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## **INTERNAL AFFAIRS COMMITTEE AGENDA**

A Committee of the Chico City Council: Councilmembers O'Brien, Tandon, and Chair Reynolds

**Meeting of November 7, 2022 – 1:00 p.m.**

Council Chamber Building, 421 Main Street, Conference Room 1

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### **REGULAR AGENDA**

#### **A. PARKLET PROGRAM DEVELOPMENT**

At the October 18, 2022 Council direction was provided to terminate the use of Temporary Parklets on December 1, 2022 and to return to Internal Affairs Committee regarding developing a program for parklets. City staff requests the Internal Affairs Committee's consideration of studying the expansion of the Outdoor Café program to include parklets. **(Report – Leigh Ann Sutton, Director of PW-Engineering)**

#### **RECOMMENDATION:**

The Director of Public Works - Engineering recommends that the Internal Affairs Committee determine whether to study expanding the Outdoor Café program, and provide a recommendation to the full Council to either:

- 1) *Maintain the current Outdoor Café program as is which includes Sidewalk Cafes and Permanent Cafes. Cancel RGA contract and redirect the remaining ARP funding (approximately \$275,00) which was approved for Parklets to the Parking fund or another fund, or*
- 2) *Direct staff to analyze downtown parking needs and make a recommendation on whether to expand the Outdoor Café program to include Parklets. Authorize the use of the remaining ARP funding allocated for Parklets to update the City's parking study and potentially develop a Parklets program.*

#### **B. BUSINESS FROM THE FLOOR**

Members of the public may address the Committee at this time on any matter not already listed on the agenda, with comments being limited to three minutes. The Committee cannot take any action at this meeting on requests made under this section of the agenda.

#### **C. ADJOURNMENT AND NEXT MEETING**

The meeting will adjourn to the next regular Internal Affairs Committee meeting scheduled for Monday, December 5, 2022 at 1:00 p.m.

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### **SPEAKER ANNOUNCEMENT**

**NOTE:** Citizens and other interested parties are encouraged to participate in the public process and will be invited to address the Committee regarding each item on the agenda.

#### **Distribution available in the office of the City Clerk**

**Posted: 11-03-22 prior to 5:00 p.m. at 421 Main St. Chico, CA 95928 and [www.ci.chico.ca.us](http://www.ci.chico.ca.us)**

**Copies of the agenda packet are available for review at: City Clerk's Office, 411 Main St. Chico, CA 95928**



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## Internal Affairs Agenda Report

Meeting Date: November 7, 2022

TO: Internal Affairs Committee  
FROM: Leigh Ann Sutton, Director of PW-Engineering  
RE: Parklet Program Development

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### REPORT IN BRIEF:

At the October 18, 2022 City Council Meeting, Council voted for businesses to terminate the use of Temporary Parklets on December 1, 2022 when the COVID-19 Executive Orders expire. Council redirected the topic of Developing a Parklet Program to Internal Affairs Committee.

### Recommendation:

The City Manager recommends the Internal Affairs Committee determine whether to study expanding the Outdoor Café program, and provide a recommendation to the full Council to either:

1. Maintain the current Outdoor Café program as is which includes Sidewalk Cafés and Permanent Cafés. Cancel RGA contract and redirect the remaining ARP funding (approximately \$275,000) which was approved for Parklets to the Parking fund or another fund.
2. Analyze downtown Parking needs and make a recommendation on whether to expand the Outdoor Café program to include Parklets. Authorize the use of the remaining ARP funding allocated for Parklets to update the City's parking study and potentially develop a Parklets program.

**FISCAL IMPACT:** The City Council allocated \$300,000 of one-time American Rescue Plan (ARP) funds toward the design, construction, and implementation of temporary parklets in the downtown area. \$39,000 of the ARP funding has been encumbered for a consultant agreement and \$25,000 of the contract has been expended. During the estimating process, it was determined that the cost to build new Temporary Parklets would be \$1.1 to \$1.5M not including soft costs and program development; therefore, the \$300,000 ARP funding was not adequate for its intended purpose. With Council voting to terminate the use of temporary Parklets on December 1, 2022, the ARP funding could be used to prepare an updated parking demand and update the Outdoor Café program to minimize the impact to parking and potentially include Parklets.

