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OAKLAND

2010 MAY 13 PM 6:33

CITY OF OAKLAND

AGENDA REPORT

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: May 25, 2010

RE: **Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Proposition 84: Safe Drinking Water, Water Quality And Supply, Flood Control, River and Coastal Protection Bond Act –Nature Education Facilities Program Grant Funds For An Amount Up To Fourteen Million Dollars (\$14,000,000.00), Seven Million Dollars (\$7,000,000.00) Each, For The Lake Merritt Rotary Nature Center Expansion And The Dunsmuir Hellman Historic Estate Park Nature Education Center Improvement Projects**

SUMMARY

This report presents a resolution to apply for, accept and appropriate Proposition 84 –Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act – Nature Education Facilities (NEF) Program Grant funds for amounts up to a total of \$14,000,000.00, i.e. up to \$7,000,000.00 for each of the following two projects: 1) Lake Merritt Rotary Nature Center Expansion and 2) Dunsmuir Hellman Historic Estate Park Nature Education Center Improvements. Both of these projects highly qualify for the program funds, which must be used to provide nature education that includes focused learning about the natural environment and inspires environmental stewardship.

The State recently published the Statewide Nature Education Facilities guidelines and established a grant submittal date of July 1, 2010 for grant applications. It is critical that preparation of grant applications begin immediately in order to meet the grant application deadline.

FISCAL IMPACT

If the grant is awarded, new project numbers will be established for the grant under the State Department of Parks and Recreation Fund (No. 2134). The funds will be used for capital improvements and new facilities for which there have been longstanding need, but no available City funds. The NEF funding, if approved, will provide the necessary funds to complete the improvements and expansion for the Rotary Nature Center at Lake Merritt and establish the new Nature Education Center at the Dunsmuir Hellman Historic Estate Park.

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No direct maintenance and operation fiscal impacts are associated with this report until the projects are funded and implemented. In general, on a short-term basis, park capital-improvement projects will help address deferred maintenance while the project is under warranty or during the plant establishment period. However, once the City accepts all maintenance, the overall cost of maintenance will increase. To partially offset this impact, both projects will construct state of the art facilities that incorporate user self-service displays, energy conservation measures, and low maintenance materials and features. A preliminary assessment of potential additional operational and maintenance costs is not available until the grant application and program details are developed. Should the funds for these projects be awarded, staff will conduct a detailed evaluation of the projects' potential impact on maintenance and operation costs and incorporate measures for addressing these impacts during project implementation. Any analysis of the cost impacts of these projects will consider expanded maintenance needs and any offsetting benefits resulting from improvements that address deferred maintenance.

BACKGROUND

In November 2006, California voters passed the \$5.4 billion Proposition 84 – Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. Within the Proposition 84 Bond Measure, \$93 million is available for the Statewide Nature Education Facilities (NEF) grant program. The grant deadline is July 1, 2010.

The NEF program will award grants on a competitive basis for development projects that increase public understanding and knowledge of California's natural resources. The intent is to address the challenges of climate change and population growth on California's environmental resources, and to protect these resources for future generations through the study of natural science with preservation, demonstration, and education programs serving diverse populations.

Qualifying projects will construct new or renovate existing facilities that educate visitors and inspire environmental stewardship. Grant amounts range from \$25,000.00 to \$7,000,000.00. Applications are sorted into five funding tiers to allow projects similar in size and scope to be scored competitively. Applications may be submitted for multiple grants, but only one application is permitted for each site location. There is no match requirement for the NEF funds.

