



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: David Ferguson
Interim Director, Oakland
Public Works

SUBJECT: Prop. 68 Statewide Parks Grant Non-
Profit Partner Applications

DATE: April 5, 2021

City Administrator Approval 

Date: May 3, 2021

RECOMMENDATION

Staff Recommends That The City Council Adopt A 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 Associated 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.**

City Council
May 18, 2021

EXECUTIVE SUMMARY

Approval of the proposed resolution will authorize two community nonprofit organization partnerships, Trust for Public Lands with Oakland Parks and Recreation Foundation and Friends of Peralta Hacienda Historical Park with Unity Council, to apply for and accept grant funds from the Fourth and Final Round of the Proposition 68 – California Statewide Park Development and Community Revitalization Program Grant for City-owned park renovation projects. The Verdese Carter Park Project is spearheaded in partnership with community organization Trust for Public Lands (TPL) with Oakland Parks and Recreation Foundation. The Peralta Hacienda Historical Park project is led in collaboration with the community organization Friends of Peralta Hacienda Historic Park (Friends) organization with Unity Council. The Statewide Park Development and Community Revitalization Program Grant, also known as Statewide Park Program Grant (Grant), allows for nonprofits to implement projects in partnership with owners and turn the completed project back to the owner. This is known as a Turnkey/Project Partnership Agreement delivery method.

The Grant is funded through the passage of Proposition 68 – Parks, Environment, and Water Bond Act of 2018 and a continuation of Proposition 84 – Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. The grant goals and objectives, in order of priority, are to 1) create new parks, 2) expand an existing park (in terms of site acreage), or 3) renovate an existing park with focus to provide opportunities and programs for underserved communities. The State Natural Resources Agency, Department of Parks & Recreation - Office of Grants and Local Services (Grant Agency) administers the grant. Projects must meet minimum eligibility requirements either in Lack of Open Space acreage or below the median low-income household level to submit. Grant Agency requires that all applications must show current agency approval for this round.

The recommended project locations are shown in ***Attachment A – Project Location Map***. Peralta Hacienda Historical Park is located in Council District (5), and Verdese Carter Park is located in Council District (7).

The Grant Agency requires a resolution authorizing the grant application by City partners and a cooperation agreement detailing the roles of the City and its partners in administering the projects, which costs should be entirely covered by the grant.

BACKGROUND / LEGISLATIVE HISTORY

Proposition 68 – Parks, Environment, and Water Bond Act of 2018 was passed by voters in June 2018. The Bond authorized \$4 billion in general obligation bonds for state and local parks, environmental protection and restoration projects, water infrastructure projects, and flood protection projects. As a grant component, \$650,275,000 million will be distributed through multiple competitive grant rounds in the Statewide Park Development and Community Revitalization Program Grant. The 2019 round distributed almost \$255 million of funds to over 60 projects throughout the state, including list projects receiving grants in the City of Oakland, discussed below. The next round of the grant fund available is \$395,300,000 million. The application due date was changed from December 14, 2020, to March 12, 2021. This will be the

last round of this grant program. The Grant Agency requires all applicants to submit a current agency/board resolution that has been approved and submitted post-application, no later than three months from the application due date. Any past approvals from a prior grant application round do not qualify and must be re-approved by the current resolution. Therefore, City Council approval of proposed projects is required for staff and the two nonprofits to prepare and compete for this round of the grant.

In May 2019, Council approved Resolution No. 87689 C.M.S. (**Attachment B**), authorizing staff to submit grant applications for the Lincoln Square Park Recreation/Community Center Rebuild/Expansion project and authorized staff to submit four other projects - Arroyo Viejo Recreation Center, Brookdale Recreation Center, Mosswood Community Center, and San Antonio Recreation Center in a subsequent round. Staff submitted the Lincoln Square Park project in August 2019 along with two projects submitted in partnership through community groups for the Tyrone Carney Park and Sobrante Park, authorized by Council in Resolution No. 87823 C.M.S. and Resolution No. 87824, respectively. The two community-led projects were awarded for a total of \$5,069,155, while Lincoln Square Park was shortlisted but not awarded.

