



**Draft for Parks and Recreation Commission review  
on November 10, 2010**

**Council Date: December 14, 2010**

**SUBJECT: Agreement Renewal with Sustainable Community Gardens for  
Property Located at 433 Charles Street**

**BACKGROUND**

On January 10, 2006, City Council reviewed Report to Council No. 06-013, "Explore Locations for Community Gardens and Special Agreement with Sustainable Community Gardens." The report noted the positive aspects of community gardening and a positive relationship growing with a local gardening group, Sustainable Community Gardens (SCG). The City and SCG entered into a five-year agreement whereby the City provided the exclusive use of 433 Charles Street for the purpose of community gardening, and SCG was responsible for the design, construction, operation and maintenance of the community gardens. The current five-year agreement will expire on January 29, 2011. Recently, the Executive Director of the SCG approached staff with a request to extend the agreement for another five years.

**EXISTING POLICY**

**From the Open Space and Recreation Sub-element:**

Policy 2.2.A.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 land-banking.

2.2.B.6. Leverage available resources by pursuing co-funded and/or cooperative agreements for provision and maintenance of programs, facilities, and services, in order to maximize benefits to the community. Partners may include, but are not limited to, school districts, non-profit groups, governmental agencies and businesses.

2.2.B.1. Design programs to meet the needs of residents, allowing for non-resident participation as long as it does not take away from opportunities or resources for residents.

2.2.C.2. Support public and private efforts in and around Sunnyvale to acquire, develop and maintain open space and recreation facilities and services for public use.

**From the Community Engagement Sub-Element**

Policy B.1 - Encourage community involvement in the development and implementation of City and community activities, programs and services.

**DISCUSSION**

Sustainable Community Gardens (SCG) is a group of resident gardeners interested in organic, sustainable gardening to produce high-quality fruits, flowers and vegetables while educating the community about the positive aspects of this activity. The initial five-year agreement between the City and SCG contained several requirements of the group which have been met since the agreement began on February 1, 2006. The proposed new Agreement (Attachment A: Agreement between City of Sunnyvale and Sustainable Community Gardens) does not change these requirements in which the City provides:

- Exclusive use of a site for the purpose of community gardening;
- Free use of a park building for monthly meetings;
- Free referrals to Sustainable Community Gardens in future Recreation Activity Guides;
- Review and approval of community gardens design, layout and construction specifications;
- Review and approval of all policies, rules, regulations, etc. for the operations of the community gardens, including garden plot assignment practices;
- Access to utilities at the site.

Consistent with the current agreement, Sustainable Community Gardens will continue to provide:

- All services associated with the operation and maintenance of the Charles Street Community Garden;
- Direct payment to Finance, Utilities Division, for utility consumption at the site;
- Plans and design specifications for review by City;
- Non-profit community gardening services;
- Notice to gardeners of the five-year term of the agreement noting the specific date of termination;
- One copy of all garden plot assignment policies, by-laws, operating manuals, rules, regulations, etc. as approved by the Director of Community Services; and,
- A yearly report that notes the number of plots in use, total numbers of gardeners participating for the previous year, their age groups,

neighborhoods of residence, and the hours of educational instruction provided for the community.

At the time the original agreement was developed, the City was hesitant to commit to tying up the land behind the Sunnyvale Office Center for five years, given the City's interest in using the site for a new library or City Hall renovation project. Because of this, the agreement did not limit the City's ability to use the property for a different purpose (even within the 5-year agreement), so long as it provides 180 days notice to the Garden group. This provision remains in the proposed agreement and continues the requirement that SCG take responsibility for making sure that member gardeners know the agreement terms.

### **FISCAL IMPACT**

There is no fiscal impact to renew the current agreement with Sustainable Community Gardens for another five years. However, a potential fiscal impact that was noted in the report in 2006 and still applies today is that an opportunity cost is created by having the Community Gardens on City-owned parcels that could be available for other uses including revenue generation through sale. This opportunity cost was estimated to be \$6,700,000 in 2006. Today this parcel of land, which is zoned for office use, is still valued at the same amount it was in 2006.

### **PUBLIC CONTACT**

Public contact was made through posting of the Parks and Recreation Commission agenda on the City's official-notice bulletin board, on the City's Web site, and the availability of the agenda and report in the Office of the City Clerk, the Sunnyvale Library, Parks and Recreation Administration, Community Center, and Senior Center.

Notice of Commission and Council meetings regarding this report were also distributed to the "Friends of Parks and Recreation" mailing list (a list of organizations and individuals who have expressed an interest in Parks and Recreation issues). A copy of this report was also provided to Rebecca Jepsen, Executive Director of Sustainable Community Gardens.

### **ALTERNATIVES**

1. Approve renewal of the agreement with Sustainable Community Gardens for the operation and maintenance of the Charles Street Community Gardens for another five years consistent with Attachment A and authorize the City Manager to enter into the agreement on behalf of the City.
2. Approve renewal of the agreement with Sustainable Community Gardens for the operation and maintenance of the Charles Street Community Gardens

for a different period of time as determined by Council and authorize the City Manager to enter into the agreement on behalf of the City.

3. Other action as determined by Council.

**RECOMMENDATION**

Staff recommends approval of Alternative 1: Approve renewal of the agreement with Sustainable Community Gardens for the operation and maintenance of the Charles Street Community Gardens for another five years consistent with Attachment A and authorize the City Manager to enter into the agreement on behalf of the City.

The working relationship between the City and the Sustainable Community Gardens group, as well as the on-going programming and maintenance of the Charles Street Gardens has progressed very smoothly since the gardens first opened in the fall of 2006. The gardens are a benefit to the Sunnyvale community not only by providing garden plots to Sunnyvale residents, but also by the educational classes that are open to all residents and the donations of fresh fruits and vegetables from the gardens to assist local food programs for low-income residents. (Attachment B: FY 2009/10 Annual Report for Charles Street Gardens.) By extending the agreement another five years until January 30, 2016, the Community Garden program can continue to operate and the provisions that either party can terminate the agreement with 180 days notice still remains in place.

Reviewed by:

Robert Walker, Assistant City Manager  
Prepared by: Cathy E. Merrill, Assistant to Director

Approved by:

Gary M. Luebbers  
City Manager

**Attachments**

- A. Agreement between City of Sunnyvale and Sustainable Community Gardens for the Development, Operation and Maintenance of Community Gardens (February 1, 2011 to January 30, 2016)
- B. FY 2009/10 Annual Report for Charles Street Gardens

**AGREEMENT BETWEEN CITY OF SUNNYVALE AND SUSTAINABLE  
COMMUNITY GARDENS FOR THE DEVELOPMENT, OPERATION AND  
MAINTENANCE OF COMMUNITY GARDENS**

THIS AGREEMENT dated February 1, 2011, is by and between the CITY OF SUNNYVALE, a municipal corporation ("CITY"), and SUSTAINABLE COMMUNITY GARDENS ("GROUP"), a non profit corporation.

WHEREAS the City desires to support independent organizations providing services beneficial to the Community; and

WHEREAS GROUP wishes to provide non-profit community gardening services which are not otherwise offered to City residents or duplicated by the City of Sunnyvale; and

WHEREAS GROUP wishes to use the portion of City-owned properties located at APN # 165-04-019 that extends southward from underground utilities to the parking lots for 505 West Olive Avenue (Community Gardens Site) for that purpose at limited cost to GROUP;

WHEREAS CITY's General Plan calls for the City to "provide, develop and maintain special use parks and facilities"; to "provide for a balance between general recreation uses and special interest uses in parks and facilities"; to "provide recreation facilities that will accommodate and meet the needs and interests of special population groups"; to "provide programming which meets the needs of families and changing family structures"; to "leverage available resources by pursuing co-funded and/or cooperative agreements for both expansion and maintenance of programs, facilities, and services in order to maximize benefits to the community"; to "foster and encourage partnerships with outside groups in order to address the community's diverse recreational needs"; and to "encourage active citizen involvement in development and provision of Community Services programs, facilities, and services"

NOW THEREFORE, in accordance with The City's "Relationships with Outside Groups Policy", the CITY OF SUNNYVALE and GROUP enter into this agreement.

**1. Obligations of CITY**

CITY shall provide GROUP exclusive use of the portion of City-owned properties located at APN # 165-04-019 that extends southward from underground utilities to the parking lots for 505 West Olive Avenue (Community Gardens Site) for the purpose of community gardening. "Community Gardening" shall be defined as:

The group activity of growing and harvesting legal plants and produce, using organic gardening practices, at various location(s) in Sunnyvale intending to provide opportunities for: learning about

various aspects of the natural world including organic food production and research; sharing a love of growing plants and caring for the environment; beautifying the community; meeting socially and sharing common gardening interests; teaching students through hands-on gardening activities and workshops; and, providing gardening plots for residents who may not have space to garden on their personal property or knowledge of organic gardening practices.

CITY shall provide GROUP free use of space in a park building for meetings and educational purposes related to community gardening once monthly for a period not to exceed four hours per use. The location of said meetings shall be at the sole discretion of the CITY, subject to availability. GROUP may reserve said use up to six months in advance.

CITY shall provide a referral to GROUP in the Department of Community Services Activity Guide under the heading of Community Organizations or a similar heading as long as there is room in the Activity Guide to do so.

CITY shall review and approve all changes in design and construction plans for community gardens prior to construction.

CITY shall review and approve any and all user fees to be paid by gardeners to GROUP.

CITY shall review and approve all by-laws, policy manuals, rules, regulations, processes and procedures GROUP uses in connection with assignment of garden plots, operation and maintenance of the Community Gardens.

CITY shall pay all electric bills associated with use of utilities by GROUP for community gardening.

