



# COUNCIL REPORT

**DATE:** March 14, 2023

**CATEGORY:** Consent

**DEPT.:** Public Works

**TITLE:** **Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48—Tree Mitigation and Project Update**

## **RECOMMENDATION**

1. Approve the removal and mitigation of seven Heritage trees at a 2:1 tree replacement ratio with 24" box trees for Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48.
2. Receive an update on project status and bidding schedule.

## **BACKGROUND**

On [October 3, 2017](#), the City Council authorized a contract between the City and Magical Bridge Foundation (MBF) for professional and design services, authorized an application for a matching grant for up to \$2 million through the Santa Clara County All-Inclusive Playground Grant Program, and approved Rengstorff Park as the site for All-Inclusive Playground, Project 18-36.

During the design process, City and MBF held a virtual community meeting on March 7, 2020 and brought the preferred concept, supported by the community meeting attendees, to the Parks and Recreation Commission (PRC) on June 10, 2020. On [September 22, 2020](#), the City Council approved the conceptual plan recommended by the PRC for Magical Bridge All-Inclusive Playground, Project 18-36, which included the removal of 18 non-Heritage trees to be replaced by 40 new California native trees.

On June 9, 2021, the PRC reviewed Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48. Acting as the Urban Forestry Board (UFB), the PRC recommended approval of 23 replacement trees as tree mitigation to Council for the following tree removals:

- Four Heritage trees (at 2:1 tree replacement) and seven non-Heritage trees (at 1:1 tree replacement) due to proximity to All-Inclusive Playground, location on San Francisco Public Utilities Commission (SFPUC) right-of-way, and impact from pedestrian drop-off area (15 replacement trees total).

- Three Heritage trees in poor health (at 2:1 tree replacement) and two dead trees (at 1:1 tree replacement) located on the new maintenance/restroom building site (eight replacement trees total).

On [May 10, 2022](#), the City Council approved plans and specifications for Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48, and authorized staff to advertise both projects for bid as a single construction package. As part of this action, Council also approved the removal and mitigation for four Heritage trees at a 2:1 ratio. Staff inadvertently did not include the removal and mitigation for the three Heritage trees located at the new maintenance/restroom building site for Council consideration.

Advertising the combined projects for bids has been delayed due to the need to make adjustments to comply with SFPUC requirements and revisions to the bid documents as described in this report.

## **ANALYSIS**

Portions of both projects overlap SFPUC's right-of-way that passes through Rengstorff Park (see Figure 1), requiring permits from the SFPUC to construct the projects. In order to receive the permits, City staff coordinated with SFPUC staff to confirm conformance with applicable SFPUC policies and for review of the demolition work, construction access, and proposed improvements encroaching into SFPUC right-of-way. As a result of this review, the SFPUC identified additional tree removals required and an adjustment to the parking lot layout. In response to these comments, staff was able to revise the project plans without compromising the goals or functionality of either project.



Figure 1: Project Location

## Trees

Staff had previously identified one Heritage tree and four non-Heritage trees on SFPUC right-of-way to be removed as part of the project. SFPUC identified a second set of trees on the SFPUC right-of-way requiring removal. These trees are located in the open lawn area east of the existing Rengstorff Park maintenance building and include four Heritage trees and one non-Heritage tree (see Figure 2). The SFPUC identified these additional trees for removal because they pose a hazard or unacceptable risk to their facilities. Additionally, these trees do not meet the license agreement terms between the City and SFPUC, which includes a Vegetation Management Policy that states large, woody vegetation is not allowed within the SFPUC right-of-way. At its [October 12, 2022](#) meeting, the UFB supported staff's mitigation recommendation to replace the

four Heritage trees at a 2:1ratio and the one non-Heritage tree at a 1:1 ratio, both with 24” box native species trees.

