

CITY OF OAKLAND
AGENDA REPORT OF THE CITY CLERK
OAKLAND

TO: Office of the City Administrator 2004 DEC -1 PM 2: 59
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: December 14, 2004

RE: A RESOLUTION ACCEPTING AND EXPRESSING APPRECIATION FOR A GIFT-IN-PLACE WITH AN ESTIMATED VALUE OF \$5,844 FROM AFFORDABLE HOUSING ASSOCIATES TO PROVIDE AND INSTALL BENCHES AND PLANTING IMPROVEMENTS AT THE 11TH STREET AND OAK STREET PUBLIC RIGHT-OF-WAY (PLAZA) IN CONJUNCTION WITH THEIR DEVELOPMENT AT OAK STREET TERRACE, 1109 OAK STREET; AND TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH AFFORDABLE HOUSING ASSOCIATES FOR MAINTENANCE OF THE PLAZA.

SUMMARY

The City Council is requested to approve acceptance of a gift in-place donation from Affordable Housing Associates to provide and install benches and planting improvements to the 11th Street and Oak Street public right-of-way (plaza) in association with their development of a senior housing facility known as the Oak Street Terrace at 1109 Oak Street. In addition, City Council authorization is requested for the City Administrator to enter into a maintenance agreement for the proposed plaza.

Affordable Housing Associates is constructing a new, five-story, affordable senior housing development with ground floor commercial space at the corner of 11th Street and Oak Street known as Oak Street Terrace. Along 11th Street and Oak Street, across from Oak Street Terrace, there is an open space above the existing 11th Street tunnel. Affordable Housing Associates wishes to provide improvements in the form of benches and planting to improve the open space and create a plaza for public use.

Improving the public right-of-way will meet City Council's goal #3, Improve Oakland's Neighborhoods by encouraging neighborhood coordination and participation in the use of the plaza; goal # 6, Maintain and Enhance Oakland's Physical Assets to provide safe, clean, well-maintained open space amenities; and goal #7, Inspire Creativity and Civic Engagement by fostering collaboration with a community-based organization to enhance community ownership and participation.

FISCAL IMPACT

Approval of this resolution will allow improvement to an existing open public right-of-way (plaza) space at no capital improvement cost to the City. Affordable Housing Associates would

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provide on-going general maintenance of the plaza through an agreement with the City for as long as the organization manages the Oak Street Terrace. Affordable Housing Associates' maintenance responsibilities would include trash pickup and disposal, plant upkeep, graffiti abatement, and removal of damaged furnishings. Affordable Housing Associates will record the maintenance agreement with the County Recorder so that if ownership is ever transferred the responsibilities under the agreement will also be transferred. It is anticipated that the City will not incur operation and maintenance costs under the agreement.

BACKGROUND

Affordable Housing Associates is constructing Oak Street Terrace, a five-story, mixed-use development including 39-units of affordable senior housing on upper floors, 1,476 square feet of on-site open space, and commercial/office space on the ground floor. The project is funded partially from the City's Housing Development program and other private funding sources. The building is located on the northwest corner of 11th Street at Oak Street adjacent to the 11th Street tunnel.

Affordable Housing Associates hosted a meeting on August 13, 2004, between adjacent property owners and City of Oakland representatives to propose improvements to the currently vacant open space at 11th Street and Oak Street. The area is approximately 4,000 square feet of open space occupied by an existing public art piece dedicated by the Oakland Museum. Affordable Housing Associates proposed adding benches and planting to provide an open plaza space that would be used by the public as well as residents of the neighborhood. The plaza is located on 11th Street above the tunnel, opposite the housing development. All parties at the initial meeting support the proposed improvements. The developer followed up on this meeting by presenting their proposal to the City's Development Coordination Committee on September 13, 2004. The Development Coordination Committee is a City inter-departmental coordination committee that meets monthly to discuss common issues or projects that may have multi-agency effects. By presenting the proposed improvement to the Development Coordination Committee, Affordable Housing Associates was able to obtain input regarding traffic concerns, pedestrian safety issues, and appropriate permitting process.

KEY ISSUES AND IMPACTS

The existing open space is occupied by a public art piece at the center dominating the area. A few existing City trees in tree wells dot the edges of the open space. Across from Oak Street is the Oakland Museum. The proposed plaza improvements will enhance an existing concrete-paved open space with planter landscaping and seating area for the general public's use as well as for the neighborhood residents. It is envisioned that the plaza will provide users with places to sit and relax in a serene setting with surrounding greenery.

