

**CITY OF OAKLAND**  
**AGENDA REPORT**

OFFICE OF THE CITY CLERK  
2006 FEB -1 PM 3:26

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: February 14, 2006

RE: A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO 1) ACCEPT AND EXPRESS APPRECIATION FOR A DONATION OF FORTY-EIGHT THOUSAND DOLLARS (\$48,000.00) FROM OWENS-ILLINOIS GLASS CONTAINER NORTH AMERICA FOR THE PERALTA HACIENDA HISTORICAL PARK PHASE IIIA LANDSCAPE IMPROVEMENT PROJECT (PROJECT NO. C196710); AND 2) APPROPRIATE SAID DONATION TO THE CONSTRUCTION BUDGET FOR PROJECT NO. C196710; AND 3) ACCEPT AND EXPRESS APPRECIATION FOR A GIFT OF INTERPRETIVE EXHIBIT SCULPTURES WITH AN ESTIMATED VALUE OF THIRTY-FOUR THOUSAND DOLLARS (\$34,000.00) FROM THE FRIENDS OF PERALTA HACIENDA HISTORICAL PARK.

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**SUMMARY**

The Council is requested to approve a resolution authorizing the City Administrator to accept and appropriate a donation of funds from Owens-Illinois Glass Container North America, a private glass-manufacturing firm, in the amount of forty-eight thousand dollars (\$48,000.00) for the construction of the Peralta Hacienda Historical Park Phase IIIA Landscape Improvements project and to accept a gift of interpretive exhibit sculptures with an estimated value of thirty-four thousand dollars (\$34,000.00) from the Friends of Peralta Hacienda Historical Park (Friends).

The project is consistent with the Mayor and City Council Goal and Objectives No. 2D – Provide for clean, well-maintained facilities, amenities, parks and recreational facilities and No. IIIA – Provide effective community programs for seniors, youth, and people with disabilities.

**FISCAL IMPACT**

Approval of this resolution will authorize the City Administrator to accept and appropriate a contribution of \$48,000.00 from Owens-Illinois Glass Container North America (Owens-Illinois)

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for the construction of the Peralta Hacienda Historical Park Phase IIIA Landscape Improvement project and accept a gift donation of interpretive exhibit sculptures with an estimated value of \$34,000.00 from the Friends of Peralta Hacienda Historical Park. The Owens-Illinois funding will be placed in a new project number under Private Grant Fund (2190), Director's Unit (Organization #92110), Capital Acquisitions, Landscaping, Improving Grounds Account (#57112) and will be designated for construction contingency.

Total project funding for the Peralta Hacienda Historical Park Phase IIIA is available in the following funds:

- Measure K- Series C General Obligation Bond Fund (5006), Project no. C196720. Total appropriated project amount is \$136,826.00.
- Measure K- Series D General Obligation Bond Fund (5014), Project no. C196710. Total appropriated project amount is \$685,994.00.
- Measure I – General Obligation Bond Fund (5010), Project no. C85910. Total appropriated project amount is \$100,000.00.
- State of California Department of Parks and Recreation Fund (2134), Proposition 12, Roberti-Z'berg-Harris Urban Open Space and Recreation Program, Project no. G230710. Total appropriated project amount is \$500,000.00.

Per the June 14, 2005, Council report, estimated impact to the operation and maintenance costs of the park as a result of the Phase IIIA Landscape Improvement is an increase of \$24,650.00 per year. New required maintenance will include bi-weekly turf mowing, semi-weekly litter removal, landscape weeding and care as staffing level allows, maintenance of play area, and additional miscellaneous maintenance and minor repairs as required. Since no new funding is available for maintenance of the park improvements, it will be done with existing staff resources to the extent possible.

The Office of Parks and Recreation has established a license agreement for use of specific areas of the park site with the Friends of Peralta Hacienda Historical Park (Friends), a non-profit organization dedicated to the existence of the park. Under the agreement, Friends provides custodial and security services at the existing historic Peralta House and the community garden areas. However, maintenance and repair responsibilities for the park and two existing buildings (historic Peralta House and 2496 Coolidge Avenue) will remain with the City.