In October 2018, Council adopted an updated prioritization process for the upcoming Fiscal Year (FY) 2019-21 Capital Improvement Program (CIP) under Resolution No. 87376 C.M.S. The prioritization process established the framework and priorities for improving City's parks and park facilities. Specifically, Peralta Hacienda Historical Park contains a number of subprojects, like the Coolidge House Renovation, that ranked 2nd highest overall in the City's Structures priority list. The Verdese Carter Park project was not part of the City's Prioritization process during the FY2019-21 CIP Budget development, but was previously authorized in November 2020, when the Council approved Resolution No. 88353 C.M.S. (**Attachment C**) authorizing staff to submit grant applications for the Verdese Carter Park Renovation (and others). Therefore, staff has determined that both projects would be competitive for the State Prop 68 grant.

ANALYSIS AND POLICY ALTERNATIVES

Statewide Park Program Grant

Grants are expected to be awarded by Fall 2021. The grant implementation period end date is June 2025. The award criteria for the grant remained the same and will be based on the following nine (9) criteria summarized below:

Project Location (Must meet Criteria 1 or 2 to be eligible):

1.	Critical Lack of Park Space: The community within proximity of the project site has a ratio of fewer than 3 acres of usable park space per 1,000 residents based on the "California State Parks Community Fact Finder" report as compared to all applications.
2.	Significant Poverty: The median household income of census tracts in proximity to the project site is lower than \$51,026 based on the "California State Parks Community Fact Finder" report as compared to all applications.
3.	Type of Project: New, expand, or renovate existing (in order of highest scores)

Community Engagement.

4.	Community-Based Planning: The number of community meetings and methods used to publicize the forum encourages meaningful participation and outreach to underserved communities.
5.	Employment or Volunteer Opportunities: Demonstrate how the project includes employment or volunteer outdoor learning opportunities for residents and California Conservation Corps members.
6.	Partnerships or Committed Funding

Operation & Maintenance Considerations:

7.	Environmental Design & Sustainable Techniques: Demonstrate that the project 1) incorporates techniques for stormwater management; 2) use of water-efficient irrigation or water recycling; 3) Use of recycled materials or recycling of construction waste; and 4) drought-tolerant or climate-appropriate non-invasive native landscaping, minimizing toxic compounds; 5) carbon sequestration techniques, energy, water and/or natural resource conservation techniques.
8.	Public Use Fees and Hours of Operation: Demonstrate that the project will be open seven days a week and the lowest fees, if any, are less than \$3 per month per person

Project need, benefits, and readiness:

9.	Community Challenges, Project Benefits, and Readiness.
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All competing applications start with 0 points and gain points as each criterion is evaluated. The maximum score is 100 points. The grant award range is from \$200,000.00 to \$8,500,000.00. Each application is assessed on its own merit as well as competitively against other applications.

Two community organizations approached the City proposing partnership to develop CIP projects and pursue the Turnkey/Project Partnership Agreement delivery method for two City parks:

- 1) Friends of Peralta Hacienda Historical Park has contracted for consultant services on their own and continued to develop the Peralta Hacienda Historical Park Historical Core area based on a park plan updated in 2002. Friends have been established since the late 1970s and focused their efforts to develop the six-acre historical park, partnering with the City in providing park and educational programs. A Peralta Hacienda Historical Park project is identified in City's FY2019-21 CIP Budget as unfunded and ranks #67 of 169 projects based on Council adopted Prioritization Factors. The FY2019-21 CIP Budget scope is limited to grading the site, adding a community banquet table, and other minor improvements. The Friends submitted four projects for the City's FY2021-23 Public Project intake process for Prioritization. Of these, the Coolidge House ranks as the second-highest on the list for consideration for the next budget. Friends proposes to lead the community outreach process, develop the grant application through their

resource, submit the grant application, and implement the design and construction with the City's support if awarded the grant.

- 2) The Trust for Public Land has a mission to create parks and land conservation for public use. TPL is a national nonprofit organization working to improve communities since 1972. TPL proposes to lead the community outreach process, develop the grant application through their resource, and submit the grant application. If the grant is successfully awarded, TPL will implement a project for Verdese Carter Park in partnership with the City.

