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OFFICE OF THE CITY CLERK
OAKLAND
2016 MAR 31 PM 4:58

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Stephanie Hom
Interim Director
Oakland Parks & Recreation

SUBJECT: Raimondi Park - Phase 2A Capital
Improvements

DATE: March 18, 2016

City Administrator Approval

Date:

3/31/16

RECOMMENDATION

Staff Recommends That The City Council Adopt A:

Resolution To Authorize The City Administrator To Accept A Gift Of In-Kind Services Valued In An Amount Not To Exceed Two Million Dollars (\$2,000,000.00) From The East Bay United Soccer Club For The Capital Improvements At Raimondi Park

Staff Recommends That The City Council Adopt An:

Ordinance Authorizing The City Administrator To Enter Into A License Agreement With The East Bay United Soccer Club (EBU) For Nonexclusive Use Of The Raimondi Park Multi-Purpose Field #2 (Near 20th Street) For A Seventeen-Year Term

EXECUTIVE SUMMARY

East Bay United Soccer Club (EBU) has committed up to \$2,000,000 in capital improvements of the second multi-purpose Field #2 at Raimondi Park, including installation of an all-weather synthetic field. The capital improvement project at Raimondi Park also includes revitalization of the current putting green with new synthetic turf and rehabilitation of the 18th Street park entrance and accessible parking. These capital improvements to Raimondi Park will constitute a gift-in-place to the City of Oakland once completed.

The proposed ordinance authorizes a seventeen (17) year license agreement between the City of Oakland and EBU that will preserve EBU's nonexclusive rights to use the field in exchange for EBU's \$2,000,000 gift in place and in-kind services to provide minor maintenance specific to multi-purpose Field #2.

BACKGROUND / LEGISLATIVE HISTORY

Raimondi Park is located at 1800 Wood Street in West Oakland. The park complex is one of the most heavily used parks and sports fields in the City, and features an all-weather synthetic

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multi-purpose field (Field #1), a second multi-purpose field (Field #2), baseball field, and synthetic putting green.

Over a decade ago, Raimondi Park was identified as an existing Oakland park in need of renovation and rehabilitation under the City's Fiscal Year 2003-05 Capital Improvement Program budget. An overall concept plan was developed in 2003 and 2004 by the Oakland Parks and Recreation Foundation (OPRF) (formerly Friends of Parks and Recreation), with input from the community and the City. The overall estimated cost for the entire project at the time was approximately \$7.2 million. Due to a widespread economic downturn, and lack of adequate funds to complete the entire park restoration at one time, a phased plan was developed (Phase 1 and 2). After Council approved the capital improvements in 2007, Phase 1 commenced and was completed in September 2008.

As a result of significant budget cuts, Oakland Parks & Recreation (OPR) has had to initiate creative avenues to increase revenues for the capital improvement needs in Oakland's parks. By partnering with its users, community non-profits and businesses, OPR can better sustain its parks and sports fields to ensure safe and community-oriented environments.

Since the construction of Phase 1, dedicated groups, new and old, continue to strive to complete the park renovation and have formed a high-level partnership for Phase 2A of Raimondi Park.

This innovative partnering approach with City, key businesses, and community leaders is an excellent model that other communities can emulate. Together, we can be seen as leaders in establishing creative, collaborative community partnerships and demonstrate significant cost savings to the City of Oakland with measurable benefits across the entire community.

ANALYSIS AND POLICY ALTERNATIVES

Raimondi Park Phase 2A primarily consists of replacing the second multi-purpose field, which is currently a natural grass field, with an all-weather synthetic multi-purpose field. The project also includes associated grading, drainage, site prep, striping, flatwork, restoring the putting green and providing an accessible off-field sideline area that is at least 5'-0". The project also includes the revitalization of the current putting green with new synthetic turf and rehabilitation of the 18th Street park entrance and accessible parking. The estimated project cost is \$2.0 million.