Affordable Housing Associates also agrees to provide general maintenance of the plaza after improvements are installed. Affordable Housing Associates will provide general litter pick up,

removal of damaged furnishings, and plant maintenance through a maintenance agreement with the City that will be executed before the improvements are completed.

PROJECT DESCRIPTION

The improvements will provide installation of a six-foot long bench and fourteen planter containers with trees and shrubbery (See Attachment 1, perspective sketch and site plan).

SUSTAINABLE OPPORTUNITIES

Economic: The improved plaza will aid in generating income for the local economy by drawing users to the public plaza and surrounding businesses.

Environmental: The plaza will improve the physical environment and aesthetic quality in a small urban open space by providing seating and greenery. The installed furnishings will incorporate recycled-content products such as recycled plastic benches. Plants for the planters will be selected based on ease of care as well as drought-tolerant characteristics to minimize use of water.

Social Equity: The improvements to the plaza will provide open space access and benefit the public as well as the neighboring residents who live next to the plaza.

DISABILITY AND SENIOR CITIZEN ACCESS

The plaza is accessible via existing curb ramps, and placement of benches and planters will not impede accessibility.

RECOMMENDATIONS AND RATIONALE

Accepting the gift-in-place donation for the installation of new benches and planting at the 11th Street and Oak Street public right-of-way provides improvement to an open urban space that is currently lacking amenities and is sparsely used. The improvements will also serve to bring more people to enjoy the public art displayed at the space.

Staff recommends acceptance of a gift-in-place donation in an estimated amount of \$5,844 from Affordable Housing Associates to improve the 11th Street and Oak Street public right-of-way (Plaza) and to authorize the City Administrator to enter into an agreement with Affordable Housing Associates to provide maintenance at the Plaza.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve a resolution accepting and expressing appreciation for a gift-in-place donation with an estimated value of \$5,844 from Affordable Housing Associates to provide and install benches and planting improvements at the 11th Street and Oak Street public right-of-way (Plaza) in association with their development of Oak Street Terrace at 1109 Oak Street; and to authorize the City Administrator to execute an agreement with Affordable Housing Associates to provide maintenance for the Plaza.