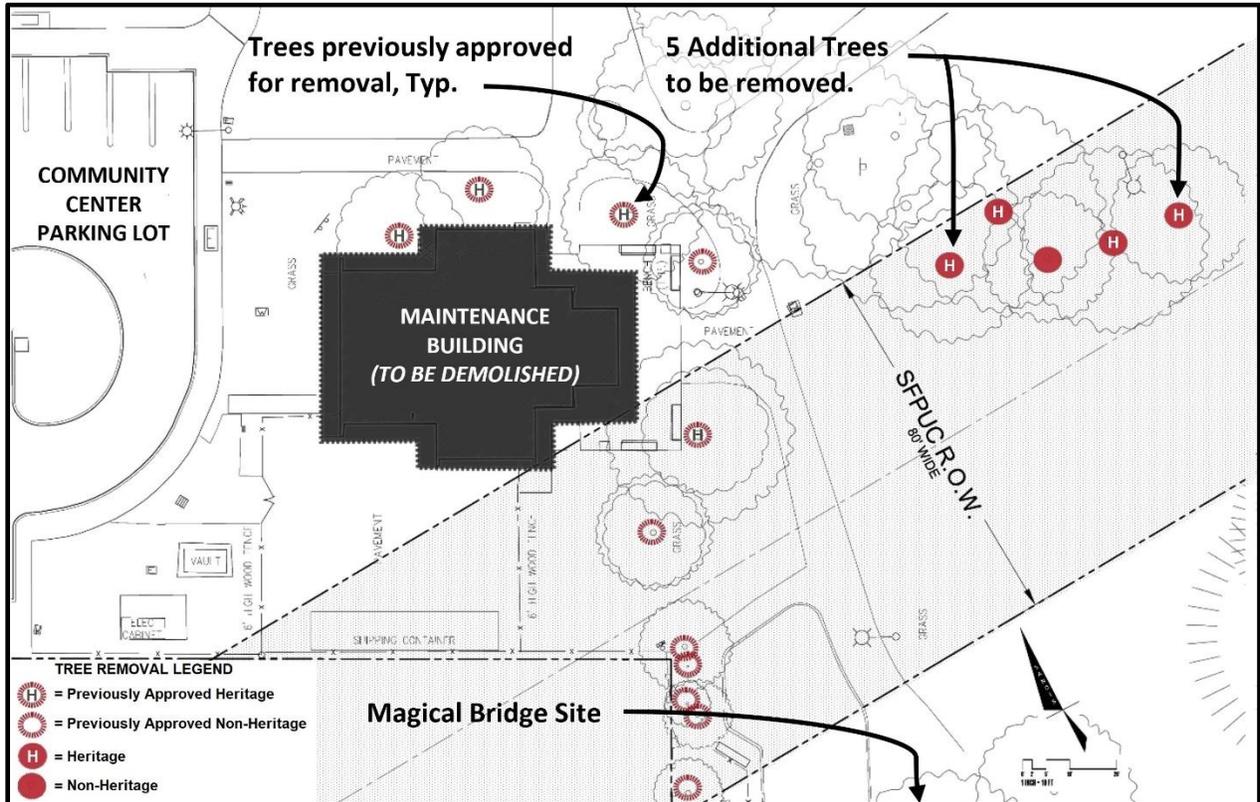
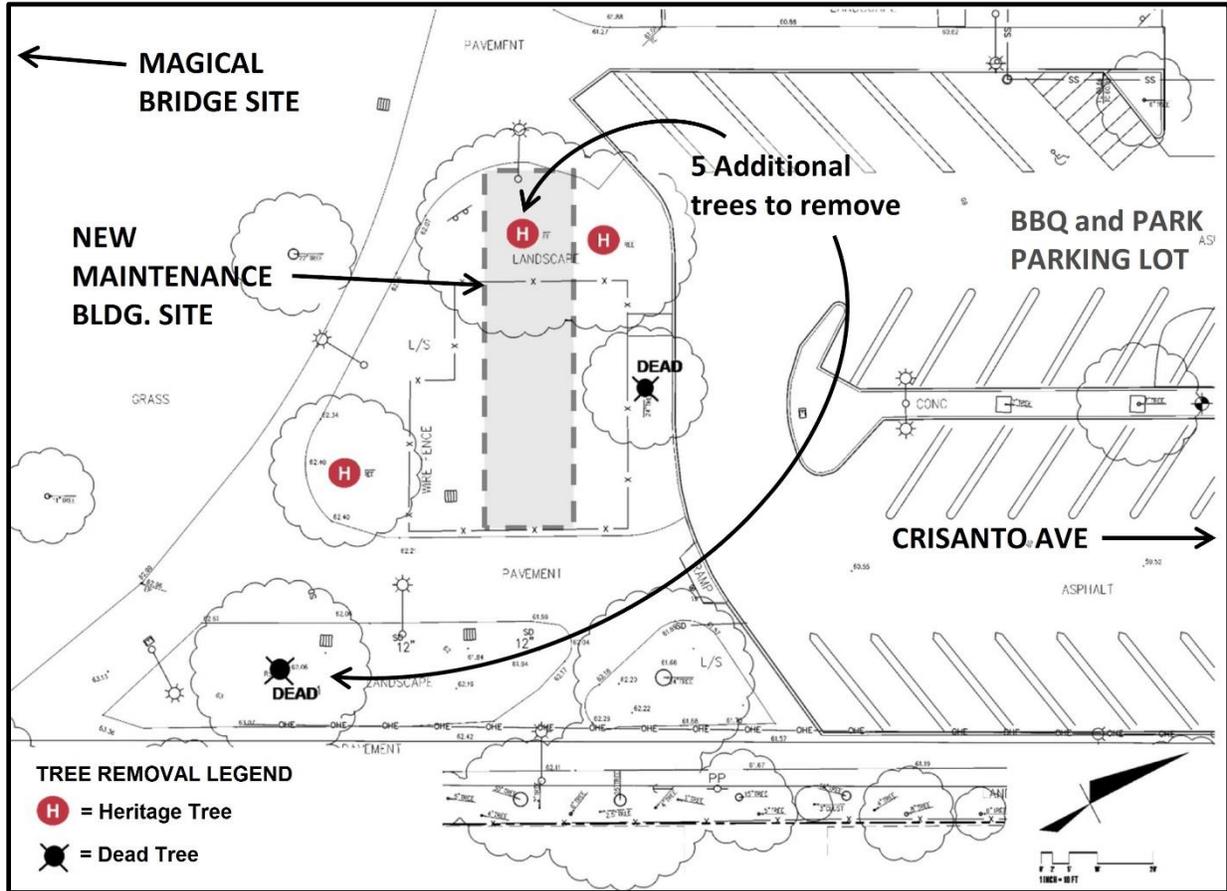


