



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: DECEMBER 14, 2021**

**FROM: PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT      WARD: 1**

**SUBJECT: APPROVE THE EXECUTION OF AN INTERDEPARTMENTAL MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RIVERSIDE PUBLIC UTILITIES DEPARTMENT – WATER DIVISION, AND THE PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT; ACCEPT A 184 SQUARE FEET GRANT DEED OF UNDEVELOPED LAND FROM ASSESSOR’S PARCEL NUMBER 249-130-026 TO BE USED FOR PUBLIC TRAIL IMPLEMENTATION**

## **ISSUE:**

Approve the execution of an interdepartmental Memorandum of Understanding between the City of Riverside Public Utilities Department – Water Division, and the Parks, Recreation and Community Services Department; and accept a 184 square feet Grant Deed of undeveloped land from Assessor’s Parcel Number 249-130-026 to be used for public trail implementation.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve the execution of an interdepartmental Memorandum of Understanding between the City of Riverside Public Utilities Department – Water Division, and the Parks, Recreation and Community Services Department, for a two-mile section of the Gage Canal Multi-purpose trail;
2. Accept a 184 square feet Grant Deed of undeveloped land from Assessor’s Parcel Number 249-130-026 to be used for public trail implementation; and,
3. Authorize the City Manager, or his designee, to execute all necessary documents to enter in an interdepartmental Memorandum of Understanding, including making minor and non-substantive changes.

## **BACKGROUND:**

On August 24, 2010, City Council approved the Sixth Amendment to the Agreement for Operation of Gage Canal Facilities whereby maintenance and operational responsibilities for

seven segments of the Gage Canal right-of-way were transferred from the Gage Canal Company to the City of Riverside.

In 1996, the City's Trails Master Plan (TMP) was originally adopted by the City Council and has since been overseen by the Parks, Recreation and Community Services Department.

On October 1, 2019, the City Council adopted a resolution authorizing the submission of a grant application for the California Natural Resources Agency Urban Greening Grant Program in the amount of \$3,708,509 for the design and construction of the Gage Canal Multi-Purpose Recreational Trail Phase I.

On April 1, 2020, the City of Riverside entered into an agreement with the State of California Natural Resources Agency for the Gage Canal Multi-Purpose Recreational Trail Phase I in the amount of \$3,708,509.

On July 21, 2020, the Purchasing Division posted a Request for Proposal (RFP) No. 2032 on the City's online bidding website. On August 11, 2020, three proposals were received. After a thorough review by the Purchasing Division, it was found that two proposals were deemed non-responsive. The selection committee consisted of four staff members from multiple City Departments. The committee reviewed and scored the remaining proposal and interviewed the firms. Alta Planning + Design, Inc. ("Alta") received a high rating score based on their proposal submission. Subsequent to the interview, staff negotiated with Alta to reduce their price by \$70,811.81.

On December 1, 2020, City Council approved the agreement for RFP No. 2032, Gage Canal Trail Improvements Master Plan with Alta of Portland, Oregon, in the amount not to exceed \$532,431.65.

On August 17, 2021, City Council adopted a resolution to approve the proposed comprehensive Riverside PACT Plan and all four components of the PACT Plan, including Pedestrian Target Safeguarding, Active Transportation Plan, Complete Streets Ordinance, and the updated Trails Master Plan.

Under Resolution No. 23439, the City Manager, Assistant City Managers, Development Director or the Real Property Manager may accept for and on behalf of the City of Riverside ("City"), all deeds or grants conveying any interest in real property for public purposes to the City, and consent to the recordation of all irrevocable offers of dedication to the City.

## **DISCUSSION:**

### **Existing Conditions**

The Gage Canal conveys and distributes water to shareholders of the Gage Canal Company. Within the limits of the Gage Canal Trail Phase 1 project, the water is within an underground pipeline within an unpaved fifty-foot-wide utility corridor owned by Riverside Public Utilities (RPU) that is posted with "No Trespassing" signage. Phase I of the project is approximately a two-mile stretch starting from Palmyrita Avenue, running southwest along the edge of the Box Springs Mountain Reserve and south across Spruce Street ending at the University of California, Riverside (UCR) campus at Blaine Street.