## **BACKGROUND**

A Master Plan for the park was adopted by the City Council in 1977. Construction of Phase I and II has been completed. Phase I developed the lower creek level of the park. Phase II provided improvements to the upper level. In addition, under a separate agreement between the

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City and Friends, the Victorian Peralta House was renovated in 2002. With input from community and Friends, a master plan update to preserve and emphasize historical elements of the park was completed in November 2002. The Planning Commission has reviewed and approved the Master Plan update.

Since the completion of Phase I and Phase II improvements, Phase IIIA has been established to implement the first set of upper-park landscaping improvements for which funds are currently in place. Phase IIIA is now in construction.

## **KEY ISSUES AND IMPACTS**

### Owens-Illinois Donation

On June 21, 2005, Council approved Resolution No. 79299 C.M.S. authorizing the City Administrator to re-bid or negotiate, award and execute the Phase IIIA construction contract, without return to the Council, in an amount not-to-exceed \$900,000.00. The contract was awarded to Bay Construction Company after successful negotiation for the amount of \$874,500.00 without significant reduction in project scope. However, the remaining project budget does not include sufficient funds for the construction contingency, which is three percent of the cost of the construction contract. Construction project standards recommend a minimum of ten to fifteen percent for construction contingency. Appropriation of the \$48,000.00 donation to the project budget will increase the construction contingency closer to the ten percent standard to address potential project scope changes and unforeseen conditions.

The initial project bids received were over the City's estimate. Upon Council's approval, staff negotiated minimal project scope changes and executed a contract. Negotiated minor scope reduction includes simplified landscape materials and concrete finish patterns, and elimination of some interpretive signage to stay within the available budget.

Approximately a year ago, Owens-Illinois, a glass-container manufacturing firm, approached the City offering a donation for a park facility. Owens-Illinois wished to provide a one-time \$50,000.00 donation to improve park and open space specifically within the vicinity of their Oakland glass manufacturing facility that is located in the Fruitvale District. Owens-Illinois requires the funds to be used for park improvement that would benefit children and the public in the area. Owens Illinois designated the funds to be donated to the Peralta Hacienda Historical Park project and placed the funds with Friends of Oakland Parks and Recreation (FOPR). As a part of the Fiscal Sponsorship Agreement between Owens-Illinois and FOPR, FOPR retains \$2,000.00 as an administrative fee and will provide the remaining \$48,000.00 to the City for the project.

Since the project began construction just in September 2005, it is premature to determine the full contingency needs for the project. The contractor has completed site clearing and grading and is beginning to construct major elements of the improvements. Since the start of the project, the contractor has noted site conditions that could require additional work. Staff is evaluating the conditions to determine if any additional work is required. Having an adequate construction contingency is important to ensure the completion of the project.

#### Interpretive Exhibit Sculpture Gift

In July 2004, Friends of Peralta Hacienda Historical Park successfully applied for and received a private grant of \$34,000.00 from the Creative Work Fund, a division of the Haas Foundation, to develop and implement interpretive exhibit sculptures that explore Native American life relative to native Californian plant species. As a result of the grant, Friends collaborated with an artist, Ene Osteraas-Constable, to create “California Native” – an interpretive exhibit for the Peralta Hacienda Historical Park.

The exhibit will provide the intertwined stories of the people and plants that were native to the region now known as Fruitvale in Oakland. The exhibits will be integrated as a part of the Native Californian Garden within the Multi-Purpose Lawn Area of the project. The exhibits will be glossy ceramic-tile text panels embedded in custom-cast, stone and concrete boulders of approximately 3’-6” wide, 2’-6” depth and 1’-6” height. Anti-graffiti coating will be applied to the stones to prevent defacement. Maintenance of the boulders will be City’s responsibility. Photographs of similar sample exhibit stones are attached (Attachment 1).

#### **PROJECT DESCRIPTION**

The Peralta Hacienda Historical Park is located on Coolidge Avenue in Oakland’s Fruitvale neighborhood. The planned improvements for Phase IIIA of the Park will include a Multi-Purpose Open-Space Lawn Area, exhibits of California native planting, construction of an historical Adobe Wall, a Playground with unique play animals and exhibits representative of historical interpretation, minor repairs of the existing building at 2496 Coolidge, and park interpretive signage exhibits. The construction is scheduled to be complete by early fall 2006.

The interpretive exhibits will consist of a series of approximately five ceramic “boulders” with panels of stone and ceramic enamel featuring imagery and text. These elements will be integrated into the new California Native Garden in the Multi-Purpose Lawn Area. The signage will capture the unique interpretation of the plant’s ecological and cultural history with the people who inhabited the region.