Figure 2: SFPUC Area Tree Removals

In addition, as noted in the Background section above, there are three additional Heritage trees and two dead trees at the end of the barbecue parking lot that require removal (see Figure 3). The UFB concurred with staff’s mitigation recommendation of the three Heritage tree removals at a 2:1 tree replacement ratio with 24” box trees at its meeting on June 9, 2021.



**Figure 3: New Maintenance Building Tree Removals**

Table 1 provides the full list of tree removals and replacements for both projects that were previously approved or are recommended for approval.

**Table 1: Tree Removals and Mitigation for Both Projects**

Approval Date		Project	Tree Removals		Replacement Trees
PRC/UFB	City Council		Heritage	Non-Heritage	
6/10/20	9/22/20	All-Inclusive Playground	0	18	40
6/9/21	5/22/22	Rengstorff Park Maintenance and Tennis Building Replacement	4	7	23
6/9/21	Recommended: 3/14/23	Rengstorff Park Maintenance and Tennis Building Replacement	3	2	
10/12/22	Recommended: 3/14/23	Both Projects	4	1	9
<b>Totals:</b>			<b>11</b>	<b>28</b>	<b>72</b>

As shown in Table 1, staff recommends Council approve the removal of seven additional Heritage trees with a 2:1 tree replacement ratio with 24” box trees to facilitate the construction of both projects.

