TO: HONORABLE CITY COUNCIL

ATTENTION: POLICY AND SERVICES COMMITTEE

FROM: CITY MANAGER DEPARTMENT: CITY MANAGER

DATE: February 5, 2002 CMR: 110:02

SUBJECT: PROPOSAL BY THE INTERNATIONAL SCHOOL TO LEASE AN ESTIMATED 0.75 ACRE SITE AT THE PALO ALTO BAYLANDS ATHLETIC CENTER TO CONSTRUCT AN ATHLETIC FIELD FOR JOINT CITY AND INTERNATIONAL SCHOOL USES

REPORT IN BRIEF

This report transmits a proposal from the International School of the Peninsula to enter into a public/private partnership with the City of Palo Alto to: 1) build a path to provide pedestrian and bicycle access to the School from the Baylands Athletic Center parking lot, located off of Geng Road; and 2) improve a currently unimproved portion of the Baylands Center with playfields and other amenities for public use. The report provides information on the potential traffic impacts of the pathway proposal; and of the need for additional athletic field space and potential public benefits of the playing field proposal. The proposal would involve a lease of dedicated park land, and this policy issue is also raised in terms of the appropriateness of a lease of park land.
RECOMMENDATION

Staff recommends that the Policy and Services Committee recommend to the City Council that staff proceed with preparation of an option to lease an estimated 0.75 acres of the Baylands Athletic Center to the International School of the Peninsula (School), as part of a public/private partnership that will:

- Develop playing fields to be used by both the school and the community; and
- Create a pedestrian pathway from the Baylands Athletic Center parking to the school in order to relieve congestion at the School’s entrance on Laura Lane.

BACKGROUND

In May 2001, representatives of the School approached City staff with a proposal to 1) build a path to provide pedestrian and bicycle access to the School from the Baylands Athletic Center parking lot, located off of Geng Road; and 2) improve a currently unimproved portion of the Baylands Center with playfields and other amenities for public use.

Path Construction

The School currently has a significant problem with pick-up and drop-off of students in the morning and afternoon hours from its entrance on Laura Lane. This is most pronounced in the afternoon, when 30 to 40 cars may be coming and going from the School. The problem is exacerbated by the fact that the School is directly across from the Palo Alto Main Post Office. The School is proposing to add a new length of pathway to connect an existing path on the School property with an existing City path at the parking lot of the Baylands Athletic Center. The proposed path also requires access across Santa Clara Valley Water District property, which has been acquired by the School.

The proposed pathway would effectively have four sections as it passes over City of Palo Alto property from the edge of Santa Clara Valley Water District (SCVWD) property to the edge of the Baylands Athletic Center (BAC) parking lot. The sections are:

- From the edge of the SCVWD property line to the right field corner of the BAC softball field the path is decomposed granite.
- From the right field corner of the BAC softball field to the fence behind home plate at the softball field, the path would consist of a 9-foot wide surface of either chip seal or asphalt overlay, applied to the existing path.
• From the end of section "B" to the top of the grade near the BAC parking lot cul-de-sac the path would be repaired with the same material used for the existing surface. In some cases this is decomposed granite while at other times it is asphalt.

• From the end of section "C" to the edge of the BAC parking lot cul-de-sac the path would have an overlay of asphalt applied to it.

The estimated cost of the pathway improvements is estimated to be $35,000. Please see Attachment 2.

The path would be maintained to City specifications. To the extent that increased use of the Baylands parking lot resulted in deterioration of that facility, a cost sharing arrangement would be negotiated with the school. However, at the current time there is no scheduled Capital Improvement Program project to renovate the parking lot and the School understands that its use of the parking lot is on an “as is” basis.

Playfields

The School currently does not have adequate play space for its students. The School has 350 first grade students on its 0.75 acre site. The proposal is to improve an area behind the current ballfield that has primarily been used for temporary storage of debris by Parks crews.

The proposed improvements include the costs of constructing the playfields, providing power to the site, and providing the site with access to a source of supply of water. The School has proposed constructing the improvements in phases, with Phase 1 being the pathway; Phase 2 being a large playing field and Phase 3 being a smaller playfield. The cost of the large playing field is $317,000; the small playing field is estimated to cost $167,000.

The School has requested “limited exclusive use” of the playfields during the designated school hours and the City having use for the rest of the time to program the playfields for recreational use. The School’s use would be:

♦ From early September to the middle of June
♦ From 8 a.m. to 4 p.m.
♦ Weekdays only

The School has proposed that the City share on a pro-rata basis in the cost of maintenance of the fields. Given the City’s current financial constraints, the School has indicated its willingness to work with the City on the timing of the City’s payment of its prorata share.
of annual maintenance costs, estimated at $20,000 annually (i.e. City share would be $8,000).

