



COUNCIL AGENDA: 02/08/22

FILE: 22-117

ITEM: 3.6

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: John Aitken
Matt Cano
Jon Cicirelli
Jacky Morales-Ferrand

**SUBJECT: GUADALUPE GARDENS
FENCING & ACTIVATION
ALTERNATIVES**

DATE: January 27, 2022

Approved

Date

01/28/22

COUNCIL DISTRICT: 3 & 6

RECOMMENDATION

- a. Accept the report on Guadalupe Gardens Fencing & Activation Alternatives including protective and activation measures and authorize the City Manager to:
 1. Receive feedback on the Prototype Park Concept Plan and Vehicle Prevention Project; and
 2. Identify ongoing operating, programming and stewardship costs needed to implement the Prototype Park Concept Plan with the Guadalupe River Park Conservancy or through a Request for Proposals process.
- b. Adopt a resolution authorizing the Director of Public Works to:
 1. Award and execute a contract for the construction of the 9821 – Guadalupe Gardens Fencing Project, to the lowest responsive, responsible bidder in an amount not to exceed \$1,500,000;
 - a. In the event that not all of the \$1,500,000 is utilized, reallocate any remaining funding for protecting the land and other mitigation solutions to secure the space;
 2. Decide any timely bid protest(s) and make the City's final determination as to the lowest responsive bidder that is responsible as needed to award the contract; and
 3. Establish a construction contingency of up to 10% percent of the amount of the construction contract for the Project

OUTCOME

The City Council and community will be aware of actions taken to comply with the Federal Aviation Administration (FAA) mandate to ensure there are no residential uses on the 40 acres of Guadalupe Gardens area by June 30, 2022. Council will provide direction to staff on a comprehensive activation approach and provide staff with flexibility to secure the Guadalupe Gardens area either through a perimeter fence or through the activation plans such as fencing for dog park, community gardens, etc.

EXECUTIVE SUMMARY

This memorandum addresses a path forward for the Guadalupe Gardens 40-acre area (Project Site), and itemizes actions taken based on Council direction to secure and activate the Guadalupe Gardens area through human presence rather than fencing. Analysis includes proposed interim uses for the Prototype Park Plan and design considerations that align with the FAA passive use restrictions within the 40 acres of Guadalupe Gardens based on results of outreach, staff analysis and associated costs. By approving the recommendations in this memorandum, Council will give the City Administration direction for the activation plan and provide needed flexibility to secure the site and ensure compliance with FAA direction that no residential uses occur while activities are prepared for implementation.

In response to the FAA directive to clear the encampment from the Project Site, the City developed a year-long, three stage approach. The City identified the following set of goals to guide the work in this area:

1. Honor City Commitment to FAA Grant Funding
2. Optimize Use of City Funding
3. Protect the Health and Safety of the Unhoused Population
4. Protect the Natural Environment
5. Prevent Future Re-encampment of the Area
6. Protect Businesses in Area

Attachment A is the extensive background of the work done over the last four months. Initial plans to erect a perimeter fence to secure the area from re-encampment after the clearing was completed have been reconsidered based on Council direction and current conditions. The funding for the initial perimeter fencing project, based on Council direction, can be utilized for funding other protective measures such as K-rail purchasing and placement, and to enclose the land for future programming options.

Measures to prevent re-encampment in the Stages 1 and 2 areas have, to date, been effective. Daily monitoring by BeautifySJ and Parks staff from the Department of Parks, Recreation and Neighborhood Services (PRNS) and K-rail installed by the Airport Department (Airport) resulted in six documented attempts to re-encamp. Challenges outside of Stages 1 and 2 continue to be

present, including overcrowding in Stage 3 area, illegal dumping in adjacent areas, fires in Columbus Park, and the presence of vehicular traffic along Guadalupe River Trail.

In preparation for the clearing of the Stage 3 area east of Spring Street between West Hedding Street and Taylor Street, PRNS commenced outreach efforts to seek input for interim recreation uses and other activities that meet community needs, follow FAA mandates, and align with the Guadalupe Gardens Master Plan.

At this time, funding in the amounts of \$1.5 million from the Airport and \$150,000 from PRNS are available for implementation of protection and activation measures. Other funds are already allocated for trash/debris removal and encampment removal. This memorandum will outline the anticipated expenses in 2022-2023 for the proposed Prototype Park and Trail Vehicle Prevention Project which will be considered as part of the development of the 2022-2023 budget, based on the condition of the General Fund and City Council direction.

BACKGROUND

See Attachment A for information about the FAA's directive to the City related to ensuring there are no residential activities in the 40-acres of Guadalupe Gardens and brief history of the Guadalupe Gardens Master Plan.

ANALYSIS

Table 1 outlines the direction staff received from Council on October 19, 2021 and through the *Restoration of Guadalupe River Park and Gardens*¹ memorandum.

