



Celso Ortiz (Apr 22, 2021 13:21 PDT)

City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION:

- 1) **AUTHORIZING THE TRUST FOR PUBLIC LANDS (“TPL”) TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE PROPOSITION 68 – CALIFORNIA STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT ON BEHALF OF THE CITY AS A PROJECT PARTNER, FOR AN AMOUNT NOT-TO-EXCEED EIGHT MILLION FIVE HUNDRED THOUSAND DOLLARS (\$8,500,000.00) FOR VERDESE CARTER PARK IMPROVEMENTS; AND**

- 2) **AUTHORIZING THE FRIENDS OF PERALTA HACIENDA HISTORICAL PARK (“FRIENDS”) TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE PROPOSITION 68 – CALIFORNIA STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT ON BEHALF OF THE CITY AS A PROJECT PARTNER, FOR AN AMOUNT NOT-TO-EXCEED EIGHT MILLION FIVE HUNDRED THOUSAND DOLLARS (\$8,500,000.00) FOR PERALTA HACIENDA HISTORICAL PARK COOLIDGE HOUSE RENOVATION AND PARK IMPROVEMENTS;; AND**

- 3) **AUTHORIZING THE CITY ADMINISTRATOR, OR DESIGNEE, TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH FRIENDS AND TPL (“APPLICANT”) FOR THE DEVELOPMENT OF THE RESPECTIVE PROJECTS AND ESTABLISHING THE TERMS OF THE COLLABORATION BETWEEN THE CITY AND TPL AND FRIENDS, IN AN AMOUNT TO BE DETERMINED THROUGH NEGOTIATIONS BETWEEN THE PARTIES, WITHOUT RETURN TO COUNCIL; AND**

- 4) **ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS**

WHEREAS, in October 2018, the Council adopted an updated prioritization process for Fiscal Year 2019-21 Capital Improvement Program (CIP) under Resolution 87376 C.M.S.; and

WHEREAS, the City of Oakland applied the updated CIP Prioritization process on public and department project requests and generated a list of priority park capital projects as a result; and

WHEREAS, the prioritization resulted in Peralta Hacienda Historical Park Coolidge House Renovation And Park Improvements Project ranked as the top parks facility project and that all of the projects meet the grant eligibility and criteria; and

WHEREAS, two non-profit organizations – Friends of the Peralta Hacienda Historical Park and the Trust for Public Land in collaboration with the City of Oakland propose to raise funds to improve additional park projects through grant applications to the Statewide Parks Program Grant for the Peralta Hacienda Historical Park Coolidge House And Park Improvement Project and the Verdese Carter Park Improvements Project; and

WHEREAS, the respective non-profit organizations each wish to enter into an agreement with the City of Oakland to perform project implementation services for the development of the projects described herein and in the report that accompanies this resolution; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Development and Community Revitalization Grant Program, setting up necessary procedures governing the application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the Applicant to certify by resolution the approval of the application before submission of said application to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the Grant Scope project; and

WHEREAS, the non-profit organizations will be the Applicants in order to perform project design and implementation services for the development of the projects described herein utilizing grant funds if awarded; and

WHEREAS, this project and action is exempt from the California Environmental Quality Act (CEQA) pursuant to the following CEQA Guidelines Sections: Section 15162 and 15163 (no further environmental review required); Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15183 (projects consistent with a community plan, general plan, or zoning), Section 15301 (existing facilities), Section 15302 (replacement or reconstruction), and Section 15309 (inspections), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance; and

WHEREAS, upon project completion the non-profit organizations will turn over the projects to the City as a “turn-key” project; therefore, be it

RESOLVED: That the Trust For Public Lands is authorized to apply for and accept grant funds from the Proposition 68 – California Statewide Park Development And Community Revitalization Program Grant on behalf of the City, for an amount not-to-exceed eight million five hundred thousand dollars (\$8,500,000.00) for Verdese Carter Park Improvements Project ; and be it

FURTHER RESOLVED: That the Friends Of Peralta Hacienda Historical Park are authorized to apply for and accept grant funds from the Proposition 68 – California Statewide Park Development And Community Revitalization Program Grant on behalf of the City, for an amount not-to-exceed eight million five hundred thousand dollars (\$8,500,000.00) for Peralta Hacienda Historical Park Coolidge House Renovation And Park Improvements Project; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is authorized to negotiate and enter into an agreement each with the Friends of Peralta Hacienda Historical Park and Trust for Public Land (“Applicant”) for the development of the respective projects , in an amount to be determined through negotiations between the City and the two non-profit organizations, without return to Council; and be it

FURTHER RESOLVED: That City Council has reviewed the proposed project and independently finds and determines that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to the following CEQA Guidelines Sections: Section 15162 and 15163 (no further environmental review required); Section 15060(c)(2) (no direct or reasonably foreseeable indirect physical change in the environment); Section 15061(b)(3) (no significant effect on the environment); Section 15183 (projects consistent with a community plan, general plan, or zoning), Section 15301 (existing facilities), Section 15302 (replacement or reconstruction), and Section 15309 (inspections), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively provide an overall basis for CEQA clearance;

FURTHER RESOLVED: That the City Council hereby approves the filing of an application for Peralta Hacienda Historical Park Coolidge House Renovation and Park Improvements and Verdese Carter Park Improvements; and

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and

2. Certifies that if the project is awarded, the Applicant has or will have sufficient funds to operate and maintain the project, and

3. Certifies that the Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and

4. Delegates the authority to the Non-Profit Partners executives to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope; and

5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

6. Will consider promoting inclusion per Public Resources Code §80001(b)(8 A-G); and be it

7. The City shall accept the project and contract obligations from the Applicants upon successful completion of the project and the State's approval of the transfer, should the grant be awarded; and be it

FURTHER RESOLVED: That funding for the projects, if awarded, will be distributed directly to Friends and to TPL for use in implementation of the projects under the terms and conditions to be established by agreement between the City and the respective nonprofits; and be it

FURTHER RESOLVED: That City Staff is authorized to accept and appropriate up to seven hundred fifty thousand dollars (\$750,000) for City staff project and construction management costs for each individual project in the State Parks Grant Fund (2134) and Capital Organization (92270) to be managed via a new project number; and be it

FURTHER RESOLVED: That all agreements will be reviewed and approved for form and legality by the Office of the City Attorney and that a copy of the agreements will be on file with the City Clerk, and be it

FURTHER RESOLVED: That a copy of this Resolution will be transmitted to the State of California Department of Parks & Recreation and placed on file with the City Clerk

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO, AND PRESIDENT FORTUNATO BAS

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
ASHA REED
Acting City Clerk and Clerk of the Council of
the City of Oakland, California