



RECREATION AND COMMUNITY SERVICES DEPARTMENT  
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## CITY COUNCIL STAFF REPORT

Regular Meeting: December 19, 2017

### Subject

Adopt a resolution approving the purchase of property at 10301 Byrne Avenue (APN 357-11-020).

### Recommendation

1. Adopt the draft resolution, approving purchase of the property at 10301 Byrne Avenue, Assessors' Parcel Number 357-11-020, from the Patricia L. Sievert Living Trust, in the amount of \$2,450,000, authorizing the City Manager to execute all necessary documents and related steps to complete the acquisition.
2. Approve increase budget appropriations of \$2,450,000 in the General Fund-Non Departmental program for the purchase of the property.

### Background

In 1991, the City purchased the Blackberry Farm property. The purchase included Blackberry Farm 'Park', containing the picnic grounds and swimming pool, as well as Blackberry Farm Golf Course. Public access to Blackberry Farm Park was via San Fernando Avenue and a driveway that descends into the site. The property was operated during a summer-based season and closed the rest of the year. All visitors had to pay a fee to access the site. This practice continued after the 1991 acquisition.

In 2006, the City completed a master plan and associated environmental clearance process for the Stevens Creek Corridor which included the Blackberry Farm property. Various improvements have been implemented since then. Blackberry Farm Park is now open daily year-round. The public now visits the site for free (a fee is charged for use of the pools and group picnic grounds, which are operated during a limited season).

In 2011, a new access path into Blackberry Farm was constructed at Scenic Circle. This route provides a pedestrian and bicycle access from west of the creek. It also provides a short cut for school children that live west of the creek to walk through Blackberry Farm to access the tri-school area formed by Monta Vista High School, Lincoln Elementary, and Kennedy Middle schools.

Access into Blackberry Farm Park is constrained. Vehicles all drive in and out via a narrow two-lane driveway. The driveway is flanked by a stone retaining wall plus a row of large oak

trees screening a residence on the uphill side, and a steep slope to the golf course on the downhill side. There is no route for pedestrians. Pedestrians walk on the driveway in the vehicular travel lanes as there is no existing alternative. Use by neighbors and students has increased and there is daily foot traffic to the site year round.

The 2006 plan proposed a narrow 4' wide boardwalk from the top of the driveway to the retreat center, with a switchback, and a new crosswalk traversing both the driveway and San Fernando Avenue. This solution avoided impacts to private property.

In 2016, a draft master plan for the Stevens Creek Corridor proposed providing a walkway into Blackberry Farm Park by widening San Fernando and the driveway to the north/west, using a retaining wall-type structure where needed along the golf course edge. This solution has the advantage of eliminating both the crosswalk and the longer route of the switchback. Due to uncertainty in topography and available of right-of-way, the draft plan also left in the option to construct a boardwalk.

#### Discussion

The residential property at the 10301 Byrne Avenue was recently offered for sale. City Council provided direction in closed sessions on October 3 and on November 21 to negotiate and initiate the purchase of the property. The Sellers have agreed to a purchase price of \$2,450,000. The purchase amount is compatible with appraisal work completed for the property.

This parcel is a 'gateway' property to Blackberry Farm at the corner of San Fernando. Acquisition of this parcel provides greater opportunities to improve access to Blackberry Farm Park. A wider walkway could be provided and the design constraint to avoid impacts on private property would be removed.

Staff recommends that the City Council adopt the resolution and authorize the City Manager to execute all necessary documents and related steps to complete the purchase.

#### Fiscal Impact

The purchase price is \$2,450,000. The City's unassigned fund balance in the General Fund will fund the purchase of the property. If the purchase is approved, unassigned fund balance in the General Fund is projected to end the year at \$4.5 million. This balance is well within the City's Assigned and Unassigned Fund Balance and Use of One Time Funds Policy minimum of \$500,000.

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Prepared by: Jeff Milkes, Director of Recreation and Community Services

Approved for Submission by: David Brandt, City Manager

#### Attachments:

A – Aerial Map, 10301 Byrne Ave. Vicinity

B – Photos of the Blackberry Farm Driveway

C – Draft Resolution