

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

AGENDA REPORT

2005 OCT 27 PM 6:55

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: November 8, 2005

RE: RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE GRANT FUNDS UP TO THE AMOUNT OF \$100,000.00 FROM THE TIRE-DERIVED PRODUCT (TDP) GRANT PROGRAM OF THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY INTEGRATED WASTE MANAGEMENT BOARD (CIWMB) FOR RECYCLED RUBBER SURFACING AT PARK PLAYFIELDS AND TOT LOTS SELECTED BY COUNCIL

SUMMARY

A resolution has been prepared for City Council that authorizes the City Administrator, or her designee, to apply for, accept and appropriate grant funds up to \$100,000.00 from the Tire-Derived Product (TDP) Grant Program of the California Environmental Protection Agency Integrated Waste Management Board (CIWMB) for recycled rubber surfacing material at park playfields and tot lots to be selected and prioritized by Council from the attached lists.

The projects that are listed in this report for consideration are all projects that have previously been approved by the City and have other funding available for the installation costs, which are not covered by the TDP Grant.

Staff requests that Council accept this report and approve the resolution to apply for grant funds.

This recommendation meets the Council goal to build community and foster livable neighborhoods. They also meet the prioritization policies for the City's parks and open space capital projects as set forth in Council Resolution No. 78747 C.M.S., dated July 20, 2004, for projects that replace existing deteriorated facilities, leverage existing improvements that are already funded and are partially funded and suitable for grant opportunities, and increase school children's access to existing parks.

FISCAL IMPACT

Approval of the resolution will authorize the City Administrator to apply for, accept and appropriate State grant funds to the CIWMB (Fund 2154) for capital improvements. Project numbers will be assigned upon award of the grant. Grant funds are disbursed on a reimbursement basis once funds are

Item: _____
Life Enrichment Committee
November 8, 2005

expended and the projects are completed. The TDP Grant does not require a match and the proposed projects all have other funds for costs not covered by the grant.

Estimated operations and maintenance (O&M) costs have not yet been determined for the proposed projects. The proposed projects are all existing parks that are currently maintained by the City. It is anticipated that the proposed projects will result in a reduction in maintenance costs compared to natural turf because the synthetic turf will not need to be mowed, fertilized, or irrigated. In addition, the synthetic turf will have a longer life than natural turf before it needs replacement. Synthetic turf can last up to ten years. In some instances natural turf is damaged and in need of replacement after one season of hard use. Synthetic turf requires periodic maintenance such as grooming and the City already owns the machine used for this purpose.

The rubberized tot lot surface should require less maintenance than existing sand areas, which require cleaning, raking and periodic sand refilling. Heavy use areas such as underneath swings and slides are subject to wear and tear, and these repairs must be performed by a qualified contractor. A typical repair contract can cost several thousands of dollars depending on the number of tot-lots and total area needing repairs. These costs would be unfunded, additional maintenance. O&M maintenance costs will primarily affect the Landscaping and Lighting Assessment District (LLAD), Fund 2310.

Due to the high capital costs to replace a synthetic turf field or a rubberized tot-lot surface, staff recommends the establishment of a fund similar to the Equipment Fund. This would allow maintenance funds to be collected every year and added to a funding pool to cover the expense of a future synthetic turf or tot-lot surface replacement project.

BACKGROUND

On September 21, 2005, the California Environmental Protection Agency Integrated Waste Management Board (CIWMB) published a Notice of Funds Availability (NOFA) and application for the Tire-Derived Product (TDP) Grant Program. For fiscal year 2005/06, a total of \$1,792,818 of funding is available for public entities in California. The maximum grant amount per public entity is \$100,000.00. Only one application may be submitted from each public entity. However, the NOFA states that an application may include multiple TDP products/projects. TDPs are final or finished products ready for sale to the public that were made from recycled 100% California tires. There are many types of finished TDPs, including sports fields, playgrounds, tracks and pathways. Use of the grant funds is limited to material costs and cannot include installation costs.