Attachment I

Respectfully submitted,

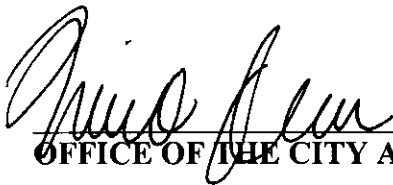


RAUL GODINEZ II P.E.
Director, Public Works Agency

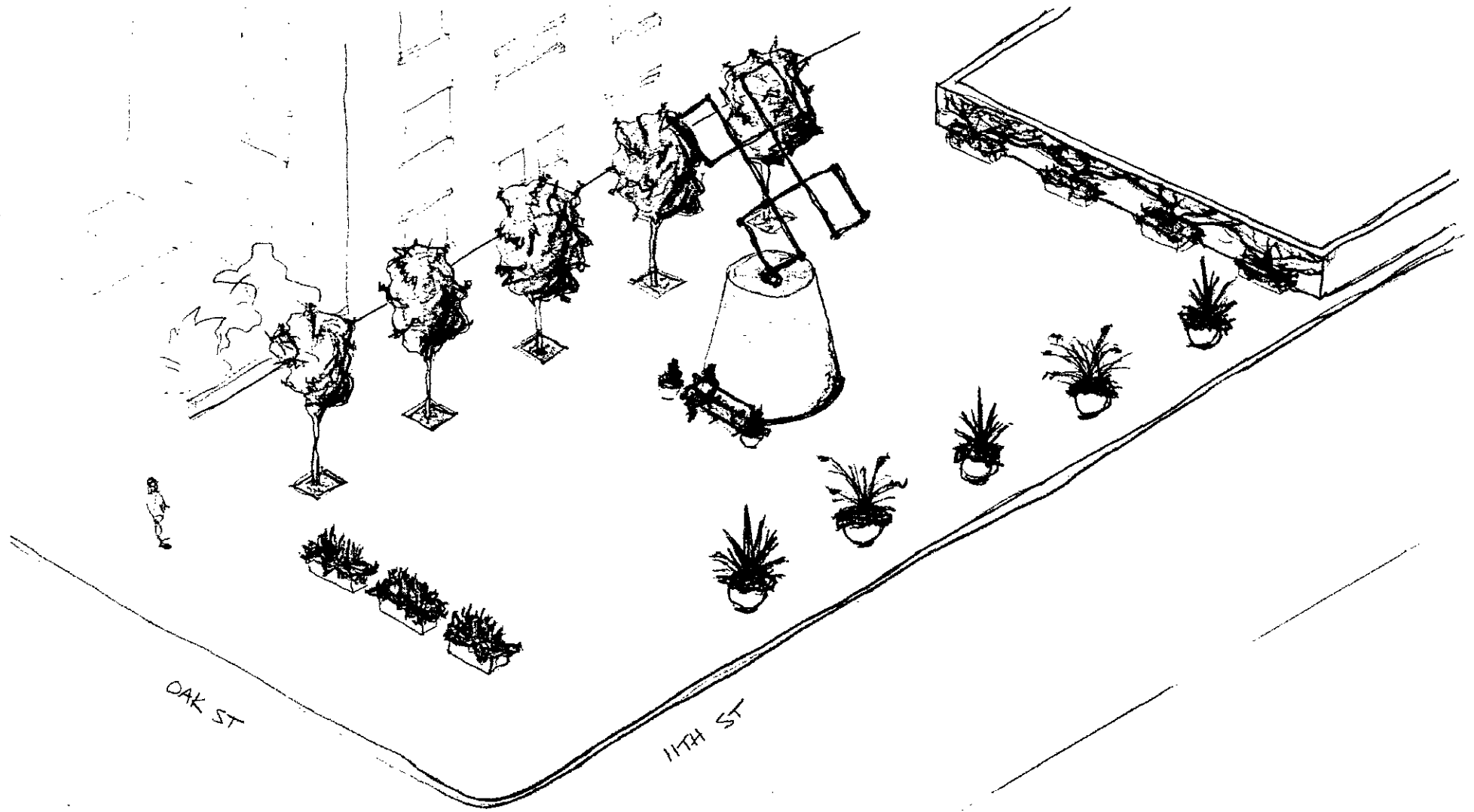
Reviewed by:
David Lau, Manager