Over the past two years EBU has worked diligently to raise funds to complete Phase 2A Capital Improvements of Raimondi Park. EBU is an Oakland youth based soccer program that serves approximately 3,000 youth in the City. They are a member of the broader Jack London Youth Soccer Sports League (JLYSSL) that has been in Oakland for over three decades.

EBU has contracted with Verde Design, the original landscape design architects from Phase 1, to update the plans, which will include code updates into the revised design and will meet City regulations.

Robert A. Bothman Construction will perform the Phase 2A capital improvements, in compliance with all City regulations. Robert A. Bothman Construction and EBU will be required to apply for a City engineering permit applicable a P-Job (privately constructed public improvement).

OPR will provide the overall project governance and guidance for Phase 2A Capital Improvements at Raimondi Park, providing regular input and guidance to EBU and ensuring that the project runs smoothly, and all various City stakeholders are kept well informed throughout the lifecycle of the project.

The Oakland Parks and Recreation Foundation has offered support for Phase 2A Capital Improvements at Raimondi Park, and serve as a community liaison to ensure the local residents of West Oakland and beyond are kept apprised of the project through the construction of Phase 2A.

The rough timeline for Phase 2A is 16 weeks from its commencement date; however it is important to note the timeline can vary based on delayed site inspections by internal departments, conflicts in schedules and events, and weather conditions.

The proposed resolution authorizes the City Administrator to accept EBU's gift of \$2,000,000 for the capital improvements to Field #2. The proposed ordinance authorizes a seventeen year license agreement between the City of Oakland and EBU that will preserve EBU's existing, non-exclusive, first rights to use the field (comparable to the current scheduling of the field) and authorize EBU to provide in-kind services to provide minor maintenance for multi-purpose Field #2.

The City stands to benefit from the gift-in-place and long-term agreement, with over 22,000 residents surrounding Raimondi Park and over 400,000 potential constituents throughout Oakland that will positively benefit from the additional recreational amenities, a multi-purpose synthetic turf field and putting green at no monetary cost to the City.

This project is especially critical as sports fields are in high demand, and as the City struggles to meet the recreation and maintenance needs of its constituents with a shriveling budget and limited resources. The license agreement with EBU for Raimondi Park is critical to OPR and Oakland Public Works' operations.

The license agreement includes EBU providing annual maintenance work of the field including fluffing of infill material with groom machine, spot raking to add infill, and G-max testing, which is the most commonly used standard established by the American Society for Testing and Materials (ASTM) International for synthetic surfaces to ensure the shock absorbency of a playing field is safe and in compliance.

Future improvements to Raimondi Park that may constitute Phase 2B of the comprehensive capital improvement project, but are currently unfunded, include additional bleachers, a new tot lot play area, picnic area, quiet garden, and additional sidewalk improvements.

FISCAL IMPACT

EBU is donating the capital improvements to Raimondi Park in an amount up to \$2,000,000. In exchange for EBU's gift-in-place, the City and EBU would enter into a seventeen year license agreement whereby EBU will provide minor maintenance of the multi-purpose Field #2 and maintain non-exclusive, first rights of use of the Field #2 comparable to the current scheduling of the field.

In addition, EBU will pay the City the base Field Use Fee of \$1.00 per hour, which is the current fee in the City's Master Fee Schedule. The proposed license agreement will maintain this base Field Use Fee for EBU at \$1.00 per hour for the term of the license agreement based on the rationale that EBU has donated substantial capital improvements to the City.

In addition to the base Field Use Fee, EBU will pay the City the per player Field Use Fee. The City's Master Fee Schedule includes a per player Field Use Fee currently set at \$10.00 per year / per player. This per player Field Use Fee will continue to apply consistent with any future increases to the City's Master Fee Schedule.

