REPORT TO MAYOR AND COUNCIL **NO: 13-311**

Council Meeting: December 17, 2013

SUBJECT: Discussion and Possible Action on the Feasibility of Establishing a Community Farm for Children and Alternative Recreational Uses at the Sunnyvale Landfill (Study Issue)

REPORT IN BRIEF

This study issue examined the general feasibility and cost estimates associated with establishing new recreational uses in the now closed Sunnyvale Landfill, including a community farm for children and other possible uses. The study specifically explored the feasibility of allowing Animal Assisted Happiness (AAH), a 501(c)(3) non-profit organization, to lease portions of the Sunnyvale Landfill for the purpose of providing services. Other recreational uses examined in the study ranged from high intensity to low intensity use options, including: sports fields, dog park, bike skills park, and park enhancements for current uses, such as birding, hiking, biking, and wildlife photography. (See Attachment A – *2013 Council Study Issue DPW 13-13*)

Overall, the study analyzed a number of elements to determine the feasibility of the proposed uses. It reviewed the existing site constraints, including all the features related to the landfill that must be protected, and other items, such as, the existing burrowing owl habitat. The study also analyzed the key feasibility elements for the construction of proposed uses including:

- Infrastructure requirements
- Transportation, access, and parking
- Constructability
- Cost

The landfill proved a challenging site for high intensity uses (AAH and sports fields) that required utilities, access, and parking at the top of the hill. In addition, because those uses required more land, the grading of the site was identified as a high cost item. Low intensity uses like park enhancements, dog parks, and the bike skills park, were less challenging because they can be implemented without significant grading, and their needs for access and parking is more limited.

Due to access, parking, construction complexity, and cost, staff determined that AAH and sports fields are not feasible at the landfill. However, staff is

proposing to work with AAH to explore Baylands Park as a possible home. Staff also proposes to further develop and analyze low intensity uses such as park enhancements and the bike skills park. Ultimately, any proposed use for the landfill will require further analysis and planning, community outreach, and environmental review.

BACKGROUND

The closed Sunnyvale Landfill is an approximately 93-acre site located in the northern part of the City. The site has been designated as a Class III Landfill and was used for disposal of non-hazardous residential, commercial, and industrial Municipal Solid Waste and construction debris until 1993. The landfill was closed in eight separate phases extending from approximately the mid-1980s through 1994. A minimum 4-foot thick final cover system was constructed to prescriptive standards, and includes a 1-foot thick low permeability soil layer. The final cover system was placed over all disposal areas – the West Hill, Recycle Hill, South Hill, and East Hill, respectively. (See Attachment B –Sunnyvale Landfill Map.)

The landfill is currently in its post-closure monitoring and maintenance phase, and is required to comply with many federal, state and local regulations administered by the United States Environmental Protection Agency, the California Air Resources Board, the Regional Water Quality Control Board (RWQCB) San Francisco Region, CalRecycle, the Bay Area Air Quality Management District (BAAQMD), and the Santa Clara County Department of Environmental Health.

In July 2009, in the *Consideration of Parks of the Future Study* Report to Council (RTC) 09-183, Council directed the Department of Community Services and Department of Public Works staff to develop a long-term plan for the recreational use of the West Hill, Recycle Hill and South Hill portions of the Sunnyvale Landfill. That use would need to be consistent with the post-closure regulatory restrictions that apply to this landfill and its role as habitat for the burrowing owl, listed as a species of special concern by the State Department of Fish and Game, and other wildlife.

The landfill is currently designated as a public facility but is maintained mostly as a closed landfill (per the post-closure guidelines) that provides open space for public recreation (e.g. hiking, jogging, bicycling, bird watching). However, the site currently has a lower level of improvement or maintenance than typical recreation facilities. The trail and road system, installed in the early 1990s as part of landfill closure, has proved inadequate to handle the amount of this type of use. Despite the best efforts of staff, pedestrians and cyclists have cut new, steep trails in which the vegetation is gone and the soil is subject to erosion. The County Department of Environmental Health has increasing concerns about the potential erosion of the topsoil and clay layers due to

informal trail use. Staff has tried several times to re-vegetate and discourage or block access to the informal trails, but without success.

To address this problem, Project 830180 was created in the Solid Waste Fund. The project provides $80,000 for Phase I design, and $255,000 for Phase II construction of changes needed, to address the regulatory concerns related to the landfill cover damage. In Phase I, a consultant will design a plan to protect the landfill cover and provide bid documents. The design will guide trail users to planned trails, formalize (as appropriate) informal trails, and discourage or make it impractical to make new informal trails. It will also take into account the gas and condensate recovery system infrastructure, burrowing owl habitat, maintenance access requirements and the recreational interests of the trail user groups. Work on this project has been put on hold pending the outcome of this study issue.

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.

Municipal Code 9.62.070 Conduct-Prohibited Acts
No person in a park shall (e) Lead, ride, drive or let loose any cattle, horse, mule, goat, sheep, swine, dog or fowl of any kind; provided that this shall not apply to dogs when led by a cord or chain, not more than six feet long.

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 study issue 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 new recreational uses, 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

The feasibility of establishing new recreational uses at the Sunnyvale Landfill is a complex issue, requiring analysis of regulatory, financial and physical site considerations. The City hired Geosyntec Consultants, Inc. to analyze the feasibility of allowing AAH to operate its services with a barnyard animal farm at the landfill, and to determine options and opportunities for other recreational uses. The final report provides in-depth detail regarding feasibility elements, including: issues and constraints, goals and policies, alternative land uses, constructability analysis, infrastructure, transportation/circulation, and environmental review. This report is available at Landfill.inSunnyvale.com, and provides information of key findings and staff perspectives that guide the recommendation and next steps.

Issues and Constraints

There are a number of challenges associated with developing new uses at the landfill. Post-closure development or construction for recreational activities or other uses would be subject to Federal, State and County regulatory requirements. A number of key issues were initially identified as items that would need to be addressed as part of the analysis including:

- The existing gas collection system
- Protection of the landfill final cover
- Differential settlement of the site and how it could affect future uses
- The slopes of the landfill
- Depth of excavation and penetrations to the landfill
- Groundwater wells
- Minimizing water use
- Height limitations on the West Hill
- Wildlife habitats
- Minimizing dust generation
- Accessibility and ADA requirements
- Existing parking constraints

Any uses or improvements would need to be designed to allow current operational, maintenance, and monitoring needs to continue.

One key element that had a significant amount of community discussion is the wildlife habitat, specifically burrowing owls. Burrowing owls, a California species of special concern, have used the landfill site for nesting and foraging habitat. The City monitors their activity at the site through the services of a wildlife consultant. CEQA requires public agencies in California to analyze and disclose potential environmental impacts associated with a project that the

agency will carry out, fund, or approve. Any potentially significant impact must be mitigated to the extent feasible. Any proposed additional recreational uses at West Hill, Recycle Hill and South Hill would need to be evaluated with respect to potential impacts to burrowing owl habitat and other potential species of special concern.

