

**CITY OF OAKLAND
AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 JAN 15 PM 6:35

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: January 27, 2004

RE: RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND APPROPRIATE FUNDS FROM THE CALIFORNIA COASTAL CONSERVANCY IN THE AMOUNT OF \$400,000 FOR THE IMPLEMENTATION OF THE ARROYO VIEJO CREEK RESTORATION PROJECT AT THE KNOWLAND PARK/ OAKLAND ZOO SITE AND TO ENTER INTO AGREEMENTS WITH THE CALIFORNIA COASTAL CONSERVANCY FOR THESE FUNDS

SUMMARY

A resolution has been prepared authorizing the City Manager to enter into an agreement with the California Coastal Conservancy to accept and appropriate \$400,000 in Coastal Conservancy grant funds over three years for a creek restoration project on Arroyo Viejo Creek at the Oakland Zoo in Knowland Park (Oakland Zoo). The City must enter into an agreement with the Coastal Conservancy in order to secure the grant funds.

The objectives of the creek restoration project are: 1) To repair in-stream locations of bank erosion and restore the channel to a more natural form for safety, long term bank stability, habitat and water quality improvements, and aesthetic appearance; 2) Increase overall plant species diversity for increased wildlife habitat and foraging; 3) Create outdoor classrooms for environmental education offered by the Zoo's Center for Science and Environmental Education and local schools; and 4) Improve public access and recreational opportunities along the stream corridor by providing pedestrian pathways enhancing the overall aesthetics of the creek.

The grant monies will assist the City in furthering the goals of the Watershed Improvement Program, the Open Space, Conservation and Recreation Element (OSCAR) of the General Plan, and the City's Creek Protection and Stormwater Management and Discharge Ordinance, and meet Mayor and City Council goals of Developing a Sustainable City, Improving Oakland's Neighborhoods, and Maintaining and Enhancing Oakland's Physical Assets. These goals will be met by restoring the creek and creek banks, providing educational and recreational opportunities and improving water quality and habitat. The project is located in Council District 7.

FISCAL IMPACT

The Coastal Conservancy is awarding the City a grant in the amount of \$400,000. The funds will cover partial expenses of the creek restoration project on Arroyo Viejo Creek at the Oakland Zoo over a 3-year period (i.e., FY 2003-04 through FY 2005-06). The \$400,000 will be used specifically for construction costs, as stipulated by the Coastal Conservancy grant.

Item : 3

Public Works Committee

01/27/04

The grant requires matching funds in the amount of \$400,000 to be provided through Proposition 40, Roberti-Z'berg-Harris Block Grant Program Project # G230010, as approved by the City Council and stipulated in Resolution #78151. There will also be matching funds provided through in-kind contributions by City staff in the amount of \$20,000 over a three-year period from Fund: 2990; Organization: 30285; Project: H57910; Program NB34. Additionally, the Oakland Zoo staff and volunteers will provide in-kind contributions in the amount of \$144,500. The total projected cost of the Arroyo Viejo Creek Restoration Project at the Oakland Zoo is \$964,500. Invoicing for reimbursements from the Coastal Conservancy grant is required quarterly. The Contract Compliance and Public Art assessments will be made at the time staff returns to Council to award the construction contract.

BACKGROUND

The Arroyo Viejo Creek Restoration Project site is located at the entrance to the Oakland Zoo at 9777 Golf Links Road in the hills of East Oakland. The restoration work will begin at the Park entry and continue east approximately 1,000 feet. The Creek Restoration Project will stabilize eroding creek banks, restore native vegetation, improve pathways, create five educational outdoor classroom sites, each focused on a specific aspect of creek ecology, and create new picnic areas for recreational use. The project is a collaboration between the City, the Oakland Zoo, and Alameda County Flood Control and Water Conservation District.