**Revised Accessible Parking Area**

As previously shared with Council, a new parking area will be located on the site of the existing maintenance/restroom building to be demolished. In addition to the tree removals, the SFPUC also required changes to the proposed parking layout. Portions of the original design included accessible parking stalls and walkways that were not in conformance with the allowed improvements per the current license agreement between the City and the SFPUC. The parking lot design has been revised to comply with these requirements and is consistent with the previous intent. The new layout includes eight new accessible parking spaces that will serve the park, including the Magical Bridge All-Inclusive Playground area (see Figure 4). The resulting parking lot will have a net increase of three accessible parking spaces over the previous design.

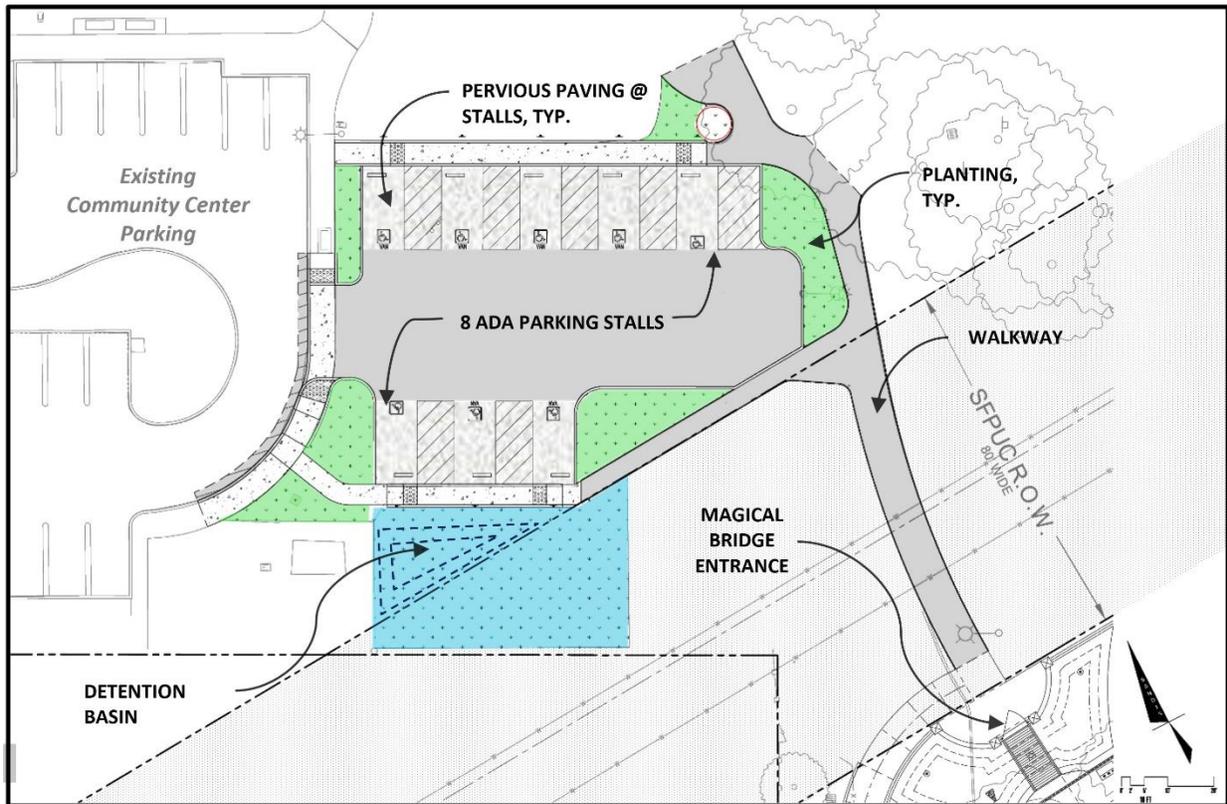


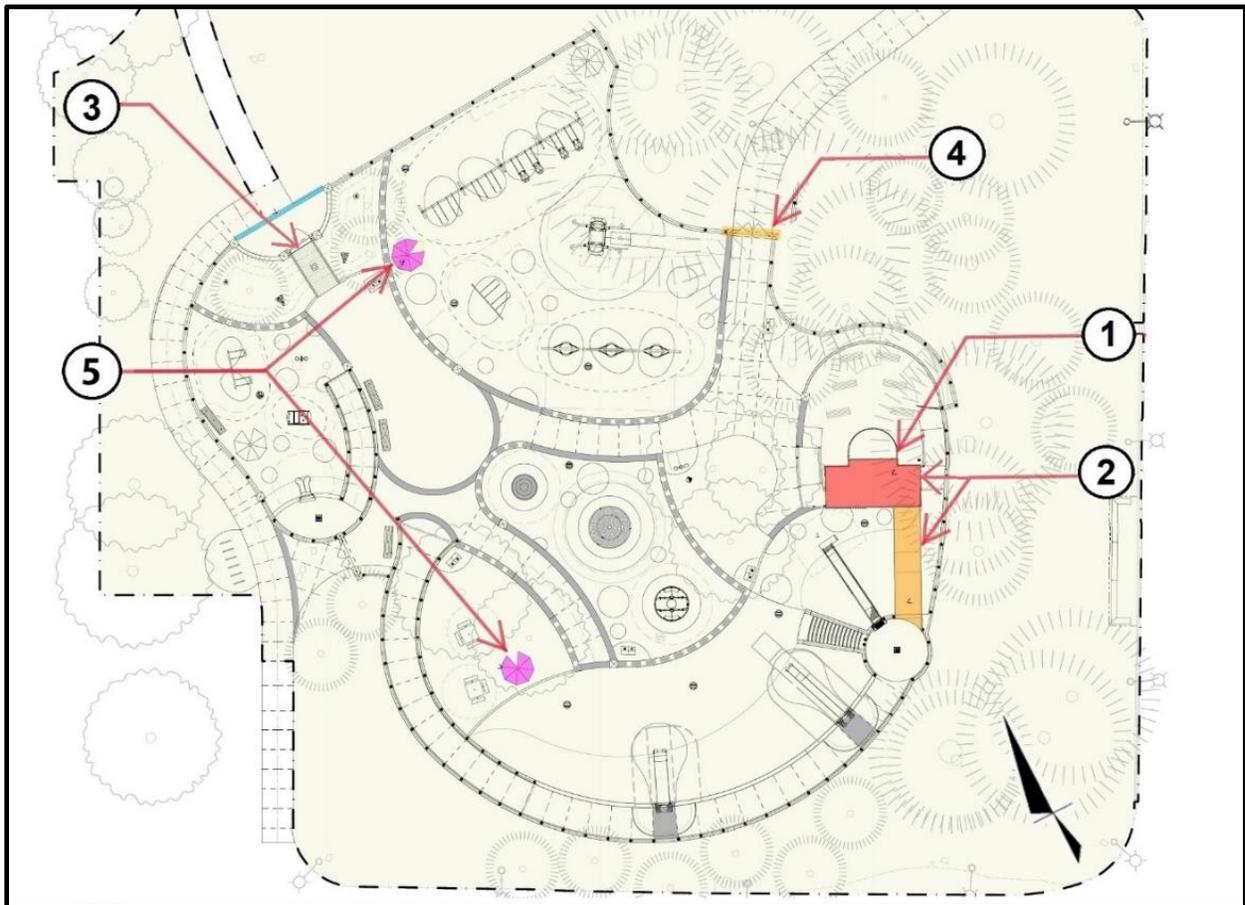
Figure 4: Revised Accessible Parking

### **Magical Bridge All-Inclusive Playground—Cost Update**

The MBF is responsible for the design of the All-Inclusive Playground. MBF recently informed staff that their current construction cost estimate exceeds the available funding by as much as \$1.3 million. This information is based on completion of similar Magical Bridge parks in Sunnyvale and Morgan Hill last year as well as recent construction cost escalation data. To address the anticipated cost increase, MBF has adjusted the bid package by dividing the project into a base bid with a reduced scope and bid alternates. The base bid scope will allow the project to move forward within the existing project budget while retaining the same intent, spirit, and feel of their signature park experience. In the meantime, MBF has indicated they will reengage in fundraising efforts to seek additional funding for bid alternates prior to the City's award of the construction contract.

