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 Lemke	11-8-12
Department Director	**Date**	**City Manager**	**Date**