Four other projects were recommended in 2019 as alternative projects for the grant application and are next in the CIP Prioritization ranked project list – Arroyo Viejo Recreation Center (Council District 6), Brookdale Recreation Center (Council District 4), Mosswood Community Center (Council District 3), and San Antonio Park Recreation Center (Council District 2). All these projects received Measure KK – Series 2 funds appropriation in FY 2019 to initiate project development and design with anticipated future fund needs to complete the projects. However, the projects are currently in the beginning phases of consultant selection or initial programming phase and have not had the required community outreach process to meet the grant requirements and final round's grant due date. The three projects will require extensive outreach and scope development to be positioned for grant fund applications and cannot meet the March 2021 deadline. Once the outreach, programming phases are complete, staff will be able to determine the scope and total fund needs to develop fund strategies for project implementation.

The two community partnership projects are brought forth to improve park facilities located in habitually underserved communities impacted by disparities. Both the Verdese Carter Park and the Peralta Hacienda Historical Park are in a higher population of communities of color and neighborhoods bearing equity disparities such as low income, rent-burdened households, and are traditionally laden with higher unemployment and other factors.

All projects will be developed to meet the Americans with Disabilities Act (ADA) requirements through design and construction. The improvements will expand opportunities for the City's recreational and community facilities for both the community and all program users. The projects will update aging facilities and improve City assets to provide equitable access for seniors, youth, and people of all ages.

The grant, if successful, will leverage existing capital funds and allow the City to implement multiple priority capital projects.

Turnkey/Project Partnership Agreement:

Both nonprofit community organizations, The Friends of Peralta Hacienda Historical Parks with Unity Council and Trust for Public Lands with Oakland Parks and Recreation Foundation, propose to lead the grant application efforts, and if grant funding is awarded, accept and utilize grant funding to design and deliver the park improvement projects on behalf of the City. The Grant Agency refers to this method of project delivery as a 'Turnkey' Agreement. Resolution No. 88353 C.M.S. approved in November 2020, lacked specific language required by the State for

Turnkey agreements for the Verdese Carter project partnership, so it is being included again in the current Resolution request.

A 'turnkey' or project partnership agreement will be required for each of the two organizations, with the City of Oakland identifying project implementation roles and responsibilities of the parties. The detailed scope and specifics of the language for the agreement will be developed before the grant is awarded, if received.

The agreement will address the implementation of design services provided by the two nonprofit organizations and the method of construction contracting per the Office of the City Attorney's guidance and in compliance with City of Oakland requirements. The grant award would cover all costs of the project.

It is anticipated that the design services will be provided by the organization for the respective project. Each of the nonprofits, Peralta Hacienda Historical Parks with Unity Council and Trust for Public Lands with Oakland Parks and Recreation Foundation, shall deliver the completed project to the City, known as a "gift in place." City construction management will provide oversight during the construction phase. The agreements are being developed in a preliminary framework and will be completed prior to grant award, if received. Costs associated with project implementation services shall be funded through the State grant funds and specified in the agreement prior to execution. Authorization to negotiate the agreement will allow staff to refine the agreement with TPL and Friends while the grant application is developed in parallel. The agreement amount will be negotiated relative to community input on the project scope and estimated grant budget.

To advance partnership with TPL and Friends for the two projects, Council's approval to authorize the City Administrator, or designee, to negotiate and enter into separate agreements with the Applicants is necessary. In partnering with the organizations, the City of Oakland will benefit from a partnership with TPL -- experienced in community engagement projects, implementation, and development of community-supported projects. Friends, a local organization, has been a partner with the City in developing the Peralta Hacienda Historical Park for over two decades, collaborating on fund developments, project designs, and implementation support for various improvement phases of the park. The two organizations will focus on the respective park projects, prepare and submit the grant application. It is in the City's best interest to work with TPL and Friends for the proposed projects and Council authorization is requested to execute the agreements without return to Council once the grant awards are successful.

FISCAL IMPACT

The proposed Council actions will authorize the Applicants to prepare, seek, and utilize grant funding awarded by the Statewide Park Development and Community Revitalization Program Grant. No fiscal impact is generated until the grants are awarded. If awarded, the Applicants will have the funding needed to implement the identified capital improvement projects without additional funding from the City. In addition, the Applicants shall allocate grant funding to cover City staff project and construction management costs. Such funding shall be appropriated, allocated, and managed via a new project number (to be established for each project) in the State Parks Grant Fund (No. 2134) and Capital Organization (No. 92270) in an amount not to exceed \$750,000 for each project. There is no impact on the General Purpose Fund (1010), and no additional funding is requested.