Alternative Land Uses and Analysis Summary

Four main land use options, ranging from high intensity use to low intensity use were chosen for analysis:

1. Community animal farm with therapeutic recreation services provided by AAH
2. Sports fields
3. Bike skills park
4. Park enhancements for current uses (including a dog park)

Only West, Recycle and South Hills were considered for alternative land use development. The East Hill is currently leased to a concrete recycling operator. Given the size of the top deck and current road conditions, the AAH, baseball/soccer field, and bike skills park alternative land use options were evaluated for the West Hill (Table 1). However, after completion of the initial analysis, it was determined that a bike skills park could be an option on South Hill as well. Park enhancements were considered for all three hills and although a dog park was specifically analyzed on Recycle Hill, it could be implemented on South and West Hills.

Table 1 – Land Use Summary

	West Hill	**Recycle Hill**	**South Hill**
Option 1	AAH (and Park Enhancements)	Park Enhancements (including Dog Park)	Park Enhancements
Option 2	Baseball/Soccer Field (and Park Enhancements)	Park Enhancements (including Dog Park)	Park Enhancements
Option 3	Bike Skills Park (and Park Enhancements)	Park Enhancements (including Dog Park)	Bike Skills Park and Park Enhancements
Option 4	Park Enhancements	Park Enhancements (including Dog Park)	Park Enhancements

High Intensity Use Option: Animal Assisted Happiness (AAH) (Attachment C)

AAH, founded in 2009 and currently located in Morgan Hill, offers programs with small group, family visits, and outbound visits to organizations serving their clientele (e.g. schools, skilled nursing facilities, etc.). With a vision of "A Million Smiles," the AAH mission is to serve children and adults with special needs, 'at-risk' youth, seniors and veterans, through therapeutic barnyard

animal interaction services. AAH is looking for a parcel of land on which to board its barnyard animals and operate its services. Future programs may include equine therapeutic riding. More information on AAH is available at www.animalassistedhappiness.org.

Based on their long-term use, with full build-out, the West Hill (2.6 acres) was identified as the most feasible site for AAH. This option features animal pens with attached pasture land, a storage shed, horse riding arena, barn/tack room, office, caretaker residence, parking on top of the West Hill, rest area, perimeter fencing, interior fencing, full utilities with water/sewer/power, and full bathrooms located on top of the West Hill. AAH also assumes a one-way loop access road on the West Hill, and turnaround provided at the top of the hill. It is important to note that AAH expressed an interest in phasing their development over a period of time. However, as part of this study, the full build-out was analyzed to be able to identify all the items and costs that are required for the final development plan. Although the infrastructure for AAH is feasible from a construction standpoint, it is more complex and costly because all utilities (water, sewer, and power), parking, and access must be provided to the top of the hill.

The study proposes to upgrade the current maintenance road in a one-way loop system to provide access to the top of the West Hill. In addition, emergency vehicle access requires a minimum clear width of 20 feet; if the access road is considered secondary, the width can be reduced if turnouts are installed every 500 feet. If the road dead ends, additional width and turnaround provisions are required. The surface would need to be paved with asphalt or other approved surface for emergency vehicle access, which would also be preferred for public access. Additional road width may be required for guardrail, shoulder/emergency lane, turning radii, drainage ditches and other elements to ensure safe access by everyone.

The study identified constructability issues, such as, depth of excavation or fill to achieve grades, settlement, effect of the proposed improvements on the landfill gas collection system, requirements for buildings, and utilities. In addition to the parking and access needs, the AAH option would require a significant amount of fill and grading and relocation of a number of landfill facilities. Below is a cost summary for the AAH option:

Project Component	Cost in Millions
AAH Buildings and Facilities	$1.2
Grading	$0.8
Access road	$0.7
Restrooms and utilities	$1.3
Design/Construction Contingencies (30%)	$1.2
Design, Management, Inspection (25%)	$1.0
Total Conceptual Project Cost	**$6.2**

The total cost of the project is estimated at $6.2 million. However the majority of the costs are associated with grading, access, and utility improvements that are required to make West Hill a feasible location. It must also be noted that these costs are estimated for the build-out of the facility. Per AAH, it is expected that the facility would be phased over a period of time, and that would defer some costs to later dates. However, some basic infrastructure costs and access improvements would still need to be provided at the first phase of development.

It is staff's opinion, based on overall issues and cost, the construction of AAH at the landfill is not feasible. However staff did identify Baylands Park as a possible option for AAH. Baylands has easier/better access, parking, utilities, and grading which would minimize most of the major infrastructure and other construction costs associated with the project. Baylands Park is on County owned land and any additional uses, such as AAH, will require approval from the County and amendments to the City/County agreement.

High Intensity Use Option: Sports Fields (Attachment D)
Assumptions for the feasibility of sports fields included adult size, dual-use baseball/soccer fields (the two fields overlay each other). This option included lighting, artificial turf, full utilities with water/sewer/power, full bathrooms (on top of the West Hill), and parking for approximately 100 vehicles on top of the hill. Fields would be located along the eastern side of the West Hill, with parking on the western side of West Hill.

The sports fields require access, parking, and utilities on top of the West Hill similar to AAH, therefore these previously discussed items and conditions also apply to the sports field option. However, the sports fields require a larger site (approximately 5 acres). Due to its larger size, and the requirement to provide a level playing field, the sports fields required much more significant grading. Below is a summary:

- To achieve the appropriate grades and meet Federal Aviation Administration height restrictions, the approved landfill cap would need to be removed and re-constructed.
- Approximately 120,000 cubic yards of landfill materials would have to be removed.
- Approximately 56,000 cubic yards of foundation, low permeability, and vegetative soils would need to be imported to reconstruct the site and provide appropriate grades.

The following is a cost summary for the sports fields:

Project Component	Cost in Millions
Sports Fields and Facilities	$5.2
Grading	$4.0
Access road	$0.7
Restrooms and utilities	$1.3
Design/Construction Contingencies (30%)	$3.4
Design, Management, Inspection (25%)	$2.8
Total Conceptual Project Cost	**$17.4**

It is staff's opinion, based on overall issues and cost, the construction of sports fields at the landfill is not feasible.

Medium Intensity Use Option: Bike Skills (Attachment E)
A proposed bike skills park would be used for a number of bicycle types, including: mountain bikes, motocross (BMX) bikes, and trick bikes. Skills features can be built for all ages and skill levels. The elements of a bike skills park include a variety of natural obstacles, such as rocks and logs, features like teeters and ladder bridges, and dirt mounds, jumps and banked turns. This option assumed full bathrooms and parking at the bottom of the hill, water for dust control, spigots for public drinking water, and no lighting. Based on the size of other bike skills parks in California, a bike skills park could fit on the top deck of the West Hill, although it could also be an option on South Hill.

Below is a cost summary for the bike skills park option.

Project Component	Cost in Millions
Bike Skills Park	$0.3
Grading	-
Access road	-
Restrooms with utilities and water to park	$0.7
Design/Construction Contingencies (30%)	$0.3
Design, Management, Inspection (25%)	$0.3
Total Conceptual Project Cost	**$1.6**

It is staff's opinion, based on overall issues and cost, the construction of a bike skills park is feasible. The cost of the bike skills park could be reduced by minimizing utility costs. For example, the existing bathrooms could be maintained instead of replacing them with permanent ones.

