

**TO: PARKS AND RECREATION COMMISSION**

**FROM: DAREN ANDERSON DEPARTMENT: COMMUNITY SERVICES**

**DATE: SEPTEMBER 27, 2022**

**SUBJECT: CONSIDERATION OF DEDICATING THE 10-ACRE MEASURE E SITE AS PARKLAND**

**RECOMMENDATION**

Staff recommends that the Parks and Recreation Commission (PRC) discuss and provide feedback on dedicating the 10-acre Measure E site as parkland.

**BACKGROUND**

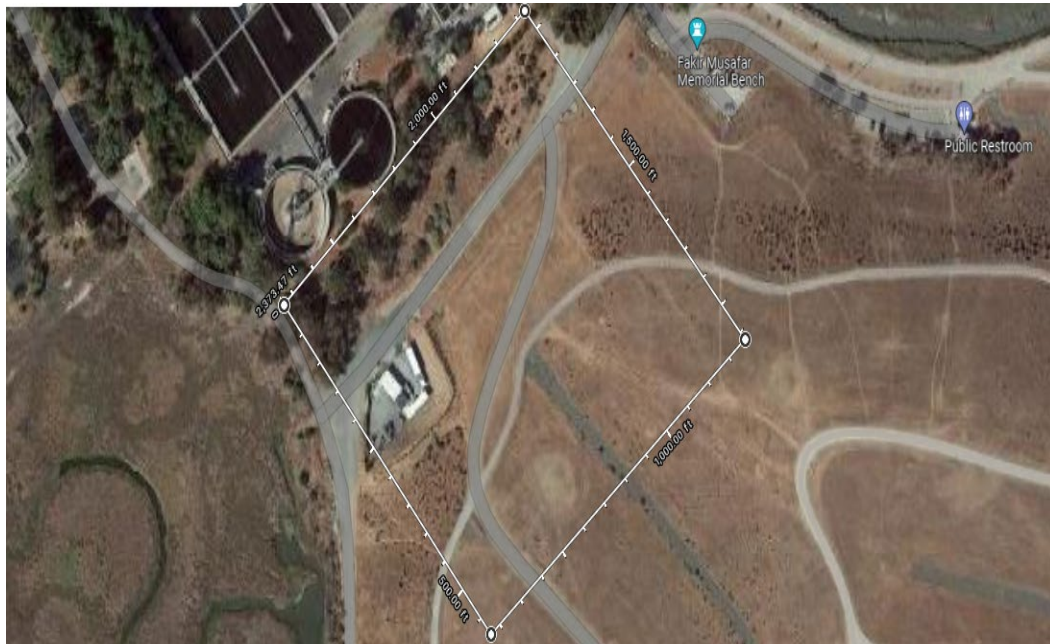
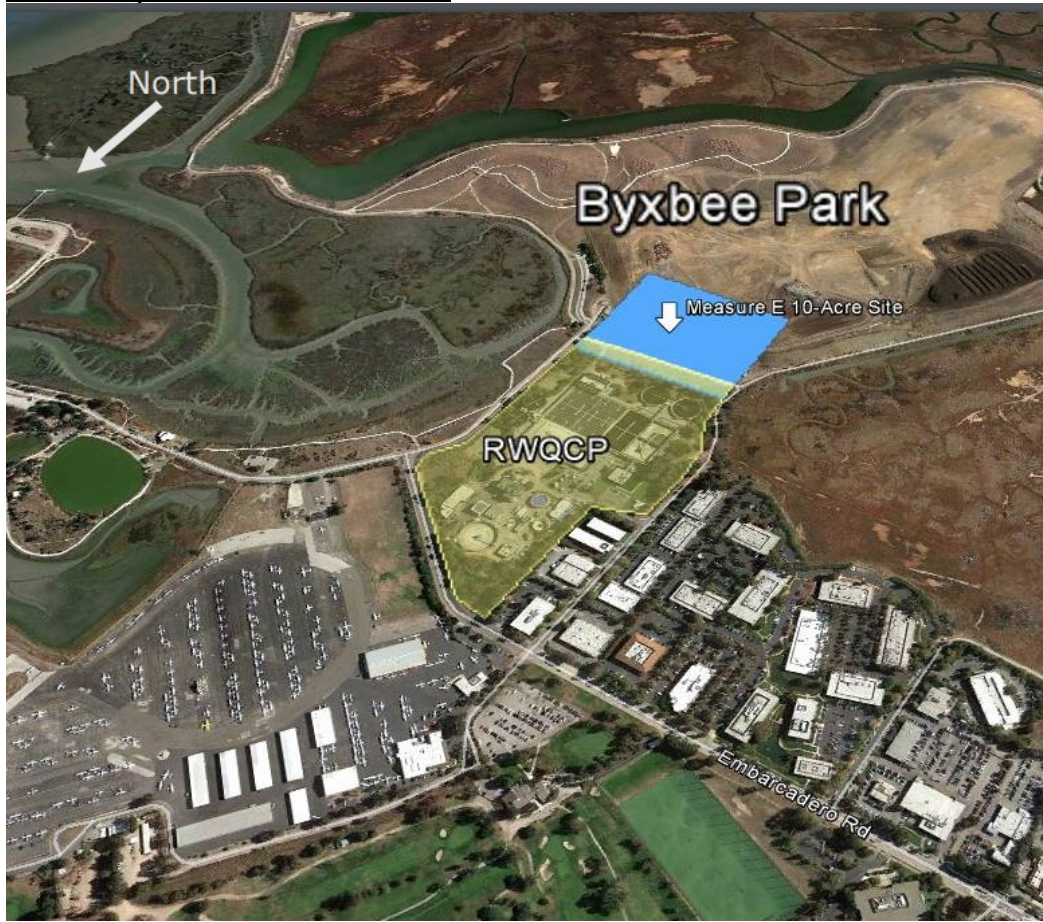
On April 5, 2010, City Council directed staff to initiate a feasibility study for an Energy/Compost Facility in Palo Alto. In September 2011, a Final Feasibility Report was presented to City Council (Staff Report ID # [2557](#)). The Feasibility Report recommended that if the site at Byxbee Park becomes available through the passage of Ballot Measure E, then the City should take further actions to consider anaerobic digestion and other technologies for managing the City’s food scraps, yard trimmings, and biosolids at the site. In November 2011, Palo Alto voters passed Measure E, which removed a 10-acre parcel of land adjacent to the Regional Water Quality Control Plant from dedication as parkland for a 10-year term, only for the limited use as an Energy/Compost Facility. The 10 acres were reserved exclusively for this purpose until November 2021. After that date, City Council may choose to return the area to parkland.

