem it necessary for their purposes.

### **FISCAL IMPACT**

Funding for the ongoing maintenance will come from the General Fund, and will be considered as part of the development of the FY 2016/17 Operating Budget. Once completed, staff estimates that regular trail maintenance will require approximately \$12,000 a year, for a twenty-year total of approximately \$240,000. As part of the budget development process, staff will also submit a capital project to fund the maintenance of the paved surface. It is anticipated that a seal coat with crack filling would be required at a cost of approximately \$25,000 every 7 to 10 years, totaling \$50,000 over a twenty-year period.

### **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**

Authorize the City Manager to execute a Joint Use Agreement between the City of Sunnyvale and Santa Clara Valley Water District for the Sunnyvale West Channel and Sunnyvale East Channel Project.

Prepared by: Manuel Pineda, Director of Public Works

Reviewed by: Grace K. Leung, Director of Finance

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. Trail Boundaries
2. East and West Channel Project Fact Sheet
3. Joint Use Agreement