KEY ISSUES AND IMPACTS

The ability to implement the Arroyo Viejo Creek Restoration Project at the Oakland Zoo hinges on accepting and appropriating the \$400,000 grant from the California Coastal Conservancy. Without these funds the Arroyo Viejo Creek Restoration project will not be implemented. Implementation of the Project is critical to achieving the goals of the Watershed/Creeks Program and related initiatives of the City Council and Open Space, Conservation, and Recreation Element (OSCAR).

PROJECT DESCRIPTION

The Arroyo Viejo Creek Restoration site is located at the entrance to the Oakland Zoo at 9777 Golf Links Road in the hills of East Oakland. The restoration work will begin at the Park entry and continue east approximately 1,000 feet. The Arroyo Viejo Creek Restoration Project at Knowland Park/Oakland Zoo will stabilize failing creek banks, restore native vegetation, improve pathways, create five educational outdoor classroom sites, each focused on a specific aspect of creek ecology, enhance recreational opportunities and improve overall aesthetics of the creek area.

The banks of Arroyo Viejo Creek will be restored using soil bioengineering and biotechnical stabilization measures throughout the restoration reach. Native riparian plants will be used to

increase overall plant species diversity and wildlife habitat and foraging. The revegetated banks will not only provide enhanced habitat, they will also help to improve water quality and bank stabilization. Additionally, the project will provide five outdoor classroom areas for educational study. Each classroom area will include interpretive signage with information on specific aspects of creek ecology, i.e., riparian native plants and wildlife.

The project is a collaboration between the City, the Oakland Zoo and the Alameda County Flood Control and Water Conservation District (County). The City is the lead on this project and is responsible for administration of the grant and for implementation of the project. The Oakland Zoo will be responsible for maintenance of the project after construction is completed at no cost to the City. The County funded the initial restoration design.

SUSTAINABLE OPPORTUNITIES

Economic:

Accepting and appropriating the \$400,000 grant from the California Coastal Conservancy will bring funds into the City that will help meet the goals of the Watershed Improvement Program, OSCAR as adopted by the City Council, the goals of the City's Creek Protection and Stormwater Management and Discharge Ordinance, and Mayor and City Council goals of Developing a Sustainable City, Improving Oakland's Neighborhoods, and Maintaining and Enhancing Oakland's Physical Assets.

Environmental:

The Arroyo Viejo Creek Restoration will allow Public Works Agency Environmental Services Division (PWA/ESD) to continue to implement the goals of the Watershed Improvement Program, OSCAR of the General Plan, the City's Creek Protection and Stormwater Management and Discharge Ordinance, and Mayor and City Council goals of Developing a Sustainable City, Improving Oakland's Neighborhoods, and Maintaining and Enhancing Oakland's Physical Assets. These goals will be met by restoring the creek and creek banks, providing educational and recreational opportunities and improving water quality and habitat.

Social Equity:

Implementation of the Arroyo Viejo Creek Restoration Project at the Oakland Zoo will provide improved recreational and educational opportunities for a wide range of the public that uses the facility.

DISABILITY AND SENIOR CITIZEN ACCESS

State and Federal disability regulations will be considered in the design and development of the Arroyo Viejo Creek Restoration.

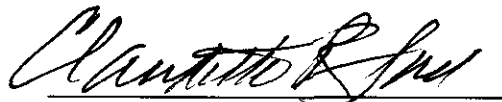
RECOMMENDATION

Staff recommends that the City Council approve the resolution authorizing the City Manager to enter into an agreement with the California Coastal Conservancy and to accept and appropriate \$400,000 for the Arroyo Viejo Creek Restoration Project.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



CLAUDETTE R. FORD
Director, Public Works Agency

Reviewed by:
Raul Godinez II, P.E.
Assistant Director, Public Works Agency
Design & Construction Services

Prepared by:
Ali Schwarz
Watershed Improvement Program Specialist

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:


OFFICE OF THE CITY MANAGER

OAKLAND CITY COUNCIL

RESOLUTION No. _____

OFFICE OF THE CITY CLERK

G.M.S.