On December 8, 2014, City Council directed staff to not pursue the development of a compost facility ([Staff Report](#)). After an extensive process of requesting and evaluating bid proposals, staff concluded the compost facility was not cost effective. Palo Alto’s yard trimmings and food scraps are instead taken to a dry anaerobic digester in San Jose. On October 26, 2021, Public Works staff presented an update on Measure E ([presentation](#)).

**Key Sections from Ballot Measure E ([Resolution](#))**

- Shall ten acres of existing parkland in Byxbee Park be undedicated for the exclusive purpose of building a processing facility for yard trimmings, food waste and other organic material?
- The Property shall be removed from dedication as parkland, for the exclusive purpose of building a facility (“Facility” herein) for converting yard trimmings, food waste, other municipal organics and/or sewage sludge from the regional wastewater treatment plant by biological and/or other environmentally equally protective technology.
- Ten years from the passage of this Initiative, the City Council may rededicate any portion of the Property not utilized for the purposes of this Initiative to parkland.
- Any other use, except for parkland, would require a new vote of Palo Alto residents

Aerial Maps of the Measure E Site



## **DISCUSSION**

The [Parks and Recreation Commission Work Plan](#), which was approved by City Council, includes a goal (#6) to identify, review, and recommend potential sites within our community to dedicate as parkland. The high priority of the goal is to review and make recommendations regarding potential dedication of the 10-acre Measure E site at Byxbee Park.

The Measure E site is bordered by the Regional Water Quality Control Plant, Emily Renzel Wetlands, and Byxbee Park. Approximately, one third of the 10 acres is relatively flat terrain (from the exterior fence of the Regional Water Quality Control Plant to just beyond the service road), and the remaining two thirds is on a sloped hillside adjacent to Byxbee Park. There is a Public Works maintenance facility on the Measure E site. Maintenance infrastructure, like these facilities, can be found in several park and open space areas. This maintenance facility and the access road were in their current location (on parkland) prior to the 2011 Ballot Measure E.

The PRC Park Dedication Ad Hoc Committee (Ad Hoc) has met several times to discuss the potential dedication of the Measure E site. On August 16, 2022, the Ad Hoc met with Public Works staff and toured the site. This included a tour of the maintenance facility that is used to maintain the leachate and methane systems of the former landfill. Public Works staff explained that their department has no foreseeable projects or staff proposals for future use of the Measure E site.

On September 14, 2022, the Ad Hoc met with the Utilities Advisory Commission Chair (Lauren Segal) and the staff liaison (Utilities Department Director, Dean Bachelor) to discuss the Measure E site. Director Bachelor explained that the Utilities Department has no plans for the Measure E site at this time. They are trying to avoid extending utility infrastructure that close to the Bay. Chair Segal and Director Bachelor explained that they have no concerns with the PRC pursuing dedicating the site as parkland. They noted that it wouldn't prohibit future discussion for different uses for the land; and if there is a need, voters can vote to un-dedicate it for some other use.

The Ad Hoc articulated the following reasons for pursuing dedicating the Measure E site:

- The Measure E site can only be used for the exclusive purpose of building a processing facility for yard trimmings, food waste and other organic materials
- Any non-parkland use, other than the one exactly specified in Measure E, would require a new vote of Palo Alto residents
- Neither the Public Works nor Utilities Departments have plans for the Measure E site
- The Measure E site includes a wildlife habitat corridor between Renzel Wetlands and the Bay that should be protected, and a trail connection for loop around Byxbee Park
- As dedicated parkland, the Measure E site would be limited to “park, playground, recreation, or conservation purposes (as defined by Article VIII of the [Palo Alto City Charter](#)). Dedicated parkland can't be used for non-park purposes unless a majority of the city's voters vote to un-dedicate the land

## **NEXT STEPS AND TIMELINE**

- October 2022 --Parks and Recreation Commission
- December 2022—February 2023 --City Council