Project Delivery Division

Prepared by:
Lily Soo Hoo, C. I. P. Coordinator
Project Delivery Division

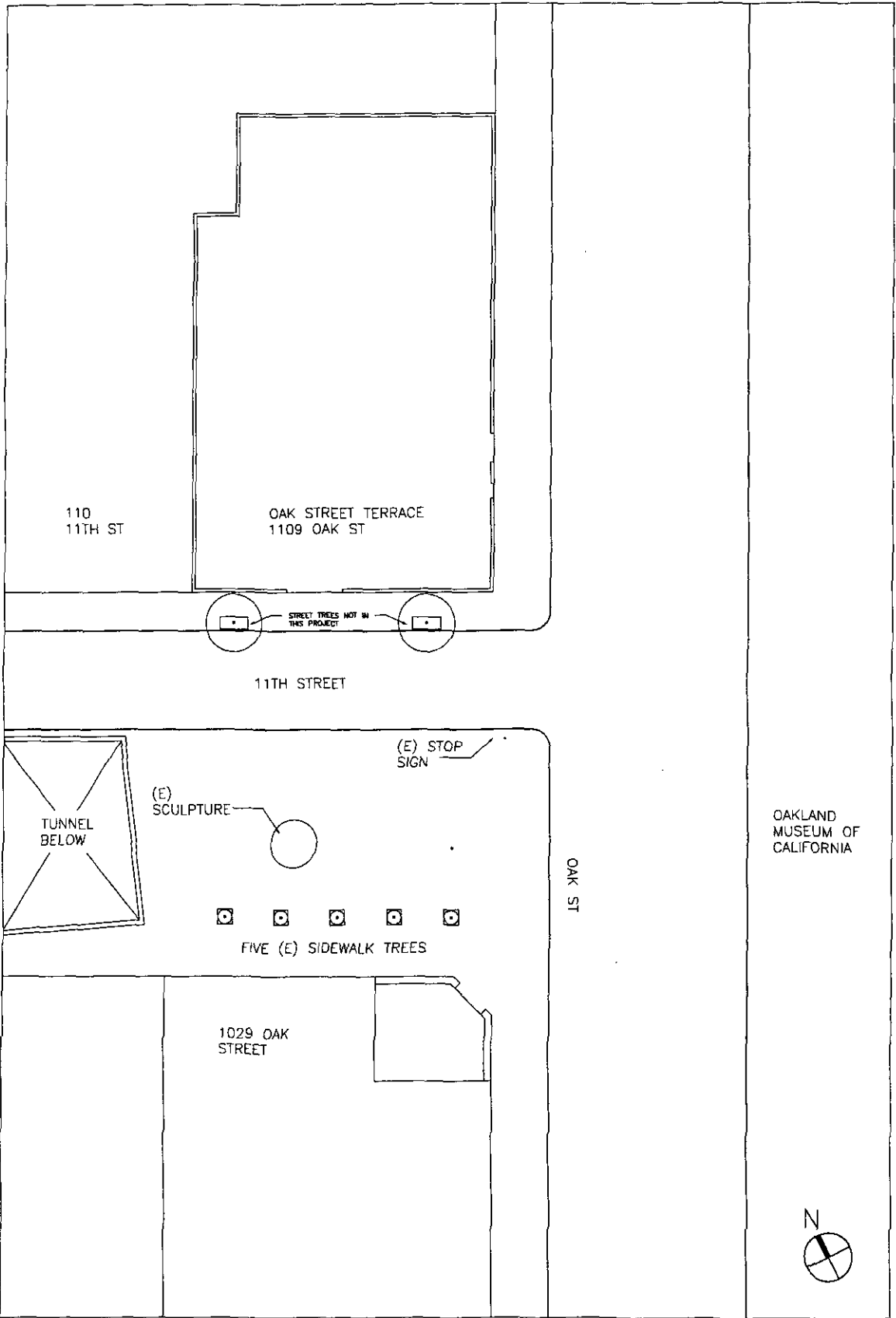
APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

