



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jon Cicirelli

SUBJECT: See Below

DATE: September 16, 2024

Approved

Date:

9/26/24

COUNCIL DISTRICT: 9

SUBJECT: 2024 Grant Application to County of Santa Clara All-Inclusive Playgrounds Grant Program Round 3 – Camden Community Center/Camden Park All-Inclusive Playground

RECOMMENDATION

Adopt a resolution authorizing the City Manager or her designee to:

- a) Prepare and submit a grant application to the County of Santa Clara All-Inclusive Grant Program for the design and development of an all-inclusive playground at Camden Community Center/Camden Park (3369 Union Avenue); and
- b) If awarded, negotiate, execute, and submit all documents, including but not limited to agreements, amendments, and payment requests between the City of San José and the County of Santa Clara All-Inclusive Grant Program for up to \$1,513,000.

SUMMARY AND OUTCOME

The City Council approved the *Parks and Community Facilities Development 2025-2029 Capital Improvement Project* on June 18, 2024. The all-inclusive playground budget of \$3,026,000 includes a capital reserve of \$2,426,000 for an all-inclusive playground at the Camden Community Center/Camden Park and an additional \$600,000 of available Subdivision Park Trust Funds.

This offering will be the third round of the County of Santa Clara’s (County) All Inclusive Playground Grant Program and includes a 50% match estimated at \$1,513,000. Upon grant approval, this project will replace the existing playground, which is at the end of its useful life and is consistent with the Camden Community Center Master Plan.

BACKGROUND

Introduced by County Supervisors Joe Simitian and Cindy Chavez, the grant to build all-inclusive playgrounds in each of the County's five Supervisorial Districts sets aside funding for playgrounds that are accessible for children and parents with disabilities.

Over 10,000 children in Santa Clara County have "major disabilities," and over 20,000 take advantage of special education in our schools. For the past several years, the Department of Parks, Recreation, and Neighborhoods Services (Department) has focused on going "above and beyond" traditional accessibility requirements to create more inclusive playgrounds, which includes enhanced accessibility at neighborhood playgrounds such as Murdock Park, Meadowfair Park, Danna Rock Park, Nancy Lane Tot Lot, Backesto Park, and Bellevue Park.

Previous rounds of the County's All-Inclusive Grant have assisted the Department to construct three fully all-inclusive playgrounds at Lincoln Glen Park/Willow Glen Community Center, Rotary PlayGarden, and Emma Prusch Farm Park. The grant also assisted with an all-inclusive project at Almaden Lake Regional Park that is currently in construction. All children and families benefit from all-inclusive playground environments. Below is a list of the most common benefits for children simply by playing together in an all-inclusive play area.

- Through an accessible and sensory-rich environment, all-inclusive playgrounds instill a sense of independence and confidence in children.
- By providing similar experiences that include varied levels of risk and challenges, people of all abilities can select their challenge and grow their individual skills.
- Through the selection of playground equipment that encourages interaction, children learn how to build friendships, comradery, and develop new skill sets by observing and learning from peers.
- Children with disabilities can be included in play and develop social awareness.
- Because of adaptive and modified playground equipment, children with disabilities are encouraged to try new activities. For example, the inclusion of soft play structures without special access ramps promotes these structures by children with a wide range of mobility needs, including those in wheelchairs.
- Interaction in inclusive play settings is essential for children with disabilities who may be at risk for isolation and bullying.
- All-inclusive playgrounds provide a varied space that includes active play as well as areas for quiet contemplation when over stimulated.
- Well-designed inclusive playgrounds encourage friendships between different groups of children, which promotes awareness and acceptance of diversity throughout the community.

ANALYSIS

The Department is continually addressing the infrastructure backlog, including replacing aging out playgrounds. The Department is challenged with current funding levels to address the infrastructure backlog with over \$550,000,000 in capital and maintenance infrastructure backlog needs. To assist with funding and prioritization of replacement needs, the Department uses capital park condition assessment scores and projected amenity lifespan. Park condition assessment scores data is methodically conducted each year to rate capital infrastructure and determine replacement priorities. Annually, capital infrastructure needs are then linked to available funding through the capital improvement budget process.