Low Intensity Use Option: Park Enhancements (Attachment F)
Park enhancements included open space and habitat enhancements with additional trails along the side slopes of the West, Recycle and South Hills. Trail connections, benches, picnic tables, drinking fountains, shade features, and landscaping elements were evaluated. Educational kiosks, directional signs, and a fitness course could be included as low intensity use options. Assumptions were based on parking, drinking fountains, and plumbed

restrooms located at the bottom of the hill. Below is a summary of cost estimates for park enhancements:

Project Component	Cost in Millions
Park Enhancements	$0.3
Grading	-
Access road	-
Restrooms with utilities	$0.4
Design/Construction Contingencies (30%)	$0.2
Design, Management, Inspection (25%)	$0.2
Total Conceptual Project Cost	**$1.1**

It is staff's opinion, based on overall issues and cost, the construction of park enhancements is feasible. The cost of the park enhancements could be reduced by decreasing the improvements or focusing on only one or two sections of the landfill. Similar to the bike skills park, utility costs could also be reduced by keeping some of the existing services.

In general, both the bike skills park and park enhancements projects are easier to construct because they can be designed to fit within the existing landfill grades and around required landfill elements, and all their utilities, access, and parking is located at the bottom of the hill. However, parking is already a constraint in the area, and additional parking locations would need to be identified. While the study did not identify a preferred solution, it did discuss possible options to address parking needs. As an example, the City can analyze the removal of a travel lane on Caribbean Road (also being considered for the Water Pollution Control Plant reconstruction project and the West Channel Trail Extension). This lane removal would allow for a significant amount of on-street parking that could be used by recreational users. However, the cost summary does not include costs that would be required to provide additional parking as necessary.

Dog Park

A fenced dog run was considered at Recycle Hill as part of the park enhancements project. Assumptions for the fenced dog park included: four foot high perimeter fencing, no re-grading of the existing topography, drinking fountain at the toe of the hill, with no improvements to existing access roads on West Hill, Recycle Hill or South Hill. According to the City's wildlife consultant, burrowing owls view dogs as predators. Since historic burrows are located on the west slope of Recycle Hill in preferred owl habitat, it is unlikely that burrowing owls will select burrows near an active dog park regardless of fencing material, especially if egress to the dog park is at the northwest or southwest corner of Recycle Hill. Because of the incompatibility with burrowing owls, a dog park is not considered feasible.

Parks and Recreation Commission Review and Recommendation
The Parks and Recreation Commission (PRC) reviewed a draft of this report at their November 13, 2013 meeting and voted 3-2 to support staff recommendations of Alternatives No. 2 and 5. Alternative No. 2 directs staff to explore Baylands Park as a location for AAH in Sunnyvale. Locating AAH at Baylands Park will require approval from the County and modification to the City/County use agreement. Additional outreach would be conducted once a specific site plan is developed. Alternative No. 5 directs staff to further evaluate the technical feasibility of constructing park enhancements at the Sunnyvale Landfill site. If this alternative were selected, staff would propose an unfunded project in the Capital Program Budget for Fiscal Year 2015/2016 to complete preliminary design, environmental review, and updated cost estimates.

The PRC also supported Alternative No. 6, to direct staff to further evaluate the technical feasibility of constructing a dog park at the Sunnyvale Landfill site, with a modification to locate the dog park on the South Hill. The PRC did not support staff recommendation of Alternative No. 4, to further evaluate the technical feasibility of constructing a bicycle skills park, based on it serving a limited segment of the community. (See Attachment G – Excerpt of Draft Parks and Recreation Commission Meeting Minutes of November 13, 2013.)

FISCAL IMPACT
There are no funded capital projects for the further development of establishing new recreational uses at the Sunnyvale Landfill. Funding would be needed to hire a qualified consultant to further develop and design the proposed options, and complete all community outreach and environmental documents. Any proposed option would need to be included in the budget and compete against other programs, services, and City priorities. AAH, as a private facility, would be required to fund their facility and needed infrastructure without City investment. AAH would be required to pay all permitting and design review fees per the City's fee schedule. Increased operating costs for ongoing maintenance will be associated with all of the options presented. Cost estimates for additional maintenance will be provided with the proposed capital project budgets.

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 Web site.

Additional Public Outreach
Public meetings were conducted by City staff with the consultants at two public outreach meetings: August 15, 2013 and September 12, 2013. Meetings were advertised on the City's Web site and KSUN. Meeting notices were sent to

Sunnyvale neighborhood associations, and interested parties, such as, *Friends of Parks and Recreation* and the Santa Clara Valley Audubon Society that conducts birding tours at the landfill site. Additionally, a web page was created, Landfill.inSunnyvale.com with information regarding this study issue. Most participants at the public meetings supported maintaining the landfill site as an open space for birding, hiking and biking, with additional park enhancements such as benches and shade structures. Many participants expressed support for Animal Assisted Happiness (AAH), however, concerns were raised regarding potential impact from access, parking and impact on wildlife habitat.

Survey Results

An online survey was conducted in order to obtain further community input on possible new recreational uses of the Sunnyvale Landfill. The survey was available on the City of Sunnyvale home page from September 27 through October 15, 2013, and yielded a total of 996 completed surveys. 82.3% of the respondents identified themselves as Sunnyvale residents. The complete survey results may be viewed at survey link on Landfill.inSunnyvale.com. The following is a summary of the survey results, in response to the question, "*Which of the following additional recreational uses at the Sunnyvale Landfill would you support?*"

Park Enhancements (e.g. directional, educational and regulatory signs, restrooms, drinking fountains, benches, etc.	50.1%
Separate pedestrian trails for running, jogging, hiking and walking	50.1%
Animal Assisted Happiness (AAH) community animal farm	46.4%
Separate bike trails for all types of non-motorized bikes	41.9%
Fenced dog park	38.7%
Athletic fields: baseball and soccer	37.2%
Bike Skills Park: skills features for all types of bicycles and levels of skills	27.4%
Other (please specify)	10.7%
None	8.2%

The Parks and Recreation Commission reviewed a draft of this report at their November 13, 2013 meeting and voted 3-2 to Approve Alternatives No. 2, 5 and 6 with a modification to locate the dog park on the South Hill. The Sustainability Commission received an informational update on this Study Issue from the Assistant Director of Public Works, at their meeting of November 18, 2013.

ALTERNATIVES

1. Direct staff to work with Animal Assisted Happiness (AAH) for construction of their facilities at the Sunnyvale Landfill site and develop leasing terms. AAH would be required to pay for all improvements including appropriate fees per the City's fee schedule as part of the review and design process.

2. Direct staff to explore Baylands Park as a location for AAH in Sunnyvale. Locating AAH at Baylands Park will require approval from the County and modification to the City/County use agreement. Additional outreach would be conducted once a specific site plan is developed.