## **2. Obligations of GROUP**

GROUP shall be responsible for all aspects of designing, building, operating and maintaining the community gardens at the Community Gardens Site located at the portion of APN # 165-04-019 that extends southward from underground utilities to the parking lots for 505 West Olive Avenue

GROUP shall compensate CITY for irrigation costs by providing a metered connection for water and paying the irrigation water costs directly to the City of Sunnyvale, Utilities Division.

GROUP shall not demolish any structure, grade facilities, or construct any amenity without first having obtained the approval of CITY, shall be required to apply for all appropriate permits and shall be responsible for paying all related fees.

GROUP shall maintain the approved location for the express purpose of Community Gardens.

GROUP shall assign primary responsibility for community garden plots to Sunnyvale residents only. Those living outside of Sunnyvale may assist resident gardeners but may not be assigned a garden plot.

GROUP shall assign approximately 25% of gardening plots for primary use by the Sunnyvale Senior Center Gardeners. For the purpose of this Agreement, Sunnyvale Senior Center Gardeners are those gardeners that are members of the Sunnyvale Senior Center and residents of Sunnyvale. A minimum of fifteen, (15) garden plots approximately 64 square feet in size each shall be reserved for the Sunnyvale Senior Center Gardeners.

Group shall assign approximately 75% of the gardening plots for primary use by Sunnyvale resident gardeners. At a minimum, forty garden plots approximately 64 square feet in size each, shall be reserved for use by resident gardeners.

GROUP shall not perform community gardening services for profit. However, this does not preclude the establishment of user fees to pay for costs incurred or anticipated by GROUP in association with operation and maintenance of the community gardens. Any fees charged for this purpose are subject to review and approval by the Director of Community Services.

GROUP shall inform all gardeners yearly, through special notice included in all Garden Plot Assignment Agreements, that the term of this Community Gardens Agreement is five (5) years and shall specify that the termination date of this Community Gardens Agreement is January 31, 2016 and that this Agreement may be terminated by either party with 180 days notice.

GROUP shall provide City one copy of all by-laws, policy manuals, rules, regulations, processes and procedures it uses in connection with assignment of garden plots, operation and maintenance of the Community Gardens as approved by the Director of Community Services of the CITY.

GROUP shall recruit gardeners from among Sunnyvale residents whenever garden plots are available and no waiting list exists. Should Sunnyvale Senior Center Gardener's garden plot(s) become available, and no Sunnyvale Senior Center Gardener is on the waiting list to become a primary gardener, the plot(s) shall remain unused until a Sunnyvale Senior Center Gardener signs up for a garden plot assignment.

GROUP shall provide CITY two (2) keys to the gate of any fenced portion(s) of the Community Garden facility.

GROUP shall report participant numbers to CITY yearly on June 30 to include the number of garden plots in use, residents (including neighborhood of residence), non-residents, youths, seniors, low income and total number of gardeners and students, as well as the number of hours of educational instruction provided during the previous fiscal year. Low income residents shall be determined by using the income guidelines and definition of low income established by the Community Development Block Grant program (CDBG) for residents of Sunnyvale, California.

GROUP shall provide the following services at no cost to the City:

- Provide garden plots in accordance with all associated plot assignment rules as approved by the Director of Community Services of CITY.
- Provide garden plots to Low Income Sunnyvale Residents in accordance with all associated plot assignment rules as approved by the Director of Community Services of CITY.
- Provide and teach organic gardening principles classes to ensure that each gardener that participates in gardening at the Community Gardens is knowledgeable of such practices.

GROUP shall resolve concerns and complaints in accordance with methods and/or policies as approved by the Director of Community Services of CITY.

GROUP shall remove any instructor or gardener that the CITY determines is not satisfactory for whatever reason.

### **3. Conflicts of Interest**

No officer or employee of CITY shall have any interest, direct or indirect, in this Agreement or in the proceeds thereof. During the term of this Agreement GROUP shall not accept employment or an obligation which is inconsistent or incompatible with GROUP'S obligations under this Agreement.

### **4. Compliance with Laws**

GROUP shall not discriminate against any gardener, visitor, employee or applicant for employment because of race, religion, creed, color, gender, age (persons 40 years of age or older), disability, national origin, or any other basis to the extent prohibited by federal, state or local law.

GROUP shall comply with all federal, state, county and city laws, statutes, ordinances, rules and regulations and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting performance of the Agreement including, but not limited to, not growing any plant materials

that are illegal to grow under state or federal law. In particular, the growing of *Cannabis sativa* (marijuana) is prohibited whether or not such activity may be lawful for medical purposes under relevant laws of the state of California. CITY shall have the right to enter, remove and confiscate plants of illegal species, including *Cannabis sativa*, without notice, and shall not be liable to the owner of such plants for any loss or damage sustained thereby.

## **5. Indemnity**

GROUP agrees to indemnify and hold harmless CITY, its officers, agents, employees and volunteers from any and all claims, demands, actions, causes of action, losses, damages, liabilities, known or unknown, and all costs and expenses, including reasonable attorneys' fees in connection with any injury or damage to persons or property arising out of or in any way connected with the act, omission or negligence of GROUP, its members, officers, employees, agents, GROUP, subgroups or any officer, agent or employee thereof in relation to GROUP'S performance under this Agreement.

## **6. Insurance**

GROUP shall and will, at own cost, take out and maintain without interruption during the life of this Agreement in such form and with a company or companies satisfactory to the CITY policies of the following types of insurance:

(a) Comprehensive General Liability Policy, affording coverage for bodily and personal injury liability, including liability for death, and property damage, or a combination thereof, in an amount not less than One Million Dollars (\$1,000,000) Claims Single Limit (CSL). Coverage shall be on an "occurrence" basis and not a "claims made" basis; provided, however, as follows:

(1) CITY, its Officers, agents, employees, and volunteers shall be named as an additional insured in all insurance policies;

(2) A contractual liability endorsement shall be included in each insurance policy, extending coverage to include liability assumed under paragraph 5 above; and,

(b) Worker's compensation insurance and employer's liability insurance for all employees of GROUP.

(c) Certificates of proof of Insurance for above required policies shall be supplied each January and upon renewal, by agency that provides GROUP insurance(s) for Community Garden purposes.

## **7. CITY OF SUNNYVALE Representative**



Neither party shall assign or sublet any portion of this Agreement without the prior written consent of the other party.

**11. Duration of Agreement**

This Agreement shall continue from the date of execution for a period of five (5) years, unless otherwise terminated in accordance with section 12 below. Renewal of this Agreement will not occur automatically but shall require the mutual written consent of the parties prior to the expiration of the Agreement.

**12. Termination**

(a) If GROUP defaults in the performance of this Agreement, or materially breaches any of its provisions; CITY at its option may terminate this Agreement by giving written notice to GROUP.

(b) Without limitation to such rights or remedies as CITY shall otherwise have by law, either party shall have the right to terminate this Agreement for any reason upon one hundred eighty (180) days' written notice to the other party. If CITY terminates the Agreement; CITY shall endeavor to allow planted crop to mature to fruition allowing GROUP to harvest produce prior to termination of Agreement. If time is of the essence and harvest is not possible due to needs of CITY, CITY shall reimburse GROUP for expenses directly related to tree replacement and pre-harvest expenses for the year of termination where the termination occurs before the commencement of the harvest. As a condition to such reimbursement of expenses, GROUP shall furnish to CITY annually a financial audit of operations under this Agreement.

**13. Entire Agreement; Amendment**

This writing constitutes the entire agreement between the parties relating to the services to be performed or materials to be furnished hereunder. No modification of this Agreement shall be effective unless and until such modification is evidenced by writing signed by all parties.



# Sustainable Community Gardens

A 501c3 Non Profit  
1055 Dunford Way  
Sunnyvale, CA 94087  
408-735-8154

## Report to City for Fiscal Year 2009-10 Charles Street Gardens

### Summary of Activities & Achievements:

Exceptional community involvement has resulted in a fourth year of success at Charles Street Gardens. In the past year of increased economic and environmental concern, the garden has stood out as an example of how citizens can improve and support their communities during times of hardship. On one acre of land volunteers help feed hungry families, provide an open space for people and wildlife, educate Sunnyvale citizens about water conservation and the benefits of eating and gardening organically, and grow food locally. Charles Street Gardens is a platform for Sunnyvale citizens to move towards a more sustainable and secure future. **We look forward to a 5-year lease renewal with the City of Sunnyvale.**

Some of our key achievements over the past year include:

### Infrastructure repairs and sustainability improvements:

**Greenhouse re-covered in plastic to replace storm damage.** The long greenhouse was stripped and re-covered with UV-resistant plastic to correct wear and tear, and to specifically address winter storm damage sustained in previous years. The work was carried out by our volunteers, and re-used a substantial portion of the existing slats in accordance with our green principles, and as a cost-saving measure.

**Continued to expand drip irrigation across the perimeter areas.** The Perimeter working group, using a combination of purchased and donated materials, expanded irrigation along the Charles Street and the side parking lot areas of the fence plantings. New plantings along the fence were put in place to take advantage of the drip system and beautify the perimeter.

**Beehives successfully located in garden.** As specified in last year's report, the beehives have been transported to the garden and put in place. Simple boundary barriers alert gardeners to stay clear of the hives, which are located out of the general workflow area, behind the Cherry storage shed. The colonies appeared to overwinter successfully, and honeybees are a cheerful presence throughout the garden.

**Local pollinator support.** Nesting boxes for native mason and carpenter bees have been installed and maintained. Perimeter and in-garden plantings of bee and butterfly plants such as fennel, nigella, California poppies, provide important forage and support for native pollinators.

**In-ground Vermiculture Experiment.** The garden is testing a pioneering method of in-ground vermiculture in the Waiting List Garden beds, using worm farms decorated by

local visiting schoolchildren. All indications are that the method has improved plant health and growth in the WLG bed that contains the worm farms, in contrast to the 'control' bed without them. More worm farms will be built for various school gardens that participate in Charles Street Gardens and Full Circle Farm education.