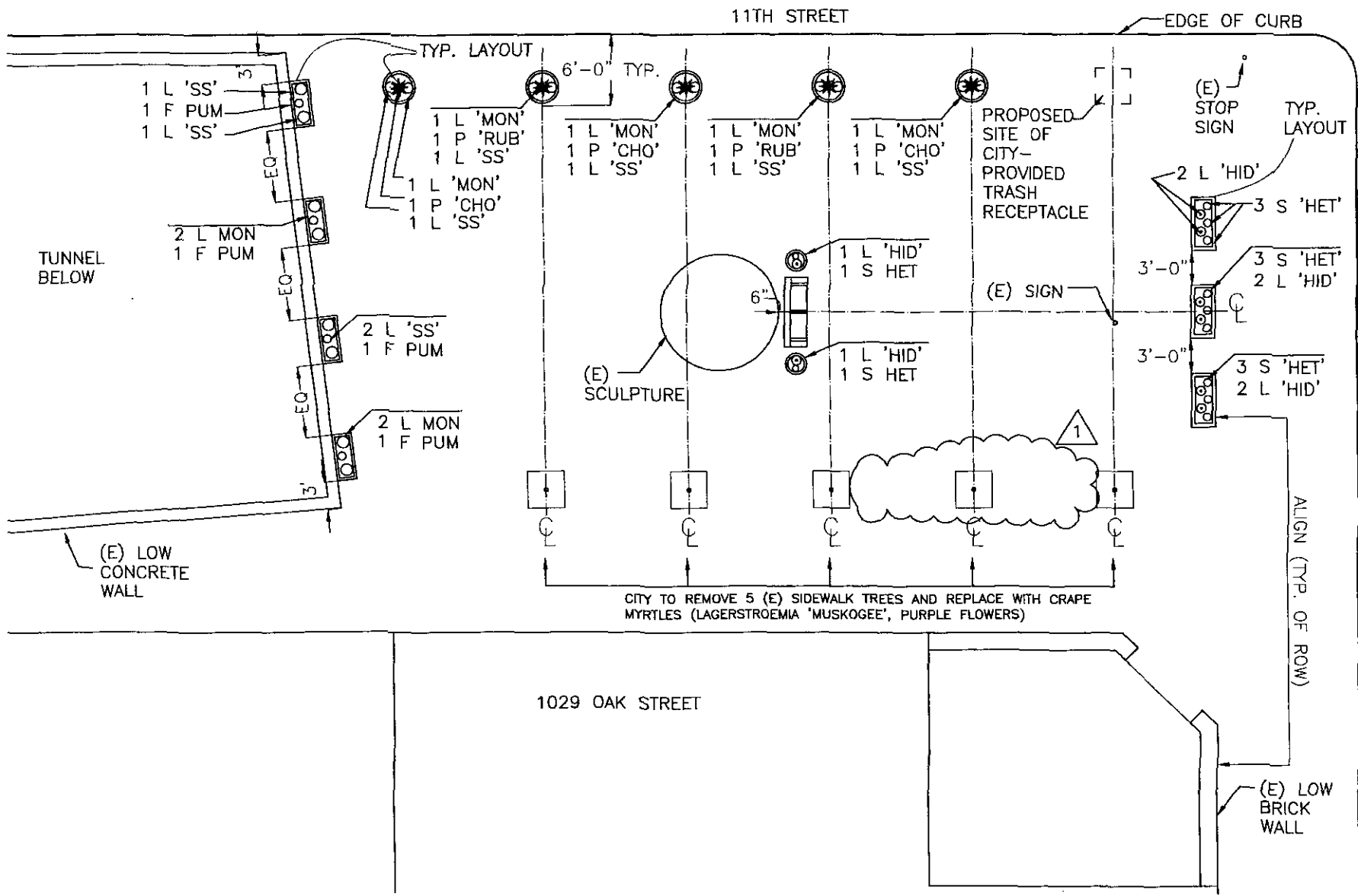


PROPOSED PUBLIC SPACE IMPROVEMENTS
OAK STREET & 11TH STREET
DOWNTOWN OAKLAND
OCTOBER 2004



EXISTING SITE PLAN
1"=20'-0"

<p>SHEET 1 OF 3 10/29/04</p>	<p>OAK & 11TH ST OAKLAND, CA PUBLIC SPACE IMPROVEMENTS</p>	<p>PROJECT COORDINATOR: AFFORDABLE HOUSING ASSOCIATES 1250 ADDISON ST, STE G BERKELEY, CA 94702</p>	<p>CONTACT: MARK GARRELL, PROJECT MANAGER (510) 649-8599 X25 MGARRELL@AHAINC.ORG</p>
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PLAZA PLAN
1/8"=1'-0"

SHEET 2 OF 3
10/29/04

OAK & 11TH ST
OAKLAND, CA
PUBLIC SPACE IMPROVEMENTS

PROJECT COORDINATOR:
AFFORDABLE HOUSING ASSOCIATES
1250 ADDISON ST. STE G
BERKELEY, CA 94702

CONTACT:
MARK GARRELL, PROJECT MANAGER
(510) 849-8599 X25
MGARRELL@AHANC.ORG

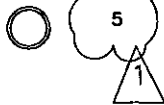



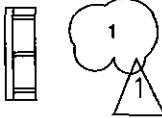
Attachment 1
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Item #
Public Works Com

PLANT LIST

SITE FURNISHINGS

QUANTITY	PLANT ABBREV.	CONTAINER SIZE	BOTANICAL NAME	COMMON NAME
9	L MON	1 GAL	LANTANTA MONTEVIDENSIS	TRAILING PURPLE LANTANA
9	L 'SS'	1 GAL	LANTANTA 'SPREADING SUNSET'	TRAILING 'SPREADING SUNSET' LANTANA
2	P 'RUB'	5 GAL	PENNISETUM SETACEUM 'RUBRUM'	PURPLE LEAVED FOUNTAIN GRASS
2	P 'CHO'	5 GAL	PHORMIUM TENAX 'CHOCOLATE'	CHOCOLATE FLAX
4	F PUM	5 GAL	FIGUS PUMILA (F. REPENS)	CREEPING FIG
9	S HET	1 GAL	SOLLYA HETEROPHYLLA	BLUEBELL CREEPER
8	L 'HID'	1 GAL	LAVANDULA ANGUSTIFOLIA 'HIDCOTE'	ENGLISH LAVENDER