3. Direct staff to further evaluate the technical feasibility of constructing sports fields at the Sunnyvale Landfill site. If this alternative were selected staff would propose an unfunded project in the Capital Program Budget for Fiscal Year 2015/2016 to complete preliminary design, environmental review, and updated cost estimates.

4. Direct staff to further evaluate the technical feasibility of constructing a bike skills park at the Sunnyvale Landfill site. If this alternative were selected staff would propose an unfunded project in the Capital Program Budget for Fiscal Year 2015/2016 to complete preliminary design, environmental review, and updated cost estimates.

5. Direct staff to further evaluate the technical feasibility of constructing park enhancements at the Sunnyvale Landfill site. If this alternative were selected staff would propose an unfunded project in the Capital Program Budget for Fiscal Year 2015/2016 to complete preliminary design, environmental review, and updated cost estimates.

6. Direct staff to further evaluate the technical feasibility of constructing a dog park at the Sunnyvale Landfill site. If this alternative were selected staff would propose an unfunded project in the Capital Program Budget for Fiscal Year 2015/2016 to complete preliminary design, environmental review, and updated cost estimates.

7. Provide other direction to staff as Council deems appropriate.

RECOMMENDATION

Staff recommends Alternatives No. 2, 4, and 5.

Alternative No. 2 directs staff to explore Baylands Park as a location for AAH in Sunnyvale. While Staff does not recommend the construction of AAH at the landfill site, staff did identify Baylands Park as a possible option. Baylands has easier access, parking, utilities, and grading which would minimize most of the major infrastructure and construction costs associated with the project. Staff recommends working with AAH and the County to explore Baylands Park as a location for AAH.

Alternative No. 4 directs staff to further evaluate the technical feasibility of constructing a bicycle skills park at the Sunnyvale Landfill site by proposing an unfunded project in the Capital Program Budget for Fiscal Year 2015/2016 to complete preliminary design, environmental review, and updated cost estimates. The project could be funded by Park Dedication Fees. Developing this as an unfunded project would allow Council to consider project priorities in the next capital project budget cycle.

Alternative No. 5 directs staff to further evaluate the technical feasibility of constructing park enhancements at the Sunnyvale Landfill site, including signage, restrooms, benches, drinking fountains, and improved trails for pedestrians and non-motorized bicycles by proposing an unfunded project in the Capital Program Budget for Fiscal Year 2015/2016 to complete preliminary design, environmental review, and updated cost estimates.

Staff recommends that an unfunded project be developed that would further evaluate a bicycle skills park and park enhancements for current uses, such as birding, hiking and biking. Further planning would include additional outreach, development of issues, establishment of preferred locations for improvements, and development of a final proposal (if feasible) that could move forward to design, environmental review, and construction. The project could be funded by Park Dedication Fees. Developing this as an unfunded project would allow Council to consider project priorities in the next capital project budget cycle.

Staff does not recommend any high intensity use option at the Sunnyvale Landfill, including AAH or sports fields. The issues associated with cost, constructability, access, parking, and environmental impact outweigh the potential benefits to the community.

The Parks and Recreation Commission supported staff's recommendation of Alternatives No. 2 and 5. The PRC did not support Alternative No. 4, based on the belief that a bicycle skills park would serve a limited segment of the community. The PRC also supported Alternative No. 6, to construct a dog park at the Sunnyvale Landfill site, with a modification to locate the dog park on the

South Hill. They felt this location would not disrupt neighbors, and if developed in the right location it would not disrupt the natural habitat of the landfill.

Staff does not recommend pursuing a dog park further because it is currently proposing a number of other dog parks throughout the City. The landfill is not close to many of Sunnyvale's residential neighborhoods, and the dog park may be in conflict with burrowing owl habitat.

Reviewed by:

Kent Steffens, Director, Public Works
Prepared by: Manuel Pineda, Assistant Director of Public Works

Reviewed by:

John Stufflebean, Director, Environmental Services

Reviewed by:

Grace Leung, Director, Finance

Approved by:

Gary M. Luebbers
City Manager

Attachments

A. 2013 Council Study Issue DPW 13-13 *Feasibility of Establishing a Community Animal Farm for Children at the Sunnyvale Landfill*
B. Sunnyvale Landfill Map
C. Animal Assisted Happiness Conceptual Plans for Full Build-out (Figure 3) and Short-term Build-out Features (Figure 4)
D. Baseball/Soccer Fields Conceptual Plan
E. Bike Skills Park Conceptual Plan
F. Park Enhancements Features Conceptual Plan
G. Excerpt of Draft Parks and Recreation Commission Meeting Minutes of November 13, 2013

ATTACHMENT A

2013 Council Study Issue

DPW 13-13 Feasibility of Establishing a Community Animal Farm for Children at the Sunnyvale Landfill.

Lead Department Public Works

History **1 year ago** None **2 years ago** None

1. What are the key elements of the issue? What precipitated it?

This study issue was proposed by Council member Davis. The study would examine the general feasibility and costs associated with establishing a community venture featuring a venue where children from surrounding schools can come to a farm-like setting to interact with animals in a nurturing and learning environment.

It would specifically explore the feasibility of allowing Animal Assisted Happiness (AAH), a 501(C)(3) non -profit organization, leasing portions of "Recycle Hill" and "West Hill" at the Sunnyvale Landfill for the purpose of locating its operation and providing services. AAH is currently located in Morgan Hill and desires to relocate to Sunnyvale so that it is strategically positioned to provide services in Santa Clara County. Its mission is to serve children and adults with special needs through therapeutic animal interaction services. AAH has developed a proposal for the leasing and improvement of portions of the landfill and the operation of its programs. Phase I of the proposal calls for temporary use of "Recycle Hill" and includes the installation of perimeter fencing on the west side of the site, portable stalls for animals and portable buildings for the storage of supplies. At this stage only "small" animals would be used, such as miniature horses, pot belly pigs, dwarf goats and other smaller species. Phase II involves long-term improvements to "West Hill" including fencing, storage barn, round pens, riding arena, animal barns, office building, pasture, utilities and a parking lot. Programs would utilize small and large animals including horses. AAH submitted a proposal to the City in 2010 and was told that the topic was not a priority for study due to City resource issues.

The Sunnyvale Landfill was certified "closed" in 1994. Post-closure use of the landfill is governed by a State-approved Post-closure Maintenance Plan. Unlike the current pedestrian, cycling and bird watching uses at the landfill, the proposed use by AAH is not presently contemplated by this plan. Thus, implementing the AAH proposal would require (in addition to negotiation of a lease document) regulator approval of a revision of the Post-closure Plan and possibly interactions and approvals from the Regional Water Quality Control Board and Bay Area Air Quality Management District.

It should be noted that the Public Works Department (Parks Division) is planning to work with the Environmental Services Department (Solid Waste Division) on long range planning for recreational use of the landfill. In 2009, Council directed the Department of Community Services and Department of Public Works to work together to develop a long-term plan for the recreational use of the West Hill, Recycle Hill and South Hill portions of the landfill (RTC 09-183). At this point this broader study of future uses of the landfill has not been scheduled.