**Snail Hunt educational and pest control events.** We had a very successful SNAIL HUNT event in the garden. It began near dusk in the garden circle with an informational lecture on snail biology and habits. Then participants with flashlights and buckets searched the garden for snails and collected all that they found. Over 30 people found dozens of snails, lending their efforts to a truly organic pest control method. The snails were taken to Hidden Villa and fed to the chickens. The snail hunt event is being repeated on a regular basis, approximately monthly.

**Fifth Year Kickoff celebration** Our garden village came together and threw a memorable party. Volunteers helped to spruce up the garden, distribute and post flyers, made bookmarks, party set-up, brought yummy appetizers, drinks, or ice, baked an amazing cake, greeted visitors with a warm smile, gave garden tours, performed at the poetry jam, helped with the children's activities or the snail races, loaned tables for the day, sent well wishes and congrats, and helped with party clean up. We worked as a team to make the 5 Year Anniversary Party a reality, just like when we came together to create what is now Charles Street Gardens. (Starr Coatney, event coordinator) Photos and some video at

[http://hammanet.smugmug.com/Gardening/Charles-Street-Garden-5th/12447319\\_rXdWB#891307424\\_VFNce](http://hammanet.smugmug.com/Gardening/Charles-Street-Garden-5th/12447319_rXdWB#891307424_VFNce)

## **Active Volunteer Program**

### **Art Gianfermo awarded Sunnyvale Volunteer of the Year**

for his work coordinating and masterminding the Food Forest program at Charles Street Garden in cooperation with Sunnyvale Cares and numerous garden volunteers.

### **Over 5,200 community volunteer hours spent in the gardens.**

This figure is likely to be underestimated due to the number of gardeners who simply drop by during free time to work a little on their own plots and do a favor or two for the garden: pulling weeds, mulching paths, tending an ailing plant in the herb garden or perimeter planting, etc.

### **The Food Forest program provided 1800 pounds of fresh, healthy produce**

for families in need, in partnership with Sunnyvale Cares. The Friday harvests bring out new volunteers and engage the garden community with the wider Sunnyvale food security community. The Food Forest has been gradually adjusting crops grown in response to requests from the food program, so that families have more familiar ethnic foods as well as standard vegetables and greens. The harvest is routinely supplemented with staples such as canned or dry beans, rice, and packaged goods, dropped off by gardeners in the community. These are not included in the total above.

### **Community leadership training**

The Garden's non profit volunteer operation has grown from one staff Garden Coordinator in 2006 to a rotating staff of half a dozen or more. It has given

people the opportunity to improve communication skills and to be in charge of projects. Success stories include individuals transitioning to new 'green' careers, gaining skills that led to management promotions in the workplace, and engaging in valuable resume-building activities during the recession. Others have used their new abilities to assist other Sunnyvale organizations such as churches, eldercare facilities, and community groups.

## **Community education opportunities hosted**

### **Adult and teen education**

Free *Organic Gardening 101* training class for all new gardeners, those on the waiting list, and the general public. This 3-hour class is always well-attended, with a total of 68 students in the two class sections taught (August, September). We will continue to teach it and are working on a standardized lesson plan to distribute to new gardeners. (Eric)

Individual gardeners have created and taught additional free classes open to the public, such as *Orchid Repotting* and *Vine Fruit Pruning*.

(incoming from Alice) person-training hours by the Master Gardeners of the Sunnyvale Teaching and Demonstration Garden. This is eight, 2-hour classes, with \_\_\_ total students in attendance. (Alice, DJ)

### **Youth education**

The Garden hosted several "Community Kidz Camp" field trips at the garden. Gave demonstrations of worm composting, seed planting, and transplanting to Sunnyvale children in February and April. We had 18 - 24 participants for each Kidz Camp visit. The first hour was for the younger group - 8-10 year olds. The second group were about 11-12 years old.

We also had a visit by older 'teens and young adults from the Pacific Autism Center. There were about 12 participants and at least 6 of their staff supervising. Three or four gardeners each escorted a small group of students, after an introduction for the total group.

## **Implemented new administration programs to increase gardener participation**

**Established a formal gardening agreement and payment schedule for the Waiting List Garden**, which was built in 2008 as a shared garden for the 120 Sunnyvale residents on the waiting list. The agreement specifies membership rules and the fee will cover water usage and supplies such as seeds and fertilizer.

**Held two well attended All-Hands Gardeners meetings** in the Fall of '09 and the Spring of '10.

## **Economic sustainability of the Garden**

**Raised \$2900, enabling Charles Street Garden to fund ongoing maintenance of the grounds and to host educational and community events free to the public.**

Fall (2009) Plant sale successfully raised ~\$600 for the gardens.

Spring (2010) Earth Day Plant sale successfully raised ~\$2300 for the gardens.

## **By the Numbers**

Sunnyvale residents on the waiting list: 171

Total Primary Gardeners: 82

Additional co-Gardeners: 27

Waiting List Gardeners (Active): 10

### **Distribution by Zip Code:**

94085: 9

94086: 43

94087: 30

94088: 0

94089: 9

### **Distribution by Age (for those who shared this info):**

18-35: 10

36-49: 23

50 or more (Senior): 31

### **Garden Beds Filled:**

21 Senior beds - 1,344 sq feet

65 General Citizen beds - 4,160 sq feet

1 Wheel Chair Accessible beds - 4 available

1 Low Income waiver gardeners – payment waived

## **Looking Ahead**

In 2010-11 we plan to continue our improvements to the perimeter plantings and expand the areas under drip irrigation. We also expect to process more of our own green waste with the addition of a new, more powerful chipper, and a shed in which to store it.

We will continue to give regular and special scheduled tours of the Gardens to any and all residents of Sunnyvale and their friends, including the Kidz Camp and neighborhood associations.

In the coming year Sustainable Community Gardens hopes to provide food security to more Sunnyvale residents. We are continuing our regular weekly donations to local food banks via our Food Forest program at Charles Street Gardens. We will also be supporting food security through the winter via a program of allowing volunteers to garden winter crops in idle gardeners' plots, to be added to the weekly donated harvest.

Additionally, SCG also hopes to serve more residents by exploring the feasibility of a second community garden in Sunnyvale. Charles Street Gardens has enabled local residents to save money by growing their own food, which is an even more valuable resource during these tough economic times. Building an additional community garden would expand this resource to the 170+ people on our waiting list. We have identified

potential funding for a second community garden in Sunnyvale and we will begin to explore the feasibility of such a project in the coming year.

Thank you,

Eric Fulda

Garden Coordinator, Charles Street Gardens

[prepared by Strata Chalup, Application Coordinator, CSG]



**Draft for Parks and Recreation Commission review  
on November 10, 2010**

**Council Date: December 7, 2010**

**SUBJECT: Request from Sunnyvale Historical Society and Museum  
Association (SHSMA) to Build Storage Shed in Heritage Park**

**BACKGROUND**

Prior to the September 2008 opening of the Sunnyvale Heritage Museum in Orchard Heritage Park, the Sunnyvale Historical Society and Museum Association (SHSMA) operated its museum programs and displays in the Murphy Park Building where they had use of a large storage area for their artifacts and rotating exhibits. When the new Museum building opened in Orchard Heritage Park, the agreement between the City and the SHSMA allowed them to continue to use the Murphy Park storage area until the City had a need for it.

In August of this year, the City notified the SHSMA of its desire to renovate the Murphy Park Building and the eventual need to take back the storage space. After considering different options to accommodate their storage, the SHSMA recently approached the City with a request to add a new storage building behind the existing Museum building at Orchard Heritage Park.

**EXISTING POLICY**

From the Open Space and Recreation Sub-Element:

2.2.A.6 Maintain a working fruit orchard throughout the largest portion of Orchard Heritage Park for as long as practical.

2.2.B.6: Leverage available resources by pursuing co-funded and/or cooperative agreements for provision and maintenance of programs, facilities, and services, in order to maximize benefits to the community. Partners may include, but are not limited to, school districts, non-profit groups, governmental agencies and businesses.

2.2.C.1: Support activities and legislation that will provide additional local, county, and regional park acquisition, development, and maintenance and recreational opportunities.

2.2.C.2: Support public and private efforts in and around Sunnyvale to acquire, develop and maintain open space and recreation facilities and services for public use.

From the Community Engagement Sub-Element

Policy 7.2.4: Relationships with Outside Groups

**DISCUSSION**

The Sunnyvale Historical Society submitted a letter to City Manager Gary Luebbers (Attachment A: Letter from SHSMA regarding Storage Building) requesting permission to construct a new storage facility for their artifacts behind the existing museum building. In response, staff met with representatives from the Historical Society and the Orchardist who maintains the Heritage Orchard to consider several locations near the Museum building at Orchard Heritage Park.

Ideally, the new storage building would be within easy access to the museum building and its loading ramp, and its construction would have the least impact on the trees and the operations of Orchard Heritage Park. The three options that appeared to meet the needs of the Society with minimal impact on the Orchards are depicted by number on the attached Heritage Center site plan and the pros and cons of the sites are described below. (See Attachment B: Sunnyvale Heritage Center Site Plan.)

#1: Construct the storage building in the apricot orchard directly behind the Museum.

Pros:

- This site would have the most convenient access to the Museum with easy loading and unloading off the existing loading ramp.
- Museum volunteers would be able to move most items from the storage shed to the Museum building and back without needing to rely on a vehicle.

Cons:

- Constructing a shed at this location will require the loss of two small and one large apricot tree.
- New security fencing around the storage shed will also need to be located on existing orchard land.

#2: Construct the storage shed on the side of City Heritage Park building on the edge of orchard.

