



CITY OF OAKLAND

AGENDA REPORT


TO: Jestin D. Johnson
City Administrator

FROM: Fred Kelley
Director, Oakland Parks,
Recreation & Youth
Development Department

SUBJECT: The Gardens At Lake Merritt
Japanese Gardens Repaving Gift

DATE: May 28, 2024

City Administrator Approval


Jestin Johnson (Jun 11, 2024 03:39 PDT)

Date: Jun 11, 2024

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution 1) Accepting A Gift Of In-Kind Services From The Friends Of The Gardens At Lake Merritt (FGLM) Through Fiscal Sponsor Oakland-East Bay Garden Center, Inc. To Repave The Japanese Garden At Lake Merritt Valued In An Amount Not To Exceed Ninety-Six Thousand One Hundred Dollars (\$96,100) And 2) Authorizing The City Administrator To Execute A Contract In The Amount Of One Dollar (\$1.00) With The Oakland-East Bay Garden Center, Inc. As The Fiscal Sponsor For FGLM And Wolfe, Inc., The Construction Vendor Selected To Perform The Services, To Authorize The Work On City Property.

EXECUTIVE SUMMARY

Friends of the Gardens at Lake Merritt (FGLM), a nonprofit organization, wishes to provide a gift of in-kind services to the City to repair the Japanese Garden walkway at the Gardens at Lake Merritt located at 666 Bellevue Avenue. The pavement repairs will improve the existing condition of the Japanese Garden and will address deferred maintenance issues at the Gardens at Lake Merritt. The project involves up to ninety-six thousand one hundred dollars (\$96,100) of in-kind services to repave crucial pathways in the Japanese Garden section of the Gardens at Lake Merritt. The existing walkway has been deteriorating and is a hazard for park users. The project will remove the current pavement, replace broken redwood tree planter boxes with larger boxes to accommodate the growth of the trees, and install new pavement. The proposal was reviewed and recommended by the Parks and Recreation Advisory Commission (PRAC).

BACKGROUND / LEGISLATIVE HISTORY

The Gardens at Lake Merritt is located at 666 Bellevue Avenue, in Lakeside Park, in City Council District 3. Lakeside Park at Lake Merritt, the heart of Oakland, is one of the most

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frequented open space areas in the City and home to the nation's first wildlife refuge. The seven-acre Gardens within Lakeside Park is "a cultural and educational center and a place to enjoy tranquility in the heart of the City. The Gardens are poised to serve as an example of the highest standards of horticulture and historic preservation while providing enriching public programs." FGLM is a non-profit, volunteer run organization, established to provide valued resources and programs to the public. "In partnership with the City of Oakland, FGLM supports Gardens revitalization through volunteerism, funding, and special projects, ensuring these Gardens remain a vibrant, relevant part of urban life." [Home - The Gardens at Lake Merritt](#). This proposed gift-in-place project is part of their continued effort to fund programs and capital improvements to the Gardens. The pavement repairs will improve the existing condition of the Japanese Gardens and will address deferred maintenance issues at the Gardens at Lake Merritt.

The construction vendor, Wolfe, Inc., was selected by the donor, FGLM, to perform the construction components of the project. Following authorization, the project is expected to begin construction in the Spring of 2024 and conclude before the summer of 2024. The proposal was presented to the PRAC on October 11, 2023, <https://www.oaklandca.gov/meeting/parks-and-recreation-advisory-commission-prac-meeting-9>. The PRAC reviewed, provided comments, and recommended the project for City Council approval.

ANALYSIS AND POLICY ALTERNATIVES

Staff wishes to leverage as much public and private resources as feasible to improve City parks and neighborhoods. The need for repairing walkways in parks across the City exceeds available funding and capabilities, and the private donation allows for repairs that would otherwise be deferred. Acceptance of this gift donation will allow the Japanese Garden pavement to be repaired and restored to achieve compliance. In addition to addressing trip hazards and removing potential legal concerns, the repairs will increase vibrancy to the Gardens at Lake Merritt.

Friends of the Gardens of Lake Merritt (FGLM) has identified hazardous conditions and proposed a plan to repair the pavement in the Japanese Gardens. The pavement is broken, lifting and creating multiple trip hazards for park users. The project's objective is to replace the paving while preserving the original design intent by Hisaichi Tsugawa, who is credited with the original Gardens. This proposal suggests installing a module pavement material, such as concrete slabs. This would allow for future maintenance access and adjustment for root growth. The two, over 50-year-old, redwood trees in the two planter beds have outgrown their original raised planting beds. As the trees matured, their root systems rose and broke the concrete and many of the original redwood timbers used to retain the planting beds rotted. Part of this proposal suggests expanding the planting bed area, providing more space for future tree growth while replacing the rotted timbers with new redwood timbers. Existing condition photos and the proposed plan are shown in **Attachment A**.