Table 1 – Summary of Council Direction Addressed in Memo

Direction from Council and the <i>Restoring Guadalupe River Park and Gardens</i> Memorandum	Lead Department/Team
HOUSING: Status of linking Guadalupe Gardens residents to housing options, plans for housing solutions for people in Stage 3	Housing
SECURING THE SITE: Results of Stage 1 and 2 abatement, re-encampment activities, current conditions of Stage 3 and next steps towards the June 30, 2022 deadline for full abatement per the FAA directive.	PRNS/BeautifySJ
SECURING THE SITE: Actions and timeline to limit vehicular access to trail	PRNS/Capital Improvement Team

¹ <https://sanjose.legistar.com/View.ashx?M=F&ID=9894632&GUID=31995F23-75B2-49B5-99FD-662DAB71A794>

SECURING THE SITE: Options to secure the site that align with PRNS recommendations based on current Request for Proposal and availability of K-rail	Airport
ACTIVATION: Recommendations for passive recreation activities and infrastructure needs based on community input, compatibility with FAA regulations, ability to implement upon clearance of Stage 3, and funding feasibility	PRNS/Capital Improvement Team
ILLEGAL DUMPING: Actions to deter illegal dumping in the area including Columbus Park	PRNS/BeautifySJ
HUMAN PRESENCE: Capacity of law enforcement to deter illegal activity along the Guadalupe River Park & Gardens trail from Arena Green to Airport	SJPD/PRNS
HUMAN PRESENCE: Expansion of SJ Bridge for weekly cleanup	Housing
HUMAN PRESENCE: Trainee Program for park rangers and maintenance positions	PRNS
Status of Beautify SJ recruitment and hiring of 28 new positions allocated in Approved Fiscal Year 2021-22 Budget	Human Resources/PRNS

Housing

The Housing Department and its contracted outreach partner, Home First, are consistently connecting with the unhoused residents of Guadalupe Gardens to provide health and social services and to engage in housing problem solving. Families with children have been a priority group to house as well as any other residents whose vulnerability index score facilitates housing options. The number of residents in Guadalupe Gardens is a fluid number and estimates have fluctuated from ~250 at its peak during the summer of 2021 to a more current number of ~ 120. As of January 7, 2022, 49 people have accepted housing solutions and moved out of Guadalupe Gardens. Table 2 is the status of service to the unhoused population.

Table 2 – Unhoused Population Serviced in Guadalupe Gardens Area

Housing Solutions Between September – December 2021	Number of People Served
Permanently Housed	5
Interim Housing Placement	23
Rapid Rehousing or Permanent Supportive Housing	17
Recreational Vehicle or Vehicle Repair	4
Total	49

In preparation for Stage 3, the City is engaging in multiple housing solution strategies. Some people need financial assistance to transition them into a permanent home, whereas other people need additional time to find a housing solution. The City will begin construction on the Guadalupe Emergency Interim Housing (Guadalupe EIH) site, located on the Police Administrations Building Parking E Lot, in January 2022. The site will have 14 prefabricated units that will house up to 76 persons and will include parking for residents and staff, offices,

security, shared kitchen and laundry facilities, community space, a dedicated dog run, and a smoking area. It is anticipated that site construction will be completed in fall 2022. In addition, possible locations for operable lived-in vehicles are being identified and analyzed for consideration by Council and the community. While the initial estimated completion date for Stage 3 was June 30, 2022, because it is the City's intent to offer Lot E units to the unhoused population at Guadalupe Gardens, the completion of Stage 3 has been pushed back to align with the estimated completion timeline of Lot E construction – fall 2022. As a result, Airport staff is notifying the FAA that there will be a delay in the abatement of Stage 3. Final abatement will occur in coordination with the availability of the housing being built in Lot E. In the meantime, sanitation and social services will continue at this location.

Securing the Site

The abatement of the Stage 1 and Stage 2 areas occurred between September and October 2021. The cleanup efforts included a phased approach: notification, cooperation, abatement. Notification of the forthcoming actions and dates in three languages were distributed by hand with staff seeking to speak directly with every resident when possible. Notices were posted on trees, tents, inoperable/abandoned vehicles and structures. A-Frame notices were placed in various high traffic locations. Staff and vendors removed over one million pounds of trash and debris from the Stage 1 and 2 areas of the Guadalupe Gardens. Additionally, thirty-four (34) inoperable or abandoned vehicles were towed from the area.

Since the conclusion of the abatement of the Stage 1 and 2 areas, BeautifySJ has abated six attempted re-encampments. Those individuals who re-encamped were noticed and abated within 24 hours because the previous abatement indicated that re-encampment would result in immediate abatement. Staff also monitors the area regularly to address illegal dumping, this monitoring has led to reduced re-encampment of the area.

Currently, many residents from the Stage 1 and Stage 2 areas of Guadalupe Gardens have moved to the Stage 3 area, as well as areas further along the Guadalupe River and trail. This has led to increased density of encampments and lived-in vehicles within a more circumscribed area resulting in impacted access to the Guadalupe River Trail and an overall increase in trash and debris that needs to be managed. Staff has planned a phased cleanup of the Stage 3 area with initial actions beginning in January 2022. The cleanup will include removing trash/debris, clearing abandoned encampments, burned structures, addressing inoperable/operable vehicles located along the streets and trails, and in the final phase removing remaining encampment residents and structures.