PUBLIC OUTREACH / INTEREST

Over the past year, OPR has conducted four citywide focus groups with the community to discuss the growing need for additional sports fields and increased community support for maintenance needs. In addition, OPR's Sports Advisory Committee has routinely conducted quarterly meetings. The public has also received further information about the Phase 2A Capital Improvements at Raimondi Park when the item was discussed at the Parks and Recreation Advisory Commission (PRAC) meeting in May and again in September of 2015.

COORDINATION

This report and the actions discussed have been coordinated with staff from Oakland City Council's Offices, the City Administrator's Office, the City Attorney's Office, Contracts and Compliance Division, Controller's Bureau, Oakland Public Works, Oakland Parks and Recreation Foundation, organizations that use Raimondi Park, and potential funders.

SUSTAINABLE OPPORTUNITIES

Economic: These proposed actions will provide the City of Oakland and its residents with approximately two million dollars in initial capital improvements, creating long-term cost-effective savings from using synthetic turf over natural grass on its sports fields.

Environmental: The construction of a multi-purpose field with synthetic turf has a measurable, positive impact on the environment. Depending on the region of the country, a typical grass sports field requires between 500,000 to a million gallons of water or more each year. During 2010, between four to eight billion gallons of water were conserved through use of synthetic turf. According to the U.S. Environmental Protection Agency (EPA), the average American family of

four uses 400 gallons of water a day. Therefore, a savings of four to eight billion gallons of water equates to the annual water usage of over 27,000 to 55,000 average American families of four.

Social Equity: These proposed actions deliver numerous benefits surrounding social equity such as promoting the increase of the City's recreational amenities, upgrading playing fields, and providing year-round activity on safe and resilient surfaces. Increased activity helps reduce childhood obesity and promotes overall fitness and well-being, which is particularly of concern in underserved communities that lack open and safe play space. These actions also beautify public areas that would otherwise be difficult and expensive to maintain, reducing city maintenance costs, and freeing tax dollars for other purposes.

CEQA

The project is exempt from CEQA pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) and 15302 (Replacement or Reconstruction).

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A:

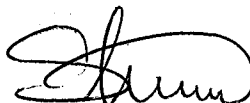
Resolution To Authorize The City Administrator To Accept A Gift Of In-Kind Services Valued In An Amount Not To Exceed Two Million Dollars (\$2,000,000.00) From The East Bay United Soccer Club For The Capital Improvements At Raimondi Park

Staff Recommends That The City Council Adopt An:

Ordinance Authorizing The City Administrator To Enter Into A License Agreement With The East Bay United Soccer Club (EBU) For Nonexclusive Use Of The Raimondi Park Multi-Purpose Field #2 (Near 20th Street) For A Seventeen-Year Term

For questions regarding this report, please contact Stephanie Hom, Interim Director, Oakland Parks & Recreation, at 510-238-7542.

Respectfully submitted,



STEPHANIE HOM
Interim Director, Oakland Parks and Recreation

Prepared by:
Mark Hall, Special Assistant to Director on
Capital Improvements

Item: _____
Life Enrichment Committee
April 12, 2016

M. Cantley
City Attorney

FILED
OFFICE OF THE CLERK
OAKLAND

OAKLAND CITY COUNCIL

2016 MAR 3

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR TO ACCEPT A GIFT OF IN-KIND SERVICES VALUED IN AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000.00) FROM THE EAST BAY UNITED SOCCER CLUB FOR THE CAPITAL IMPROVEMENTS AT RAIMONDI PARK

WHEREAS, Raimondi Park was identified as an existing Oakland park in need of renovation and rehabilitation under the City’s Capital Improvement Plan for the FY 2003-2005 budget; and

WHEREAS, the Raimondi Park renovation project involved design and renovation of the multi-purpose fields, the baseball diamond, community elements, and infrastructure improvements; and

WHEREAS, the estimated cost for the entire project at the time was approximately \$7.2 million, however, due to a widespread economic downturn, a phased plan was developed and funding allowed for Phase 1 to be completed in September 2008; and