2. How does this relate to the General Plan or existing City 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, facilties and amenities for the broader community.

Municipal Code 9.62.070 Conduct-Prohibited acts. No person in a park shall: (e)Lead, ride, drive or let loose any cattle, horse, mule, goat, sheep, swine, dog or fowl of any kind; provided that this shall not apply to dogs when led by a cord or chaig, not more than six feet long.

3. Origin of issue

Council Member(s) Davis, Spitaleri

4. Staff effort required to conduct study Moderate

Briefly explain the level of staff effort required
Staff from the departments of Public Safety, Public Works, Community Development and Environmental Services would need to collaborate to determine the feasibility of this proposal with regard to; local, state and federal regulations governing the use of landfills, long range planning for the use of the landfill and municipal code restrictions concerning farm animals in parks. Environmental Services Department staff should complete a master plan for the landfill before considering its use for this proposal.

5. Multiple Year Project? Yes **Planned Completion Year**

6. Expected participation involved in the study issue process?

Does Council need to approve a work plan?	No
Does this issue require review by a Board/Commission?	Yes
If so, which?	Parks and Recreation Commission, Planning Commission
Is a Council Study Session anticipated?	No

7. Briefly explain if a budget modification will be required to study this issue

Amount of budget modification required 10000

Explanation
Cost is estimated for a consultant to develop a master plan for the landfill. The base cost of this study is approximately $100,000. The incremental cost to include the AAH proposal as an additional alternative is approximately $10,000.

8. Briefly explain potential costs of implementing study results, note estimated capital and operating costs, as well as estimated revenue/savings, include dollar amounts

Are there costs of implementation? Yes

Explanation
Leasing of the land could generate revenue but there may be costs related to landfill improvements and their use including utilities, regulatory requirements and secondary costs caused by increased use of the site.

9. Staff Recommendation

Staff Recommendation Defer

If 'Support', 'Drop' or 'Defer', explain
Defer until a master plan for the landfill is completed. Staff acknowledges that the AAH proposal

could be an appropriate and valuable use of the landfill property. However, in considering the AAH proposal the City should consider other potential uses of the property. Sports fields or other active recreation uses could be suitable for the landfill property and have not been studied at this point. This proposal which leases the land to a specific private group would also be best considered with an open competitive process. If the City determined the property was available for lease for recreational purposes, shouldn't it make the property available through a competitive request for proposal process? Decisions about the landfill property will inevitably have a long-lasting effect. Changing the current use of the landfill involves an update to the City's landfill post-closure plan which would require State approval. Once a use is established it will likely be there for many years even if other civic uses of the property were identified at a later point.

Reviewed by		**Approved by**	
Kent Steffens	11-8-12	Gary Lemee	11-8-12
Department Director	**Date**	**City Manager**	**Date**

ATTACHMENT B

ATTACHMENT B

Sunnyvale Landfill

ATTACHMENT C

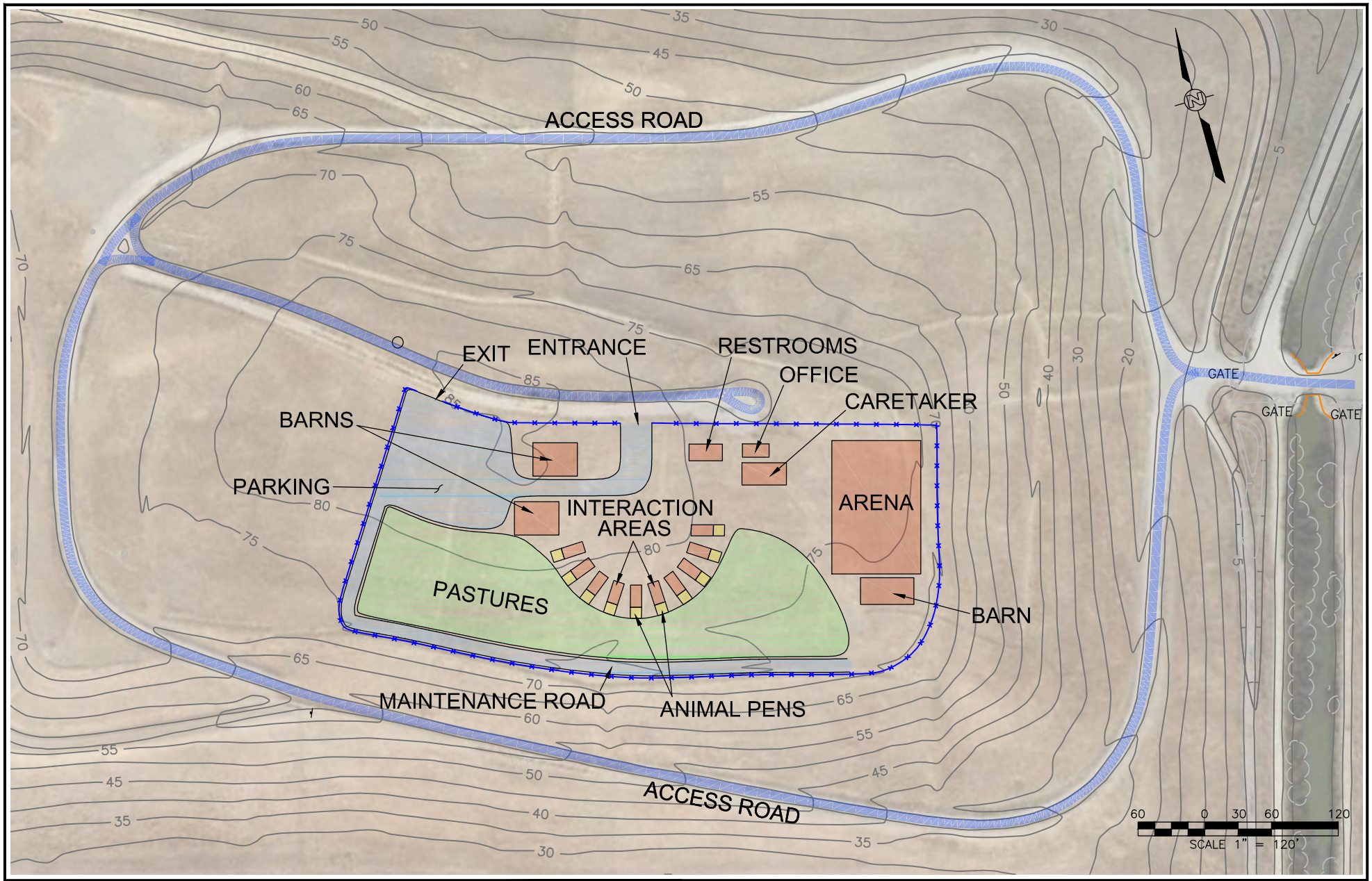

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FIGURE 3
ANIMAL ASSISTED HAPPINESS – FULL BUILD-OUT FEATURES
SUNNYVALE LANDFILL
SUNNYVALE, CALIFORNIA

DATE: 10/11/13
FILENAME: AAH Short Term
PROJ. No. ...