The project elements that were originally included as part of the base bid that will now be included as bid alternates are as follows (see Figure 5):

1. One-story playhouse
2. Two-story playhouse and connecting bridge
3. Custom entry bridge to park
4. Overhead entry sign
5. Two additional retreat huts



**Figure 5: Magical Bridge Bid Alternates**

For the updated bid package, the custom two-story playhouse and elevated bridge from the slide mound in the original design will be replaced by a simplified play stage in the base bid. Bid Alternate 1 will add back a custom single-story playhouse if awarded as part of the construction contract, while Bid Alternate 2 will add back the original two-story playhouse and connecting bridge to the slide mound. The base project includes a commercial prefabricated bridge at the main entry, while Bid Alternate 3 will provide the originally planned custom bridge and entry

designed by Magical Bridge. Bid Alternates 4 and 5 will add an overhead sign and additional retreat huts respectively.

As noted above, the base project will still include a stage and seating area so that planned local performances and impromptu stage play will remain a central element of the Magical Bridge experience. Depending on the bids received and if renewed fundraising efforts are successful, one or more of the above bid alternates may be incorporated into the construction contract award recommendation that staff will bring to Council.

### **Environmental Clearance**

As reported to Council on May 10, 2022, both projects were filed with the County as Categorically Exempt under the California Environmental Quality Act (CEQA).

### **Project Schedule**

The combined projects are anticipated to go out to bid in early April, and staff will return to Council in May with an update on fundraising and recommendations for award of the construction contract. If Council approves the contract award at that time, construction is anticipated to begin in summer 2023 and be completed in spring 2024.