## **SUSTAINABLE OPPORTUNITIES**

Economic: The project will generate jobs for Oakland residents, and business tax, sales tax and other revenues for the City by those contractors and suppliers who work on the project.

Environmental: The project incorporates native plant landscaping appropriate for the site, minimizes natural resource use through a water-conserving irrigation system, and uses recycled rubberized surfacing for the play area.

Social: The Phase IIIA improvements to the Peralta Hacienda Historical Park project will benefit the residents and children in the Fruitvale neighborhood by providing them with educational and recreational opportunities to learn about their place in the culture and history of California and the United States.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

The improvement project will improve accessibility to persons with disabilities and senior citizens. All construction will meet the requirements of the Americans with Disabilities Act.

## **RECOMMENDATION AND RATIONALE**

It is recommended that the Council approve a resolution authorizing the City Administrator to accept and appropriate a donation of \$48,000.00 from Owens-Illinois Glass Container North America, a private glass-manufacturing firm, for the construction of the Peralta Hacienda Historical Park Phase IIIA Landscape Improvements project and to accept a gift of interpretive exhibit sculptures with an estimated value of \$34,000.00 from the Friends of Peralta Hacienda Historical Park. Approval of the donations will provide needed fund reserves for construction contingencies and an interpretive exhibit to enhance the awareness of the relationship between native plants and the cultural history of the people who inhabited the region.

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**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the above-described resolution to authorize the City Administrator to accept and appropriate a donation of \$48,000.00 from Owens-Illinois Glass Container North America, a private glass-manufacturing firm through their fiscal agent Friends of Oakland Parks and Recreation, for the construction of the Peralta Hacienda Historical Park Phase IIIA Landscape Improvements project (Project No. C196710), and to accept a gift of interpretive exhibit sculptures with an estimated value of \$34,000.00 from the Friends of Peralta Hacienda Historical Park.

Respectfully submitted,



**RAUL GODINEZ II, P.E.**

Director, Public Works Agency

Reviewed by:

Michael Neary, P.E.

Assistant Director, Public Works Agency

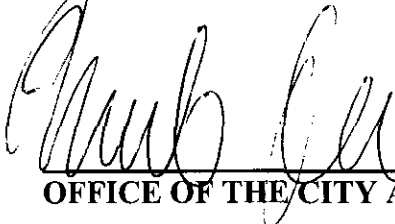
Design & Construction Services Department

Prepared by:

Lily Soo Hoo, CIP Coordinator

Project Delivery Division

APPROVED AND FORWARDED TO THE  
LIFE ENRICHMENT COMMITTEE:



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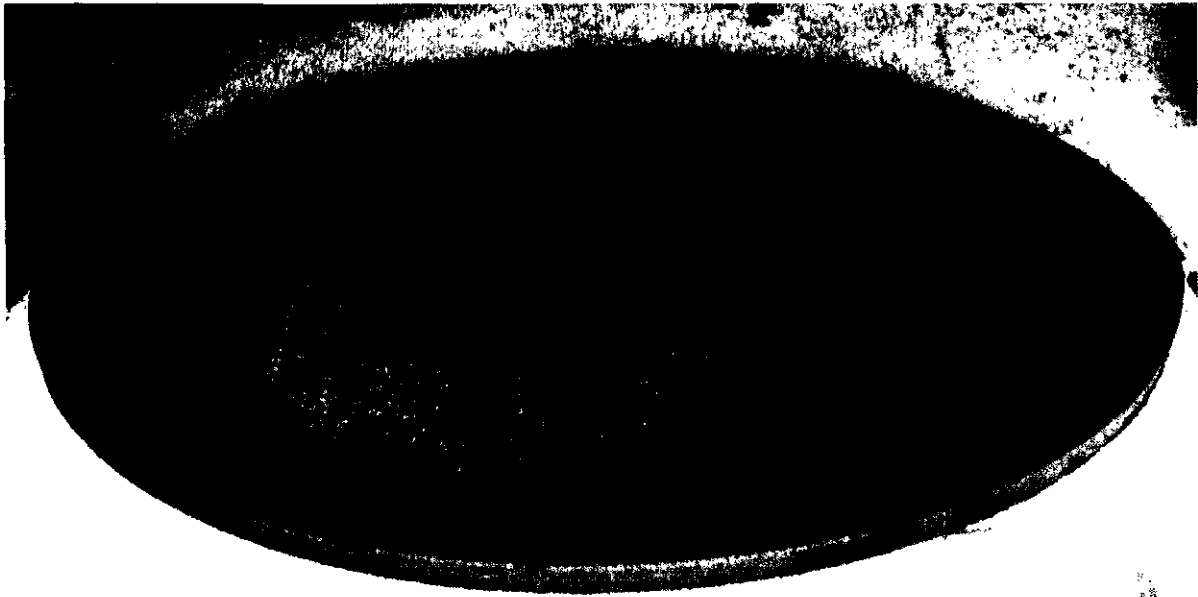
Attachment A