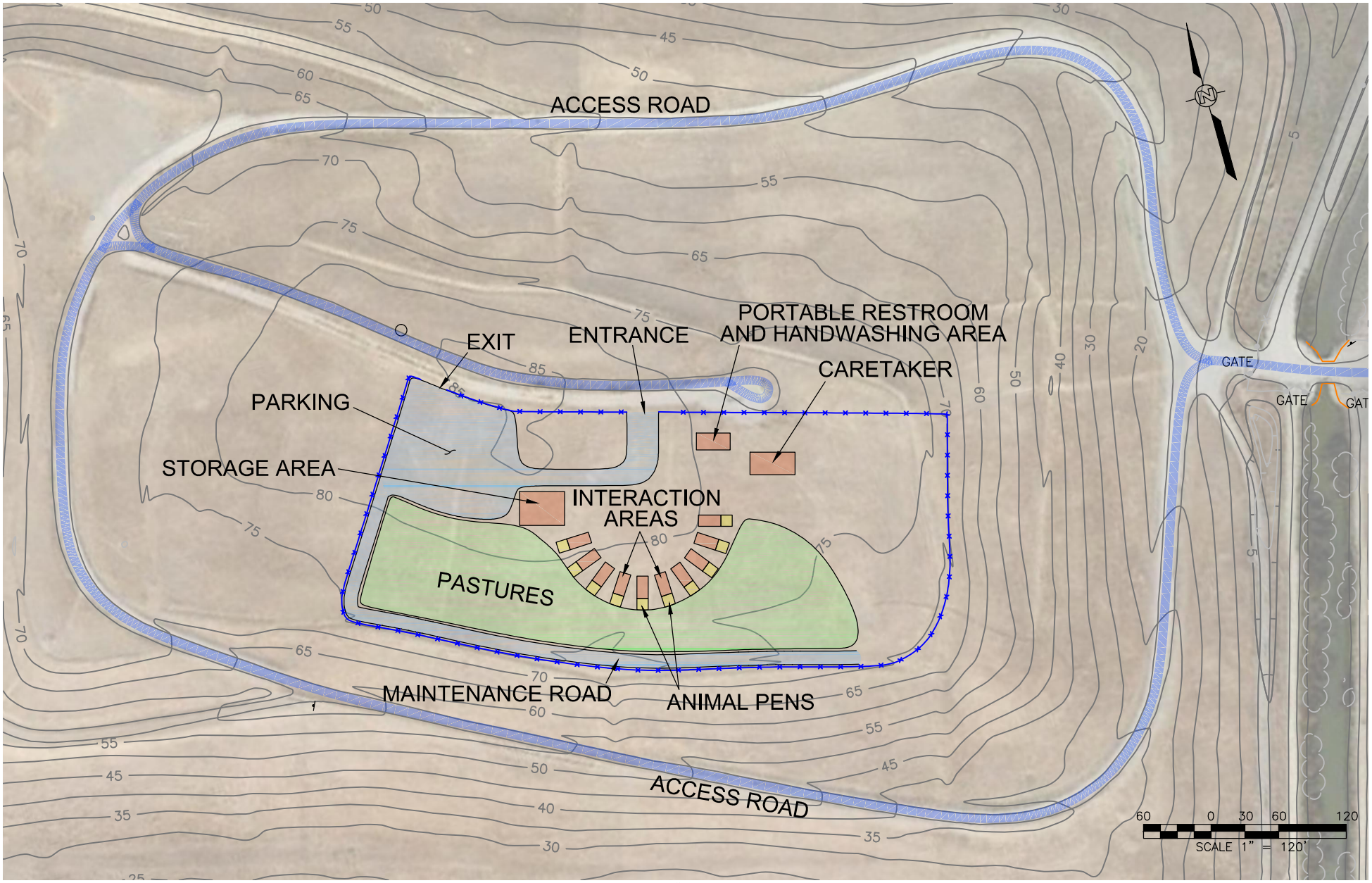

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FIGURE 4
ANIMAL ASSISTED HAPPINESS – SHORT TERM BUILD-OUT FEATURES
SUNNYVALE LANDFILL
SUNNYVALE, CALIFORNIA

DATE: 10/11/13
FILENAME: AAH Short Term
PROJ. No. ...