DRAFT

2004 JAN 15 PM 6:35

RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND APPROPRIATE FUNDS FROM THE CALIFORNIA COASTAL CONSERVANCY IN THE AMOUNT OF \$400,000 FOR THE IMPLEMENTATION OF THE ARROYO VIEJO CREEK RESTORATION PROJECT AT THE KNOWLAND PARK/ OAKLAND ZOO SITE AND TO ENTER INTO AGREEMENTS WITH THE CALIFORNIA COASTAL CONSERVANCY FOR THESE FUNDS

WHEREAS, the California Coastal Conservancy has awarded the City of Oakland \$400,000 in grant funding for the Arroyo Viejo Creek Restoration Project at the Oakland Zoo in Knowland Park site; and

WHEREAS, the objectives of the creek restoration project are: 1) To repair in-stream locations of bank erosion and restore the channel to a more natural form for safety, long term bank stability, habitat and water quality improvements, and aesthetic appearance; 2) Increase overall plant species diversity for increased wildlife habitat and foraging; 3) Create outdoor classrooms for environmental education offered by the Zoo's Center for Science and Environmental Education and local schools; and 4) Improve public access and recreational opportunities along the stream corridor by providing pedestrian pathways and enhancing the overall aesthetics of the creek.; and

WHEREAS, the implementation of the Arroyo Viejo Creek Restoration Project will help meet Council goal #2 to Develop a Sustainable City; Council goal #3 to Improve Oakland Neighborhoods; and Council goal #6 to Maintain and Enhance Oakland's Physical Assets; and

WHEREAS, the project is a collaboration between the City, the Oakland Zoo and the Alameda County Flood Control and Water Conservation District (County) with the City responsible for administration of the grant and for construction of the restoration, the Oakland Zoo responsible for maintenance of the restoration after construction and the County providing funds for the initial restoration design; and

WHEREAS, the California Coastal Conservancy grant requires that the City of Oakland provide matching funds; and

WHEREAS, these matching funds in the amount of \$400,000 will be expended from the Proposition 40, Roberti-Z'berg-Harris Block Grant Program as City Council has approved by Resolution No. 78151 passed on October 21, 2003 that the matching funds may be used for the Arroyo Viejo Creek Restoration Project; and

WHEREAS, the City will be required to enter into an agreement with the California Coastal Conservancy for the development of the project as specified in the grant and the City may further be required to enter into an agreement with the Oakland Zoo for maintenance of the restoration project at no cost to the City; now, therefore, be it

RESOLVED: That the City Council hereby approves acceptance and appropriation of \$400,000 in grant funds from the California Coastal Conservancy for the Arroyo Viejo Creek Restoration Project at the Oakland Zoo in Knowland Park; and be it

FURTHER RESOLVED: That the City Council authorizes the City Manager or his/her designee to execute an agreement with the California Coastal Conservancy to accept the grant funds and to enter into any other agreements with the Oakland Zoo that may be necessary for the execution of this project, provided that said agreement shall be reviewed and approved for legality by the City Attorney's Office and shall be filed with the Office of the City Clerk; and be it

3

**PUBLIC WORKS CMTE.
JAN 27 2004**

FURTHER RESOLVED: That the City Manager or his/her designee is hereby authorized to approve any subsequent amendments or extensions of said agreement, provided that such amendments or extensions shall be approved by the City Attorney's Office and shall be filed with the Office of the City Clerk. Should additional grant funds become available for this project, the City Manager or his/her designee is hereby authorized to apply for, accept and appropriate these fund for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD

City Clerk and Clerk of the Council
of the City of Oakland, California

3

PUBLIC WORKS CMTE.