The project construction scope includes:

- Removal of all the concrete and replacement with pavers that are "dry" set in the field (meaning not the perimeter course) so they can be removed and reset as roots uplift.
- No vehicular access will occur over the exposed roots. The demolition of the concrete will start on the Garden side and move back towards the parking lot so as to not be driving on the roots. For the base fill, plywood or protection will be put down as needed.

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There will be no trucks driving in the Gardens area. Once the concrete is removed, the only vehicle that will be driving in that area is a bobcat to facilitate staff access and protective materials transportation.

- The finished grade of the top of the pavers will meet the thresholds of the building. There will be two channel drains at each threshold of the building (at 90 degrees to one another). The removal and hauling of the existing planter bed and railroad ties, the demolition and hauling of the existing concrete and asphalt, and dump fees shall be the responsibility of the Contractor.
- Peeler cores will be set to create edge & bulkhead for newly expanded & existing planting areas. All peeler cores will be secured and set in a dry mortar mix.
- New irrigation pipes will be installed in new planting areas from existing valves. Additional 1 1/2 PVC sleeves for potential future use will also be installed. All pipework will be backfilled with fill-sand.
- New landscaping (plants, mulch, soil) will be added to the new planting beds.

FISCAL IMPACT

This report has no negative fiscal impact to the City and completes unfunded deferred maintenance.

The City will execute a one-dollar (\$1.00) construction contract with FGLM through its fiscal sponsor Oakland-East Bay Gardens Center, Inc. and Wolfe, Inc., the vendor selected by FGLM to perform the construction work. We are required, as directed by City Attorney's Office, to make a \$1 contract agreement with the donor's vendor to do work on City property when it is a donation. The parties shall provide insurance and bonds as required by law, and the contract shall be approved for form and legality by the Office of the City Attorney. Through the gift-in-place contract, its fiscal sponsor shall assume responsibility regarding compensation to Wolfe, Inc. for the work performed to complete the Japanese Gardens repaving project.

PUBLIC OUTREACH / INTEREST

The community group, FGLM, has advocated for this project from inception. The members of FGLM frequently use the Garden Center building for events and outreach activities. They coordinate volunteer events within the Gardens and host fundraising events for the benefit of the Gardens.

Replacing the cracked, uplifting pavement in the Japanese Garden was identified as an improvement project by FGLM out of concern for community safety. As members of FGLM began to explore replacing the pavement, replacing the decaying, aging planters around the mature redwoods also became a priority for the health of the trees and safety during events.

Preliminary costs were determined, and a fundraising effort was launched for the project by FGLM. The fundraising has been achieved and FGLM is now seeking a gift-donation to the City of Oakland to see the project through to completion.

COORDINATION

This project is coordinated with the Oakland Public Works Department (OPW) and the Workplace and Employment Standards Department. This report, legislation, and \$1 Construction Contract Agreement have been reviewed by the Office of the City Attorney and the Controller's Bureau in the Finance Department.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed project will enhance accessibility and public enjoyment of the Lakeside Park Gardens at Lake Merritt. There are over 200 Japanese-style public Gardens in the U.S., according to the North American Japanese Gardens Association, which features a North American Japanese Gardens Finder on its website listing the Lakeside Gardens as an attraction. The Gardens attract Japanese Garden enthusiasts from all around the world to Oakland, contributing to the City's economy.

Environmental: The project will ensure safe access to a green space and recreation facilities as well as the preservation of urban trees and access to the nation's first wildlife refuge. In addition, the project requires the contractor to recycle and re-use construction materials to the extent practical and comply with City standards.


Race & Equity: The proposed project will improve the condition and accessibility of the Gardens at Lake Merritt, which provides programs and an educational sanctuary for all Oaklanders. The park is a beloved contribution of members of Oakland's Japanese Community. Its design is attributed to Hisaichi Harry Tsugawa, and it was built in 1959 by members of the Japanese American community of Oakland and the East Bay, supported by the California Association of Nurserymen, the Oakland chapter of the Japanese American Citizens League, and various citizens and businesses. Its maintenance and preservation will continue to highlight the contributions of these community organizations and its members to the City of Oakland and all its people.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution 1) Accepting A Gift Of In-Kind Services From The Friends Of The Gardens At Lake Merritt (FGLM) Through Fiscal Sponsor Oakland-East Bay Garden Center, Inc. To Repave The Japanese Garden At Lake Merritt Valued In An Amount Not To Exceed Ninety-Six Thousand One Hundred Dollars (\$96,100) And 2) Authorizing The City Administrator To Execute A Contract In The Amount Of One Dollar (\$1.00) With The Oakland-East Bay Garden Center, Inc. As The Fiscal Sponsor For FGLM And Wolfe, Inc., The Construction Vendor Selected To Perform The Services, To Authorize The Work On City Property.

