



**DATE:** March 22, 2022

**CATEGORY:** Consent

**DEPT.:** Community Services and Public Works

**TITLE:** **McKelvey Park Detention Basin,  
Project 14-54—Various Actions**

### **RECOMMENDATION**

1. Appropriate and transfer \$150,000 of unrestricted park land funds and \$157,000 of Capital Improvement Program (CIP) Reserve to McKelvey Park Detention Basin, Project 14-54, increasing the project budget from \$425,000 to \$732,000. (Five votes required)
2. Authorize the City Manager or designee to amend the Agreement Between the Santa Clara Valley Water District and the City of Mountain View for the Construction of a Detention Basin and Related Improvements at McKelvey Park, and amend and reinstate the Agreement Between the Santa Clara Valley Water District and the City of Mountain View for the Operation and Maintenance of a Detention Basin and Related Improvements at McKelvey Park.
3. Authorize the City Manager or designee to amend the Joint Use Agreement with the Santa Clara Valley Water District for the Permanente Creek Trail from San Francisco Bay to Old Middlefield Way.

### **BACKGROUND**

The McKelvey Park Detention Basin is part of the Valley Water (formerly Santa Clara Valley Water District) Permanente Creek Flood Protection Project that removed approximately 2,200 properties (including 2,050 in Mountain View) from the 100-year floodplain, thereby reducing flooding risk and costly insurance requirements. On May 14, 2013, the City Council authorized the City Manager to execute agreements with Valley Water outlining the terms for construction and maintenance of the basin. The agreements specified that Valley Water would design and construct the basin at Valley Water's cost, including the replacement of existing recreational facilities at the park. Valley Water will operate and maintain the basin, while the City will operate and maintain the recreational facilities. The City and Valley Water also agreed to split the estimated \$350,000 cost for permitting, plan check, and inspection by the City. A capital improvement project (Project 14-54) was established to fund these activities.

On January 14, 2020, Council authorized \$75,000 for the City to purchase materials to outfit the ball fields, including batting cage nets, protective padding on the wall, rubber mats for the dugouts, furniture for the community room, and related equipment. The listed improvements have been installed on-site.

On February 11, 2020, Council accepted the recreation and utility improvements associated with Valley Water's McKelvey Park Detention Basin project. On Saturday, February 29, 2020, a grand opening was held for the new McKelvey Park ball fields and adjacent mini-park.

## **ANALYSIS**

### **Bleacher Sight-Line Improvements**

As the McKelvey project construction was coming to the final stages, the bleachers and home plate were installed. During this stage, City and Valley Water staff noted that there were locations on the bleachers from which visitors would not be able to see home plate or other bases. Staff confirmed that the bleachers were constructed according to the approved design and determined that neither Valley Water staff nor City staff were able to identify this sight-line issue when reviewing and approving the design plans in the construction documents. At the time, Valley Water was focused on completing the project and opening the project to the community prior to the start of Little League season; therefore, discussion of next steps to resolve this issue was deferred to occur after the grand opening.

After opening day, Little League officials and the public raised concerns about the sight lines from the bleachers consistent with the staff's observations. City staff reached out to Valley Water and the designer and requested a cost estimate to repair the bleacher sight-line issue. Plans to modify the bleachers were developed by the original designer (RHAA Design) in June 2020 with no accompanying cost estimates. Due to the pandemic and limited staff resources, staff review of the proposed plans was deferred until recently. Upon review, staff noted that although the plans appeared to somewhat improve sight lines, there may continue to be unacceptable obstructions to viewing the field.

Both Valley Water and the City would like to find appropriate solutions to this issue. Valley Water has agreed to pay half of the design and construction costs to fix the bleacher sight-line issues. Staff proposes to hire the original designer to develop a new design at an estimated cost of \$48,000. Staff recommends using this designer since the designer is very familiar with the site, has access to existing background documents, and has a vested interest in providing a solution. Once the redesign is complete and construction costs have been confirmed, staff will return to the Council to request additional funding and approval of a cost-sharing agreement with Valley Water for the design and construction costs.

### **Other Facility Upgrades**

Since opening day, staff has been receiving input from sports league representatives and parents about the functionality of the facility. Overall, the feedback has been positive; however, a few items are consistently mentioned to improve the overall safety and functionality of the site. These items include dugout railings to prevent cleats from slipping on the associated concrete pad, an additional buffer on the wall behind the home plate due to baseballs being fouled back and bouncing off the concrete wall, and ventilation and visibility improvements in the scorekeeper's booths. The estimated construction cost of these improvements, including contingency, is \$196,600.

### **Agreements with Valley Water**

With the completion of McKelvey Park, Valley Water and the City need to amend existing agreements to address the postcompletion work associated with the project and make minor modifications. Some of the changes include adding features and responsibilities to each party for the flood detention and recreational facilities that were not addressed in the original Construction and Operation and Maintenance of a Detention Basin and Related Improvements at McKelvey Park Agreements.

Valley Water is also transferring ownership, operation, and maintenance responsibilities for recreational improvements, constructed as part of McKelvey Detention Basin on the Valley Water-owned parcel called the McKelvey Park Trail Area, to the City. This was not addressed in the original agreement. These recreational improvements include the pedestrian bridge structure, paving, landscaping, lighting, and fencing associated with the trail (see Attachment 1). Staff recommends that the City accept these responsibilities because the trail will provide public access to the recreational facilities at McKelvey Park, and this is consistent with other trail segments.

### **FISCAL IMPACT**

McKelvey Park Detention Basin, Project 14-54, is currently funded with a \$175,000 contribution from Valley Water, \$175,000 from the Storm Drain Construction Fund, and \$75,000 from Construction and Conveyance Tax for a total of \$425,000. Nearly all of the project funds have been expended.

The cost to redesign the bleachers to improve sight lines and to install the additional safety and facility improvements total \$307,000. Staff recommends allocating \$150,000 of unrestricted park

land funds and \$157,000 from the CIP Reserve to the project, which will increase the total funding of Project 14-54 to \$732,000. The revised budget is provided below.

Existing Project Budget	\$425,000
<b>New Project Costs</b>	
Construction Safety Improvements	\$178,600
Construction Contingency	18,000
Consultant Services for Bleacher Design	48,000
Project Management	20,660
Inspection	17,740
Miscellaneous	<u>5,000</u>
Subtotal	\$288,000
City Administration	<u>19,000</u>
<b>TOTAL PROJECT COST ESTIMATE</b>	<b><u>\$732,000</u></b>
<b>CURRENT PROJECT BUDGET</b>	<b>\$425,000</b>
<b>BUDGET SHORTFALL</b>	<b>\$307,000</b>

Staff will return to Council for construction funding once the design phase for the bleacher modifications is complete and the cost of construction is confirmed.

The fiscal impact for the agreement amendments includes the annual operations and maintenance costs for the McKelvey Park Trail Area, which will be absorbed within the Community Services existing budget. Other costs include the future maintenance and replacement costs of the bridge, which will be added to the Public Works' bridge and culvert maintenance and infrastructure program funded in the CIP.

### **ALTERNATIVES**

1. Defer the bleacher and facilities projects.
2. Do not accept ownership and operations and maintenance responsibilities for the McKelvey Park Trail Area.
3. Provide other direction.

**PUBLIC NOTICING**—Agenda posting.

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Attachment: 1. McKelvey Park Trail Area