

CITY OF OAKLAND

AGENDA REPORT

OFFICE OF THE CITY CLERK

2007 JUN 29 PM 3: 02

TO: Office of the City Administrator
ATTN: Deborah A. Edgerly
FROM: Office of Parks and Recreation
DATE: July 10, 2007

RE: Resolution Authorizing the City Administrator to Accept and Express Appreciation for a Gift of Handrails for Woodminster Amphitheater, located within Joaquin Miller Park, from Producers Associates, with an Estimated Value of Five Thousand Dollars (\$5,000), and Authorizing the City Administrator to Enter into a Contract With a Construction Contractor Selected by Producers Associates for an Amount Not-To-Exceed One Dollar (\$1) to Install the Handrails

SUMMARY

Staff has prepared a resolution authorizing the City Administrator to accept and express appreciation for a gift of handrails for Woodminster Amphitheater, located within Joaquin Miller Park, from Producers Associates, a non-profit organization, with an estimated value of five thousand dollars (\$5,000), and authorizing the City Administrator to enter into a contract with a construction contractor selected by Producers Associates for an amount not-to-exceed one dollar (\$1) to install the handrails.

This project will provide handrails for every other row in two aisles of the Woodminster Amphitheater. Producers Associates plans to use this installation as a leveraging opportunity to raise funds from its members to complete installation of handrails for the remaining rows and aisles at a later date.

FISCAL IMPACT

Approval of the proposed resolution has a fiscal impact of one dollar for the execution of the construction contract. Installation and maintenance of the handrails at Woodminster Amphitheater will be provided by Producers Associates.

BACKGROUND

Producers Associates has been providing a summer season of musical theater at Woodminster Amphitheater for more than forty years. As part of their agreement with the City to operate at the theater, Producers Associates provides oversight and a portion of the maintenance of the facility. The organization approached the City earlier this year with a proposal to install handrails in every other row in two aisles of Woodminster Amphitheater to improve patron mobility and as a way to try to leverage a fundraising campaign to complete the handrails project throughout the amphitheater.

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PROJECT DESCRIPTION

The project scope of work will consist of the installation of metal handrails of approximately 36 inches in height for every other row in two aisles of the Woodminster Amphitheater.

KEY ISSUES AND IMPACTS

It is necessary for the City to enter into a direct contract with the donor-selected licensed contractor to perform the work on City property and assure that the work is done according to state and local public works standards and specifications. The City will further require the contractor to provide the standard general liability, auto insurance, worker's compensation, and a performance and payment bond. Since Producers Associates will pay for the work, the City will execute a contract for the work for one dollar (\$1.00) and with terms requiring the contractor to invoice Producers Associates for all payments. Producers Associates will pay the contractor.

The City is not providing any funding for the project. This project fulfills the City Council's goal of "providing for clean, well-maintained and accessible streets, sidewalks, facilities, amenities, parks, recreational facilities, and trees." The project is located in Council District 4.

SUSTAINABLE OPPORTUNITIES

Economic: The project provides no economic opportunities.

Environmental: The contractor will take into consideration green building technologies and to the extent feasible, utilize recycled materials in the project.

Social Equity: The project will provide new enjoyment for recreational use to the community, especially the elderly.

DISABILITY AND SENIOR CITIZEN ACCESS

The Woodminster Amphitheater handrails project will conform to the requirements of the Americans with Disabilities Act, the Older American Act, and other applicable laws.

RECOMMENDATION(S) AND RATIONALE

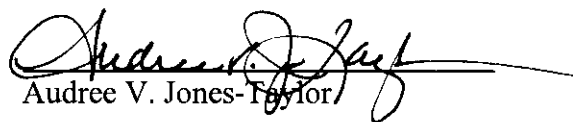
Staff recommends that City Council authorize the City Administrator to accept and express appreciation for a gift of handrails from Producers Associates, for Woodminster Amphitheater, located within Joaquin Miller Park, from Producers Associates, a non-profit organization, with an estimated value of five thousand dollars (\$5,000.00), and authorizing the City Administrator to enter into a contract with a construction contractor selected by Producers Associates for an amount not-to-exceed one dollar (\$1) to install the handrails.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that City Council authorize the City Administrator to accept and express appreciation for a gift of handrails for Woodminster Amphitheater, located within Joaquin Miller Park, from Producers Associates, a non-profit organization, with an estimated value of five thousand dollars (\$5,000), and authorizing the City Administrator to enter into a contract with a construction contractor selected by Producers Associates for an amount not-to-exceed one dollar (\$1) to install the handrails.

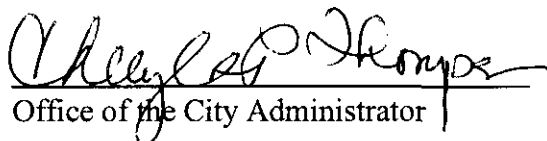
Respectfully submitted,



Audree V. Jones-Taylor
Director, Office of Parks and Recreation

Prepared by:
Kip Walsh, Assistant to the Director
Office of Parks and Recreation

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE:

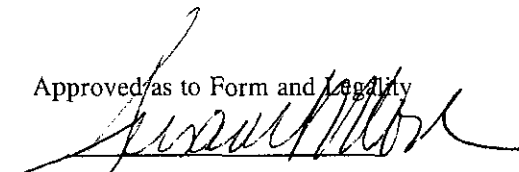


Office of the City Administrator

OFFICE OF THE CITY CLERK
OAKLAND, CALIFORNIA

2007 JUN 29 PM 8:52

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND EXPRESS APPRECIATION FOR A GIFT OF HANDRAILS FOR WOODMINSTER AMPHITHEATER, LOCATED WITHIN JOAQUIN MILLER PARK, FROM PRODUCERS ASSOCIATES, WITH AN ESTIMATED VALUE OF FIVE THOUSAND DOLLARS (\$5,000), AND AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT WITH A CONSTRUCTION CONTRACTOR SELECTED BY PRODUCERS ASSOCIATES FOR AN AMOUNT NOT-TO-EXCEED ONE DOLLAR (\$1) TO INSTALL THE HANDRAILS

WHEREAS, Woodminster Amphitheater located within Joaquin Miller Park is in need of handrails to assist patrons in moving up and down the aisles; and

WHEREAS, Producers Associates has private funds available and wishes to purchase materials and select and pay a contractor to install the handrails; and

WHEREAS, the contractor has offered to provide all materials and labor necessary for the gift-in-place project and the City desires to accept same as a gift-in place; and

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

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; and

WHEREAS, the City appreciates the generosity of Producers Associates and their members for making this gift to the City; now therefore, be it

RESOLVED: That the City Council hereby accepts a private donation from Producers Associates for gift in-place of renovations to Woodminster Amphitheater with a value of five thousand dollars (\$5, 000); and, be it

FURTHER RESOLVED: That the City Administrator, or her designated representative, is hereby authorized to approve any subsequent amendments, modifications, or extensions of said agreements, excepting those related to increasing the amount of the contract above the amounts authorized under this Resolution, provided 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, JULY 10, 2007

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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