### DISCUSSION:

Prior to, during, and after COVID-19, businesses interested in creating outdoor dining in the public right-of-way currently have two options available to them in Chico Municipal Code 14.70. Permanent Outdoor Cafés where the Sidewalks are widened resulting in parking spaces removed (example: Tres Hombres) and Sidewalk Cafés where a café is installed adjacent to the building in the existing sidewalk (example: Raw Bar). Both types of cafés require infrastructure improvements, annual applications, fees, and insurance.

During the COVID-19 pandemic, the state of California placed restrictions on indoor dining and, as a result, the City implemented Executive Order 20-003 which allowed businesses that were facing indoor dining restrictions to expand their operations outside. Seven downtown businesses went through the process to obtain a permit to place a Temporary Parklet in the public right-of-way. Whereas Outdoor Cafés and Sidewalk Cafés are installed in the sidewalk, Temporary Parklets are installed in parking spaces and are enclosed by concrete K-Rail which serves as a traffic safety barrier. Examples of Temporary Parklets in Downtown include Banshee and Mom's Restaurants. The locations of the Permanent Outdoor Cafés, Sidewalk Cafés, and Temporary Parklets are shown in Attachment 1.

In August 2021, the Council allocated \$300,000 in one-time American Rescue Plan funds toward the design, construction, and implementation of Temporary Parklets in the downtown area. The purpose of the funding was to replace the existing K-Rail parklets with safe, aesthetically pleasing parklets, and allow for continued use of outdoor dining in an effort to continue to provide a safe dining experience for local residents and visitors.

In March 2022, after discussing outdoor dining needs with the businesses, assigning project management resources, and developing a scope of work, the City executed a contract with design consultant Russell Galloway and Associates (RGA). Between March and September 2022, RGA attempted to develop a parklet concept that would be constructible within the remaining budget (\$260,000). RGA analyzed the costs of four types of Parklet construction including k-rail and modular deck, pop-up patio, engineered metal system, and hand-cut deck system as depicted in Attachment 2 – RGA Parklet Estimates.

In September 2022 after going through several iterations of refining the options and estimates, it was determined that rebuilding all of the existing parklets would not be achievable within the \$275k budget. The four options analyzed range in price from \$1.1M to \$1.5M for construction not including soft costs and program development. At that point, City staff stopped work on the project and sought direction from Council on the future of the COVID-19 Executive Orders and the desire to extend or replace the temporary parklets.

On October 18, 2022, City Council voted for the Temporary Parklets to be removed on December 1, 2022 when the COVID-19 Executive Orders expire. Community input and Council Member discussion pointed to the unattractiveness of the Temporary Parklets and the reduction in parking as concerns underlying their decision to remove the Temporary Parklets on December 1, 2022. The Council also directed that the topic of developing a Parklet Program be brought back to the Internal Affairs Committee.

A comprehensive Parking Study was last completed in 2008 and parking needs were further studied in 2018 for the 2019 Downtown Access Action Plan (DAAP). The 2018 data indicates that current peak parking demand is at 85% occupancy in the downtown core (1<sup>st</sup> through 4<sup>th</sup>). During stakeholder meetings for the DAAP, community members requested a separate meeting specifically for the Outdoor Café ordinance and policies. The community and the DAAP report recommended revising the Outdoor Café policy to restrict the number of outdoor cafes allowed per block.

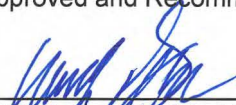
In order to provide a recommendation on the number of Outdoor Cafés that should be allowed in downtown to avoid impacting parking and business, the current demand needs to be updated post-COVID and the future demand needs to be projected. PW-Engineering is preparing to start construction on the Automated License Plate Reader (ALPR) project this winter 2022/2023 which will give us detailed electronic data regarding parking occupancy that can be used to update current demand. Staff recommends collecting 3 to 6 months of detailed parking occupancy data from the ALPR system that can be used to develop detailed current and future parking demand. Once the current and future demand is known, a recommendation as to the expansion or restriction of the Outdoor Café program can be developed and brought forth to Internal Affairs Committee and Council.

