

Agenda Report



MEETING DATE: Tuesday, December 10, 2024

TO: City Council

FROM: PARKS & COMMUNITY SERVICES DIRECTOR CALUBAQUIB
SR. UTILITIES ENGINEER BERRY

SUBJECT: APPROVE VARIANCE TO MUNICIPAL CODE SECTION 7-6.400
TO ALLOW CONSTRUCTION OF ADA COMPLIANT TRAIL AT
THE RAMSAY PARK RENAISSANCE PROJECT, NO. PK-22-01

RECOMMENDED ACTION:

It is recommended that the City Council adopt a resolution approving a variance to municipal code section 7-6.400 to allow construction of an ADA compliant trail on the east side of the Ramsay Renaissance Project, No. PK-22-01.

BACKGROUND:

Resolution No.229-23 authorized the Parks and Community Services Department to advertise the Ramsay Renaissance project for bid. During the bidding process, staff determined that the eastern trail between the park and Watsonville slough should be upgraded from its existing condition to an ADA compliant trail with new asphalt pavement. A revised detail was generated and incorporated into the bid documents. Bids were received on March 13, 2024, and the project was awarded to Robert A. Bothman per Resolution No. 45-24 (CM). A Notice to Proceed was issued on June 3, 2024, for construction to begin.

The project, during its design phase, required CEQA review. This review generated numerous conditions of approval for environmental compliance that needed to be met during construction. The project location next to the Watsonville slough was a source of many of these conditions. To monitor the conditions, the CEQA design consultant was retained to ensure compliance. It was at this time they noted that the revised plans for the eastern trail, in efforts to make the trail ADA compliant, encroached into the environmentally sensitive area of the slough, requiring a 404 Fish and Wildlife permit. These permits can take up to a year to review, with no assurance the required design would be approved.

Staff, not wanting to delay the project, requested a redesign of the grading for the trail. The design consultant along with the project geotechnical engineer, provided a detail that utilizes geotextile fabric to build up the required elevation of the path while avoiding extensive grading into the sensitive slough area. However, this design conflicts with one section of the City's Municipal Code regarding earthwork.

DISCUSSION:

Watsonville Municipal Code Section 7-6.4 states that cut slopes shall be no steeper than three (3) horizontals to one (1) vertical (3:1). This condition is included in the Code because Watsonville soils that are not engineered or reinforced tend to fail at slopes steeper than 3:1. The proposed design calls for the native soils to be regraded and reinforced with engineered geotextile fabric to stabilize the area and allow for slopes as steep as 1:1. Per the design of the proposed path, with the engineered geotextile fabric, the slope is now 1:1 and 1:1.5 so that the trail does not encroach into the section of the slough that requires permitting. The elevation changes from the top of the path to the toe of the steeper slope does not exceed 5' in height, and the length of the steeper slope is approximately 80 lineal feet.

Per section 7-6.314 of the Municipal Code, staff requests a variance from section 7-6.400(a), allowing a steeper slope than the required 3:1 to allow for the path east of the Sotomayor Soccer Field, next to Watsonville Slough, to be reconstructed as an ADA compliant path.

This would provide a path that provides a continuous accessible loop around and through Ramsay Park. We believe this to be a tremendous benefit to the community. Staff requests the City Council provide a resolution approving this variance to the earthwork section of the Municipal code, as allowed in section 7-6.314.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

An Initial Study/Mitigated Negative Declaration was prepared for the project, in accordance with the provisions of the California Environmental Quality Act (CEQA) to disclose the potential impacts of a project and suggest methods to minimize those impacts. The Zoning Administrator, in the exercise of his/her independent judgment as the decision-maker of the City of Watsonville for this project, found there is no substantial evidence that the project will have a significant effect on the environment and a Mitigated Negative Declaration has been prepared for the project in accordance with Public Resources Code section 21080(c). A Mitigation Monitoring and Reporting Program (MMRP) was also prepared for the project, in accordance with CEQA Guidelines section 15074 to ensure all identified mitigation measures are incorporated as conditions of approval.

EMC Planning Group, Inc. ("EMC") completed the 2022 Ramsay Park Renaissance Project CEQA Initial Study/Mitigated Negative Declaration (IS/MND) and evaluated the scope of work for the proposed eastern trail referenced in this staff report. EMC Planning Group, Inc. has determined the proposed redesign of the eastern trail does not alter the conclusions of the 2022 Ramsay Park Renaissance Project CEQA determination and no new impacts would occur with approval of the ADA slope variance. This conclusion is also supported by EMC's biologist, Patrick Furtado, who concluded the new design keeps the path sufficiently away from the adjacent riparian habitat and its construction will not impact this sensitive natural resource. It is EMC's recommendation that no changes to the MND are necessary and therefore no addendum is required.

STRATEGIC PLAN:

This recommendation is consistent with the following Council Strategic Goals:
2- Infrastructure & Environment: Renovation of significant City infrastructure
6- Community Engagement & Well-Being: Parks support community well-being

FINANCIAL IMPACT:

There will be a minor financial impact on the change, as the ADA compliant trail as originally redesigned is already part of the contract.

ALTERNATIVE ACTION:

The Council may choose not to grant this variance. In which case, the trail would still be constructed but would not be ADA compliant.

ATTACHMENTS AND/OR REFERENCES (If any):

None