

**CITY OF OAKLAND
COUNCIL AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 MAY 13 PM 4:14

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: May 25, 2004

RE: Resolution accepting and expressing appreciation for private donations of \$6,000 from Steven and Wendy Jones, through the Friends of Oakland Parks and Recreation, for a drinking fountain and \$2,000 from Gallagher & Burk, Inc. for the Joaquin Miller Cascade Landscaping Project (C197230); and authorizing the City manager to appropriate said donations of \$8,000 to Project No. C197230 and increase the construction contract with Bay Construction from \$91,000 to \$99,000 for the addition of a drinking fountain, landscaping, and park accessories.

SUMMARY

The Council is requested to authorize the City Manager to accept and appropriate a contribution of funds donated by Gallagher & Burk, Inc., a local business, and by Wendy and Steven Jones, residents of the City of Oakland, to complete the construction of the Joaquin Miller Cascade Landscaping project.

On November 4, 2003, City Council approved Resolution No. 78173 C.M.S. to award a construction contract in an amount not to exceed \$91,000 for the Joaquin Miller Cascade Landscaping Improvement project. The project consists of new irrigation system and planting for the areas surrounding the existing lower Cascade oval pool. The construction is currently in progress. Because of limited project funds, the project scope was scaled down to basic needs and eliminated park accessories and minimized landscaping. During a recent dedication event at the Joaquin Miller Park for a related project, the Jones family and Gallagher and Burk, Inc., pledged to help complete the original project scope and add a drinking fountain to serve the park users in the area. With the additional funding donated, benches, trash receptacles, additional landscaping and a nearby drinking fountain can be added.

FISCAL IMPACT

The Joaquin Miller Park Cascade Landscaping project (project no. C197230) has existing funding from the Municipal Capital Improvement Fund and from Council Discretionary Fund.

The renovated portion of the park will increase maintenance costs to maintain the improvements upon completion of the project, estimated in Summer 2004. The estimated operation and maintenance cost is \$17,500 per annum for an additional seasonal part-time Parks and Recreation staff, \$2,500 annually for material and supply costs, and \$5,500 annually for facilities

Item: 3
Life Enrichment Committee
May 25, 2004

maintenance costs. Staff recommends that the total additional annual operation and maintenance cost of \$25,500 be incorporated in the future year budget plans.

BACKGROUND

The Joaquin Miller Park Cascade, through usage and lack of sufficient maintenance funding, has declined over the years. In 1997, Measure K funds were used to replace the water pumps and electrical systems and to seal leaks in the pools and pipes to restore the Cascade to its original grandeur. The landscaping was left out of the project due to funding constraints. The landscaping project is the last part of the Joaquin Miller Cascade Renovation project to complete this cultural landmark.

Volunteering neighborhood residents and non-profit organizations, working with City staff, developed a vision and conceptual design to improve the landscaping surrounding the Cascade. With their support, the City allocated limited funding to the project to provide new landscaping, irrigation system and minor repair and improvements to the lower portion of the Cascade as a first phase of the landscaping improvements.

City completed design and bid the project for construction in 2003. The project is currently under construction. After the start of the construction, the community saw the need to provide additional funding and augment the project to include a drinking fountain and complete the project with park accessories.

PROJECT DESCRIPTION

Joaquin Miller Park is one of the major open-space areas in the Oakland Hills. The Cascade in Joaquin Miller Park, in particular, is a popular location for special events and public use.

The project focuses on improvements at the lower Cascade in a planting area of approximately 25,000 square feet. The Project includes removing and clearing of dead or overgrown plants, replacing and installing a new irrigation system to two of the four large planting areas surrounding the large (Oval) pool, installing new grass areas and trees, installing new flowering plants in the garden beds surrounding the Oval pool at the foot of the Cascade, and minor repairs to existing stone stairs and pathways.

KEY ISSUES AND IMPACTS

The initial project bids received were over the City's estimate. The City executed a contract after negotiation of a reduced scope and eliminated miscellaneous park accessories to meet the existing budget. During a recent dedication event for a nearby completed playground project, the community and neighboring residents, who have been actively involved in the planning of the project, saw the need to complete the project with park accessories and add a drinking fountain

Item: 3

Life Enrichment Committee
May 25, 2004

for park users. Gallagher & Burk, Inc., a local construction business, who had donated grading services for the construction of the playground, pledged to donate \$2,000 to help complete the Cascade Improvement project. Subsequently, the Jones family decided to donate \$6,000, via Friends of Oakland Parks & Recreation (a non-profit organization), to the project to complete a new drinking fountain and other accessories to serve the Cascade and the playground area. The donated funds will help to complete the project serving the community.

This project meets the City Council's Goal #6 to Maintain and Enhance Oakland's Physical Assets. The site will provide a renewed, safe, clean park and facilities for the public's use. The project will also meet Council's Goal #7 to Inspire Creativity and Civic Engagement by fostering and engaging neighboring communities to use and take ownership of the beautiful surroundings of the Cascade.