The grant application deadline is November 10, 2005. The City Council authorizing resolution must be submitted no later than December 2, 2005.

Item: _____
Life Enrichment Committee
November 8, 2005

KEY ISSUES AND IMPACTS

The CIWMB has announced that it will only respond to written questions after October 21, 2005. As a result of this policy and due to the short application deadline, staff must submit its request for Council authorization of the grant application while at the same time pursuing answers to questions regarding how CIWMB will calculate the square footage of the project(s) eligible for the maximum grant amount, what specific products will be eligible for reimbursement under the grant, and the number and type of projects that can be included in the application. Since use of the grant funds is limited to material costs and cannot include installation costs, the projects listed in this report are currently underway with other funds available to cover the installation and design costs. The CIWMB grant funds will be used to supplement the funds available for these projects. It is estimated that, since the CIWMB grant funds are limited to the cost of materials, the grant will pay for approximately six to twelve percent of the total cost of a resurfacing project.

PROJECT DESCRIPTIONS

Attached, as "Exhibit A," is a list of playfields and tot lots that are currently being designed to use synthetic surfacing and have other funds available for installation costs. The list includes their locations, descriptions, square footages, and estimated amounts of grant funds each could use based on the TDP Program requirements (and on preliminary information from the recycled rubber manufacturers) and other funds available for installation costs. Any grant funds received would be used for the recycled rubber play surface improvements in the parks. The TDP grant amount for each project is limited by the amount of square footage of play surface to be installed and would supplement the project funds available for the cost of the proposed improvements.

The first project on "Exhibit A" is the Citywide Tot Lot Resurfacing Program. On October 23, 2003, The City Council approved Resolution No. 78152 C.M.S., which allocated \$148,000.00 for Tot Lot Resurfacing from Per Capita Grant Funds from the State of California Department of Parks and Recreation under the Safe Neighborhood Parks Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Proposition 12). A list of the tot lots for inclusion in this Program is attached as "Exhibit B." "Exhibit B" lists the City's tot lots that have been surveyed according to their relative need for resurfacing. The lots were evaluated by City staff from the Public Works Agency Design and Construction Department and the Park and Building Maintenance Division, the Parks and Recreation Department and the City's Americans with Disabilities (ADA) Coordinator. "Exhibit B" indicates the estimated cost of installing rubberized surfacing at each tot lot and rates each lot's priority for resurfacing based on the surface material currently in place, safety, ADA accessibility, community preferences, and ability to resurface without having to replace the current equipment (since the Program does not have funds for new equipment). Tot lots without any type of resilient surface (i.e., bare earth or concrete) were rated as the highest priority for resurfacing from the safety standpoint. Second highest priority are lots with sand under the equipment. Finally, lots with shredded material (Fibar), lots that already have rubberized resilient surfacing, and lots that need equipment replaced or

other work before they are resurfaced were rated as the lowest priority for the Resurfacing Program funds.

In the case of the Citywide Tot Lot Resurfacing Program, the maximum square footage that can be resurfaced with the grant is estimated to be about 5,270 square feet, which is limited by the amount of other funds in the Program. Since the TDP grant amount is based on the number of tires that can be diverted per square foot of resurfacing, the Citywide Tot Lot Resurfacing Program would only be eligible for a little over \$10,000.00 of the grant to supplement the Program's existing \$148,000.00 of Proposition 12 Per Capita funding.

SUSTAINABLE OPPORTUNITIES

Economic: The proposed projects will aid in generating jobs for the local economy through utilizing local businesses whenever possible for contract work.

Environmental: The environment will be enhanced through the utilization of recycled rubber products. The quantity of recycled materials to be used for the maximum \$100,000.00 grant award is estimated to remove 10,000 California waste tires from the landfills.