Pros:

- This site would be close to the Museum building, but not as convenient to the loading ramp as Option #1 above.
- Maintenance tasks for the orchard would be less inconvenienced if the storage building was located in this area compared to Option #1.

Cons:

- Constructing the storage shed at this location will require the loss of three to seven apricot trees, depending on the exact placement of the building.
- A vehicle would be required to drive the heavy items around the site to the loading ramp behind the museum since there is no driveway access from the museum back door to this area.
- This area tends to have problems with water drainage, making it less ideal for a storage building.

#3: Construct the storage shed in an area east of the Orchard Heritage Interpretive Exhibit on orchard land, near the parking lot.

Pros:

- This site would not require the removal of any apricot trees.
- The storage building's driveway would easily connect to the parking lot, making a short drive to move items between the storage building and the Museum.

Cons:

- This location is the furthest away from the Museum building. It may also be perceived as building open for public viewing or use.
- A vehicle would still be required to drive most items the short distance from the storage shed to the Museum building.
- Constructing the storage shed at this location may require the removal of one ornamental tree.

The Society would like to build a 900 square foot storage building on the Heritage Park site, behind the museum as described in Option #1 above. Constructing the storage building directly behind the museum would best meet the Society's need to maximize the existing driveway for loading and unloading, and eliminate the need to hire trucks to transport items to and from a more distant location.

According to the Historical Society, the new storage building's construction will be a simple wood frame structure with insulation and venting, and no utilities are planned at this time. The building will only be used to store and rotate Historical Society artifacts, therefore no work or public viewing will take place inside of the structure. The building will be designed to meet several objectives:

- To architecturally resemble an outbuilding found on a homestead of the period of the museum (Murphy House) to further define the area as a "Heritage Park".
- To design the storage building to accommodate the site and remove as few trees as possible.

- To have a roof structure that will compliment the existing Bianchi Barn on the site and keep the building height between 15' to 16' so it has a low visual impact.
- To comply with all building codes and secure permits as required.

The Historical Society has agreed that upon completion of construction, ownership of the storage building shall vest with the City as does the existing Heritage Museum building. The Historical Society will also have responsibility for the maintenance and upkeep of the storage building, as it does the existing Museum Building. (The contents of the new storage building shall remain the property of the Society.) The Society has also requested that all permit fees be waived for this project.

Staff has discussed the above options with the orchardist, Charles Olsen, who currently maintains Orchard Heritage Park. Currently, a portion of the site described in Option #1 is used to dry out harvested apricots in the summer and the orchardist prefers the storage building be located on Option #3 as that location would have the least impact on orchard operations and would not result in the loss of any apricot trees.

### **FISCAL IMPACT**

The Historical Society has agreed to provide all funds to complete the design and construction of the new building in accordance to City codes and to perform all on-going maintenance for building once constructed. There will be no fiscal impact to the City as a result of this project. However, there may be the loss of three to seven apricot trees in the Orchard Heritage Park, depending on the site chosen for the storage shed.

### **PUBLIC CONTACT**

Public Contact was made through posting of the Parks and Recreation Commission agenda on the City's official-notice bulletin board, on the City's Web site, and the availability of the agenda and report in the Office of the City Clerk, Sunnyvale Public Library, Senior Center, Community Center, and Department of Community Services Administration.

Copies of this report have been distributed to the Sunnyvale Historical Society and Museum Association and to Charles J. Olsen, the orchardist for Orchard Heritage Park.

### **ALTERNATIVES**

1. Authorize the SHSMA to construct a new storage building in the apricot orchard behind the existing Heritage Museum as described in Option #1 above and direct staff to amend the existing agreement between the City and

the SHSMA for the lease of the Heritage Museum to include the construction, operation and maintenance of the new storage building.

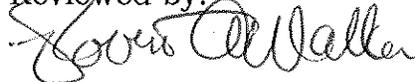
2. Authorize the SHSMA to construct a new storage building in another location as determined by Council.
3. Other direction as determined by the City Council.

**RECOMMENDATION**

Staff recommends Alternative #1: Authorize the SHSMA to construct a new storage building in the apricot orchard behind the existing Heritage Museum as described in Option #1 above and direct staff to amend the existing agreement between the City and the SHSMA for the lease of the Heritage Museum to include the construction, operation and maintenance of the new storage building.

The need for an accessible storage facility close to the existing museum is a reasonable request, especially since the Historical Society's current storage area at Murphy Park is to be taken back by the City when the Murphy Park Building is planned to be renovated. The site behind the existing museum will best serve the Society's needs for many years to come. While using this location may necessitate some adjustment to the operation of the apricot orchard and the loss of a few apricot trees, it will not have a major impact on the overall operations of the Orchard Heritage Park.

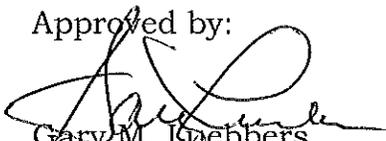
Reviewed by:



Robert A. Walker, Assistant City Manager

Prepared by: Cathy E. Merrill, Assistant to Director of Community Services

Approved by:



Gary M. Buebbbers  
City Manager

**Attachments**

A: Letter from SHSMA regarding Storage Building

B: Sunnyvale Heritage Center Site Plan



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## Sunnyvale Historical Society and Museum Association

P.O. Box 61301 Sunnyvale, California 94088

www.heritageparkmuseum.org • 408.749.0220

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September 11, 2010

Gary Luebbers, City Manager

**History** -- The Sunnyvale Historical Society and Museum Association opened the Heritage Park Museum in September of 2008 after operating for many years out of the Murphy Park building. Along with the 380 square foot museum at the park, we also maintained 1200 square feet of storage room in the lean-to portion of that park building. Upon completion of the new museum, we moved 80% of our stored artifacts over to the new building and put them on display for the public. Due to space limits, we kept the remaining artifacts in the lean-to shed as part of our comprehensive agreement with the city, as they are constantly used for rotating exhibits and research.

As you may recall, the new museum was a prevailing wage project due to receiving monies from the State under CCHE grants. With our limited budget, we chose to use those funds to build the best and largest museum we could afford, not using the higher costs to build large storage areas. We felt it was much more economical to build suitable storage at a later date. We had hoped this would be several years away, however, the City is now remodeling the park building and has given us a 90-day vacate notice. The Society explored several other sites with City Staff as possible storage sites and this was the preferred site by all.

**Artifacts** – the artifacts currently in storage include a 100 year old hand-carved redwood counter used in one of the first businesses in the City on Murphy St. It also includes many, many other early business artifacts, original City records from incorporation and onward, cannery articles of interest which were used recently in our special cannery reception, and many additional items which will rotate through the museum space as we move forward.

**Proposed Solution** -- The Society is proposing to build a 900 square foot storage building on the Heritage Park site. This size will allow us to move all remaining artifacts to the new storage building along with room to grow over the next few decades. We believe in building it correctly the first time and not asking for enlargements each year. The site will eliminate the need to hire trucks to move items as they are used. Although we have greatly appreciated the City's generous offer of storage at the old Murphy Park site for so many years, it will be a most beneficial to have new storage that does not leak or flood or freeze or cause heatstroke to the volunteers.

The new storage building will architecturally resemble an outbuilding found on a homestead of the period of the museum (Murphy House) to further define this area as "Heritage Park". The roof structure will compliment the existing Bianchi

Barn on the site. We are proposing a building measuring 30' by 30'. This building may be made slightly shorter, longer, narrower or wider to accommodate the site and remove as few apricot trees as possible. A short driveway of approximately 10 feet will be added to our existing driveway in the back of the museum for loading and unloading. The height of the building will be 15' to 16' making sure it has a low visual impact to the entire site. All building codes shall apply to the structure and permits will be secured by the contractor. We respectfully ask for all permit fees to be waived for this project.

**Impact** – there will **NO** fiscal impact to the city for this new building. The Historical Society shall raise the funds to complete all design, construction and maintenance of it. There may be the loss of up to four apricot trees to accommodate the new structure. It will be simple wood frame structure with insulation and venting, however, no utilities are planned at this time. The building shall be used to store and rotate Historical Society artifacts only. No work or public viewing will take place inside of the structure.

**Timing** – we respectfully request approval to add this storage building to the Heritage Park site as soon as possible. With only 55 days remaining on our 90-day vacate notice, time is of the essence. We will work with City Staff to secure temporary storage while construction is in progress and the Murphy Park work begins. The moving of all artifacts will be handled by the Society.

**In conclusion**, we sincerely hope the City will grant approval of this storage building so the Historical Society can continue to showcase the entire history of the city and region. With over 7,000 visitors per year to the new museum, we have become a destination of pride in the community and wish to continue that goal.