### **Community Input**

Beginning April 1, 2021, Alta and the City of Riverside Parks, Recreation, and Community

Services Department (PRCSD) polled Riverside residents and stakeholders about their current and anticipated use of, and amenity preferences for, the Gage Canal Multi-Purpose Recreational Trail. This brief 5-minute, 8 question survey was designed as a “low friction” opportunity for the community to share their experiences and perspectives on walking, biking, and recreating along the Trail without a significant imposition on their time. Survey results and themes were utilized by the City and Alta to inform design direction, programming, and trail amenities.

The survey, which was available in English and Spanish both digitally and in print, was promoted and distributed to Riverside stakeholders in a variety of formats. Each survey question was accompanied by a variety of response options so that respondents needed only to select their relevant choice(s), with a final open-ended prompt provided for those that wanted to share additional thoughts or recommendations for the project team to consider.

While open for input from all stakeholder's, the project team targeted advertisements to those that lived, worked, or played near the Gage Canal. This included households within a ¼ mile radius of the project area (including the disadvantaged communities near the Trail's northern and southern ends), UCR students and faculty, Riverside and Alvord Unified School Districts' students and parents, and current Trail users. The survey remained open for input from April 1 through June 1, 2021, with a total of 545 responses.

#### Master Plan

The Master Plan Design creates a Class I asphalt concrete shared use path and a multi-purpose decomposed granite path within an existing city-owned water utility easement. The trail corridor will be landscaped with native and climate-appropriate trees, shrubs and will feature additional amenities, including entry plazas, trailside seating, bicycle racks, interpretive signage, and solar lighting. It will create a continuous off-street multipurpose trail connection from Palmyrita Avenue to Blaine Street, and will offer local residents both recreational opportunities and a connection to the Box Springs Reserve.

#### Construction Budget

The consultant's projected construction budget estimate is \$3,175,000, which is fully funded by the Urban Greening Grant funding.

#### California Environmental Quality Act (CEQA) Determination

With guidance from project CEQA consultants and the City Attorney's Office, PRCSD staff have determined this Master Plan project is exempt from CEQA pursuant to SB 288 of the Public Resources Code 21080.25, as the proposed project is designed to implement new active transportation while located in an urbanized area and within an existing public right-of-way, does not require the demolition of affordable housing units, and will not add physical infrastructure that increases new automobile capacity or include the addition of any auxiliary lanes. PRCSD staff has prepared Notice of Exemption documentation for the project and filed it with the County Clerk and State Clearinghouse.

#### Memorandum of Understanding (MOU)

A Memorandum of Understanding (MOU) has been drafted by and between the City of Riverside RPU and PRCSD to formalize the responsibilities for the monitoring, maintenance, and shared costs associated with the City's right to operate the Gage Canal Multi-use Trail along the old Gage Canal right-of-way, from Blaine Street to Palmyrita Avenue.

The MOU includes the following key agreements and responsibilities:

- PRCSD will take the lead in monitoring this segment of the trail and responding to any 311 calls.

- PRCSD will retain a contractor to perform the maintenance responsibilities through the City's competitive procurement process.
- PRCSD and RPU will then pay a portion of these costs based on associated responsibilities.
- RPU ratepayer funds won't be used for any costs associated with the operation of the trail or liabilities arising from Trail operations.

The Riverside Public Utilities General Manager concurs with this report.

### The Gage Canal Company

On November 9, 2021, RPU and PRCSD presented the project to the Gage Canal Company's Board of Directors. The overall response received by the Board of Directors was positive, with a few members having questions/concerns that were responded to as follows:

Q. Does the design of the trail allow for private citizen vehicular access?

A. No. The design includes vehicular access barriers at all entries to only allow authorized vehicular access along the trail for maintenance and repairs.