WHEREAS, since the construction of Phase 1, dedicated community groups continue to make the full realization of the park renovation a reality and have formed a high-level partnership to complete Phase 2A of the renovations to Raimondi Park; and

WHEREAS, in light of the City’s budgetary constraints and growing need for quality recreational opportunities, it is the City’s desire to leverage public and private resources whenever feasible to improve city parks and neighborhoods; and

WHEREAS, the East Bay United Soccer Club (“EBU”), a California nonprofit corporation, is an Oakland youth-based soccer program that has been in the City for over three decades – currently serving nearly 3,000 youth in Oakland; and

WHEREAS, EBU has worked diligently to raise funds for Phase 2A capital improvements to Raimondi Park committing up to \$1,900,000 to complete the multi-purpose Field #2, which will include project details such as synthetic turf, grading, drainage, site prep, striping, flatwork, and restoring the putting green with new turf; and

WHEREAS, the project details also include EBU performing the rehabilitation of the 18th Street park entrance and accessible parking using an additional \$100,000 of funds raised from other private sources, making the total Phase 2A capital improvements valued at \$2,000,000; and

WHEREAS, the City Administrator wishes to accept the gift of in-kind services valued at an amount not to exceed \$2,000,000 from EBU for the capital improvements at Raimondi Park and enter into a construction contract in the amount of \$1.00 with EBU and Robert A. Bothman Construction; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the City Administrator, or designee, to accept a gift of in-kind services valued at up to two million dollars (\$2,000,000.00) from EBU for the capital improvements at Raimondi Park multi-purpose Field #2, putting green, and rehabilitation of the 18th Street park entrance and accessible parking; and be it

FURTHER RESOLVED: That EBU and Contractor Robert A. Bothman Construction will be required to follow all City guidelines and regulations for any capital improvement projects including but not limited to securing the proper permits and requiring all contractors who perform work at the field have appropriate licensing, insurance and bonds; and be it

FURTHER RESOLVED: That the City Council expresses appreciation to the East Bay United Soccer Club for the improvements to multi-purpose Field #2 at Raimondi Park.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB. KAPLAN, REID and PRESIDENT GIBSON MCELHANEY
NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2016 MAR 31 PM 4: 53

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A LICENSE AGREEMENT WITH THE EAST BAY UNITED SOCCER CLUB (EBU) FOR NONEXCLUSIVE USE OF THE RAIMONDI PARK MULTI-PURPOSE FIELD #2 (NEAR 20TH STREET) FOR A SEVENTEEN-YEAR TERM

WHEREAS, Raimondi Park was identified as an existing Oakland park in need of renovation and rehabilitation under the City's Capital Improvement Plan for the FY 2003-2005 budget; and

WHEREAS, the Raimondi Park renovation project involved design and renovation of the multi-purpose field, the baseball diamond, community elements, and infrastructure improvements; and

WHEREAS, the estimated cost for the entire project at the time was approximately \$7.2 million; however, due to a widespread economic downturn, a phased plan was developed and funding allowed for Phase 1 to be completed in September 2008; and

WHEREAS, since the construction of Phase 1, dedicated community groups continue to make the full realization of the park renovation a reality and have formed a high-level partnership to complete Phase 2A of the renovations to Raimondi Park; and

WHEREAS, the East Bay United Soccer Club ("EBU"), a California nonprofit corporation, is an Oakland youth-based soccer program that has been in the City for over three decades – currently serving nearly 3,000 youth in Oakland; and

WHEREAS, EBU has worked diligently to raise funds for phase 2A capital improvements to Raimondi Park committing up to \$1,900,000 to complete the multi-purpose field #2, which will include project details such as synthetic turf, grading, drainage, site prep, striping, flatwork, and restoring the putting green with new turf; and

WHEREAS, the project details also include EBU performing the rehabilitation of the 18th Street park entrance and accessible parking using an additional \$100,000 of funds raised from other private sources, making the total phase 2A capital improvements valued at \$2,000,000; and