Prepared by:



Leigh Ann Sutton, Director of PW-Engineering

Approved and Recommended by:



Mark Sorensen, City Manager

**DISTRIBUTION:**

City Clerk

**ATTACHMENTS:**

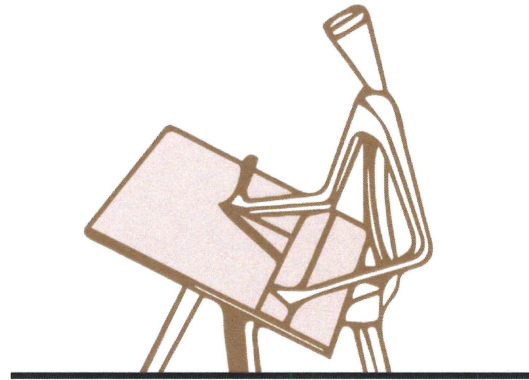
Attachment 1 – Outdoor Café and Temporary Parklets Location map  
Attachment 2 – RGA Parklet estimates

# Current Outdoor Café Permits

Name	# Metered Spaces Displaced
BANSHEE	6
DRUNKEN DUMPLING	0
DUFFY'S TAVERN	4
MADISON BEAR GARDEN	8
MOMONA	2
MOM'S	3
NAKED LOUNGE	3
PITA PIT	2
RAWBAR	2
Tres Hombres	2
Burgers & Brew	2
Chico Natural Foods	0
Jamba Juice	2
La Salles Catering	2
La Salles Restaurant	2
Tellers	2
Upper Crust	0
Woodstock Pizza	2

-  Temporary Parklet
-  Permanent
-  Sidewalk





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**CITY OF CHICO**  
**PARKLETS UPDATED DESIGN**  
**2022.08.04**



**OPTION 1**

K-RAIL AND MODULAR DECK



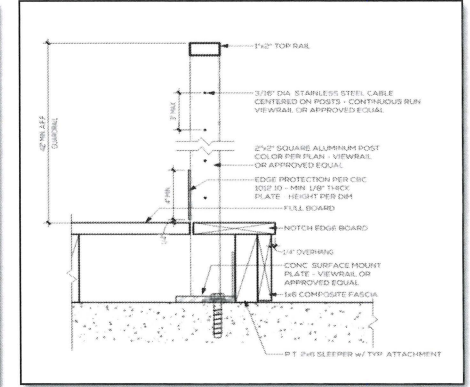
**OPTION 2**

POP-UP PATIO



**OPTION 3**

ENGINEERED METAL SYSTEM



**OPTION 4**

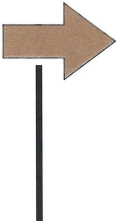
HAND-CUT DECK SYSTEM

## CONCEPTUAL MATERIAL COST ANALYSIS

<b>PARKLET DESIGN</b>	<b>AREA</b>	<b>COST / SF</b>	<b>MATERIAL COST</b>
1. ADJUSTABLE PAVER AND K-RAIL	5,374 SF	\$181.90	\$977,534
2. PATIO PARKLETS PREFABRICATED SYSTEM	5,374 SF	\$170.17	\$914,498
3. CUSTOM ENGINEERED AND FABRICATED PARKLET	5,374 SF	\$215.68	\$1,159,060
4. HAND CUT DECK SYSTEM	5,374 SF	\$152.59	\$1,067,630

# CONCEPTUAL PROJECT COST ANALYSIS

PARKLET DESIGN	COST / SF	TOTAL COST / SF	PROJECT COST
1. ADJUSTABLE PAVER AND K-RAIL	\$181.90	\$236.83	\$1,272,707
2. PATIO PARKLETS PREFABRICATED SYSTEM	\$170.17	\$221.56	\$1,190,638
3. CUSTOM ENGINEERED AND FABRICATED PARKLET	\$215.68	\$280.81	\$1,509,048
4. HAND CUT DECK SYSTEM	\$152.59	\$198.67	\$1,067,630