Staff has developed a plan to reduce or limit vehicular use along the Guadalupe River Trail. The purpose of the Trail Vehicle Prevention Project is to prevent vehicle trespassing and at a minimum will include reinstallation and securing of bollards at 8 trail entrances, including Taylor Street, West Hedding Street, Coleman Avenue and Seymour Street. Fencing will be installed along Irene Street and Asbury Street to act as barriers to access between the Gardens and the riparian corridor as depicted in Attachment B. Up to three gated entries would be installed to permit access for emergency services and maintenance vehicles. Additional bollards

or physical barriers will be considered for installation at the trail's entrance at Airport Parkway, north of Highway 880. The preliminary estimate for the Trail Vehicle Prevention Project as depicted in Attachment B is \$827,850 with up to \$150,000 funded at this time with American Rescue Plan funds for physical deterrents citywide allocated to BeautifySJ.

As directed by the City Council, the Public Works Department put out to bid the fencing portion of this project to determine the per linear foot pricing for a basic chain-link fence and for a more decorative fencing option (similar to the existing fence around the Community Gardens on Asbury Street). A fence could also provide controlled access points to preserve and protect the land and activity outlined in the activation plan at Guadalupe Gardens. The linear foot pricing provides the City with flexibility to fence all or only portions of the area as Council determines is appropriate. Bids were received on January 20. Staff is currently in the bid evaluation period and further information will be available prior to the City Council meeting.

Staff is evaluating the need for any perimeter fencing and on a parallel track, the activation plan such as fencing for dog park, community gardens, etc. As discussed below, both options would require physical barriers or other security deterrents. As a result, staff recommends delegating authority to the Director of Public Works to award and execute the contract to allow for the City to protect all or parts of the 40 acres of Guadalupe Gardens to maintain compliance with the FAA accepted Corrective Action Plan.

Activation

One of the key strategies to ensure no future re-encampments is the expeditious development of interim recreational amenities within the Guadalupe Gardens space. Currently the Guadalupe River Park Conservancy (GRPC) is PRNS Department's management partner to support management of the entire Guadalupe River Park, which this portion of Guadalupe Gardens is a part of. As such staff and GRPC conducted outreach efforts to engage the surrounding community and stakeholders to identify temporary recreational uses (compliant to FAA regulations) to activate the Prototype Park and funding sources. Activities completed include:

- Determined that "purple pipe" (i.e., recycled water) service exists currently on Spring, West Hedding and Asbury Streets. The cost to extend the service for specific uses within the Guadalupe Gardens area will be included in cost estimates for improvements.
- Met with four potential partners: Veggielution, Valley Verde, Garden2Table and Our City Forest.
- Considered interim and passive recreational opportunities for this site including disc golf, dog parks, nature-based programming and others. Partnerships for permanent passive recreational activities will be explored as the mid- and long-term plans for the space are developed.

Partnership Opportunities - In recent years, several potential non-profit partners have approached the City about potential long term uses of the Guadalupe Gardens area. Developing these partnerships has been challenging due to requirements from the FAA that any uses at the site must pay Fair Market Value to lease the land.

As part of this current work, GRPC, working with staff, coordinated with potential partners (Our City Forest, Valley Verde, Veggielution and Garden2Table) about use of the space. These groups expressed interest in using a portion of the Gardens for programming but, acknowledged that there are unanswered questions that need to be addressed. The following are some of the issues that need to be addressed in considering opportunities for partnership:

- Will lease fees be required and, if so, how much would they be?
- What infrastructure will the City build to support the operation (e.g., irrigation, electricity, storage sheds, etc.)?
- Will funding sources be provided for engagement and workforce development with unhoused community?
- What are City's expectations for use of the space and programming requirements?

This is a partial list of items that staff will continue to explore. Staff would need to coordinate this potential partnership with the FAA and address the issue of lease fees for this area. If FAA can support the concept of this type of use of the space, then PRNS will work toward establishing the partnerships, based on the condition of the General Fund and City Council direction.

Interim and Passive Recreational Uses - Staff was directed to explore options for interim use of Guadalupe Gardens area in partnership with the community and stakeholders and to report back to Council on development options. Staff was also directed to evaluate potential partnership opportunities for this space specifically for urban agriculture opportunities. Staff, in coordination with GRPC, completed community outreach regarding potential interim and passive recreational amenities and will continue to partner with GPRC and other key stakeholders to look for opportunities for long-term permanent and passive development of the Guadalupe Gardens area beyond this initial interim amenity development phase.

Attachment C shows the layout of a proposed Prototype Park that offers the following:

- The proposed plan is generally consistent with the 2002 Master Plan;
- The amenities proposed are supported by community interest and that would foster stewardship of the area; and
- The emphasis is on low capital cost activities and assumes soil conditions are suitable for recreational use.

The intent of the Prototype Park is to introduce new or large-scale recreational attractions at low cost to gauge public interest and identify operational issues or needs. Currently the Department's Strategic Plan, ActivateSJ, has a goal to create a one-acre site to test new products (Stewardship Measure, S5d), however in this instance, staff proposes taking the opportunity to prototype at a larger scale. This will enable the Department to document park user preferences with a range of recreational attractions that would not be feasible at existing neighborhood park sites. The lessons learned from this effort will help

guide future capital and operational investment in development of long-term/permanent improvements.