I am available for any questions and/or site visits. Please feel free to call me at 408-472-1627

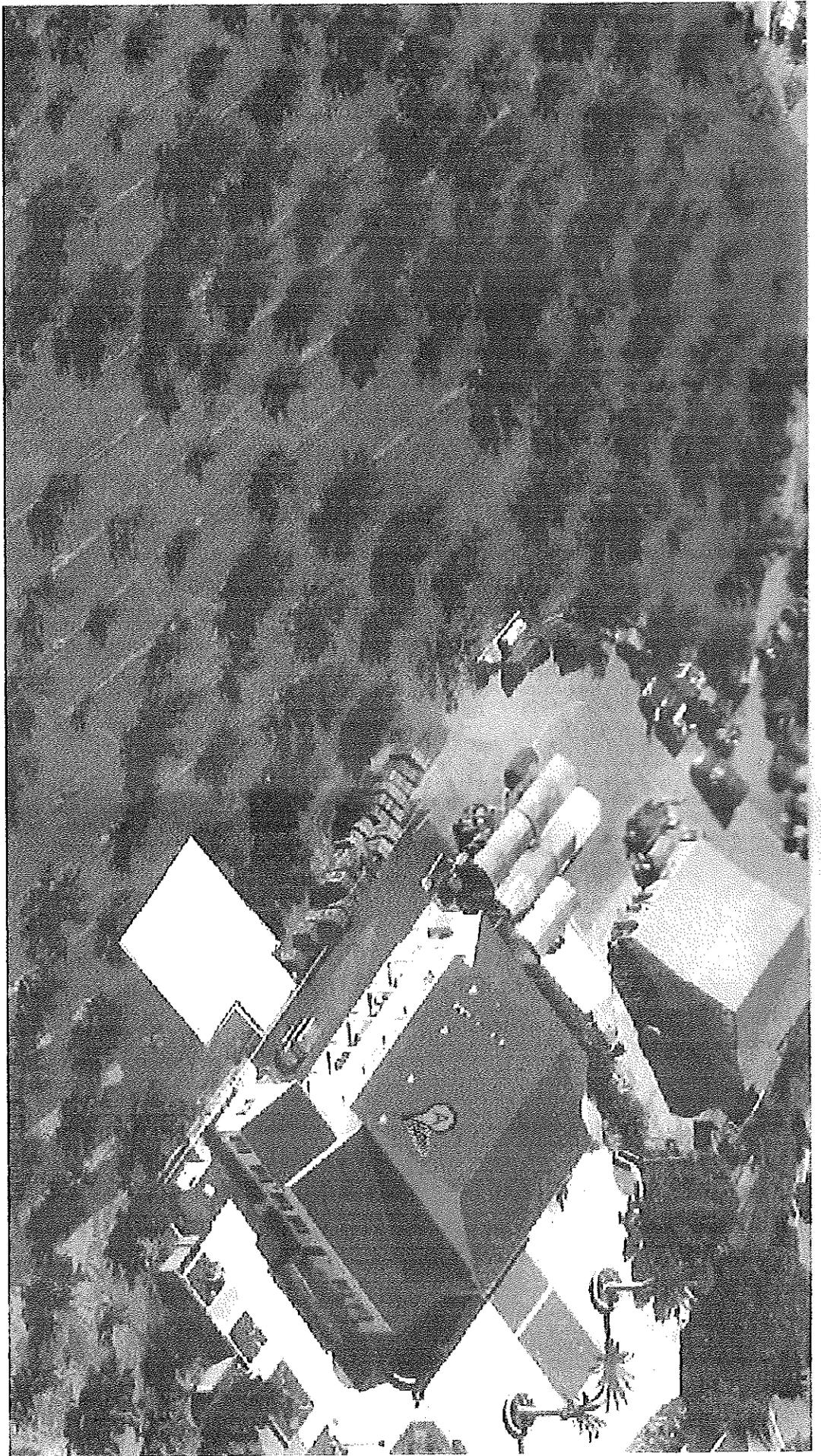
Thank you,

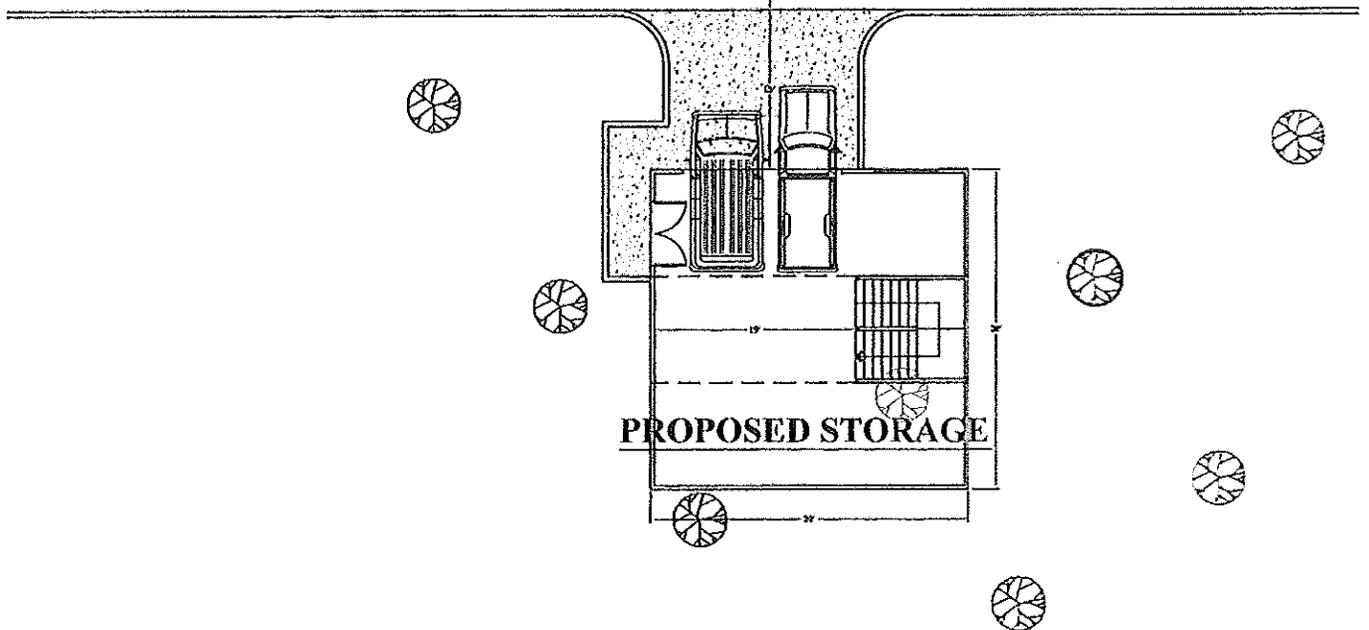
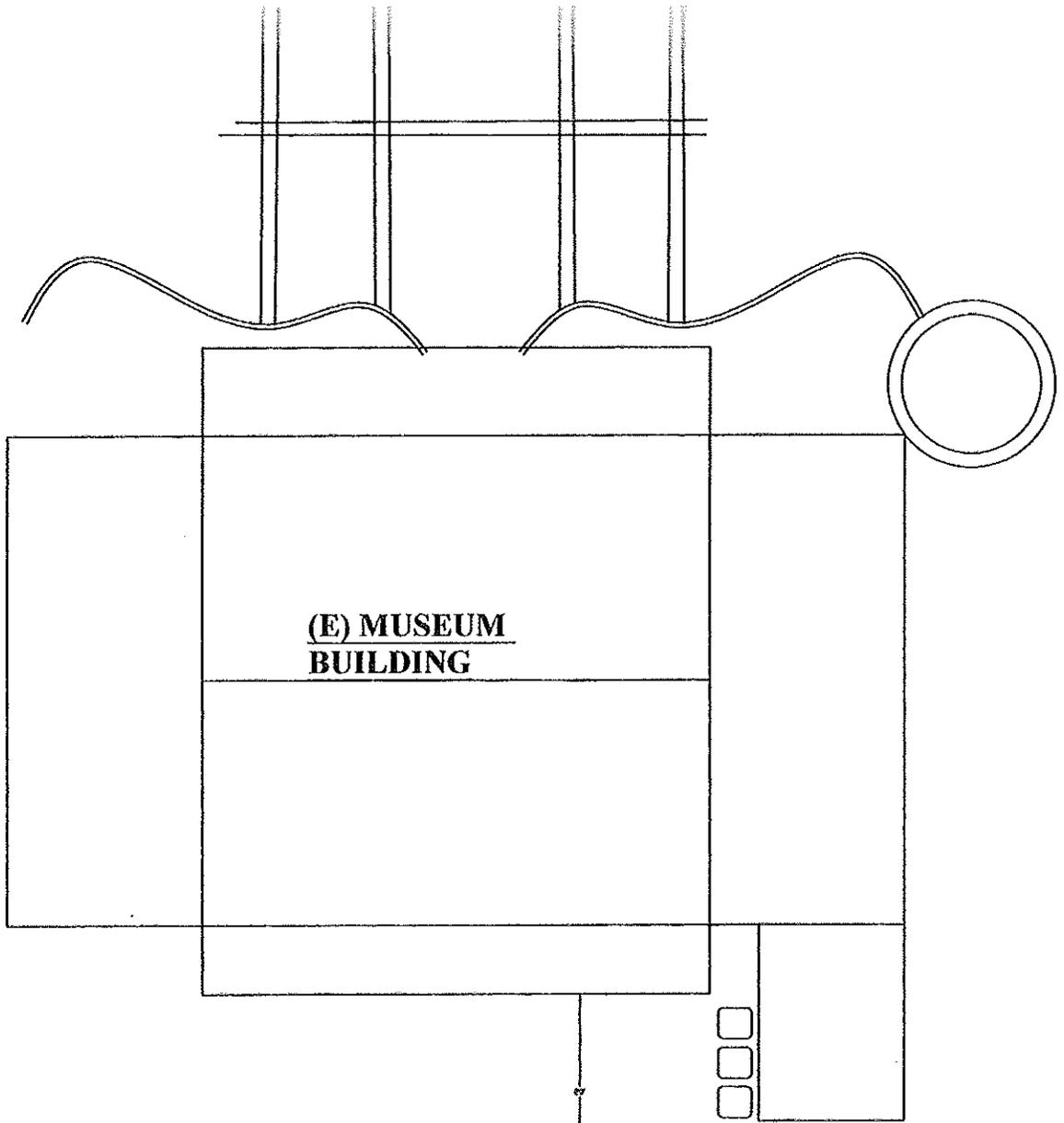
Laura Babcock