To cover City staff's time to assist with the grant and agreements with each nonprofit, \$50,000 for each project is proposed in the Fiscal Year 2021-23 CIP Proposed Budget from the Measure KK Infrastructure Bond (Fund TBD).

PUBLIC OUTREACH / INTEREST

Verdese Carter Park project will begin engagement through City's partnership with TPL who has begun planning the community engagement process through their own efforts. Various outreach methods will be utilized by TPL and address the challenges of the current pandemic situation to maintain safety and health conditions. TPL plans to engage the Verdese Carter Park community in partnership with City departments, the Oakland Parks and Recreation Foundation, the Police Activities League, and their design team, MIG. TPL will host events to create a park vision for the grant application. Engagement will target the community living within a half-mile of the park through a variety of means and throughout the visioning process to encourage equitable community-led design. TPL and partners will distribute flyers door-to-door or via existing services near the park and use mailers in English and Spanish to reach a wide range of community members. Events will be virtual workshops and in-person,

To ensure inclusive outreach and engagement for this project, TPL is working with Police Athletic League and other local community organizations, such as the Black Cultural Zone and East Oakland Collective, and schools to fold outreach into existing community services offerings and programming near the park, reaching those that might not otherwise attend a virtual workshop. TPL and partners will seek community leaders to participate in all virtual events to encourage people to attend and ensure community voices are heard.

Peralta Hacienda Historical Park project engagement has been led by Friends, who have been continuously engaging with the community through their programs and functions, informing the community and gathering any additional input/feedback to the proposed improvements. Friends of Peralta Hacienda Historical Park have continuously engaged the community and are keeping the community informed of improvement objectives established by the updated park plan from the early 2000s. The community around the park is diverse and faces similar impacts and disparities as Verdese Carter Park. Because of the diversity, the community is multi-lingual, and challenges for non-English speaking families adds another dimension in disparity. Friends have continued to conduct events and activities in multi-languages to hear their input before the

pandemic. They are continuing to connect with the community virtually until programs can resume. Friends provides programs for various cultures as diverse as the residents in the neighborhood. With the proposed project, Friends will continue to be able to offer social, cultural, historical, and educational programs at the park.

COORDINATION

This report was prepared and reviewed in coordination with the Oakland Parks, Recreation, and Youth Development Department. The proposed recommendation and report have been reviewed by the Budget Bureau and the City Attorney's Office.

SUSTAINABLE OPPORTUNITIES

Economic: The application for the grant has no immediate economic impact. However, should the City be successful in obtaining capital improvement grant funds, businesses associated with the implementation of the project(s) will receive economic opportunities through contracting for services, construction, material, and supplies. Completion of the capital projects can also contribute to economic opportunities for those who utilize the programs housed in the facilities.

Environmental: As part of City's policies and mandates, all capital projects for implementation must meet various environmental and sustainable programs such as Green Building Ordinance, Bay Friendly Landscaping, Climate Action objectives, etc. The projects will be implemented in accordance with various City's programs to protect and conserve natural resources, address climate change impacts and build resiliency, improve the community in a positive way.

Race & Equity: The Peralta Hacienda Historical Park Coolidge House Renovation project was prioritized through the recently completed Equitable Capital Improvement Program Prioritization Process for Fiscal Year 2021-2023 and ranked 2nd highest in City's Structures category that fit the Prop 68 grant criteria. Both of the proposed projects are identified as having an impact on those residents and community who have lack of services and opportunities as identified by the City's Equity Index Map as discussed in the above Analysis and Policy Alternatives section of this report, as well as preserving culturally significant sites within the City's boundary.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Approval of the Resolution would find and determine that the projects and actions are 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.

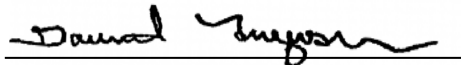
ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve a 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
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- 4) Adopting Appropriate California Environmental Quality Act (CEQA) Findings.

For questions regarding this report, please contact Christine Reed, at 510-238-6540.

Respectfully submitted,



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Attachments (3):

A – Project Location Map

B – Resolution #87689 CMS, May 2019

C – Resolution #88353 CMS, November 2020