Social Equity: The projects will improve critical community resources. The City will be providing tangible benefit to the community by investing in upgrades to facilities that support active recreational programming for youth.

DISABILITY AND SENIOR CITIZEN ACCESS

All of the projects proposed will be designed to be in compliance with the Americans with Disabilities Act (ADA) and Older Americans Act, and other applicable laws to enhance accessibility for people with disabilities and senior citizens. The accessibility program coordinator will be requested to participate in project review at all stages of each design process.

RECOMMENDATIONS AND RATIONALE

Staff has received informal information from some manufacturers that the recycled rubber material used for the tot lot resurfacing may not be eligible under the new grant guidelines. Staff has requested clarification from CIWMB, but as of October 27, 2005, has not received it. Because the deadline to apply for the grant funds is November 10, 2005, staff recommends that Council approve the resolution authorizing a grant application in the amount of \$100,000.00. Further, that, depending upon the response regarding the eligibility of the tot lot material, Council direct staff to apply for specific projects as follows:

- If the tot lot surfacing is eligible and the grant funds are received, then staff will apply the grant funds for the playfields and tot lot projects as listed in "Exhibit A."

Item: _____
Life Enrichment Committee
November 8, 2005

- If the tot lot resurfacing material is not eligible for the CIWMB grant, then staff will submit the grant application for the two synthetic playfields, i.e., Lincoln Square Play Field and Raimondi Sports Field; and
- If it is determined that CIWMB will only accept one project for the \$100,000 grant, then, staff will submit the grant application for Raimondi Field since only Raimondi Sports Field has a square footage large enough to utilize the entire maximum grant amount of \$100,000.00 by itself.

It is also recommended that Council accept the ranking priority of tot lot projects as listed in "Exhibit B" for resurfacing with available funds.

ACTIONS REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the above-described resolution and accept the priority order of projects to apply for the grant funds if eligible.

Respectfully submitted,



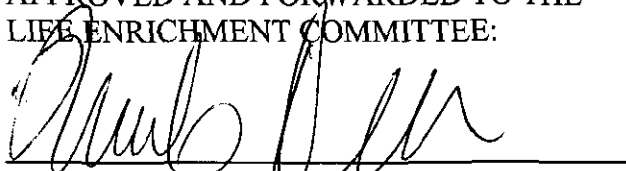
RAUL GODINEZ, P.E.

Director, Public Works Agency

Reviewed by:
Michael Neary, P.E.
Assistant Director, Public Works Agency
Design & Construction Services Department

Public Works Agency
Prepared by:
Jeanne Zastera, Project Manager
Project Delivery Division

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

Item: _____
Life Enrichment Committee
November 8, 2005

**CIWMB GRANT
PROPOSED PROJECT LIST**

EXHIBIT A

(projects with other funds available for costs not covered by CIWMB grant)

<u>Project Name</u>	<u>Council District</u>	<u>Location</u>	<u>Project Description</u>	<u>S.F.</u>	<u>S.F. per tire (Est.)</u>	<u># Tires Diverted (Est.)</u>	<u>Max. Eligible Grant Amount (Est.)</u>	<u>Total Project Cost (Est.)</u>
Citywide Tot Lot Resurfacing	Citywide	To be Selected (See Exhibit B)	Resurface under selected tot lots using recycled rubber material **	5,270	5.2	1,013	\$10,135	\$158,100
Clinton Park Tot Lot	2	1230 6th Street	Resurface under tot lot using recycled rubber material	3,800	5.2	731	\$7,308	\$76,000
Willow Park Tot Lot	3	Willow & 14th Street	Resurface under new tot lot using recycled rubber material	5,774	5.2	1,110	\$11,104	\$115,480
Lincoln Square Tot Lot	2	261 11th Street	Resurface under tot lot using recycled rubber material	5,600	5.2	1,077	\$10,769	\$112,000
Lincoln Square Play Field	2	261 11th Street	Design and install synthetic turf	13,000	6.66	1,952	\$19,520	\$312,000
Raimondi Tot Lot	3	1800 Wood	Resurface under tot lot using recycled rubber material	825	5.2	159	\$1,587	\$16,988
Raimondi Track/Path	3	1800 Wood	Install rubberized play surface along path	6,972	4.76	1,465	\$14,647	\$143,567
Raimondi Sports Fields	3	1800 Wood	Resod & remodel baseball field & create 2 soccer/football fields	158,796	6.66	23,843	\$238,432	\$2,012,262
TOTAL				200,037		31,350 *	\$313,501	\$2,946,397
*Grant is based on the number of tires diverted at \$10 per tire or actual cost up to a maximum grant amount of \$100,000								
** Estimate for square footage of tot lots that can be resurfaced is based on other funds available as match (\$148,000) for installation and other costs not covered by grant.								