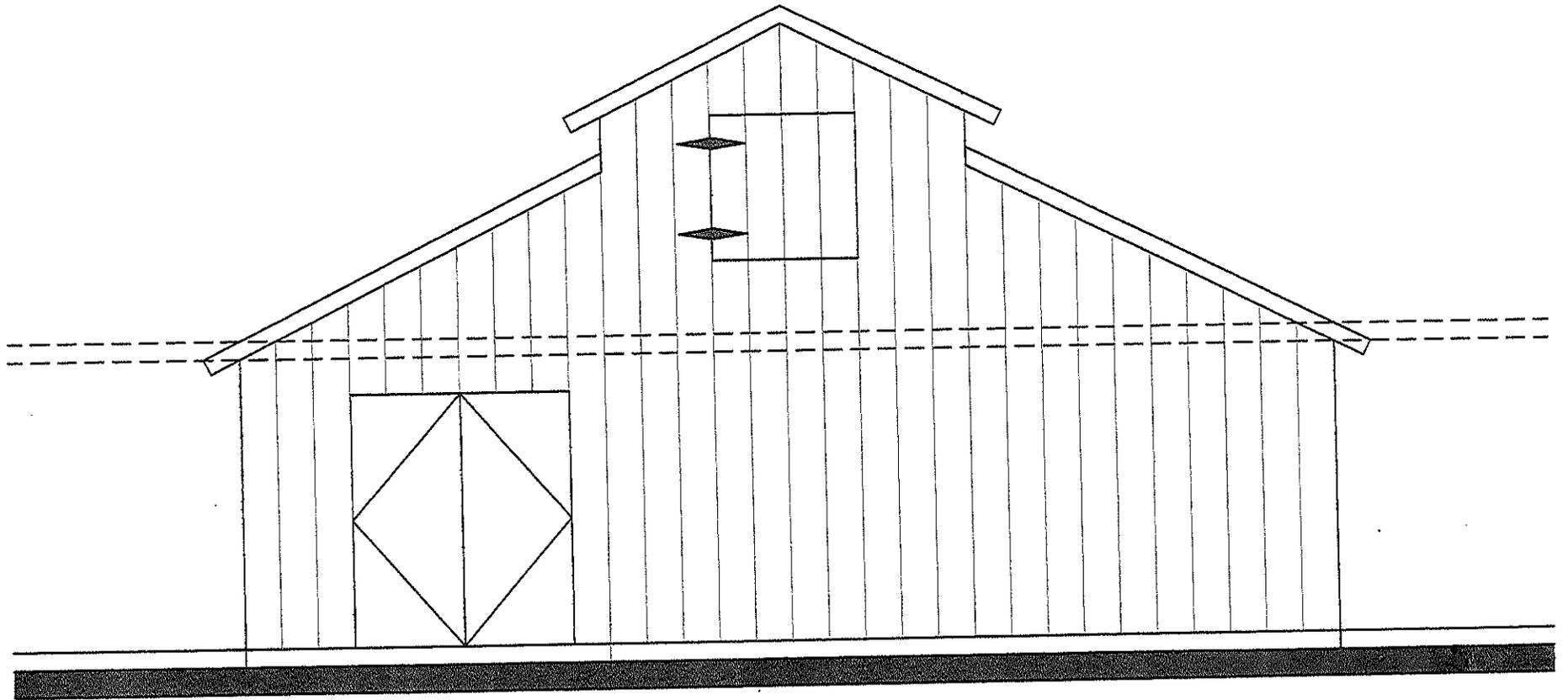
**Attachments:**

1. overall site plan
2. defined site plan
3. aerial view of proposed building
4. front view of proposed building
5. side view of proposed building
6. storage artifacts



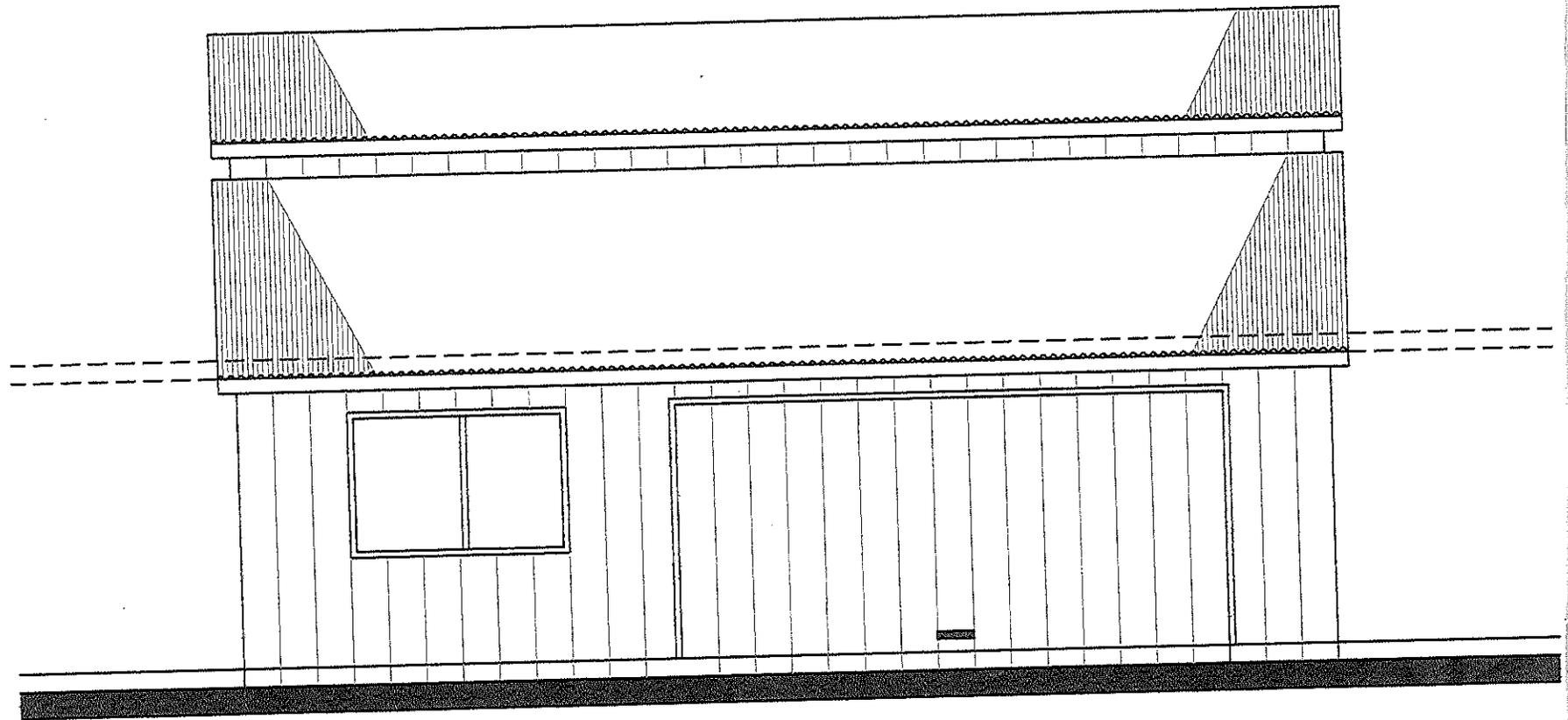






# NORTH WEST ELEVATION

SCALE: 1/4" = 1'-0"



# NORTH EAST ELEVATION

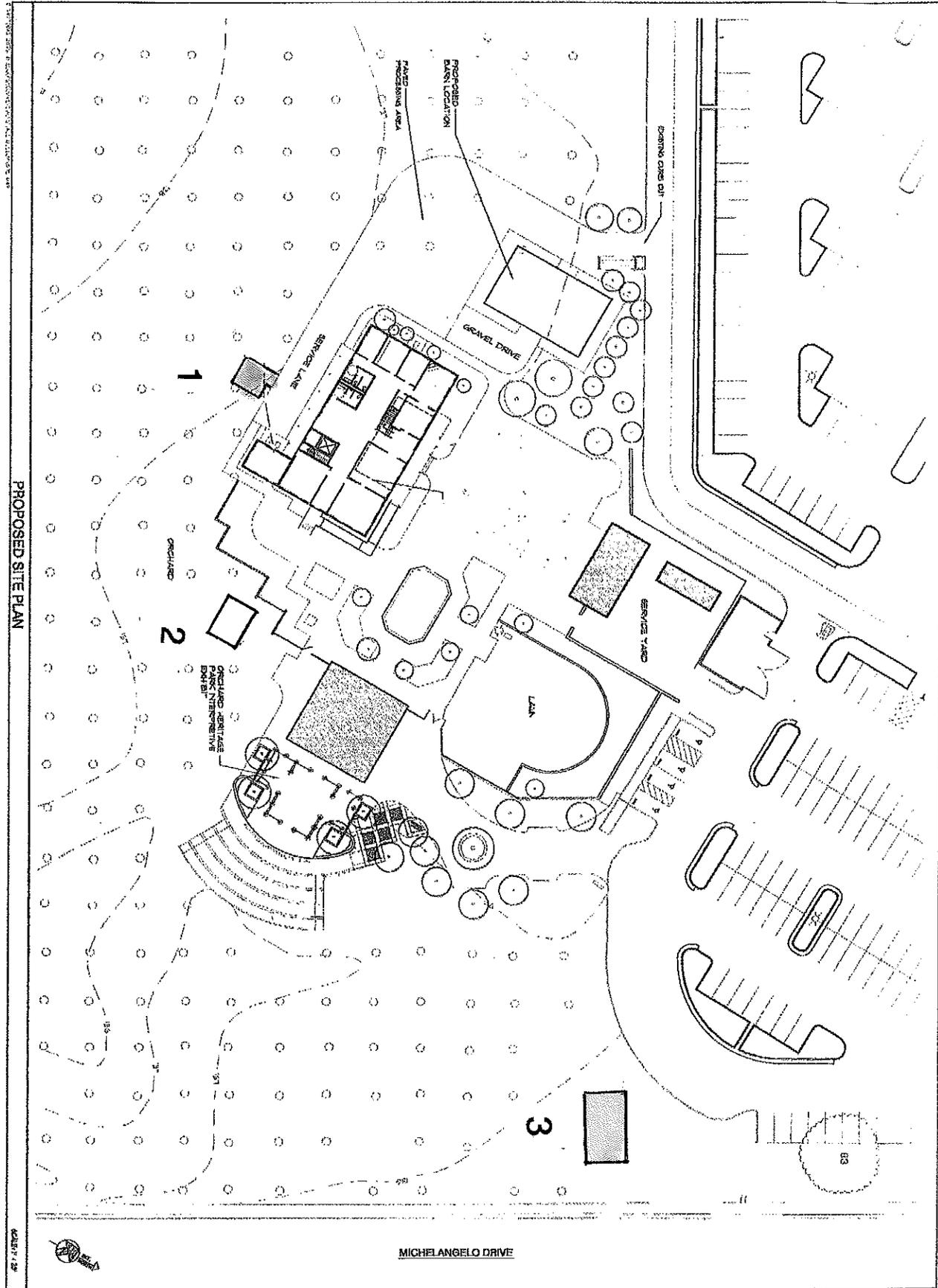
SCALE: 1/4" = 1'-0"

