



COUNCIL REPORT

DATE: February 11, 2025
CATEGORY: Consent
DEPT.: Community Services
TITLE: **California/Pacchetti Park, Design—
Midyear Capital Improvement Program
Project**

RECOMMENDATION

1. Approve a midyear Capital Improvement Program project, California/Pacchetti Park, Design.
2. Appropriate and authorize transfer of \$2,366,120 in park-in-lieu fees collected as a condition of approval for Application No. PL-2017-072 from the Park Land Dedication Fund to the California/Pacchetti Park, Design project. (Five votes required).

BACKGROUND

On [January 16, 2018](#), the City Council authorized the execution of a Memorandum of Understanding between the City and the Los Altos School District (LASD) establishing a framework for a Transfer of Development Rights process designed to support the District's acquisition of a new school site in the San Antonio Precise Plan area. At this meeting, Council also directed staff to develop a Funding and Joint Use Agreement with LASD to specify the terms and conditions for the development of joint use open space/recreational facilities on the future site. This agreement was executed in June 2019.

In November 2019, the City executed an Open Space Park Property Transfer Agreement with LASD to purchase two acres of land to develop a new City park adjacent to the LASD school site, separate from the school site joint use open space. At a City Council Study Session on [October 26, 2021](#), Council identified the location of the City's two-acre park site to be at the corner of California Street and Pacchetti Way (see Figure 1). During this Study Session, Council also directed staff to develop the two-acre City park through the City's typical park development process.

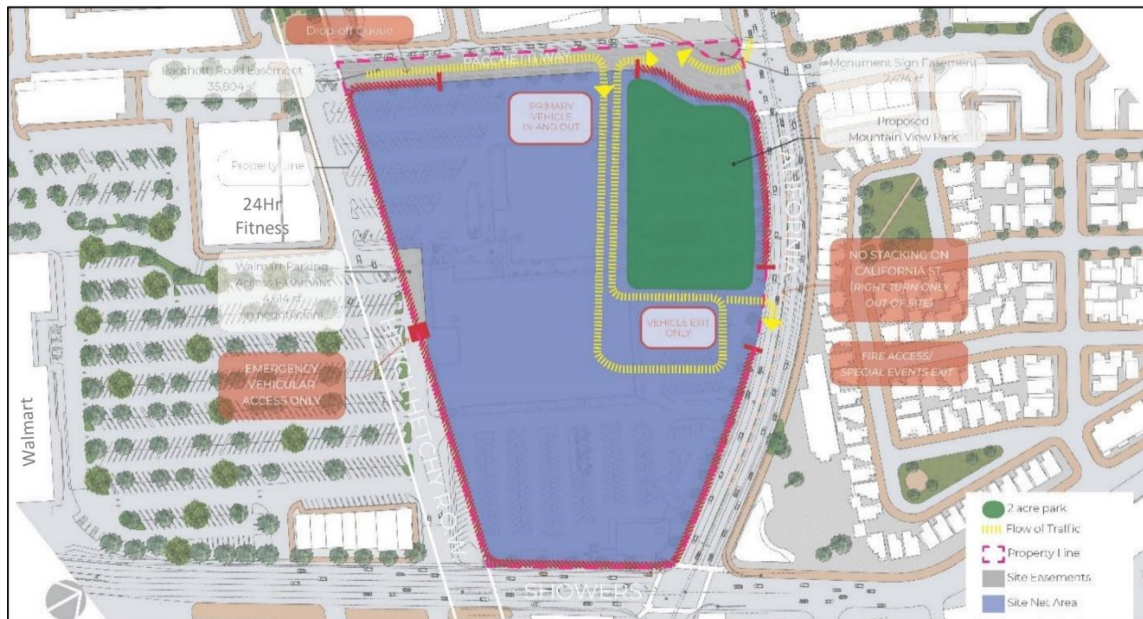


Figure 1: LASD Site and City Park Location

ANALYSIS

While the City continues to work with LASD to review the new school site plans and design of the joint use open space, a Capital Improvement Program (CIP) project for the separate City park needs to be established to set aside funds for the City's development of the public park. Staff anticipates that the park development process will begin within the next few years; therefore, committing funds to the project will allow for more thoughtful planning while working with LASD on the design of the larger adjacent site.

On February 18, 2020, the City received park-in-lieu fees from the development at 2580 California Street, which is located in the San Antonio Planning Area. A portion of the fees received at 2580 California Street have since been committed to various park land projects, with approximately \$2.3 million remaining from the original collected park-in-lieu fees. Staff recommends establishing a CIP project and committing the remaining fees to the California/Pacchetti two-acre park site.

FISCAL IMPACT

Staff recommends that Council approve creating a midyear CIP project for California/Pacchetti Park, Design, and transfer and appropriate \$2,366,120 from the Park Land Dedication Fund to the new CIP project. There is sufficient funding in the Park Land Dedication Fund for the recommended action.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

EXEMPT FROM THE LEVINE ACT

General policy and legislative actions

ALTERNATIVES

1. Do not authorize the creation of the CIP project and appropriation of Park Land Funds and direct staff to appropriate the funds to another park project.
2. Provide other direction.

PUBLIC NOTICING—Agenda posting.

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LW-JRM/4/CAM
241-02-11-25CR
204973

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Attachment: 1. Park Land Dedication Fund Commitment