**CITYWIDE TOT LOT RESURFACING PROGRAM
PRIORITY LIST PER RELATIVE CONDITIONS**

EXHIBIT B

(Prop. 12 funding)

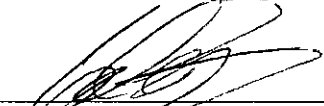
DIST.	Park Name	Relative Safety Rating	Use	ADA Rating	Cost Rank	Total Rating (Priority)	Square Footage	Total Project Cost**	CIWMB Max. Eligible Grant (est.)	Comments
4	Dimond Fire Engine	5	4	2	3	14	800	\$26,594	\$1,538	Tile is worn out
4	Montclair (Western Town)	5	4	1	3	13	816	\$26,950	\$1,569	Ground only
3	Mosswood (Old Tot Lot)	5	4	3	1	13	4,992	\$153,682	\$9,600	Sand over concrete
7	Tassafaronga	3	3	3	3	12	703	\$23,562	\$1,352	Sand
5	Foothill Meadow Annex	3	3	3	2	11	1,760	\$61,618	\$3,385	Sand
4	Montclair (Tot Lot)	3	3	3	1	10	6,980	\$213,118	\$13,423	Sand
3	Lakeside (Saturn)	3	4	1	1	9	7,581	\$231,042	\$14,579	Sand
3	McClymonds Mini-Park	3	1	3	2	9	1,998	\$63,413	\$3,842	Sand. Park may be renovated in future.
7	Brookfield Rec Center	3	3	1	1	8	3,476	\$108,142	\$6,685	Sand. Property may be sold.
5	Foothill Meadow	3	2	1	2	8	2,536	\$79,749	\$4,877	Sand
4	Avenue Terrace	1	4	1	1	7	4,841	\$149,156	\$9,310	Sand. Parents like the sand surface.
3	Grove-Shafter I & 2	3	1	2	1	7	3,864	\$120,213	\$7,431	sand
1	Linden Park	3	1	2	1	7	3,480	\$108,263	\$6,692	Sand. Redone about 14 years ago.
7	Verdese Carter	1	3	1	2	7	2,202	\$69,161	\$4,235	Sand & Poured in Place Rubber
* Lots below not recommended for resurfacing until funds available for new equipment:										
2	Madison Square *	3	3	3	2	11	1,848	\$58,843	\$3,554	Sand; needs redesign of equip. location; unsafe fall area
6	Rainbow Rec Center *	3	3	3	2	11	2,438	\$76,779	\$4,688	Sand
3	Lowell Park *	3	2	2	2	9	2,214	\$69,981	\$4,258	Sand
3	Poplar Rec Center *	3	3	2	1	9	4,966	\$152,903	\$9,550	Sand
6	Arroyo Viejo (rear lot)*	3	1	1	1	6	4,500	\$135,000	\$8,654	Sand; equipment needs upgrade; not used
7	Elmhurst *	1	1	2	2	6	2,536	\$79,749	\$4,877	Tot lot compliant; needs new equip. for swing area
6	Maxwell *	1	2	1	1	5	4,000	\$132,911	\$7,692	Sand & Poured in Place Rubber
<p>* Not recommended for resurfacing until funds available for new equipment. New Equipment average cost: \$25K Equipment installation average cost: \$7.5K</p>										
<p>** Funds available only for \$148,000 worth of resurfacing projects.</p>										