As shown in Attachment C, specific uses proposed for immediate implementation (as a result of the community outreach) include a 5.5-acre dog park, a 15.8-acre disc golf course, and approximately nine acres for wildflower plantings and meadows in the interim period, with that space set aside for future community gardens and/or urban agriculture. The preliminary one-time costs for a Prototype Park – excluding costs associated with developing the site for urban agriculture discussed below – are estimated at \$2,925,000. This also does not include any potential soil remediation.

Costs for implementation of urban agriculture will depend on the needs of the selected partners. Electrical service, water supply, irrigation, shade structures and raised garden beds are anticipated. Based on recent construction projects staff expects this cost of providing this infrastructure to range from \$4,366,000 and \$5,714,000. This is a preliminary opinion, not based on a plan and not reviewed by the Public Works Department.

The proposed uses align with the goal to build out lower-cost and more immediate solutions to activate the space quickly. Community input was also strongly in favor of roller-skating spaces and pickleball courts. However, the interim nature of Prototype Park cannot accommodate roller-skating or pickleball. In the future Spring Street might accommodate roller-skating, but it is not feasible at this time because the 2002 Master Plan calls for the removal of Spring Street, so retention of the roadway requires amendment of the Master Plan and its associated environmental analysis. In addition, the roadway would need to be repaved to safely support roller skating. Staff will continue to pursue broader/long range amenities, but do not recommend these items in a short-term implementation strategy.

The proximity of the airport influences park development and operations of the Gardens. Land use around the airport is defined by the City of San José General Plan (*Envision 2040*) and the *Comprehensive Land Use Plan* for Norman Y. Mineta San José International Airport adopted by the County of Santa Clara Airport Land Use Committee (ALUC). The ALUC plan provides the following guidance for lands within the Gardens area located north of Seymour Street (the Inner Safety Zone):

- Land use must be non-residential with a maximum density of 120 persons per acre.
- No structures within 100 feet of the extended runway centerlines.
- Thirty percent of the land area must be open space.

The ALUC conditions generally preclude construction of buildings, restroom structures, gazebos, pavilions, large numbers of sport fields and bleachers within Guadalupe Gardens. The land use restrictions are less stringent south of Seymour Street, but some restrictions do remain. The proposed park development as conceived in the 2002 Master Plan for Guadalupe River Gardens was intended to propose land uses consistent with the ALUC conditions.

A collection of pickleball courts would exceed the population density requirement for this site. Four pickleball courts are already proposed with renovation of Columbus Park and is not impacted by the ALUC plan.

The Prototype Park concept also calls for potential commercial land uses along Coleman Avenue. Development in this area has long been of operational interest to the Airport for its revenue potential. PRNS recognizes that activation of this edge of the park with land uses that are compatible with the park use (e.g., cafés, bike shops, etc.) could bolster use of the park amenities. In making the proposal for commercial use here staff assumes that this will help alleviate the need for the FAA to require Fair Market Value lease fees for the remainder of the community-benefit park space.

Path to Implementation - Regulatory coordination and environmental considerations need to be addressed before implementation of interim recreational improvements or partnerships. Additional outreach to the community and partners is also recommended. Any proposed activities at this location must be deemed consistent with the standards set by the FAA. Staff discussions with the FAA are ongoing.

Soil conditions at the site are currently being evaluated through Phase I and Phase II Environmental Site Assessments. There is no record of the area having been contaminated, but there is also no record of any past sampling. In addition, recent activities at the site may have left contamination in select areas. Before opening the property for recreational or agricultural use the condition of the soils must be known and, if necessary, remediation completed.

Additional outreach is recommended to share this plan, and confirm proposed direction framed by Council input and availability of resources to advance an interim Prototype Park's planning and development.

Illegal Dumping

The closure of access to Spring Street to/from West Hedding Street has stopped through traffic and shifted illegal dumping to other areas near Taylor Street. The dumpsters along Spring Street and at Irene Streets have been removed to reduce the illegal dumping occurring in front of the dumpsters. Unfortunately, the dumpsters were placed for the unhoused residents to use but ended up attracting significant illegal dumping. The vendor, Green Waste was routinely unable to service the dumpsters because of the debris in front of the dumpsters. BeautifySJ has increased encampment trash service since the dumpsters were removed.

One set of cameras (video plus license plate reader) is proposed to be installed near Hedding and the trail entrance in February. Seven 'No Illegal Dumping' signs have been installed in the area – two on West Hedding Street, two on Asbury Street, and three near Taylor Street. The cost of monitoring these existing cameras is currently included within the BeautifySJ budget. Staff will continue to monitor the area for further interventions.

Human Presence Instead of Fence

Police & Park Rangers – The Guadalupe River Trail from Arena Green (Santa Clara Street) to the Airport (Brokaw Road) is approximately three miles. The Police Department recently began providing overtime staffing for a trail of a similar distance that runs along Coyote Creek from William Street to Tully Road. Two overtime positions (1 officer and 1 sergeant) are assigned on a daily basis to patrol the trail on bicycles during a ten-hour shift. This pilot program is funded by an agreement with Valley Water, with each agency contributing \$400,000 for a total annual amount of \$800,000. There is also a potential need for some police presence along the Guadalupe River Park and Trail including the creek. While additional analysis would be needed to determine the most appropriate level of patrol presence, staff has included an \$800,000 cost for Trail Safety Patrol for reference in Table 3.