- GENERAL CONDITIONS
- BONDS & INSURANCE
- CONTRACTORS OH & P
- CONTINGENCY
- ESCALATION



# CONCEPTUAL COSTING BREAKDOWN

SUMMARY MATRIX									
Element	Adjustable Paver and K-Rail		Patio Parklets Prefabricated System		Custom Engineered and Fabricated Parklet		Hand Cut Deck System		
	5,374 SF		5,374 SF		5,374 SF		5,374 SF		
	Total	Cost/SF	Total	Cost/SF	Total	Cost/SF	Total	Cost/SF	
01 General Requirements									
02 Existing Conditions									
03 Concrete									
04 Masonry									
05 Metals									
06 Wood, Plastics, And Composites									
07 Thermal And Moisture Protection									
08 Openings									
09 Finishes									
10 Specialties									
11 Equipment									
12 Furnishings									
13 Special Construction									
14 Conveying Systems									
21 Fire Suppression									
22 Plumbing									
23 HVAC									
25 Integrated Automation									
26 Electrical									
27 Communications									
28 Electrical Safety And Security									
31 Earthwork									
32 Exterior Improvements	\$977,534	\$181.90	\$914,498	\$170.17	\$1,159,060	\$215.68	\$1,979,079	\$152.59	
33 Utilities									
Subtotal Cost	\$977,534	\$181.90	\$914,498	\$170.17	\$1,159,060	\$215.68	\$1,979,079	\$368.27	
General Conditions	5.0%	\$48,877	\$9.10	\$45,725	\$8.51	\$57,953	\$10.78	\$98,954	\$18.41
General Requirements	2.0%	\$20,528	\$3.82	\$19,204	\$3.57	\$24,340	\$4.53	\$41,561	\$7.73
Bonds & Insurance	2.1%	\$21,986	\$4.09	\$20,568	\$3.83	\$26,068	\$4.85	\$44,511	\$8.28
Contractor's Fee	6.0%	\$64,135	\$11.93	\$60,000	\$11.16	\$76,045	\$14.15	\$129,846	\$24.16
Design Contingency	7.0%	\$79,314	\$14.76	\$74,200	\$13.81	\$94,043	\$17.50	\$160,577	\$29.88
Escalation to MOC, 10/16/22	5.0%	\$60,333	\$11.23	\$56,443	\$10.50	\$71,537	\$13.31	\$122,149	\$22.73
<b>Total Estimated Construction Cost</b>		<b>\$1,272,707</b>	<b>\$236.83</b>	<b>\$1,190,638</b>	<b>\$221.56</b>	<b>\$1,509,048</b>	<b>\$280.81</b>	<b>\$1,067,630</b>	<b>\$198.67</b>

# VALUE ENGINEERED OPTION

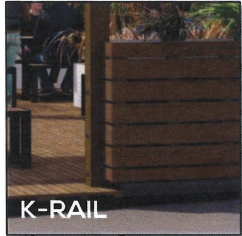
## DETAIL ELEMENTS - ADJUSTABLE PAVER AND K-RAIL

Element	Quantity	Unit	Unit Cost	Total
<b>02 Existing Conditions</b>				
Demolition by Owner.				
<b>Total - Existing Conditions</b>				
<b>31 Earthwork</b>				
No grading work assumed.				
<b>Total - Earthwork</b>				
<b>32 Exterior Improvements</b>				
Adjustable Pedestal Paver System				
Pedestal bases	1,633	ea	\$137.50	\$224,501
Wood tiles	5,374	sf	\$33.62	\$180,662
Custom K-Rail Covering (assuming (50) 20-foot k-rails)				
<del>Paint all k-rails</del>	<del>50</del>	<del>ea</del>	<del>\$600.00</del>	<del>\$30,000</del>
Wood Siding, 1x4, finished	4,450	lf	\$15.00	\$66,750
<b>GALVANIZED SIDING</b>				<b>\$78,300</b>
Planter liner, 14GA galv sheet metal @ HALF OF PERIMETER				<b>\$61,000</b>
Pressure treated 2x4	6,550	lf	\$20.00	\$131,000
Misc bolts and attachments	5,374	sf	\$5.00	\$26,870
<b>Total - Exterior Improvements</b>			<b>\$134.72</b>	<b>\$723,978</b>

