



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### REPORT TO COUNCIL

#### **SUBJECT**

Authorize the City Manager to Execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space at School Sites

#### **BACKGROUND**

On June 25, 1991, the City and Sunnyvale School District entered into a 25-year agreement (Attachment 1) that required the City to construct improvements in certain School District open space recreational areas and maintain those areas (including athletic fields, swimming pools, tennis courts, and parking lots). In exchange for capital improvements and maintenance, the District allowed the use of those open space areas by the general public when not being used for school purposes.

The partnership between the City and District has been very successful. It opens approximately 73 acres of District open space facilities for Sunnyvale residents, and the City maintains it at an approximate cost of \$830,000 a year. The City also permits these facilities for popular activities such as Little League and soccer leagues and offers youth programming including day camps, classes and swim lessons. All City fields are permitted for use for more than 27,000 hours annually, while pool programs and pool rentals at Sunnyvale School District sites account for over 1,500 hours annually.

The current Agreement will expire in June of this year, and City and District staff has been meeting over the last few months to negotiate a new agreement for another 25 year period (Attachment 2).

The Parks and Recreation Commission (PRC) considered this item on April 13, 2016 and voted unanimously (4-0) to recommend the City Council authorize the City Manager to enter into an Agreement with Sunnyvale School District for the use, maintenance and improvement for public recreational purposes of various buildings and open space at school sites (Attachment 3 - Excerpt from PRC draft meeting minutes of April 13, 2016.) A summary of the PRC's discussion and action are provided in the Public Contact section below.

#### **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.

##### **General Plan, Chapter 3, *Land Use and Transportation-Open Space*, 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.

### **ENVIRONMENTAL REVIEW**

This action will continue a long-standing Agreement between the City and the District related to the operation, use and maintenance of various buildings and open space facilities, and is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301 because the Agreement involves existing facilities involving no expansion of use beyond that presently existing.

### **DISCUSSION**

The new proposed agreement between the City and District keeps the general terms of the current Agreement, which allows City use of the same recreational facilities as the previous agreement in exchange for the continued maintenance, with the following key modifications and updates:

- Updated masterplans for all the school sites (included as exhibits within the agreements) that establish the open/space recreational areas subject to this agreement. The masterplans for Cumberland, Cherry Chase, and Ellis denote areas that are currently open space, but may be needed by the district for future school facilities. This affects 0.2 acres, 0.2 acres, and 0.37 acres of open space, respectively.
- Allows minor modifications to the masterplans at staff level, unless the changes affect sports/recreation areas that impact organized youth sports or athletic leagues or exceed 5,000 square feet on a single school site, either individually or combined, during the term of the agreement.
- Formalizes the maintenance of the parking lot at the Adair School Site, which serves Washington Pool.
- Sets a December 31, 2018 deadline for the City to complete its commitment to demolish the pool at the Lakewood site.
- Provides that improvements to tennis courts and pool facilities may be required during the term and both parties agree to cooperate on future projects as needed.
- Establishes an option for the City to terminate its pool obligations and uses.
- Reflects changes in the law since 1991 related to disposal of school district property. The original agreement gave the City the right to acquire up to eight acres of district open space at no cost to the City. The revised agreement is consistent with the requirements of the Education Code and continues to give the City the right to acquire up to 8 acres from district if it chooses to dispose of any property through the term of the agreement.

The proposed agreement continues for another 25 years an established partnership that serves many Sunnyvale residents and enhances the City's open space offerings. The maintenance and public use of these facilities provides important benefits to both the City and District.

### **FISCAL IMPACT**

The annual maintenance costs are \$830,000 and are included in the City's current operating budget. Some future improvements are included in the City's Capital budget, and any future additional capital improvements would need to be considered by Council as a future action.

### **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.

The Parks and Recreation Commission considered this item at a noticed public hearing on April 13, 2016. Commissioners commented favorably on the Agreement in that it provides expanded open space for the residents of Sunnyvale and there is significant public use of school athletic fields on the weekends. The Commission voted unanimously 4-0 to recommend the City Council to authorize the City Manager to execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space Areas at School Sites(Attachment 3 - Excerpt from PRC draft meeting minutes of April 13, 2016.)

### **RECOMMENDATION**

Authorize the City Manager to execute an Agreement with Sunnyvale School District for the Use, Maintenance and Improvement for Public Recreational Purposes of Various Buildings and Open Space Areas at School Sites.

Prepared by: Manuel Pineda, Director, Public Works

Reviewed by: Cynthia Bojorquez, Director, Library and Community Services

Reviewed by: Kent Steffens, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. 1991 Agreement
2. New Agreement
3. Excerpt from PRC draft meeting minutes of April 13, 2016