Hiring of Park Rangers continues to be challenging. The last recruitment resulted in the two candidates selected withdrawing during the background check process. A new recruitment will start at end of January 2022 which could result in Rangers being on solo patrol by fall of 2022. Also, PRNS continues to develop a Ranger Apprentice Program so there is a greater pipeline of candidates who gain full qualifications while already employed with City.

Guadalupe River Park & Trail Maintenance and Safety – In addition to the Ranger Apprentice program, the Parks Division of PRNS is developing a similar Trainee Program with Office of Employee Relations and Human Resources Department for maintenance positions to create a pipeline from Resiliency Corps, SJ Bridge and other apprenticeships. In the meantime, there is a critical need to enhance Guadalupe River Park maintenance as a companion to the interim uses being proposed. Park maintenance solely dedicated to Guadalupe Gardens and the clearing of the trails to restore them back to an acceptable level and maintaining landscaping include tree raising, vegetation management and fire prevention maintenance will be required to ensure the viability of the new interim uses at the gardens and safety of the trail system. Subject to the condition of the General Fund and City Council direction, the Administration will consider as part of the 2022-2023 budget development process an option to increase human presence with the addition of positions and non-personnel/equipment resources for Guadalupe River Park and Trail maintenance, preliminarily estimated to be \$950,000.

Expansion Update of San José Bridge Program (SJ Bridge) The SJ Bridge program is an employment program, established in 2018 with local non-profit organizations under PRNS to create part-time job training positions for homeless individuals to collect litter and debris. On March 16, 2021, the Council approved the March Budget Message which expanded SJ Bridge participants to 100 and transferred the program to the Housing Department to ensure that participants were linked to housing options. In August 2021, the Housing Department released a Request for Proposals (RFP) for potential operators of SJ Bridge and the Guadalupe Emergency Interim Housing Programs with intent for the two programs to work in collaboration by employing homeless individuals, assisting in job training, and providing interim housing while working to find permanent homes for individuals in the program. The Request for Proposals closed in October 2021. Staff is finalizing contract negotiations and will return to Council on February 15, 2022 to award a new contract to the selected operator. The contract will include

American Rescue Plan Act funding that was recently approved by Council on November 30, 2021 that will allow for an expansion to serve a total of 150 individuals. Participants for the program will come from both the Columbus Park and Guadalupe Park River areas where their work will focus on cleaning up these areas. Outreach for new team members will begin shortly after the City Council approves the contract.

BeautifySJ Hiring Update

At the October 25, 2021 Council meeting, Council directed staff to report back on the status of 28 new approved positions allocated to BeautifySJ. These positions range from management classifications for the creation of a new division and field classifications to expand encampment trash services, with the majority being budgeted ongoing positions, and some temporary positions. At this time, 16 of the 28 positions (57%) were filled on the dates below:

December 26, 2021	Division Manager (1), Community Coordinators (3)
January 10, 2022	Community Coordinators (1)
January 23, 2022	Community Active Workers (5), GIS Specialist (1), Maintenance Worker II (4), Public Information Representative (1)

The recruitments for the remaining twelve (12) vacancies from the original 28 positions closed on January 14, 2022. New staff are anticipated to start in March 2022. An additional 11 limited positions approved through June 2023 were approved at the November 30, 2021 Council meeting to enhance the capabilities to address blight from illegal dumping and encampments in waterways and highways; recruitments for these positions are expected to begin in March 2022.

CONCLUSION

Because the \$1.5 million for perimeter fencing can be flexibly used to support efforts to secure the location through use of barriers such as K-rails, bollards or other physical deterrents, and based on the relative success of daily monitoring and use of K-rail to prevent re-encampment of Stages 1 and 2 of Guadalupe Gardens, staff recommends a combination of activation and security measures in a multi-phased approach to achieve the City's goals and secure the full 40 acres at the conclusion of Stage 3 to comply with the FAA mandate.

Pending results of conversations with the FAA, the results of soil sampling, and additional public outreach staff recommends development of the Prototype Park concept as an interim measure. At the point where Stage 3 is cleared continued use of K-rail will be necessary while interim uses are planned. K-rail will be a key step in the Trail Vehicle Prevention Project and full implementation of the Trail Vehicle Prevention Project will be considered based on available funding.

Outreach completed in December 2021 suggest the community would use this space, creating a lively and inviting public realm if vehicular trespassing, dumping and other negative factors can be resolved and prevented from reoccurring. While the interim plan is implemented, staff

will continue to pursue opportunities with non-profit partners and eventually develop a Request for Proposals for use of portions of this space. Continued monitoring of the site through enhancing the human presence will be crucial and best delivered through programming and park maintenance activities.

Together, these measures will create the enhanced human presence and environmental restoration and stewardship sought by Council. Departments and partners will continue to coordinate on interim and long-term strategies for creating a safe, vibrant public space in Guadalupe Gardens and along Guadalupe River Park.

EVALUATION AND FOLLOW-UP

Staff will continue to implement direction on Guadalupe Gardens encampment management strategy including exploration of partnerships and activations. Staff will report back on progress to Council through an Information Memorandum or at Council in the Spring of 2022.