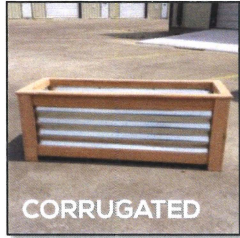
KEEP K-RAIL

REMOVE PAINT

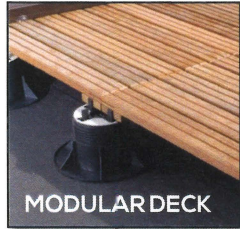
REDUCE PLANTER LENGTH



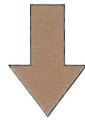
SWITCH TO CORRUGATED



KEEP MODULAR DECK FOR FLEXIBILITY IN DESIGN



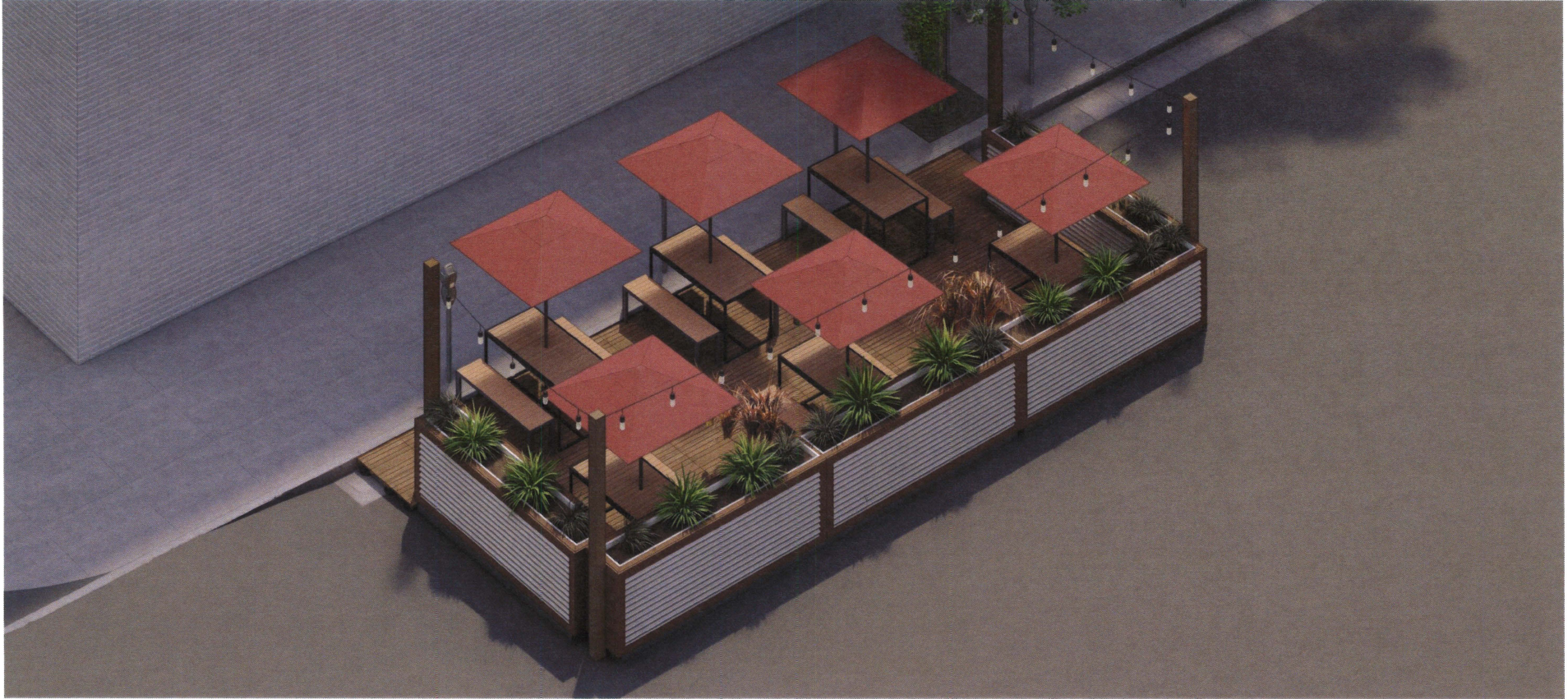
\$181.90 PER SF



\$134.72 PER SF

AVAILABLE FUNDING	\$260,000
VALUE-ENGINEERED	\$134.72 /SF
TOTAL AREA POSSIBLE	1,929 SF

CITY OF CHICO  
**PARKLETS DESIGN UPDATE**  
 VALUE ENGINEERED OPTION



**CITY OF CHICO**  
**PARKLETS DESIGN UPDATE**  
UPDATED DESIGN



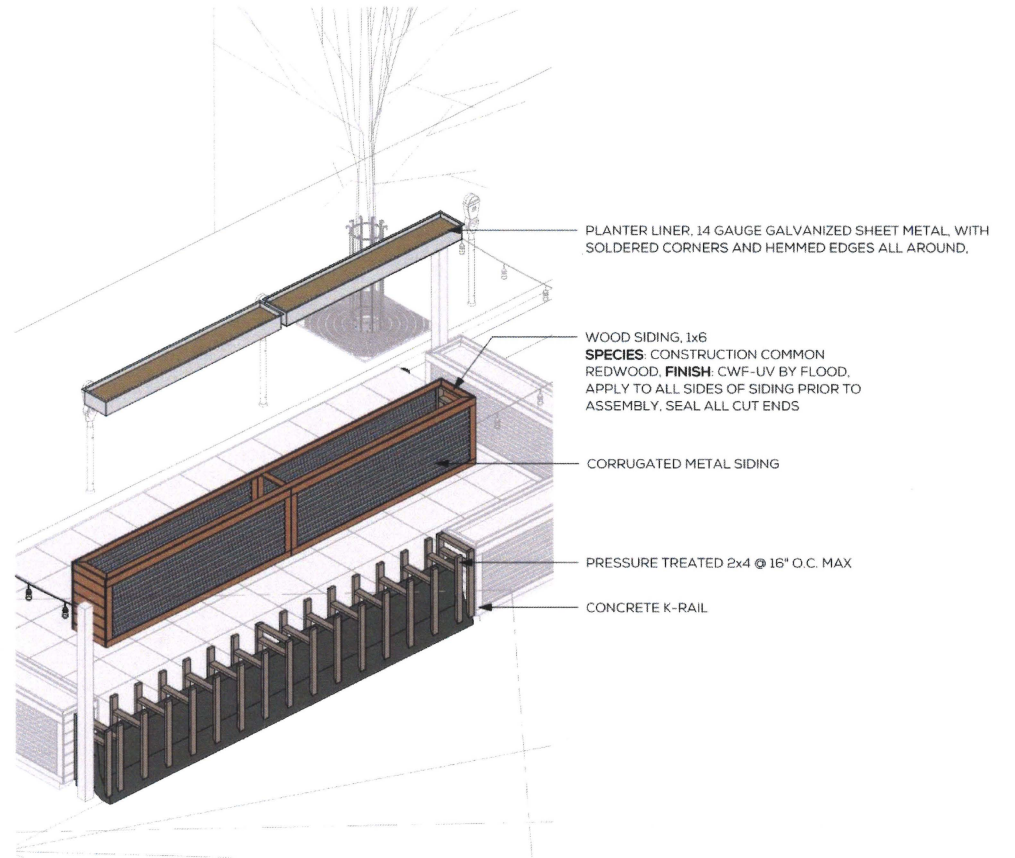
**CITY OF CHICO**  
**PARKLETS DESIGN UPDATE**  
UPDATED DESIGN



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**PARKLETS DESIGN UPDATE**  
UPDATED DESIGN



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**PARKLETS DESIGN UPDATE**  
 UPDATED DESIGN



## 2 Proof of Community Outreach and Support

Applicants must speak with each site-adjacent business as well as fronting property owners about their intent to apply. Applicants are also encouraged, but not required, to inform local community groups and/or business organizations.

- A minimum of three letters of support are required** for applications. If submitting electronically, scan and upload as individual PDF documents, or submit original hardcopies.
  - A letter of support must come from the local Council District Office.
  - Letters of support are also required from nearby entities associated with white, green, yellow, or blue curb color zones if the proposal involves relocation of those zones.
  - Letter(s) of support from adjacent property owner(s) and/or others directly impacted by or fronting the Parklet.

