

## **COUNCIL POLICY**

**SUBJECT:** PARK DEVELOPMENT BY NON-CITY FUNDS

**POLICY NO.:** 700-07

**EFFECTIVE DATE:** August 24, 1981

### BACKGROUND:

1. The City develops parks in accordance with factors and certain guidelines and standards based on population density. The timing of development and improvement of parks depend on availability of funds and relative importance of such development to the general public. Development is accomplished in accordance with the Capital Improvements Program which is projected over a number of years, usually six.
2. On occasion, citizens' groups desire to develop parks ahead of schedule, or to provide improvements to parks which are not included in the Capital Improvements Program.

### PURPOSE:

To establish City policy in regard to approval of park development by non-City funds and to formalize procedures for City cooperation in such projects.

### GENERAL POLICY:

1. Each request for private development of a park site shall be considered on the basis of:
  - a. Need of the community.
  - b. City's schedule for development.
  - c. Cost to the City for maintaining the park.
2. Special consideration shall be given to the private development of parks in older developed areas.
3. In each case, a written agreement which is based on the requirements of the specific park site shall be negotiated by the City Manager. The written agreement will be executed by the City Manager after authorization by the City Council.
4. Park development involving non-City sources of funding shall be restricted to that property which is owned in fee by the City, or has in some manner been accepted by the City for park purposes.

### SPECIFIC POLICIES:

1. When a park is approved for development ahead of the time when it is scheduled for development under the Capital Improvements Program, the amount of citizen contribution

required will be determined based on the estimated cost of maintenance and operation of the park during the period from date of completion of the park under accelerated development to scheduled date of completion under the Capital Improvements Program, which period shall be hereinafter referred to as the “accelerated development period.”

- a. When estimated cost of maintenance and operation during the accelerated development period equals the estimated cost of park development, citizen groups will defray the total cost of development. In such cases, City will pay engineering and inspection costs to the extent that funds for that purpose are available.
  - b. When estimated cost of operation and maintenance during the accelerated development period is less than estimated cost of park development, the minimum required Citizen Group contribution shall be equal to such estimated operating and maintenance cost or one half the cost of development, whichever is greater. The City will then contribute the balance of development cost to the extent that funds are available for that purpose. In such cases, engineering and inspection costs shall be included in total costs of development.
  - c. When the estimated cost of maintenance and operation of the park during the accelerated development periods exceeds the estimated cost of development, the project for accelerated development will not be approved, unless the citizen group assumes the resulting maintenance costs during the accelerated development period.
  - d. The City will assume maintenance responsibilities, after acceptance, for privately assisted minor improvements to existing parks, where such improvements complete the intention of the park’s development plan.
2. All park development by non-City funds will be in accordance with plans and specifications approved by the City Manager.
  3. Park development by private funds will be accomplished in a sequence specified by the City Manager.
  4. Park development may be accelerated by funding from non-City sources in the following ways:
    - a. By cash contributions. A trust fund may be set up by the City to receive contributions for this purpose.
    - b. By establishment of a Park Improvement District, in accordance with the Park and Playground Act of 1909, California Governmental Code Section 38000, by 1911 Act proceedings, or other assessment proceedings.
  5. On occasion, citizen groups may desire to accomplish improvements to public parks which are not included in the Capital Improvements Program. The extent of City participation in such programs shall be limited to funds available for that purpose and shall not exceed 50% of the cost of such improvement. The City shall participate only on such improvements that are described in the preliminary General Development Plan which has been adopted by the City

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Council and shall not participate in the construction of any selected use facilities such as concession stands, scorer's booths and storage areas.

### METHODS OF CONTRACTING FOR DEVELOPMENT:

1. When the City participates in accelerated park development or park improvement by means of contributing funds, development will always be administered by the City.
2. When citizen groups make cash contributions for the total cost of Park development as gifts to the City, they may elect to have the work done either by private contract or by City contract. All such work accomplished under private contract shall be in accordance with City specifications and subject to inspection and approval by the City before acceptance.
3. When a park is developed by establishment of a Park Improvement District, the work will be done under City contract, in the same manner as other public improvements.
4. Red stamp all plans not adopted by the City Council "Study Plan Only, Not Adopted by the City Council."

### CROSS REFERENCE:

Council Policy 700-03

Council Policy 800-06

Administrative Regulation 1.60

Administrative Regulation 20.15

Administrative Regulation 25.10

### HISTORY:

Adopted by Resolution R-182376 12/22/1964

Amended by Resolution R-192809 02/01/1968

Amended by Resolution R-206800 10/26/1972

Amended by Resolution R-254869 08/24/1981