Recommendations to protect and activate Guadalupe Gardens, including capital improvements and identifying stewardship partnerships, and park and trail maintenance and safety will be considered as part of the 2022-2023 budget development process, based on the condition of the General Fund and City Council direction.

CLIMATE SMART SAN JOSE

The recommendation in this memorandum has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

Staff developed and executed Phase I of an outreach plan to assess community interest in Guadalupe Gardens. An English language survey was developed and received 588 responses between December 7 and December 20, 2021. A community meeting was held via Zoom on December 8, 2021, with approximately 54 people in attendance. A video of the meeting can be viewed here: <https://grpg.org/guadalupe-gardens-improvement-plan/>

The Phase I Outreach showed that:

- 26% of respondents consider access to nature and open space the most important aspect of the space.
- Improvements on paths and trails (41%), the addition of restrooms (38%) and lighting (34%) would increase use of the space even without additional improvements.

- Landscaping improvements (30%), increased patrols (22%) and trail maintenance (19%) ranked as the most impactful projects.
- There is strong interest in activities such as roller-skating, disc-golf, and pickleball.
- Dog park, disc golf course, open space and urban farming rated the most favorable among all the suggested improvements.

COORDINATION

This memorandum was coordinated with the City Manager's Office, City Attorney's Office, City Manager's Budget Office, Department of Public Works, Fire, and Police Departments.

COMMISSION RECOMMENDATION/INPUT

The Airport Commission received a report on the current activity around the three-staged abatement process at their November 8, 2021 meeting. The Commissioners requested that they be kept apprised of the ongoing progress the City is making towards completing the Corrective Action Plan that was sent to the FAA. They expressed concern about the size and scope of the encampment and were pleased with the progress that was made in Stages 1 and 2. They were sympathetic to the complexity and difficulty of the situation and supportive of the City fulfilling its obligation in a humane way.

FISCAL/POLICY ALIGNMENT

There are two City Enterprise Priorities – **Safe, Vibrant Neighborhoods and Public Life** and **Creating Housing and Ending Homelessness** that drive the City Road Map Priority aligned with this project, the *Encampment Management and Safe Relocation Strategy*². City departments seek to maximize City resources with a humane, compassionate approach as we address the ongoing housing crisis by providing social and sanitation services to unhoused residents of San José.

COST SUMMARY/IMPLICATIONS

A total of \$1,125,000 is budgeted in the American Rescue Plan Fund for the BeautifySJ program to clean-up Guadalupe Gardens (\$975,000) and physical deterrents to limit access to unauthorized areas city-wide (\$150,000). The total \$150,000 citywide budget for the physical deterrents is expected to be used for Guadalupe Gardens. Recommendations for protection and activation of Guadalupe Gardens, including capital improvements and identifying stewardship partnerships, and park and trail maintenance and safety will be considered as part of the 2022-

² [October 26, 2021: Council Memo: Encampment Management Strategy and Safe Relocation Policy](#)

2023 budget development process, based on the condition of the General Fund and City Council direction.

Funding in the amount of \$1.5 million is budgeted in the Airport Renewal and Replacement Fund based on the engineer's estimate for appropriate enclosures at the Guadalupe Gardens. This funding is available for any protective features such as purchasing needed K-rail to install after Stage 3 abatement and while park concept plans are developed. Authorization of Recommendation 2 above does not obligate the City to spend \$1.5 million on fencing and has been recommended to allow flexibility to install the perimeter fence as initially proposed or to be used for any potential fencing needs for the various projects associated with the activation.

There are no budget actions proposed at this time. A summary of preliminary estimated costs is shown in the table below. Depending on City Council direction, recommendations for recreational uses to activate Guadalupe Gardens, including capital improvements and identifying stewardship partnerships, and park and trail maintenance and safety will be further evaluated and considered as part of the 2022-2023 budget development process.

Table 3 – Summary of Current Allocations and Preliminary Costs

Expenses	Current Allocations FY21-22	Preliminary Estimate of Needed One-time Costs	Potential Ongoing Costs FY22-23
PRNS: Clean-up	\$ 975,000		
Airport: Protective Measures	\$1,500,000		
PRNS: Physical Deterrents	\$ 150,000		
PRNS: Prototype Park (Dog Park, Disc Golf, and Meadow with paths, k-rail and signage)		\$ 2,925,000 ^{3, 4}	
PRNS: Trail Vehicle Prevention Project		\$ 825,000	
PRNS: Guadalupe River Park & Trail Maintenance			\$ 950,000
SJPD: Trail Safety Patrol			\$ 800,000
TOTALS	\$ 2,625,000	\$ 3,750,000	\$ 1,750,000

³ Costs for implementation of urban agriculture will depend on the needs of the selected partners. Electrical service, water supply, irrigation, shade structures and raised garden beds are anticipated. Based on recent construction projects staff expects this cost of providing this infrastructure to range from \$4,366,000 and \$5,714,000. This is a preliminary opinion, not based on a plan and not reviewed by Public Works.

⁴ All costs exclude soil remediation.