Q. How do we prevent damage to the underground canal piping from the proposed trees?

A. RPU has worked hard with our design consultant to require root barriers placed strategically at every tree location to discourage and prevent tree roots from growing towards the existing underground Gage Canal infrastructure.

Q. How will you handle the homelessness issue that currently exists and could spread by inviting people to the trail?

A. We believe that improving the trail, hiring a specified maintenance contractor, adding lighting, and encouraging public recreation will discourage the homeless by creating a more populated public amenity that would bring attention and exposure to the area.

Q. Why doesn't the Gage Canal Company Board of Directors need to take action on this project/presentation?

A. The 6<sup>th</sup> Amendment to the Operating Agreement between the Gage Canal Company and City of Riverside Public Utilities Department removed Gage's liability as well as monitoring and maintenance responsibilities for the segment of right of way that this Trail will occupy.

### Grant Deed

Turn 9, LLC., headquartered at 1328 Spruce Street #100, Riverside, CA 92507, is currently developing their property at 900 Marlborough Avenue, and has proposed to provide a 184 square foot Grant Deed of undeveloped land from Assessor's Parcel Number 249-130-026 to RPU. The 184 square feet of undeveloped land will be incorporated into RPU's adjacent Gage Canal property, Assessor's Parcel Number 249-130-016, and will be used for City implementation of a public trail.

## **STRATEGIC PLAN ALIGNMENT:**

The work contributes to the **Strategic Priority 1 – Arts, Culture and Recreation**, which aims to provide diverse community experiences and personal enrichment opportunities for people of all ages.

The work contributes to goal **1.3**, to improve parks, recreational amenities, open space, and trail

development, and fulfill critical lifecycle and facility maintenance needs, and goal **1.4**, to prioritize safety at parks, trails, arts, cultural and recreational facilities.

1. **Community Trust** – The PRCSD and its design consultant have done extensive community outreach in order to obtain stakeholder feedback that has helped drive the overall trail design and amenities selection. The public is currently able to track the project's progress through the PRCSD's CIP tracking map located on the City's website.
2. **Equity** – With this project's improvements, it will extend the Gage Canal Trail along a section that was previously restricted to public access, while also offering and encouraging free walking, jogging, and biking recreational opportunities and active transportation routes to all members of the public.
3. **Fiscal Responsibility** – The purchasing of all services for this project is in accordance with Purchasing Resolution No. 23256. Also, the grant funding obtained for this project requires no City "match".
4. **Innovation** – The improvements for this project along a restricted access easement ensures that new recreational and transportation opportunities are offered unlike anywhere else in the City.
5. **Sustainability & Resiliency** – This project contributes to improving existing City facilities and amenities, which encourages and provides access to healthy exercise opportunities. Also, major components of this projects design includes water efficient drip irrigation, installation of a smart controller, and planting 600 native trees to help with carbon sequestration, improving the overall quality of life for all City of Riverside residents.

### **FISCAL IMPACT:**

The project's construction phase is estimated to cost a total of \$3,175,000, which is fully funded by the California Natural Resources Agency Urban Greening Grant account 9409200122-44022000.

The project's future recurring maintenance costs are estimated to be \$85,000 annually. The Parks, Recreation and Community Services department is not able to absorb these annual maintenance costs within its current budget allocations, which have remained flat in recent budget cycles. When the project is complete, an increase in the amount of \$85,000 in future General Fund budget allocations for the Parks, Recreation and Community Services department will be required to cover the annual maintenance costs.

Prepared by:	Pamela M. Galera, Parks, Recreation and Community Services Director
Certified as to	
availability of funds:	Edward Enriquez, Chief Financial Officer/Treasurer
Approved by:	Kris Martinez, Interim Assistant City Manager
Approved as to form:	Phaedra A. Norton, City Attorney

Attachments:	1. Interdepartmental Memorandum of Understanding
	2. Copy of Signed Grant Deed by Owner