**CITYWIDE TOT LOT RESURFACING PROGRAM
PRIORITY LIST PER RELATIVE CONDITIONS**

(Prop. 12 funding)

<u>CRITERIA</u>	
<p><u>ADA (Based on modern Standards)</u></p> <ul style="list-style-type: none"> * Very High Priority - Modern ADA compliant equipment not accessible due to non-compliant surface: 3 points * Medium Priority - Minimally compliant equipment and surfacing: 2 points * Low Priority - Non-compliant ADA equipment and no ADA access: 1 point 	<p><u>Cost</u></p> <ul style="list-style-type: none"> * High Cost (>\$100,000): 1 points * Moderate Cost (\$50,000 - \$100,000): 2 points * Low Cost (Under \$,50,000): 3 points
<p><u>Safety</u></p> <ul style="list-style-type: none"> * High priority - Hard surface not in accordance with contemporary Standards: 5 points * Medium Priority - Below Current Safety Standards: 3 points * Low Priority - Surface OK or community preferred: 1 point 	<p><u>Use</u></p> <ul style="list-style-type: none"> * Extremely high use: 4 points * High Use: 3 points * Moderate Use: 2 points * Low Use: 1 point

FILED
OFFICE OF THE CITY CLERK
OAKLAND


Oakland City Attorney's Office

2005 OCT 27 PM 6:56

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE GRANT FUNDS UP TO THE AMOUNT OF \$100,000.00 FROM THE TIRE-DERIVED PRODUCT (TDP) GRANT PROGRAM OF THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY INTEGRATED WASTE MANAGEMENT BOARD (CIWMB) FOR RECYCLED RUBBER SURFACING AT SELECTED PARK PLAYGROUNDS AND TOT LOTS

WHEREAS, Senate Bill 876 (Escutia, Statutes of 2000, Chapter 838) authorizes the California Integrated Waste Management Board to establish a grant program to provide opportunities to divert waste tires from landfill disposal, prevent illegal tire dumping, and to promote markets for recycled-content waste tire products; and

WHEREAS, the California Integrated Waste Management Board has been delegated the responsibility for the administration of the program within the State, setting up necessary procedures governing application by California cities, counties, city and county, special districts or political subdivisions thereof, and qualifying California Indian tribes; and

WHEREAS, said procedures established by the California Integrated Waste Management Board require the applicant to certify by resolution approval of the application before submission of said application to the State; and

WHEREAS, if awarded a grant, the applicant will enter into an agreement with the State of California for development of the project; and

WHEREAS, the City Council has selected a list of playground and tot lot projects to use the grant funds if they meet the requirements of the grant program; now therefore be it

RESOLVED: that the City Council of the City of Oakland authorizes the submittal of an application to the California Integrated Waste Management Board for a FY 2005/2006 Tire-Derived Product (TDP) Grant Program; and be it

FURTHER RESOLVED: that The City Administrator of the City of Oakland, or her

designee, is hereby authorized and empowered to apply for and accept the grant and execute in the name of the City of Oakland all necessary applications, contracts, agreements, amendments and payment requests hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application provided that such agreements shall be reviewed and approved by the Office of the City Attorney and shall be filed with the Office of the City Clerk.; and be it

FURTHER RESOLVED: that the City Administrator of the City of Oakland or her designee, is authorized to allocate the grant funds to the projects that meet the requirements of the grant program from the City Council selected list of projects up to the maximum approved grant amount; and be it

FURTHER RESOLVED: That if the Application is approved, the City Administrator is authorized to accept and appropriate funds consistent with the project and funding level.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSTENTION-

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