ATTACHMENT D

ATTACHMENT D

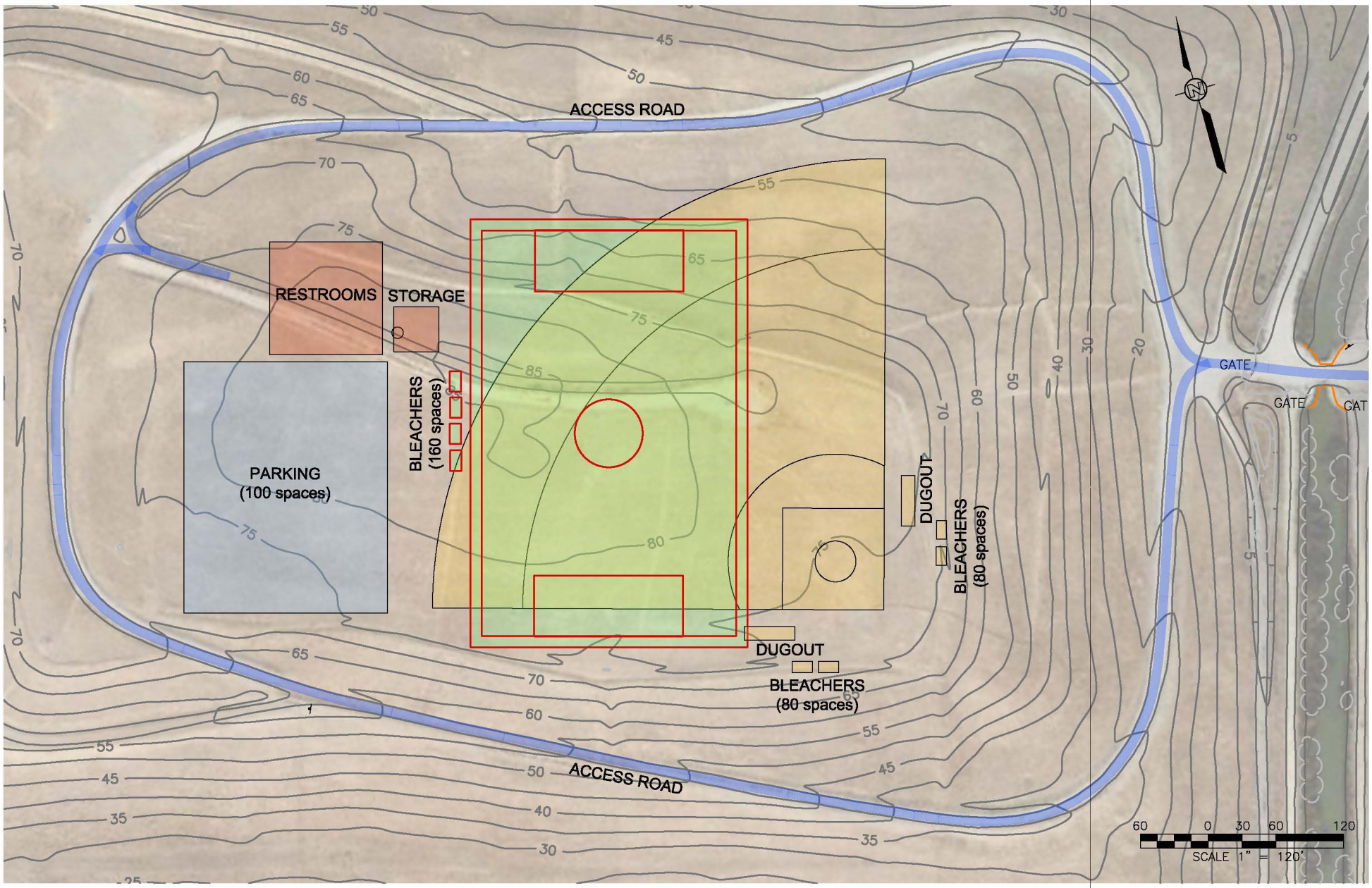

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FIGURE 5

BASEBALL/SOCCER FIELDS

SUNNYVALE LANDFILL
SUNNYVALE, CALIFORNIA

DATE: 10/11/13
FILENAME: WestHill Concepts0913
PROJ. No. ...

ATTACHMENT E

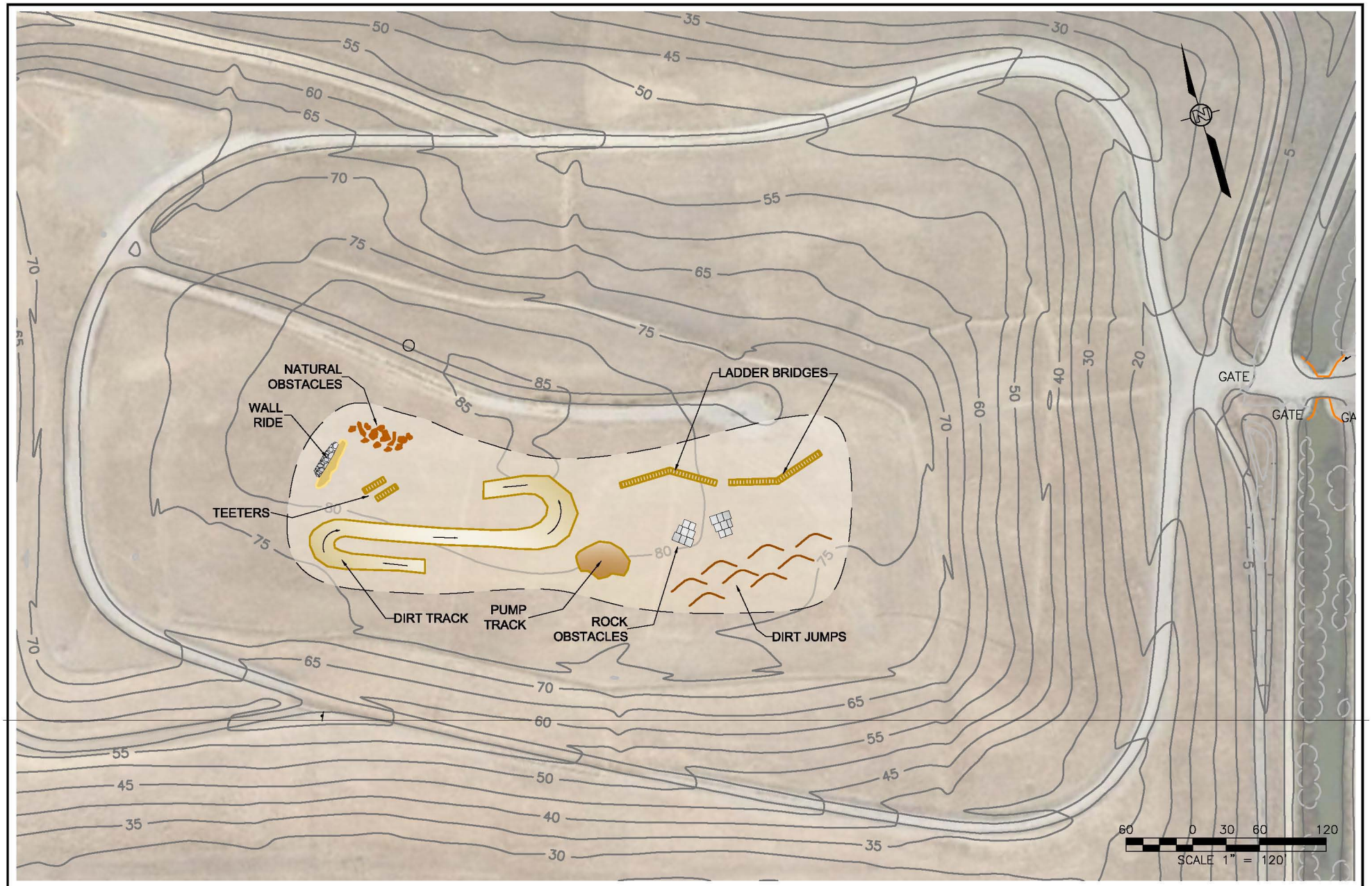

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FIGURE 6

BIKE SKILLS PARK

SUNNYVALE LANDFILL
SUNNYVALE, CALIFORNIA

DATE: 10/11/13
FILENAME: WestHill Concepts0913
PROJ. No. ...