**DISCUSSION**

Pathway
City transportation staff believes the proposed pathway connection between the parking lot and the School will substantially relieve congestion along Laura Lane during the mid-afternoon at each of the International School driveways, in front of the main Post Office driveways, and at the Laura Lane/East Bayshore signalized intersection. Staff also believes that the resulting increase in turning movements at the signalized intersection of Geng Road and Embarcadero Road will not, in all probability, substantially affect level of service at that location. On net, there should be a positive impact on traffic operations in this part of Palo Alto. While the City could ask International School to commission a traffic impact analysis to confirm – or to disconfirm – staff’s judgement, Transportation staff does not believe that it is reasonable to impose that cost on the School given the high probability that Geng/Embarcadero will continue to operate acceptably and that Laura Lane/E. Bayshore will improve substantially should the scheme for a park-and-ride/pathway arrangement be implemented.

Park Space
The City Attorney’s Office has raised a concern about allowing limited exclusive use by a private organization of dedicated parkland. The Attorney’s Office has indicated that a key legal issue is the extent to which this proposal is consistent with public park use.

The City’s current parks are overprogrammed. There is a deficiency of athletic field space. Soccer has become so popular that the sport is played and practiced in parks that are not designed to handle such use. Currently soccer is played in at least 17 parks that were not intended for such use, and play occurs 6 to 7 days per week, several hours per day, for months at a time. The deficiencies in park space are exacerbated by overuse. Many areas in the current parks do not drain well, and overuse by soccer teams and other user groups worsens field conditions.

Provided that the proposed park area is able to be designed in such a way as to accommodate soccer and baseball, soccer could be scheduled Monday through Friday, and possibly most or all of the day on Saturday, from the hours of 4 p.m. to dusk during September through November. Baseball could be scheduled from 4 p.m. to dusk during the months of March through June. Women’s rugby may also be able to use the area,
since they use an area very similar to this for practice (the turf area behind the softball diamond in El Camino Park) in the evenings during the fall and winter months.

If, at some point in the future, the International School was no longer able to provide support for the park area and the City resumed responsibility, the City’s use of the field area would not be expected to change. Recreation does not program the fields or parks during school hours, as there is little or no demand. When school is not in session, the area would not be a desirable one for most types of summer day camps.

With regards to the issue of “limited exclusive use,” staff recommends, if Council approves a lease arrangement with the International School, that it be modeled on Attachment 2 to the School District-City Terman Park lease (see Attachment 3 of this report) which provides the School with “first call on the playing fields.” This would allow the International School to exclude the public from the playing fields only to the limited extent necessary for it to make its preferred, or “first call,” use of the fields. Members of the public could not be routinely excluded from the playing fields, and permanent fencing and other barriers would not be allowed.

**Lease Term**

The School will need to raise funds from its parents to construct both the pathway and the proposed play fields. The estimated cost of developing the pathway is $35,000 and $484,000 for the play fields. Given the fact that the School cannot own the land, the School believes it will be difficult to persuade parents to donate money unless it can be assured of some reasonable lease term, and has proposed 7 years with option to renew for additional 7 year periods. Staff believes this request is reasonable, when balanced against the fact that the City will gain the use of badly needed playing fields during the times of day when they are most in demand by community groups, and would assume full maintenance responsibility of the developed fields in the event that the School defaulted on its commitment under the lease. Staff has been advised by the City Attorney that, given the proposed use of dedicated parkland and limited exclusivity requested by the School, a shorter term is desirable. Staff believes the 7 year term strikes a balance between the School’s need to show value to its donor community and the City’s need to be protective of its dedicated park land.

**ALTERNATIVES TO STAFF RECOMMENDATION**

The Council, in approving the School District-City Terman Park lease, has provided a template for responding to the request by the International School for use of the dedicated park land.
RESOURCE IMPACT

The City’s pro rata share of annual maintenance costs would be $8,000. If the City did have to resume responsibility for the park area at some point in the future, the annual maintenance costs are estimated to be $20,000, and would come from the General Fund. Fee revenue from user groups would offset these costs to some extent; however, minimal revenues are generated from youth and children’s sports groups. Staff also intends, should the Council approve moving forward with this proposal, to include a requirement for the School to put one year’s cost of maintenance ($20,000) in a financial security (e.g. certificate of deposit) so that the City would have time to plan should the School default for any reason on its commitment to maintain the fields. Liability insurance will also be required.

POLICY IMPLICATIONS

A lease of dedicated parkland is a departure from previous Council policy and may result in other offers of public/private partnerships, although each would need to be individually evaluated as to the public benefit provided and the consistency with City park use.

TIMELINE

Staff estimates that it will take 6 months to complete the playfields, once fundraising for the project will be completed. The pathway would be constructed as soon as possible to ease the traffic problems on Laura Lane.

ENVIRONMENTAL REVIEW

Planning and Community Development staff has indicated that the proposal is congruent with the Baylands Master Plan. An environmental assessment and site and design review will be required for this project. In addition, a Park Improvement Ordinance will be prepared, if the project moves forward.

PREPARED BY:  ____________________________________________  
Emily Harrison, Assistant City Manager

CITY MANAGER APPROVAL:  _________________________________________  
Frank Benest, City Manager
Attachment 1: Proposal from International School of the Peninsula
Attachment 2: Schematic of proposed pathway and playing fields
Attachment 3: School District Use of Terman Park