PLAN SYMBOL	QUANTITY	DESCRIPTION	MANUFACTURER
	5	ROUND CONCRETE PLANTER, 33"Dx22"H	PT-500 PLANTER COLOR: 1W MEDIUM ETCH MFCT: NAPA VALLEY CAST STONE 707-258-3340
	2	ROUND CONCRETE PLANTER, 22"Dx18"H	PT-501 PLANTER COLOR: 1W MEDIUM ETCH MFCT: NAPA VALLEY CAST STONE 707-258-3340
	3	RECTANGULAR CONCRETE PLANTER, 55"Lx25"Wx22"H	TR-SCA001 PLANTER COLOR: 1W MEDIUM ETCH MFCT: NAPA VALLEY CAST STONE 707-258-3340
	4	RECTANGULAR CONCRETE PLANTER, 48"Lx18"Wx16"H	TR-100 PLANTER COLOR: 1W MEDIUM ETCH MFCT: NAPA VALLEY CAST STONE 707-258-3340
	1	72" BENCH	VICTORIA SEAT 72" SURFACE MOUNT BENCH (ITEM 9876) ADD CENTER ARM (ITEM 9879) SURFACE MOUNT PER MFCT'S SPECIFICATIONS AND DETAILS. FRAME COLOR: CHARCOAL DURAWOOD COLOR: CEDAR. MFCT: RECYCLEDESIGN 312-491-2500.

PLANTING NOTES

1. QUANTITIES ARE PROVIDED FOR ESTIMATING PURPOSES ONLY. PLANT COUNTS SHOWN ON PLAN SHALL PREVAIL.
2. SOIL FOR PLANTERS SHALL BE 'GENERAL LANDSCAPE MIX' AS AVAILABLE THROUGH AMERICAN SOIL PRODUCTS, 510-883-7202.
3. CREEPING FIG PLANTS TO BE SUPPORTED UPRIGHT WITH STAKES AGAINST (E) WALL.

CONTACT:
MARK GARRELL, PROJECT MANAGER
(510) 649-8599 X25
MGARRELL@AHAINC.ORG

PROJECT COORDINATOR:
AFFORDABLE HOUSING ASSOCIATES
1250 ADDISON ST, STE G
BERKELEY, CA 94702

OAK & 11TH ST
OAKLAND, CA
PUBLIC SPACE IMPROVEMENTS

SHEET 3 OF 3
10/29/04

PROJECT INFORMATION

OFFICE OF THE CITY CLERK
OAKLAND
OAKLAND CITY COUNCIL

RESOLUTION No: _____ 2004 DEC -1 PM 2: 59
C.M.S.

Two-thirds vote required
W. Moreno

A RESOLUTION ACCEPTING AND EXPRESSING APPRECIATION FOR A GIFT-IN-PLACE WITH AN ESTIMATED VALUE OF \$5,844 FROM AFFORDABLE HOUSING ASSOCIATES TO PROVIDE AND INSTALL BENCHES AND PLANTING IMPROVEMENTS AT THE 11TH STREET AND OAK STREET PUBLIC RIGHT-OF-WAY (PLAZA) IN CONJUNCTION WITH THE THEIR DEVELOPMENT AT OAK STREET TERRACE, 1109 OAK STREET; AND TO AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE A NO-COST AGREEMENT WITH AFFORDABLE HOUSING ASSOCIATES FOR MAINTENANCE OF THE PLAZA.

WHEREAS, Affordable Housing Associates, a non-profit organization, is constructing a mixed-use senior housing and commercial complex at 1109 Oak Street, across an existing open-space public-right-of-way; and

WHEREAS, Affordable Housing Associates desires to improve the open space at 11th Street and Oak Street (plaza) with new benches and additional plantings to enhance the environment for the public and local residents; and

WHEREAS, Affordable Housing Associates desires to maintain the open space at 11th Street and Oak Street by providing general litter pickup, maintenance of plants and furniture and removal of damaged plants and furniture at no cost to the City; and

WHEREAS, Affordable Housing Associates desires to donate the improvements and maintenance services and the City desires to accept them; and

WHEREAS, the City lacks the funds, equipment and personnel to perform the necessary work and services; and

WHEREAS, the City Council finds and determines that the performance of work and maintenance services is in the public interest because of economy; and

WHEREAS, the City Council finds and determines that the performance of the contract for maintenance will be permanent in nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now therefore, be it

RESOLVED: That the City Council hereby accepts a gift in-place with an estimated value of \$5,844 from Affordable Housing Associates for improvements to the public right-of-way located at 11th Street and Oak Street; and, be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator, or her designee, to execute a no-cost maintenance agreement with Affordable Housing Associates to perform on-going general maintenance service; and, be it

FURTHER RESOLVED: That the City Administrator, or her designated representative, is hereby authorized to approve and execute any subsequent agreement, amendments, modifications, or extension of agreements, within the City Administrator's contract authority, related to the maintenance of the improvements under this Resolution, and that such amendments or extensions shall be approved as to form and legality by the Office of the City Attorney and filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT OF THE COUNCIL DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
CEDA FLOYD

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