KEY ISSUES AND IMPACTS

After careful review of the Park Project Prioritization list and the grant criteria, staff from Community Economic and Development Agency - Project Delivery Division and Office of Parks and Recreation recommend two projects that best meet the Nature Education Facilities Grant criteria. The intent of the Nature Education Facilities Grant program is to address the challenges posed by climate change and population growth, to protect California's environmental resources

for future generations, and to provide focused learning that fosters environmental stewardship. The State office released the grant guidelines in March 2010 and recently announced the grant deadline as July 1, 2010. Projects will be evaluated according to the responses to seven selection criteria, summarized as follows:

- Need for Nature Education – Deficiency of opportunities to increase public understanding and promote stewardship of the site’s natural resources (including flora, fauna, ecosystems and other natural elements); how the project will meet one of the following objectives: 1) combine the study of natural science with preservation, demonstration and education programs that serve diverse populations, 2) provide programs related to Native American cultures, or 3) conduct marine wildlife conservation research.
- Educational Opportunities – Provision of learning and discovery opportunities that will comprehensively educate the public about the resources interpreted, including connections between challenges and solutions.
- Visitor Outreach to Targeted Groups – Outreach strategies and methods to attract and serve the needs of a broad range of people who lack access to nature education.
- Project Access – Hours of operation to accommodate the general public and the targeted visitors.
- Sustainable Design – Use of sustainable design practices, techniques or materials for the project construction.
- Project Readiness – A detailed timeline that demonstrates that the project can be completed within the grant performance period.
- Long Term Operation and Maintenance – Evidence of a developed plan to sustain, operate and maintain the project; demonstrate experience operating and managing this type of project, funding sources, volunteers and partners that will contribute to the long term stability of the project, and list staff positions that will be responsible for operation and maintenance.

The Statewide Park Grant is a competitive grant where each project competes against all other grant applications within the tier submitted. The five funding tiers are shown in the table below:

Tier	Grant Request Amount	Estimated Available Funds
A	\$3,000,001 to \$7,000,000	\$ 42,000,000
B	\$1,000,001 to \$3,000,000	\$ 24,000,000
C	\$500,001 to \$1,000,000	\$ 10,000,000
D	\$100,001 to \$500,000	\$ 5,000,000
E	\$25,000 to \$100,000	\$ 2,000,000
	Reserve Funds	\$ 10,000,000
	Total Funds Available	\$ 93,000,000

Staff propose two citywide projects for the NEF Grant:

Lake Merritt Rotary Nature Education Center:

Lake Merritt is Oakland’s most valuable inner city natural resource and the first State wildlife refuge designated in 1870. The Lake Merritt Master Plan identifies the Rotary Nature Center as a key natural science education center along the freshwater ecology zone and the bird island sanctuary. The Rotary Nature Center provides exhibits, interpretive displays, and interactive programs related to the wildlife surrounding water edge. The Nature Center is the ideal setting to provide programs and education of the bird island as the nesting, roosting, and foraging bird habitat as well as for understanding of the connectivity of these habitats with the rest of the lake, the inter-tidal marshland, and the channel to the Bay. An increasing urban population has put severe strain on the surrounding vegetation, the bird refuge, and the lake itself. The Rotary Nature Center, built in the 1950s, is too small and outdated to meet today’s needs for educating children and the general public about Lake Merritt’s natural resources. The grant offers the opportunity to expand the facility and programs to address the needs for education and foster stewardship, to protect Lake Merritt Park for future generations. Staff anticipate the grant application will be submitted for Tier A funding – \$3,000,001.00 to \$7,000,000.00.

Dunsmuir Hellman Historic Estate Park Nature Education Center:

The Dunsmuir Hellman Historic Estate Park is the site of the historic landmark Dunsmuir House and is located in one of the most pristine natural environments on the east side of the city. The Estate is surrounded by Dunsmuir Ridge Open Space that leads into the Anthony Chabot Regional Park, with close proximity to Knowland Park and the Oakland Zoo. The onsite tributary stream connects to the San Leandro Creek, which ultimately leads to Arrowhead Marsh and Martin Luther King Jr. Regional Shoreline along the San Leandro Estuary. The park site is surrounded by oak woodlands and is home to surrounding wildlife,

including owls, fish, trees, and native plants. The site offers great potential for encouraging stewardship and protection of the complex natural habitat and ecosystems surrounding the site.