Table 4 – Pricing of Decorative and Chain Link Fence

Fence Type	Approximate Pricing per Lineal Foot	Fencing Quantity Purchased at the Unit Rates Provided
Chain Link – 8' tall	\$167.43*	5,250 LF*
Montage 2 Rail 6' tall - (Decorative Fencing similar to existing fence surrounding community garden in the Guadalupe Gardens)	\$202.47*	5,250 LF*

*Apparent low bidder proposal is for 5,250 LF of either type of fence. Actual fencing quantity and type will be determined based on Council input; the contract is able to accommodate more or less fencing (as needed), protest period for bidding closes on 1/28/2022.

CEQA

Categorically Exempt, File No. ER21-005, CEQA Guidelines 15303(e). New Construction or Conversion of Small Structures and PP17-007, Preliminary direction to staff and eventual action requires approval from decision-making body.

/s/
JOHN AITKEN, A.A.E.
Director of Aviation

/s/
MATT CANO
Director of Public Works

/s/
JON CICIRELLI
Director of Parks,
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/s/
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Attachment A: Background
Attachment B: Bollard Placement Plan
Attachment C: Prototype Park Plan

ATTACHMENT A

BACKGROUND

FAA Directive

In February 2021, the Federal Aviation Administration (FAA) wrote to the City to voice safety concerns about a homeless encampment located on the Guadalupe Gardens area and stated that this encampment violated the City's grant assurances with the FAA. This land was bought with FAA funds for runway approach protection purposes and noise mitigation for the Airport. In the letter the FAA expressed the desire that the Airport and City avoid "any situation which may compromise applicable airport design surfaces, for continued safe operations at this airport facility."

In response to the directive issued by the FAA, staff from the Airport, PRNS, Housing, and Police Departments collaborated to recommend a viable plan to address the current condition at Guadalupe Gardens. Staff acknowledge that the conditions at this location are concerning, not just from an airplane safety perspective, but from a humanitarian and public health perspective as well. To address the numerous concerns in this area, staff identified the following goals of the proposed project:

1. Honor City Commitment to FAA Grant Funding
2. Optimize Use of City Funding
3. Protect the Health and Safety of the Unhoused Population
4. Protect the Natural Environment
5. Prevent Future Re-encampment of the Area
6. Protect businesses in area

Initially, the Departments of Airport, PRNS, and Housing recommended erecting a perimeter fence at a cost of \$1.5 million after all encampments were cleared.

On September 28, 2021 the Council took the following actions:

- Directed staff to develop other options for preventing re-encampment, deferring approval of the fence due to costs.
- Approved the placement of low-lying concrete barriers (i.e., K-rail) around the abated property of Stages 1-2 to prevent vehicles from re-entering after abatement was complete.

On October 19, 2021, staff returned with a supplemental memorandum laying out near-term, interim, and long-term plans for securing and activating the Guadalupe Gardens site. In addition, the Council took the following actions:

- Held a public hearing and adopted a resolution to authorize the temporary closure of Spring Street between West Hedding Street and Asbury Street, and Asbury Street between Walnut Street and Irene Street, and Irene Street.
- Approved the *Restoring Guadalupe River Park and Gardens* Memorandum dated October 19, 2021 directing the City Manager to carry out actions described below related to Housing, Securing the Site, Human Presence Instead of Fence, Illegal Dumping,

Activation, and Funding. Direction included the staff recommendation to evaluate and consider recreational improvements.

- The Airport's fencing options were also directed to return if activities in the area called for such a solution.

From September 7th through October 2021, the City implemented a plan to notify people, clear the area, and secure Stages 1 and 2 of a 3-Stage area encompassing the 40 acres of Guadalupe Gardens between Coleman Avenue, West Hedding Street, Asbury Street and the Guadalupe River trail. To date, the areas known as Stage 1 (Coleman Avenue to Walnut Street) and Stage 2 (Walnut Street to Spring Street) have concluded. The area is secure through daily monitoring by BeautifySJ staff and the using K-rail around the perimeter.