SUSTAINABLE OPPORTUNITIES

Economic: There are no direct economic opportunities associated with this report. The improved landscaped area will provide an attractive destination for the public and promote awareness of City's potential economic developments.

Environmental: The project design will incorporate sustainability design and recycled-content materials to the extent possible. The park accessories will be manufactured from recycled materials.

Social Equity: The project will provide new amenities for recreational use to the community, including youth and children, as well as improve the quality of the environment, and emphasize the natural open-space asset of the City.

DISABILITY AND SENIOR CITIZEN ACCESS

The developed landscape improvement area will comply with the California Code of Regulations, Title 24 and ADA Accessibility Guidelines. This includes physical features for disability access via an existing designated disabled parking space along the street and a new accessible drinking fountain.

RECOMMENDATION(S) AND RATIONALE

It is recommended that Council authorize the City Manager to accept and appropriate the above donations to complete the Joaquin Miller Cascade Landscaping Project (C197230).

ACTION REQUESTED OF THE CITY COUNCIL

City Council is requested to approve the resolution to accept and appropriate donations of \$2,000 from Gallagher & Burk, Inc., and \$6,000 from Wendy and Steven Jones, through the Friends of Oakland Parks and Recreation, for the addition of a drinking fountain, landscaping and park accessories to complete the Joaquin Miller Cascade Landscaping Project (C197230).

Respectfully submitted,



Raul Godínez II
Director, Public Works Agency

Reviewed by:

David Lau, Manager
Project Delivery Division
Design & Construction Services
Public Works Agency

Prepared by:
Lily Soo Hoo, C.I.P. Coordinator
Project Delivery Division
Design & Construction Services
Public Works Agency

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE



Cheryl A.P. Thompson
OFFICE OF THE CITY MANAGER

Item: 3
Life Enrichment Committee
May 25, 2004

OAKLAND CITY CONCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No: _____ C.M.S.

2004 MAY 13 PM 4: 14

W. M. Jones

RESOLUTION ACCEPTING, AND EXPRESSING APPRECIATION FOR, PRIVATE DONATIONS OF \$6,000 FROM STEVEN AND WENDY JONES, THROUGH THE FRIENDS OF OAKLAND PARKS AND RECREATION, FOR A DRINKING FOUNTAIN AND \$2,000 FROM GALLAGHER & BURK, INC. FOR THE JOAQUIN MILLER CASCADE LANDSCAPING PROJECT (C197230); AND AUTHORIZING THE CITY MANAGER TO APPROPRIATE SAID DONATIONS OF \$8,000 TO PROJECT NO. C197230 AND INCREASE THE CONSTRUCTION CONTRACT WITH BAY CONSTRUCTION FROM \$91,000 TO \$99,000 FOR THE ADDITION OF A DRINKING FOUNTAIN, LANDSCAPING, AND PARK ACCESSORIES

WHEREAS, a construction contract for the Joaquin Miller Park Cascade Landscaping, Project No. C197230, with Bay Construction was executed and issued on March 17, 2003; and

WHEREAS, the City desires to complete the work before the next Cascade event reservation season begins in summer 2004; and

WHEREAS, the project is designated in the Capital Improvement Plan and funding exists in Fund 5500 (Municipal Capital Improvement), Project No. C197230, and in Fund 5500 (Council Discretionary Fund, District 4); and

WHEREAS, the firm of Gallagher & Burk, Inc. offers to donate \$2000 for the construction of the project and the City desires to accept the donation for the project; and

WHEREAS, the individuals, Wendy and Steven Jones, offer to donate \$6000 for the construction of a new drinking fountain and the City desires to accept the donation for the project; and

WHEREAS, it is in the best interests of the City to increase the scope and amount of the existing contract with Bay Construction to include the additional drinking fountain, landscaping and park accessories; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the additional work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

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

3

RESOLVED: That the City Council hereby accepts private donations of \$2,000 from Gallagher & Burk, Inc. and \$6,000 from Wendy and Steven Jones, through the Friends of Oakland Parks and Recreation, for the addition of a drinking fountain, landscape and park accessories to the Joaquin Miller Cascade Landscaping Project (C197230); and, be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Manager or his designee to appropriate said donated funds to the Joaquin Miller Cascade Landscaping Project (C197230) and to increase the contact with Bay Construction for said project by \$8,000 to a total amount not to exceed \$99,000 for the addition of a drinking fountain, landscaping and park accessories to the project scope; and, be it

FURTHER RESOLVED: That the City Manager, or his designated representative, is hereby authorized to approve and execute any subsequent agreement, amendments, modifications, or extension of agreements, up to the amount of the construction contract 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; and be it

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

3
LIFE ENRICHMENT CMTE.
MAY 25 2004