In July 2009, Council approved the purchase of 64 acres of Dunsmuir Ridge Open Space to the northwest of the Dunsmuir Estate Park, completing one of City's Watershed Preservation priorities. The acquired property will be a part of East Bay Regional Park District's plan to construct a trail connecting from Dunsmuir Heights to Chabot Regional Park. Although there are ongoing efforts to educate the public about the fragility of the surrounding natural site, the site lacks an educational facility and consistent, ongoing public education about the natural resources. Many visitors, due to lack of knowledge, engage in activities that create severe maintenance issues and detract from the natural beauty. Public education and stewardship programs are badly needed to protect these historic and natural resources into the next century. The Dunsmuir Estate Park improvements will provide the education facility and programs to interpret the relationship of humans to the environment and foster understanding and preservation of the precious natural resources. The new facilities will house programs and exhibits that educate park visitors and promote environmental stewardship. Staff anticipate the grant application will be submitted for Tier B – \$1,000,001.00 to \$3,000,000.00.

Three other grants will be submitted for projects in Oakland in addition to the above two projects leading to a potential total up to \$21 million for all proposed projects. The Oakland Zoo, the Oakland Museum, and Chabot Space Science Center are each planning to submit an application. The Oakland Zoo will submit for the California Animals (in tier A for \$3,000,001.00 - \$7,000,000.00); the Oakland Museum will submit for the Nature Science Gallery (in tier B for \$1,000,001.00 to \$3,000,000.00); and the Chabot Space Science Center will submit for a new nature education outdoor camp (in tier C under \$1,000,000.00).

PROJECT DESCRIPTION

The proposed scope of the two projects for the Proposition 84 Statewide Nature Education Facilities Program Grant applications are described below.

- **Lake Merritt Rotary Nature Center Improvements:** Renovate and expand the existing approximately 3300 sq. ft. nature center (by 1500 sq. ft. to 3000 sq. ft.) to provide updated and new exhibits, upgrade the building systems to meet code, upgrade building and site accessibility, add interactive exhibits and educational program spaces, add a butterfly garden, replace/update restrooms, and associated site improvements.
- **Dunsmuir Hellman Historic Estate Park Nature Education Center Improvements:** Convert and renovate the existing Milk Barn building for an interpretive exhibit center, restore the pond and creek with California native plants, a demonstration garden and

education outlook nooks, the development of an aquaponic community garden and other associated site access improvements.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed capital improvement projects increase the economic value of the surrounding neighborhoods by providing new attractions in the recreational spaces. The facilities will enhance two of Oakland's regional recreational sites, attracting users from all over the Bay Area.

Environmental: The projects will address the issues of climate change and population growth, by educating the public and promoting environmental stewardship. The new facilities provide space for new programs that will promote energy conservation, water conservation, and conservation of natural resources, and protection of existing natural and park assets.

Social Equity: Park capital improvement projects will provide new educational facilities and outdoor learning opportunities for youths, seniors, and communities at large. The projects will expand after-school educational learning experiences for children and youth from disadvantaged neighborhoods throughout Oakland. These particular grants are intended to target diverse population.

DISABILITY AND SENIOR CITIZEN ACCESS

If awarded, the funds will allow the City to construct facilities that are ADA-Compliant and improve access to both facilities and provide programs for senior citizens.