The Department has strategically planned to advance all-inclusive playground development through life cycle analysis to identify existing playgrounds nearing the end of useful life, develop reserves to leverage external grant programs, and select sites that include parking and restrooms, and draw regional audiences. The Department considers those park or community center sites that serve residents regionally or citywide to include regional parks, community center ‘hub’ sites, or sites with large sport facilities. Building off the success of the previous rounds of the County’s all-inclusive grant, a grant fronting reserve was created for this project as the playground at Camden Community Center/Camden Park site needs replacement. A map showing the location of the park is **attached**.

The City previously applied for this grant program to fund four all-inclusive playground projects (Almaden Lake Regional Park, Lincoln Glen Park/Willow Glen Community Center, Emma Prusch Farm Park, and Rotary PlayGarden). The terms and conditions of the grant program were reviewed and approved by the City Council with these prior actions. The terms and conditions of the County grant agreement require the City to indemnify and hold harmless the County. The indemnity section reads as follows.

The Grantee shall indemnify, defend, and hold harmless the County of Santa Clara (hereinafter "County"), its officers, agents and employees from any claim, liability, loss, injury, or damage arising out of, or in connection with, performance of this Agreement by Grantee and/or its agents, employees or sub-contractors, excepting only loss, injury or damage caused by the sole negligence or willful misconduct of personnel employed by the County. It is the intent of the parties to this Agreement to provide the broadest possible coverage for the County. The Grantee shall reimburse the County for all costs, attorneys' fees, expenses, and liabilities incurred with respect to any litigation in which the Grantee contests its obligation to indemnify, defend and/or hold harmless the County under this Agreement and does not prevail in that contest.

EVALUATION AND FOLLOW-UP

Staff is working on the application, which is due October 22, 2024. Staff is awaiting the County Board-approved application to confirm that the terms and conditions have not changed since the submission of prior applications. Staff will coordinate with the City Attorney’s Office to determine if further City Council action is needed once the cycle’s application package is carefully reviewed.

The City Council approved the 2024-2025 Adopted Capital Budget on June 18, 2024, with the project funding reserve documented as an “all-inclusive playground.” The project site is identified by the Camden Community Center Master Plan for future playground development and was approved by City Council on December 4, 2001, at its publicly noticed meeting.

COST SUMMARY/IMPLICATIONS

The total estimated budget for the development of a future all-inclusive playground at Camden Community Center/Camden Park is \$3,026,000, which is funded by the Subdivision Park Trust Fund (\$1,733,000) and Construction Tax and Property Conveyance Tax Fund: Parks Purposes Council District #9 (\$693,000) and was included in the 2024-2025 Adopted Capital Budget. An additional \$600,000 is needed to align the budget to the expected cost and will be part of the future budget process. If awarded, the grant will reimburse 50% of all eligible expended funds at the completion of the project. The grant funding will also be allocated as part of the future budget process.

COST ELEMENTS OF AGREEMENT AS RECOMMENDED AS PART OF THE MEMORANDUM

Subdivision Park Trust Fund	\$ 1,733,000
Construction Tax and Property Conveyance Tax Fund:	
Parks Purposes Council District #9	<u>693,000</u>
Capital Reserve Total	\$ 2,426,000
Additional Estimated Cost	<u>600,000</u>
TOTAL ESTIMATED BUDGET	\$ 3,026,000
GRANT REIMBURSEMENT – 50% eligible funds	\$ 1,513,000

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COORDINATION

This memorandum was coordinated with the City Attorney's Office and the City Manager's Budget Office.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the October 8, 2024 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-006, Grant Application with no commitment or obligation to enter into an agreement at the time of application.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/

Jon Cicirelli
Director of Parks,
Recreation, and Neighborhood Services

For questions, please contact Dan Greeley, Program Manager, Parks, Recreation, and Neighborhood Services, at dan.greeley@sanjoseca.gov or (408) 793-4313.

Attachment: Camden Community Center Site Map

ATTACHMENT – Camden Community Center Site Map