*[Faint signature or stamp]*



## OPTIONS AND IDEAS with Pros (a) and Cons (b)

1. Trade the City for the Maintenance Shed out front of the museum.
  - a. Pro--close by storage, Society to take down brick wall, open up new entrance that people can actually see from parking lot, easy access for loading and unloading, eliminates eyesore,
  - b. Con--City needs to relocate garbage bins, Society cost of rehabbing the building, Costs of new maintenance shed, costs of removing/replacing fencing, re-landscaping of site,
2. Addition to south side of City Heritage Park Building when it is rehabbed.
  - a. Pro--close by, easy access to museum,
  - b. Con--Long delay expected, no interim storage available, no driveway access for loading and unloading, almost impossible to move large items into,
3. Addition to Murphy Park Building when City remodels it.
  - a. Pro--easy transfer of storage items, has loading area,
  - b. Con--distance from new museum, interim storage needed during construction, additional moving expenses incurred,
4. Add Tuff Shed to apricot orchard behind (south) side of new museum.
  - a. Pro--Easy access!, easy loading, convenient for everything.
  - b. Con--Loss of three apricot trees, construction costs, driveway costs, cement pad costs, new fencing needed for security, may make Charlie unhappy (approximately \$90K)
5. Add Tuff Shed to south side of City Heritage Park building in edge of orchard.
  - a. Pro--close to museum,
  - b. Con--no driveway access, loss of 6 to 8 apricot trees, difficult water drainage site, very difficult to load or unload, makes Charlie unhappy



<p>DATE: 11/29</p> <p>SCALE: 1/8" = 1'-0"</p> <p style="font-size: 24pt; font-weight: bold;">A-2</p>	<p>PROPOSED SITE PLAN</p>	<p><b>SUNNYVALE HERITAGE CENTER</b> at the <b>SUNNYVALE COMMUNITY CENTER</b> 550 REMINGTON DRIVE, SUNNYVALE CA 94088</p>		<p><b>Architectural Alliance</b> Joseph H. Gutierrez • Architect • A.I.A.</p> <p>2249 Park Boulevard, Palo Alto, CA 94303      (650) 325-0177    FAX (650) 225-2134</p>
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### Board/Commission Process for Ranking Study Issues

The Study Issues process is designed to assist City Council with setting policy study priorities for the coming calendar year. Board and commission members have two roles in this process:

- To advise Council regarding the identification of policy issues to study (i.e., the generation of study issues ideas for Council's consideration)
- To advised Council on those issues Council has decided to study

All procedures must comply with Council Policy 7.2.19 *Boards and Commissions* and Administrative Policy Chapter 1, Article 15 *Boards and Commissions*. All board and commission members shall adhere to those operational practices and procedures as contained in the *Board and Commission Handbook* prepared by the Office of the City Clerk.

**To ensure consistency in approach and practice, all boards/commissions shall use the same ranking process as Council for all proposed Study Issues (described below).**

#### Ranking Process

##### Step 1: Review issues

Staff provides a brief summary of each proposed Study Issue. Any Study Issue ranked by a Board/Commission, must be signed/approved by the City Manager prior to ranking. Boards and commissions shall review and take action on only those issues under their purview, as determined by the City Manager. Items not under the specific purview of a board or commission may be presented to them for "information only".

##### Step 2: Questions of Staff

Staff will address questions Commissioner may have regarding each study issue.

##### Step 3: Public Hearing

Chairperson opens Public Hearing for public input on any of the issues under consideration. (Note: the Commission may not take action on, or rank any new issue raised by the public for which there is not already a study issue paper developed. Those seeking to raise new issues at this point in the process should be informed that their options are to seek Council sponsorship of their issue or submit it to the Board/Commission for the following year's process). Chairperson will close the Public Hearing.

##### Step 4: Determine which issues, if any, will be dropped

Commissioners may make motions to drop issues from consideration. After the motion is seconded, discussion on each item may ensue. If the motion passes by a simple majority of those present, the Board/Commission will drop the issue. Such action suggests that there is no need to study the issue.

If the Board/Commission votes to drop an issue that was initiated by the Commission that same year, the issue will not be forwarded to City Council for the Council's consideration. If, however, the Commission votes to drop an issue that was not initiated by the Commission – meaning that it was initiated by staff, Council or another Commission – or that had been deferred or fell below the line in the previous year, the issue would be forwarded to Council with a notation that the Commission recommended it be dropped from consideration.

##### Step 5: Determine which issues, if any will be deferred

Commissioners may make motions to defer issues from consideration to a later year. After the motion is seconded, discussion on each item may ensue. If the motion passes by a simple majority of those present, the Commission will not rank the issue. Such action suggests only that the issue is not currently a priority and/or it is not the appropriate time to study the issue.

If the Commission votes to defer an issue that was initiated by the Commission that year, they may instead consider dropping the issue and re-sponsoring it in a future year. If the Commission votes to defer an issue that was not initiated by the Commission – meaning it was initiated by staff, Council or another Commission – or that had been deferred or fell below the line in the previous year, the issue would be forwarded to Council with a notation that the Commission recommended it be deferred from consideration. Commissioners should bear in mind that issues deferred two years in a row by City Council shall (by Council policy) not be eligible for consideration the following year.

**Step 6: Commission discussion on issues to be ranked**

Commissioners have the opportunity to speak to the remaining issues to be ranked and to discuss merits and priorities before ranking the remaining issues. No motion is required.

**Step 7: Commissioners rank issues individually**

Depending on the number of issues left to rank, the Board/Commission shall utilize one of the following ranking methods:

**Forced Ranking** (for ranking ten or fewer issues) – Commissioners individually and simultaneously rank each of the remaining issues. Rankings are from "1" to the total number of issues, with "1" representing the issue with the highest priority for study. Each number can be used only once (no ties) and each issue must receive a ranking.

**Choice Ranking** (for ranking eleven or more issues) – The total number of items to be ranked (after deferring or dropping issues) is divided by three and each Commission is given the resulting number of votes (rounding up). For example, if there are twelve issues, each Commissioner will receive four votes. Commissioners allocate their votes, one each, to their highest priority issues. Some issues will receive votes and others may not. A tally is made of votes received for each issue. Two-way ties between issues are resolved by quick hand votes of the Commission. The final ranking is determined by the number of votes received.

Regardless of ranking method, all individual Commissioner ranking votes and final Board/Commission rank recommendations will become a part of the official record and shall be made available to the public.

**Step 8: Combined ranking determined**

A combined Commission ranking is determined when staff totals the individual ranking from all Commissioners for each issue.

**Forced Ranking:** The issue with the lowest total becomes the Commission's Priority 1 issue; the next lowest total is Priority 2, etc.

**Choice Ranking:** The issues that receive the most votes becomes the Commission's Priority 1 issue; the next lowest total is Priority 2, etc.

**Step 9: Acceptance of rankings**

A motion is then made to accept, reject or modify the overall Commission rankings for issues. After the motion is seconded, discussion may ensue. Simple majority is required for passage.

**After the Commission Ranking:**

Staff then forward to Council the board or commission's rankings.

Council will hold a Public Hearing on Study Issues in early January. The Chair or his/her appointee is encouraged to speak before Council and share the Board/Commission's recommended rankings.

Note: There is no proxy ranking: Commissioners must be present to rank study issues.

**Parks and Recreation Commission**

**Proposed 2011 Study Issues**

Proposed 2011 Study Issues		Commissioners' Ranking #1 = highest Priority					Composite Score of ALL	Final Ranking
<i>Study Issues marked with an asterisk (*) fell below the line or were deferred last year. These will be reviewed by Council regardless of any Commission recommendation.</i>								
		<i>Staff Rec</i>	Chuck	Colvin	Harms	Oliver	Pochowski	
DCS 11-01	Revisit City Policy Governing the Community Recreation Fund	<i>For Study</i>						
DPW 09-07 *	Sunnyvale Cyclovia Event	<i>Defer Study</i>						
CDD 11-06	Consideration of Certain City Parks as Heritage Resources	<i>None</i>						

## 2011 Council Study Issue

**DCS 11-01 Revisit City Policy Governing the Community Recreation Fund**

Lead Department Community Services

History 1 year ago None 2 years ago None

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

The Community Recreation Fund was originally established in FY 1991/1992 as an Enterprise Fund. The fund contains City arts and recreation classes and activities for pre-school aged children through seniors; community and health services through the Senior Center; public access to arts and recreational facilities and open space; the two City-operated golf courses and the tennis center at Las Palmas Park. The original intent of the fund was to be self-sufficient, but over time this goal was determined to be unrealistic. Lessons learned over the years have reinforced this fact. Since its creation, many of the priority programs and activities provided by the Community Recreation Fund have required support from the City's General Fund—a reflection of the fact that despite its attempts to generate revenue, the Fund still rests on a policy foundation heavily geared toward social service as opposed to commercial enterprise.