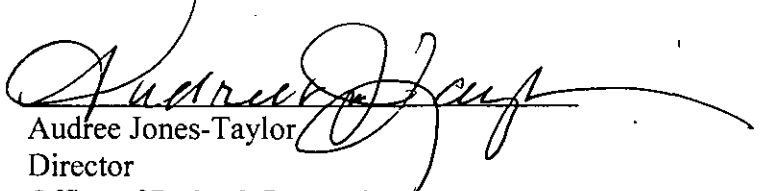
RECOMMENDATION AND RATIONALE

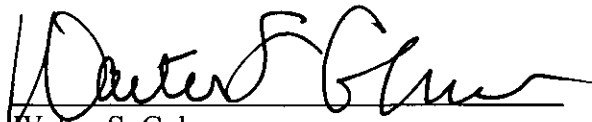
It is recommended that Council approve the proposed resolution to authorize staff to apply for, accept and appropriate Proposition 84 –Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act –Nature Education Facilities Program Grant for the two projects.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution and authorize the application for, acceptance, and appropriation of Proposition 84 Nature Education Facilities Program funds up to the amount of \$14,000,000.00, up to \$7,000,000.00 each for the Lake Merritt Rotary Nature Center and the Dunsmuir Estate Park Nature Education Center.

Respectfully submitted,

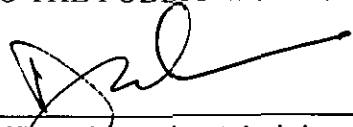

Audree Jones-Taylor
Director
Office of Parks & Recreation


Walter S. Cohen
Director
Community and Economic Development Agency

Reviewed by:
Michael Neary, P.E.
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Department of Engineering & Construction

Prepared by:
Lily Soo Hoo
Project Manager
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE:



Office of the City Administrator

Item: _____
Public Works Committee
May 25, 2010

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 MAY 13 PM 6:34

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE PROPOSITION 84: SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT – NATURE EDUCATION FACILITIES PROGRAM GRANT FUNDS IN AN AMOUNT UP TO FOURTEEN MILLION DOLLARS (\$14,000,000), SEVEN MILLION DOLLARS (\$7,000,000.00) EACH, FOR THE LAKE MERRITT ROTARY NATURE CENTER EXPANSION AND THE DUNSMUIR HELLMAN HISTORIC ESTATE PARK NATURE EDUCATION CENTER IMPROVEMENT PROJECTS

WHEREAS, the 2006 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act established the Nature Education Facilities Program to award funds on a competitive basis to eligible development projects that educate visitors and inspire environmental stewardship of California's environmental resources; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Nature Education Facilities Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the project, as defined in the grant scope; and

WHEREAS, the City of Oakland has identified the Lake Merritt Rotary Nature Center Expansion and the Dunsmuir Hellman Historic Estate Nature Education Center as eligible projects to compete for Nature Education Facilities Program funds; now therefore be it

RESOLVED: That the City Council approves the filing of an application for the Lake Merritt Rotary Nature Center Renovation and the Dunsmuir House Nature Education Center, and

- Certifies that the City has or will have available, prior to commencement of any work on the Project(s) included in the grant Application(s), the sufficient funds to complete the Project(s), should the funds be awarded; and

- Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s); and
- Certifies that the Applicant has reviewed, understands, and agrees to the provisions contained in the Contract shown in the Grant Administration Guide; and
- Certifies that this project is consistent with the applicable city or county, or appropriate planning document, as the case may be; and
- Delegates the authority to the City Administrator, or his designee, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the project; and
- Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is hereby authorized and directed to apply for, accept, and appropriate an amount up to fourteen million dollars (\$14,000,000) in grant funds, seven million dollars (\$ 7,000,000.00) each, for the Lake Merritt Rotary Nature Center Expansion and the Dunsmuir Hellman Historic Estate Nature Education Center from the State of California Department of Parks and Recreation Statewide Nature Education Facilities Program, and to take whatever actions necessary with respect to the projects listed above consistent with this Resolution and its basic purpose; and be it

FURTHER RESOLVED: That if the grant is awarded, new project numbers will be established for each project funded by the grant under the State Department of Parks and Recreation Fund (No. 2134) for a capital improvement project; and be it

FURTHER RESOLVED: That all agreements will be reviewed and approved for form and legality by the Office of the City Attorney and that a copy of the agreements will be on file with the City Clerk; and be it

FURTHER RESOLVED: That a copy of this Resolution will be transmitted to the State of California, Department of Parks & Recreation, and placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
La Tonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California