For questions regarding this report, please contact Quincy Williams, Assistant Capital Improvement Project Coordinator, at QWilliams@oaklandca.gov.

Respectfully submitted,


Fred Kelley (Jun 10, 2024 16:31 PDT)

Fred Kelley
Director, Parks, Recreation & Youth
Development Department

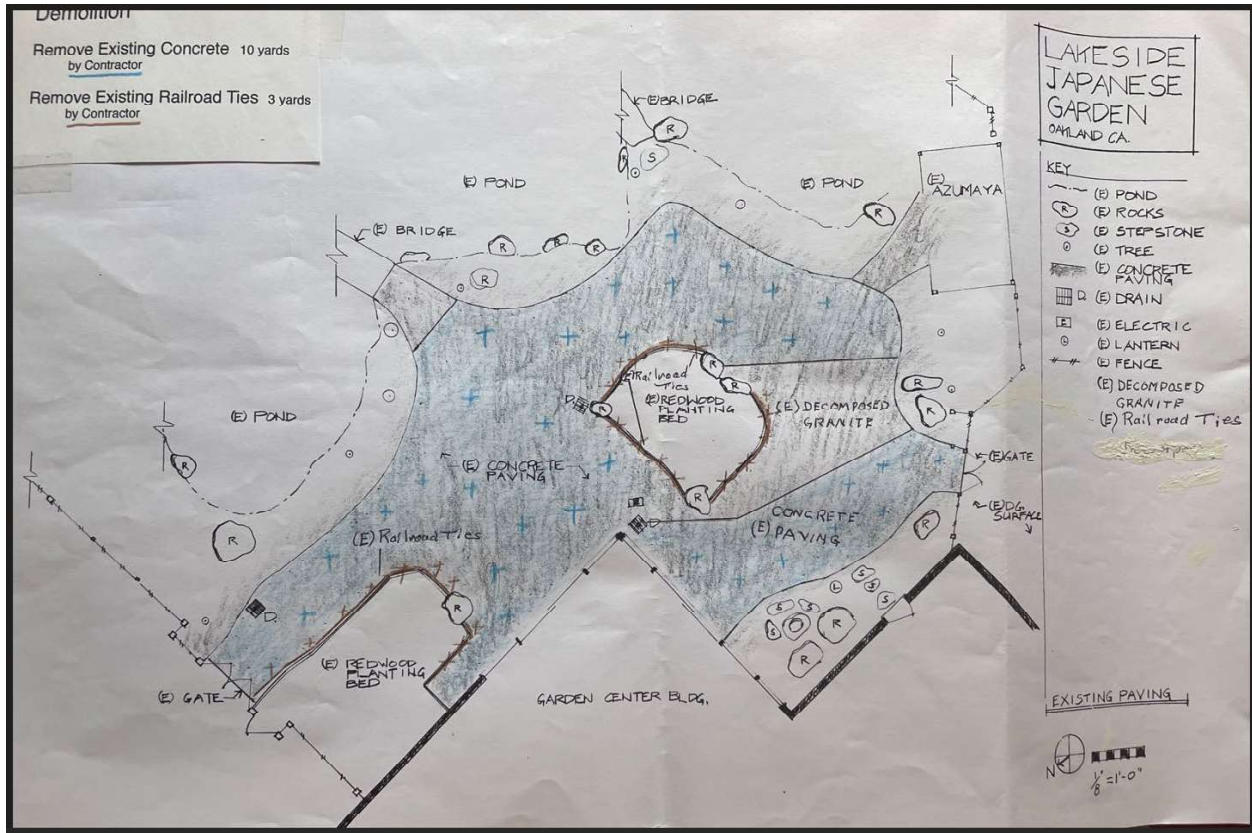
Reviewed by:
Harith Aleem, Assistant Director

Prepared by:
Quincy Williams, Assistant Capital Improvement
Project Coordinator

Attachments (1):

A: Existing Condition Design and Photos and Proposed Design

ATTACHMENT A



Existing Paving Conditions



Japanese Garden Repaving Project
Gardens at Lake Merritt



Existing Planter Box



Recent Drain pipe repair.