Management of the Fund has become increasingly complex and time-consuming, and it has become difficult for the layperson to digest it. Staff spend a significant amount of time each year monitoring the Fund, including the tracking and analyzing of various expenditure and revenue streams, some of which have no relationship to the provision of recreational services (for example, the revenue from cell phone providers leasing tower space in parks). This study would address the following questions:

- Do the Council policies related to the Community Recreation Fund warrant revision?
- Could the framework of the Community Recreation Fund be improved upon?
- Could the goals and objectives of the Community Recreation Fund be accomplished in a more efficient or effective manner?

**2. How does this relate to the General Plan or existing City Policy?**

All of the Fiscal Policies related to the creation and purpose of the Community Recreation Fund will be reviewed in the course of the study. The following are from the Fiscal Sub-Element:

**I.2: Community Recreation Fund Policies****I.2a: Fund Management**

- I.2a.1 The General Fund subsidy received by the Community Recreation Fund shall be fixed at the FY 2006/2007 level as the base year and increased annually by the inflation factor included in the recommended budget for the upcoming year.
- I.2a.2 Any increase in service levels by City Council not covered by an increase in revenues will result in a corresponding increase to the General Fund subsidy.
- I.2a.3 Any action by City Council to decrease revenues of the Community Recreation Fund not covered by a decrease in operating costs will result in a corresponding

increase to the General Fund subsidy.

1.2a.4 The infrastructure rehabilitation and replacement of all facilities on park land, including the golf courses and tennis center will be funded first through the Park Dedication Fund if funds are available.

1.2a.5 A Fee Waiver system should be provided to allow persons who are economically disadvantaged to participate in and utilize programs, facilities, and services provided by the Community Recreation Fund. The criteria for eligibility in this system shall be established by Council policy.

1.2b: User Fees

1.2b.1 Golf fees shall be set annually utilizing market-based comparisons and included in the City's Annual Fee Schedule adopted by Council resolution.

1.2b.2 User fees for recreation services shall be set administratively by the Director of Parks and Recreation in accordance with a documented methodology that depicts a relationship to cost recovery, market forces, and adjustments based on such factors as:

- Perceived benefit to the community
- Pricing which favors Sunnyvale residents over non-residents
- Target populations
- Promotional and marketing considerations

1.2b.3 The fees established administratively by the Director of Parks and Recreation shall be published at least twice a year.

1.2c: Reserves

1.2c.1 The Community Recreation Fund shall maintain a Twenty-Year Resource Allocation Plan Reserve to stabilize economic cycles and maintain service levels over the long term.

1.2c.2 Any fund balance remaining in the Community Recreation Fund shall remain in the Fund for use in subsequent years.

1.2c.3 The Community Recreation Fund will maintain a Co-op Sports Reserve to administer the after school intra-mural sports league programs at Sunnyvale Middle School and Columbia Middle School as required by agreement with the Sunnyvale School District.

**3. Origin of issue**

*City Staff Community Services Department*

**4. Staff effort required to conduct study** Moderate

**5. Multiple Year Project?** No **Planned Completion Year** 2011

**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?** Arts Commission, Parks and Recreation Commission

**Is a Council Study Session anticipated?** No

- 7. Briefly explain cost of study, including consultant hours, impacted budget program, required budget modifications, etc. and amounts if known.

None. The cost for this study is limited to a moderate amount of existing staff hours (estimated at 100 to 300 hours) which can be covered by existing resources.

- 8. Briefly explain potential fiscal impact of implementing study results (consider capital and operating costs, as well as potential revenue).

This study would not, in itself, increase or decrease the cost of providing recreational programming. Rather, it would explore different frameworks for monitoring and evaluating the revenues and expenditures associated with providing recreational services. There is the possibility that implementing the results of the study would create a cost savings associated with reduced administration of the Fund. Any fiscal impact associated with implementing the results of this study would be identified in the Report to Council.

- 9. Staff Recommendation

Staff Recommendation For Study

If 'For Study' or 'Against Study', explain

Staff believe that a study of the Community Recreation Fund could result in a more efficient, effective model for managing the expenditures and revenues associated with the provision of recreational services.

Reviewed by

J. Walter 10-26-10  
 Department Director Date

Approved by

[Signature] 10-29-10  
 City Manager Date

## 2011 Council Study Issue

**DPW 09-07 Sunnyvale Cyclovia Event****Lead Department** Public Works**History** 1 year ago Deferred 2 years ago Deferred**1. What are the key elements of the issue? What precipitated it?**

This study would examine the logistics and costs of holding a "cyclovia" event which would close partial or full width of certain City streets to motor vehicle traffic for a weekend day and allow cyclists and pedestrians to use the streets. "Stations" for promoting healthy lifestyles, the arts, or other activities would be available for community participation.

**2. How does this relate to the General Plan or existing City Policy?**

C3.5 Support a variety of transportation modes.

**3. Origin of issue**

**Council Member(s)** Hamilton

**4. Staff effort required to conduct study** Moderate**5. Multiple Year Project?** No **Planned Completion Year** 2011**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?** Arts Commission, Bicycle and Pedestrian  
Advisory Committee, Parks and Recreation  
Commission

**Is a Council Study Session anticipated?** No

**7. Briefly explain cost of study, including consultant hours, impacted budget program, required budget modifications, etc. and amounts if known.**

This study would be prepared by City staff from the departments of Public Works, Public Safety, Community Development, Community Services and the Office of the City Manager. Costs would be absorbed by operating budgets.

**8. Briefly explain potential fiscal impact of implementing study results (consider capital and operating costs, as well as potential revenue).**

An event would potentially require significant staff support from the Departments of Public Works, Public Safety, Community Services, and the Office of the City Manager, and could require expenses such as food, signage, and traffic control. Promotional materials may also be necessary to develop and distribute.

**9. Staff Recommendation**

**Staff Recommendation** Against Study

**If 'For Study' or 'Against Study', explain**

There are presently no resources, including staff and funds, that could support this initiative should the City wish to conduct a Cyclovia event.

Reviewed by

Maura Rose 11/2/2010  
Department Director Date

Approved by

[Signature] 11-2-10  
City Manager Date

## 2011 Council Study Issue

## CDD 11-06 Consideration of Certain City Parks as Heritage Resources

Lead Department    Community Development

History                    1 year ago    None            2 years ago    None

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

Sunnyvale adopted its original Heritage Resource Inventory in 1979, recognizing properties that have architectural or historical significance. Since that time several properties have been added to the list. Sunnyvale also recognizes several trees as "heritage trees" for additional protection. This study would examine three locations: two City parks and a City golf course as possible Heritage Resources. The locations include: Washington Park, (Orchard) Heritage Park, and Sunken Gardens golf course.

Washington Park is one of the City's oldest parks while the Heritage Park is the home of the Heritage Museum which contains many pieces of Sunnyvale's history. The Sunken Gardens golf course developed in the 1950s from a rock quarry that employed many residents. These locations have been identified by the Heritage Preservation Commission as places that may have a special history to local residents.

Although staff can determine if these parks meet minimum criteria for heritage resources, an evaluation would need to occur to consider making them designated Heritage Resources. The Heritage Resource designation may not restrict minor modifications to the facilities; there could be limitations and/or review processes necessary in typical management of the parks as major modifications may be subject to review and approval by the Heritage Preservation Commission.

The purpose of the designation is to ensure that the site is preserved and recognized for its historical importance to the community. Similar to previous studies, identifying potential heritage resources would involve the research of information that is available with the Sunnyvale Historical Society, Sunnyvale Sun and private parties. The study would include coordination with the Department of Community Services, as managers of the parks in the city.

### 2. How does this relate to the General Plan or existing City Policy?

**Goal 6.3B:** To enhance, preserve and protect Sunnyvale's Heritage including natural features, the built environment and significant artifacts.

*Policy 6.3B.5:* Seek out, catalog and evaluate heritage resources which may be significant.

**Goal 6.3B.5d:** Where it has been determined that a structure, streetscape or other heritage resource should be considered for designation as a cultural resource or as a landmark, institute the process to designate them accordingly.

### 3. Origin of Issue

Board or Commission    Heritage Preservation Commission

### 4. Staff effort required to conduct study    Moderate

5. Multiple Year Project? No Planned Completion Year 2011

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? Heritage Preservation Commission, Parks and Recreation Commission  
 Is a Council Study Session anticipated? No

7. Briefly explain cost of study, including consultant hours, impacted budget program, required budget modifications, etc. and amounts if known.

Staff hours would be covered with 234 Planning operating budget. Consultant assistance could range from \$10,000-\$20,000. Moderate cost is between 101-299 staff hours.

8. Briefly explain potential fiscal impact of implementing study results (consider capital and operating costs, as well as potential revenue).

9. Staff Recommendation

Staff Recommendation Against Study

If 'For Study' or 'Against Study', explain

Staff recommends against this study for a few reasons: Staff feels it is unlikely that any of the parks mentioned would be heritage resources; the cost of completing the study given that likelihood; the potential impact a "Heritage Resource" designation could have on the operation of a City park.

If Council is interested in this study, staff recommends eliminating Heritage Park because the site was acquired from the Cupertino Unified School District in the 1960's, specifically for the purpose of having a City-run orchard. On the site is the apricot orchard, the Arboretum, the Bianchi Barn (a Heritage Resource, relocated from San Jose), the recently constructed Heritage Museum, and the Orchard Park Heritage Interpretive Exhibit (OPHIE).

Reviewed by

Department Director

10/27/10  
Date

Approved by

City Manager

10/28/10  
Date