Scale of Exhibit Stone



Exhibit Stone before inset of Interpretive Text and Image



Sample Image tile inset to the Stones

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**OAKLAND CITY COUNCIL**

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RESOLUTION No: \_\_\_\_\_ C.M.S.

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**A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: 1) ACCEPT AND EXPRESS APPRECIATION FOR A DONATION OF FORTY-EIGHT THOUSAND DOLLARS (\$48,000.00) FROM OWENS-ILLINOIS GLASS CONTAINER NORTH AMERICA FOR THE PERALTA HACIENDA HISTORICAL PARK PHASE IIIA LANDSCAPE IMPROVEMENT PROJECT (PROJECT NO. C196710); AND 2) APPROPRIATE SAID DONATION TO THE CONSTRUCTION BUDGET FOR PROJECT NO. C196710; AND 3) ACCEPT AND EXPRESS APPRECIATION FOR A GIFT OF INTERPRETIVE EXHIBIT SCULPTURES WITH AN ESTIMATED VALUE OF THIRTY-FOUR THOUSAND DOLLARS (\$34,000.00) FROM THE FRIENDS OF PERALTA HACIENDA HISTORICAL PARK**

**WHEREAS**, Peralta Hacienda Historical Park – Phase IIIA Landscape Improvement is a Capital Improvement Program project designated in FY 2001-2003; and

**WHEREAS**, the project is currently under construction; and

**WHEREAS**, Owens-Illinois Glass Container North America, a private firm, wishes to donate funds for the construction of the Peralta Hacienda Historical Park Phase IIIA Landscape Improvement project within the neighborhood of their local glass manufacturing facility in the Fruitvale District of Oakland, and

**WHEREAS**, the Friends of Peralta Hacienda Historical Park, a non-profit organization, wishes to give the City interpretive exhibit sculptures to be installed in the Native Garden area of the project; and

**WHEREAS**, the City wishes to accept the monetary donation from Owens Illinois and gift Friends of Peralta Hacienda Historical Park to complete the project; and

**WHEREAS**, funding for the construction contract and contingency is available in the Measure K- Series C General Obligation Bond Fund (5006), Project No. C196720; Measure K-Series D General Obligation Bond Fund (5014), Project No. C196710; Measure I – General Obligation Bond Fund (5010), Project No. C85910; and State of California Department of Parks and Recreation Fund (2134), Proposition 12, Roberti-Z'berg-Harris Urban Open Space and Recreation Program, Project No. G230710; now, therefore, be it

**RESOLVED:** That the City Administrator, or her designee, is hereby authorized to accept a money contribution of forty eight thousand dollars (\$48,000.00) from Owens-Illinois Glass Container North America through their fiscal agent Friends of Oakland Parks and Recreation, for the construction budget of the Peralta Hacienda Historical Park Phase IIIA Landscape Improvement Project (Project No. C196710); and, be it



**FURTHER RESOLVED:** That the City Administrator is hereby authorized to appropriate the funds to the Peralta Hacienda Historical Park Phase IIIA Landscape Improvement Project construction budget under a new project number in Private Grant Fund (2910), Director's Unit (Organization #92110), Capital Acquisitions, Landscaping, Improving Ground Account (#57112); and, be it

**FURTHER RESOLVED:** That the City Council accepts a gift of interpretive exhibit sculptures for the Peralta Hacienda Historical Park Phase IIIA Landscape Improvement Project (Project No. C196710) with an estimated value of thirty four thousand dollars (\$34,000.00), from the Friends of Peralta Hacienda Historical Park; 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 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, \_\_\_\_\_, 2006

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:

\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California