Applicants are required to present their proposed People St project at a local Neighborhood Council meeting. Neighborhood Council meetings occur monthly and applicant presentations should be scheduled well in advance of application deadline.

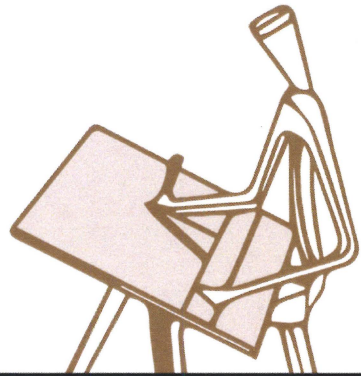
- A minimum of one document** must be submitted as proof of presentation. Acceptable documentation obtained from the Neighborhood Council includes:
  - Meeting agenda
  - Meeting minutes

**Optional documentation** that may also support a robust application include:

- Additional letters of support from other project stakeholders including, but not limited to: neighboring businesses, schools, neighborhood councils, community groups, and neighboring residents\*
- Petitions in support of the Parklet\*
- Fliers and posters created by applicant
- Community surveys
- Documentation of community-outreach meetings and/or visioning workshops
- List of coordinating participants and project partners

\* **Note:** A sample letter of support and petition of support can be found on [ladotlivablestreets.org/programs/people-st](http://ladotlivablestreets.org/programs/people-st).

LADOT encourages applicants to actively involve the community in the development of the application as it evolves. In review, LADOT will pay special attention to the description of outreach efforts within the submitted application. Once an application is approved, a public notice will be placed in the window of the adjacent business for 10 days to solicit any public comment that may influence the acceptance or rejection of the application.



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