### **FISCAL IMPACT**

Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48, has a project budget of \$3,440,000 and is funded from the Park Land Fund. Magical Bridge All-Inclusive Playground, Project 18-36, currently has a project budget of \$5,836,216 and is funded by the Park Land Fund, grants from the County and California State Parks, Google Landings Community Benefit, and MBF fundraising contributions. As noted above, current estimates are that the full scope of the Magical Bridge All-Inclusive Playground would require an additional \$1.3 million to construct. The playground project will be bid with a base bid scope that is estimated to fit within the current project budget and bid alternates for four scope elements. After bids are opened, staff will bring the project back to Council for award of the construction contract based on the bid results. At that time, Council can consider additional MBF fundraising results and other funding sources if Council would like to include any of the bid alternates in the construction award.

Removal and mitigation of the seven additional Heritage trees will not significantly impact the project budgets.

## **CONCLUSION**

Council approval of the staff recommendation for tree removals brings the projects into conformance with the license agreement with the SFPUC and provides consistent intent and features. MBF staff anticipates an increase in construction costs and bid alternates have been developed to reduce costs. Staff will return to Council this May with an update on the additional fundraising efforts, bids received, additional funding options for bid alternates if desired by Council, and a recommendation for the award of the construction contract.

## **ALTERNATIVES**

1. Do not approve the removal of an additional seven Heritage trees and the recommended mitigation or provide direction for a different mitigation.
2. Provide other direction.

**PUBLIC NOTICING**—Agenda posting.

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