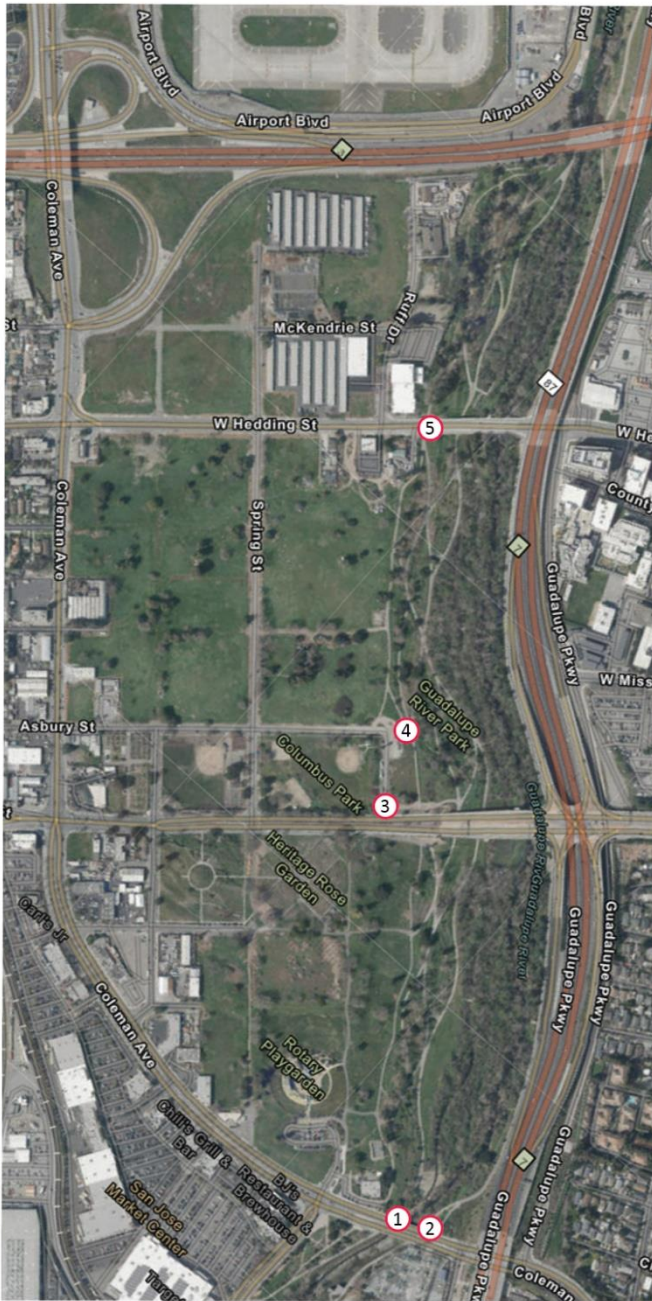
On November 19, 2021, staff closed the north-end of Spring Street at West Hedding Street and two other outlets to West Hedding Street from Stage 3 with K-rail. In addition, No Parking signs on the east side of Spring Street were removed to alleviate overcrowding in Stage 3 and facilitate vehicles to move onto street without penalties. The creation of a long dead-end street eliminated the significant cut through traffic with the intent of temporarily providing more street area for lived-in vehicles and to discourage illegal dumping and further entry into Stage 3. Pedestrian and vehicle access to Stage 3 remains along Spring and Irene Streets, and the trail side.

Activation of Guadalupe Gardens

The approximately 40 undeveloped acres of Guadalupe Gardens generally bounded by Asbury Street, Coleman Avenue, Hedding Street and Guadalupe River Trail from Coleman Avenue to Interstate 880 is the subject of the activation discussed in this memorandum. A Master Plan for Guadalupe River Gardens was approved in 2002. While portions of Guadalupe Gardens were developed (e.g., the historic orchard, Heritage Rose Garden, Rotary PlayGarden, etc.), the area north of Asbury Street remains undeveloped due to lack of funding for construction and maintenance.

The Guadalupe River Trail, from Coleman Avenue to Interstate 880 is the subject of the trail improvement plan discussed below. In the past two years, there have been increasing concerns about safety along this reach of the regional trail system. This stems from the presence of unhoused individuals and, more recently, the presence of motor vehicles operating on and along the trail. Annual Trail Count data shows a significant decrease in use of this trail, with 479 users counted in 2020, down from a peak of 1,269 in 2016. This is due, in part, to changes in work schedules and commute patterns, but also in part due to users feeling unsafe.

ATTACHMENT B – Bollard Placement Plan



Trail Entry	Proposed Improvements	Photo (Simulation*)
① Guadalupe River Trail W	Restore bollard	
② Guadalupe River Trail E	Add one center bollard and two "shoulder" bollards	
③ Irene St. x W. Taylor St.	Add three bollards at vehicle entry, frame entrance with one K-rail unit on W. Taylor St. side and two K-rail unit on Irene St.	
④ Irene Street Parking Lot	Add bollards along edge of planting	
⑤ Hedding St. - South	Add three bollards at vehicle entry, frame entrance with two K-rail units on each side	
Hedding St. - North	Add three bollards at vehicle entry, frame entrance with one K-rail units on each side	

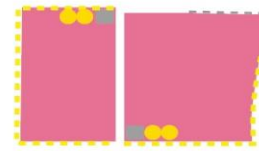
*Visual simulation of intended improvements, subject to change during design development



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ATTACHMENT C – For Discussion Purposes Prototype Park at Guadalupe Gardens



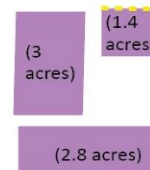
Disc Golf (15.8 acres)

- 3' (height) chain link fence
 - 310 linear feet
- 20' k-rail
 - 140 k-rail (2,800 linear feet)
- 500 sqft concrete / park entrance
 - 2 entrances = 1,000 sqft concrete
- 18 disc golf holes
- 1 pole with 2 park signs
 - 4 poles & 8 park signs



Dog Park (5.5 acres)

- 4' (height) chain link fence
 - 2,400 linear feet
- 500 sqft concrete / park entrance
 - 2 entrances = 1,000 sqft concrete
- vehicle gates / pedestrian gates
- 1 pole with 2 park signs
 - 4 poles & 8 park signs



Future / Partners / Community Garden (7.2 acres)

- 8lb wildflower seed mix / acre
 - 57 lb wildflower seed mix
- 20' k-rail
 - 14 k-rail (277 linear feet)



Meadow (9 acres)

- 8lb wildflower seed mix / acre
 - 72 lb wildflower seed mix



10' Interim Walking Path

- 2,450 linear feet
- 1 pole with 2 park signs
 - # poles - TBD



N.T.S.

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