

**CITY OF OAKLAND
COUNCIL AGENDA REPORT**

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2003 SEP 11 PM 2:11

TO: Office of the City Manager
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: September 23, 2003

RE: RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF FUNDS FROM THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION "HABITAT CONSERVATION" COMPETITIVE GRANT PROGRAM FOR THE FOLLOWING PROJECTS: BROOKLYN BASIN, IN THE AMOUNT OF TWO-HUNDRED THIRTY-TWO THOUSAND DOLLARS (\$232,000); AND 66th AVENUE GATEWAY, IN THE AMOUNT OF TWO-HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)

SUMMARY

This report requests Council authorization to apply for, accept and appropriate Habitat Conservation competitive grant funds, administered through the State of California Department of Parks and Recreation (DPR). If the grant applications are successful, these funds will be used for two Measure DD General Obligation Bond-funded projects: \$232,000 for the Brooklyn Basin project, and \$250,000 for the 66th Avenue Gateway project.

Staff requests that Council accept this report and approve the resolution to apply for grant funds from the Habitat Conservation competitive grant program.

FISCAL IMPACTS

The Brooklyn Basin project will receive \$3,300,000 from Measure DD General Obligation Bonds (fund 5320), which is sufficient to meet the 50% matching funds requirement. The requested amount of \$232,000 will allow the project to be completed as originally designed. The total project cost is \$3,532,000.

The 66th Avenue Gateway project will receive \$2,000,000 from Measure DD, which is sufficient to meet the grant's 50% matching funds requirement. The requested \$250,000 grant will enhance construction of the project, leaving a remaining funding gap of \$3,500,000. The total project cost is \$5,829,134.

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Habitat Conservation grant funds must be spent within three years from the appropriation date.

Annual operations and maintenance including staffing levels have not been determined for Measure DD projects, and will be provided in a follow-up report to Council on Measure DD. Staff from the Community and Economic Development Agency, the Public Works Agency and the Office of Parks and Recreation are working together to ensure that any additional operations and maintenance costs associated with these projects are incorporated in baseline budgets for the FY 2004-2005 budget cycle.

Project budgets will include charges for public art (1½%), and contract compliance (3%).

BACKGROUND

The Habitat Conservation program is funded through the California Wildlife Protection Act of 1990, and is administered by DPR. The State has allocated \$2 million for the grant program, which in this fiscal year is divided evenly between: Deer/Lion Habitat; Rare, Threatened or Endangered Species; Wetlands; and Riparian Habitat.

Both projects are applying under the "Wetlands" category. Grant proposals are evaluated based on the following criteria:

- 1) Quality of restoration work to be accomplished
- 2) Organizational capability and experience
- 3) Project readiness
- 4) Need for the project
- 5) Community support for the project
- 6) Wildlife habitat quality, and quality of wetlands to be preserved

Both the Brooklyn Basin and 66th Avenue Gateway projects are compatible with these grant criteria.

KEY ISSUES AND IMPACTS

Staff has analyzed the eligibility of current City capital projects relative to the Habitat Conservation funding criteria, eligibility and match requirements. Staff further assessed each project's readiness, community benefit and support, availability of a Council approved Master Plan, existence of collaborative partners, and existence of funding to be leveraged. The recommendations seek to maximize the funding potential of the projects.

The local match requirement is 50% of the requested grant amount. The match must come from a non-State source. The grant application deadline is October 1, 2003.

Brooklyn Basin (\$232,000) – The Brooklyn Basin site is a vacant parcel between the motels along Brooklyn Basin. The site will be designed as an open space, with a curving edge along the waterfront, including wetland vegetation and native grasses. The landscape will be visually unified with the rest of the Embarcadero, with a trail connecting the existing pier to the site.

66th Avenue Gateway (\$250,000) – The 66th Avenue Gateway is an important link to Oakland neighborhoods. At this site, a short wooden pier extends into the wetlands, providing an opportunity for people to interact with the environment, without intruding into it. The entire shoreline will include marshland vegetation and native plants.

SUSTANABLE OPPORTUNITIES

Economic

The two proposed projects will improve Oakland's infrastructure, and beautify the waterfront area, which will have a positive effect on the economy.

Environment

The Habitat Conservation competitive grant program would afford Oakland opportunities for conservation, education and enhancement, affecting parks, open space, and trails

Equity

The two projects proposed for funding are both located in an economically disadvantaged and diverse community.

DISABILITY AND SENIOR CITIZEN ACCESS

All projects will be designed and constructed to be ADA and senior citizen accessible. The City's accessibility program coordinator will be requested to participate in project review at various stages of each design process initiated.

RECOMMENDATION(S) AND RATIONALE

Staff recommends that Council accept the proposed projects for Habitat Conservation fund grant program funds based on descriptions of the State funding program priorities, focus and eligibility requirements, and adopt the authorizing resolution.

ACTION REQUESTED OF THE CITY COUNCIL

That Council adopt the resolution for application of Habitat Conservation program funds.

Respectfully submitted,



CLAUDETTE R. FORD
Director, Public Works Agency

Prepared by:
Deborah Spaulding
Facilities Planning & Development

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE

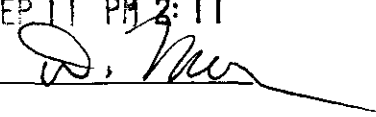

OFFICE OF THE CITY MANAGER

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OAKLAND CITY COUNCIL

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OAKLAND

RESOLUTION NO. _____ C. M. S. 2003 SEP 11 PM 2:11



RESOLUTION AUTHORIZING THE APPLICATION, ACCEPTANCE AND APPROPRIATION OF FUNDS FROM THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION HABITAT CONSERVATION COMPETITIVE GRANT PROGRAM FOR THE FOLLOWING PROJECTS: BROOKLYN BASIN, IN THE AMOUNT OF TWO-HUNDRED THIRTY-TWO THOUSAND DOLLARS (\$232,000) AND 66th AVENUE GATEWAY, IN THE AMOUNT OF TWO-HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)

WHEREAS, the people of the State of California have enacted the California Wildlife Protection Act of 1990, which provides funds to the State of California for grants to local agencies to acquire and/or develop facilities for public recreational and fish and wildlife habitat protection purposes; and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of a portion of the program within the State, setting up necessary procedures governing application by local agencies under the program; and

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

WHEREAS, said applications contain assurances that the applicant must comply with; and

WHEREAS, the City of Oakland will enter into an agreement with the State of California for development of the projects; now, therefore, be it

RESOLVED: that the Oakland City Council approves the filing of applications for the Habitat Conservation Fund Grant Program under the California Wildlife Protection Act of 1990 State grant assistance for the following projects: \$232,000 for Brooklyn Basin, and \$250,000 for 66th Avenue Gateway, and be it

FURTHER RESOLVED: that if the applications are approved, the City Manager is authorized to accept and appropriate funds consistent with the approved funding levels; and be it

FURTHER RESOLVED: that City of Oakland understands the assurances and certification in the application form; and be it

FURTHER RESOLVED: that the City of Oakland will have available, prior to commencement of any work on the projects, the required match and sufficient funds to operate and maintain the projects; and be it

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FURTHER RESOLVED: that the City Manager, or her appointee, as agent of the City, will conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for the completion of the aforementioned projects; and be it

FURTHER RESOLVED: That the Office of the City Attorney shall approve all related contracts for to form and legality; and a copies will be placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, BROOKS, NADEL, REID, WAN, QUAN AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST _____

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

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