ATTACHMENT F

ATTACHMENT F

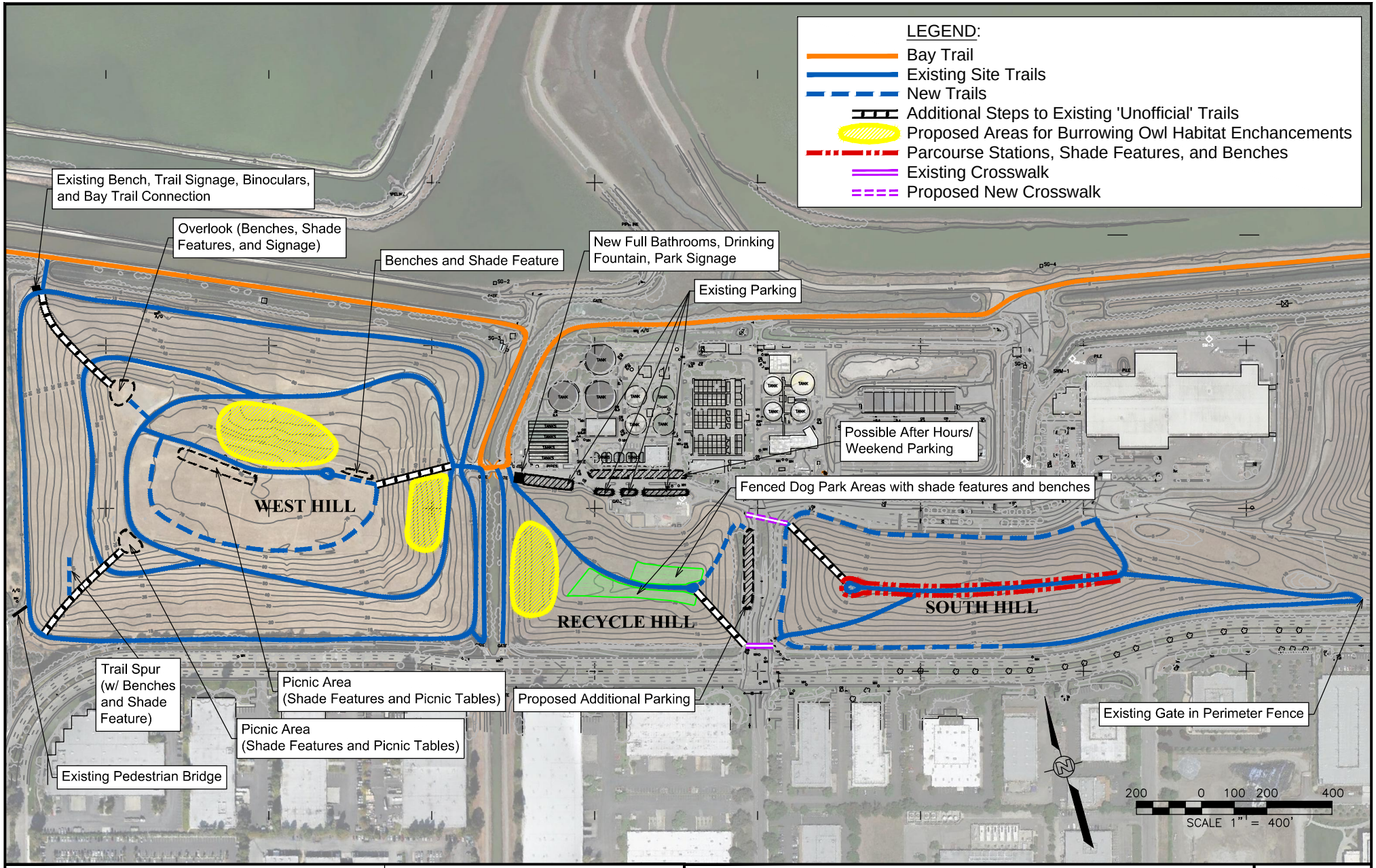

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FIGURE 10
PARK ENHANCEMENTS FEATURES
SUNNYVALE LANDFILL
SUNNYVALE, CALIFORNIA

DATE: 10/11/13
FILENAME: PARKENHANCE
PROJ. No. ...

ATTACHMENT G

disclose environmental impacts, including consideration on how to minimize and mitigate the impact. She emphasized that CEQA does not look for opportunities to improve the environment of an area or require evaluations on how to make positive environmental impacts.

PUBLIC HEARINGS/GENERAL BUSINESS

2. Feasibility of Establishing a Community Animal Farm for Children and Alternative Recreational Uses at the Sunnyvale Landfill (Study Issue)

Manuel Pineda, Assistant Director of Public Works provided the staff report. He recognized the partnership with the Environmental Services Department and the Parks Division of the Department of Public Works to analyze the recreational uses at the landfill and complete this report. He responded to Commissioners questions regarding locations of the suggested projects; related costs and funding; the effect of differential settlement on various projects; liability requirements; environmental analysis requirements; and the impacts of recreation at the landfill on wildlife.

Chair Alexander opened the public hearing at 7:32 p.m.

Daniel Bremond, a Sunnyvale resident, requested the Commission allow hang gliding, paragliding and kiting on the West Hill of the landfill. He explained the West Hill is exposed to a very consistent and predicable wind, and is the only place to fly in Sunnyvale. It offers the least impact of all recreation activities and requires no additional funding. He answered Commissioners questions about the landing areas and the safety and regulations of the air space.

Arlene Goetze, an advocate against toxins on behalf of children, expressed concerns about any recreational projects at the landfill due to the effects of toxics, including fire hazards and risk of cancer. She urged Commissioners to consider the health of children in their decisions.

Gary Cohen, a Sunnyvale resident, requested further exploration for a Sunnyvale location of the Animal Assisted Happiness (AAH) non-profit organization. He expressed his support of the program for special-needs children and believes a Sunnyvale location would provide services to a larger population of children and families with no current access to these services.

Shani Kleinhaus encouraged the Commissioners to consider a burrowing owl conservation plan as the first priority for the landfill use, and to help bring burrowing owls back from near extinction. She suggested recreation uses at the landfill as the second priority.

Kira Od expressed the importance of the landfill being the last “wild” place in Sunnyvale. She encouraged preservation of it as a “wild” place as it is part of a sea corridor to San Jose. She also expressed the importance of considering the complexity of the adjacent

levy system, its hazards, lack of parking, lack of signage and the variety of uses of the levy system.

Chair Alexander closed the public hearing at 7:52 p.m.

MOTION: Vice Chair Pasqua moved to approve Alternative 2 - direct staff to explore Baylands Park as a location for AAH in Sunnyvale, Alternative 5 - direct staff to further evaluate the technical feasibility of adding park enhancements to the Sunnyvale Landfill site, and Alternative 6 - direct staff to further evaluate the technical feasibility of constructing a dog park at the Sunnyvale landfill site, with a modification to locate the dog park on the South Hill. Commissioner Pochowski seconded the motion.
VOTE (3-2) APPROVED. Chair Alexander and Commissioner Kenton opposed the motion.

Commissioner Harms suggested consideration of Alternative 3 (evaluate the feasibility to build a sports field), since Sunnyvale is losing sports fields. Chair Alexander and Vice Chair Pasqua liked the idea of a sports field but felt costs associated with building it at the landfill location were too expensive.

Commissioner Pochowski felt Alternative 2 (explore Baylands Park as a location for AAH) is important for the community. Commissioner Kenton would like to see further work on this Alternative.

Commissioner Pochowski, and Vice Chair Pasqua opposed Alternative 4 (bike skills park) as it would serve a limited segment of the community.

Commissioner Pochowski felt the West Hill should be reserved for park like activities described in Alternative 5. Commissioner Kenton agreed.

Vice Chair Pasqua and Commissioner Pochowski supported Alternative 6 (further study of the best location of a dog park at the landfill) based on the communities' interest in dog parks. They felt this location would not disrupt neighbors, and if developed in the right location it would not disrupt the natural habitat of the landfill.

Chair Alexander opposed Alternative 6. Instead he would like to see the area stay as "wild" as possible. Commissioner Kenton also opposed Alternative 6 because it is remote and would not serve Sunnyvale residents. He also has concerns about the limited parking.

MOTION: Commissioner Kenton moved to approve Alternative 4, further study of a bike skills park not on the West Hill, but on another hill. The motion died for a lack of a second.

3. Discussion and Possible Action Regarding Las Palmas Dog Park Location

Superintendent Morton, Parks Manager Stark, and Senior Management Analyst Lord