WHEREAS, the development and construction of Phase 2A would benefit the City and the Oakland community at large by increasing field access to over 22,000 residents surrounding the West Oakland park, in addition to youth football, adult/youth soccer, youth rugby, and over 3,000 members of the greater EBU community; and

WHEREAS, the City and its residents would conserve an estimated \$2.0 million in capital improvements, between \$7,000 and \$20,000 in yearly maintenance and water costs, and promote the well-being of the community with year-round accessibility to a second multi-purpose all weather synthetic turf field and revitalized putting green; and

WHEREAS, EBU currently uses Field #2 at Raimondi Park (near 20th Street) to host youth soccer programs; and

WHEREAS, the City wishes to enter into a license agreement with EBU for EBU's nonexclusive use of Field #2; and

WHEREAS, in exchange for this license to use Field #2, EBU will be responsible for maintaining the synthetic turf field for the duration of the term of the license; and

WHEREAS, EBU will be required to follow all City guidelines and regulations for any maintenance work on City property; and

WHEREAS, EBU will not have authority to allow other groups to use any portion of the field without the City's consent; and

WHEREAS, the City shall continue to be responsible for scheduling and permitting the use of the multi-purpose fields at Raimondi Park by other groups; and

WHEREAS, Oakland Municipal Code Section 2.42.100 provides that leases (including licenses) of City property require approval by ordinance; and

WHEREAS, Oakland Municipal Code Section 2.42.110 provides that the value of in-kind services in lieu of cash rent (license fees) provided by lessees (licensees) to the City or the community at large, including property security and maintenance, and social and cultural benefits to the community, may be considered by the Council in making a finding that the lease (license) of property for less than its fair market rental (license) value is in the best interests of the City;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby authorizes a license to the East Bay United Soccer Club ("EBU") for the non-exclusive use of multi-purpose Field #2 at Raimondi Park for a seventeen-year term at the base Field Use Fee of \$1.00 per hour for the duration of the agreement plus other field usage fees consistent with the Master Fee Schedule, in exchange for EBU providing capital improvements up to \$2,000,000 and in-kind maintenance services for the field for the duration of the license term.

SECTION 2. Pursuant to Oakland Municipal Code Section 2.42.110 and based on the value of the in-kind services provided by EBU as discussed above and in the City Administrator's report accompanying this Ordinance, the City Council hereby finds that the license of the field for less than its fair market rental (license) value under the terms of this Ordinance is in the best interest of the City.

SECTION 3. The City Administrator or his or her designee is hereby authorized to negotiate and enter into a license agreement with EBU consistent with the terms of this Ordinance, and take any other action with respect to the license consistent with this Ordinance and its basic purposes. The license agreement shall be approved as to form and legality by the Office of the City Attorney and placed on file in the Office of the City Clerk.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have passed this Ordinance and each section, subsection, clause or phrase thereof irrespective of the fact that one or more other sections, subsections, clauses or phrases may be declared invalid or unconstitutional.

SECTION 5. This Ordinance shall become effective immediately on final adoption if it receives six or more affirmative votes; otherwise it shall become effective upon the seventh day after final adoption.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

NOTICE AND DIGEST

ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A LICENSE AGREEMENT WITH THE EAST BAY UNITED SOCCER CLUB (EBU) FOR NONEXCLUSIVE USE OF THE RAIMONDI PARK MULTI-PURPOSE FIELD #2 (NEAR 20TH STREET) FOR A SEVENTEEN-YEAR TERM

This Ordinance will allow the City Administrator to execute a license agreement with EBU for nonexclusive use of the Raimondi Park Multi-purpose field #2 (near 20th Street) for seventeen-year term at the base Field Use Fee of \$1.00 per hour for the duration of the agreement plus other field usage fees consistent with the Master Fee Schedule. In exchange for this license agreement, EBU will provide capital improvements up to \$2,000,000 and in-kind minor maintenance services to the multi-purpose field #2 for the duration of the license agreement.