JAN 27 2004

B. Phelan

2003 OCT -9 PM 2:49 RESOLUTION NO. 78151 C. M. S.

RESOLUTION APPROVING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF ROBERTI-Z'BERG-HARRIS BLOCK GRANT PROGRAM FUNDS FROM THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS AND COASTAL PROTECTION ACT OF 2002 IN THE AMOUNT OF ONE MILLION, EIGHT HUNDRED FOUR THOUSAND AND FORTY-THREE DOLLARS (\$1,804,043) FOR THE FOLLOWING PROJECTS: **MARTIN LUTHER KING, JR. PLAZA PARK** IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000); **CASTLE CANYON TRUST RIPARIAN HABITAT PRESERVATION ACQUISITION** IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000); **GREENMAN FIELD** IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000); **CLINTON PARK TOT LOT IMPROVEMENTS** IN THE AMOUNT OF TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000); **LAKE MERRITT IMPROVEMENTS** IN THE AMOUNT OF TWO HUNDRED FIFTY-FOUR THOUSAND AND FORTY-THREE DOLLARS (\$254,043); AND **ARROYO VIEJO CREEK AT THE OAKLAND ZOO** IN THE AMOUNT OF FOUR HUNDRED THOUSAND DOLLARS (\$400,000)

WHEREAS, the people of the State of California have enacted the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 which provides funds for the Roberti-Z'Berg-Harris Block Grant Program for grants to eligible Applicants; and

WHEREAS, the California Department of Parks and Recreation has been delegated the responsibility for the administration of the Roberti-Z'berg-Harris Program and the grant projects shown above within the State, setting up necessary procedures; and

WHEREAS, said procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the Application before submission of said Application to the State; and

WHEREAS, the Applicant will enter into a Contract with the State of California for the grant projects shown above; now, therefore, be it

RESOLVED: That the Oakland City Council approves the filing of Applications for local assistance funds from the Roberti-Z'Berg-Harris Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the following projects:

- Martin Luther King, Jr. Plaza Park - \$100,000;
- Castle Canyon Trust Riparian Habitat Preservation Acquisition - \$300,000;
- Greenman Field- \$500,000;
- Clinton Park Tot Lot Improvements - \$250,000;
- Lake Merritt Improvements - \$254,043; and
- Arroyo Viejo Creek At The Oakland Zoo - \$400,000; and, be it

FURTHER RESOLVED: That if the Application is approved, the City Manager is authorized to accept and appropriate funds consistent with the projects and funding levels above; and, be it

FURTHER RESOLVED: That the City Council of the City of Oakland authorizes the City Manager or her designee to obtain all necessary real property-related documents and services for the purchase of the Castle Canyon property for a total purchase price (including the three hundred thousand dollars (\$300,000) allocated by this resolution and the seven hundred thousand dollars (\$700,000) previously allocated from Measure K Bond Funds) of one million dollars (\$1,000,000) plus closing costs, including but not limited to appraisals, title and escrow services, in order to negotiate and execute a purchase and sales agreement to acquire the real property for the Castle Canyon Trust Riparian Habitat Preservation Acquisition; and be it

FURTHER RESOLVED: That the Oakland City Council certifies that the City has or will have sufficient funds to operate and maintain the Projects; and, be it

FURTHER RESOLVED: That the City has reviewed, understands and agrees to the General Provisions contained in the State Grant Contract shown in the State's Procedural Guide; and, be it

FURTHER RESOLVED: That the Oakland City Council certifies that the above Projects conform to the Open Space, Conservation and Recreation (OSCAR) element of the City of Oakland General Plan; and be it

FURTHER RESOLVED: That the Oakland City Council appoints the City Manager, or her appointee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, extensions, payment requests and so on, which may be necessary for the completion of the aforementioned projects provided that such agreements shall be reviewed and approved by the Office of the City Attorney and shall be filed with the Office of the City Clerk. Should additional grant funds become available for the above-mentioned projects, the City Manager or her designee, is authorized to apply for, accept and appropriate said funds and to execute an agreement with the funding agency for expenditure of said funds in accordance with the purposes described above.

OCT 21 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, WAN, QUAN AND
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSTENTION- 0

ATTEST



CEDA FLOYD

City Clerk and Clerk of the Council
of the City of Oakland, California

3

PUBLIC WORKS CMTE.

JAN 27 2004