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OAKLAND  
2015 FEB 10 PM 4:52

# AGENDA REPORT

**TO:** JOHN FLORES  
INTERIM CITY ADMINISTRATOR

**FROM:** Brooke A. Levin

**SUBJECT:** DeFremery Skate Park Phase II

**DATE:** January 5, 2015

City Administrator  
Approval

Date

2/8/15

**COUNCIL DISTRICT:** 3

## RECOMMENDATION

Staff Recommends That the City Council Adopt a Resolution to: 1) Authorize the City Administrator to Accept In-Kind Services from Levi Strauss & Co. Through Friends of Oakland Parks & Recreation to Construct the DeFremery Skate Park Phase II Project in West Oakland, Valued Up to Three Hundred Thousand Dollars (\$300,000.00); 2) Authorize the City Administrator to Execute a Construction Contract with Grindline Skateparks for One Dollar (\$1.00) to Perform the Services and Authorize the Work on City Property; and 3) Waive Advertising and Bidding Requirements for the Project.

## OUTCOME

By passing the resolution, the City Council will authorize the City Administrator to accept a private gift in-place donation from Levi Strauss & Co. through the Friends of Oakland Parks & Recreation to build Phase II of a skate park at DeFremery Park, providing a state-of-the-art skate park for youths of Oakland.

In order to receive this donation the City must facilitate the project completion by the funder's required deadline of April, 2015. Due to the compressed timeframe, the specialty construction (i.e. skate park), and the donation of the construction budget, the Council must determine that it is in City's best interest to receive this donation and therefore waive the advertising and bidding procedure for the construction of the DeFremery Skate Park Phase II.

## BACKGROUND/LEGISLATIVE HISTORY

In 2008, Keith (K-Dub) Williams, an artist and art educator entered into a volunteer partnership with *The Friends of DeFremery Park* to develop and help maintain a non-permanent skate-park at that site. The goals were to legitimize the popularity of skateboarding among urban youth, offer a safe place for Oakland youth to practice skateboarding and build community, and to establish a skate park in Oakland so that our youth did not have to go to other cities to express

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their enthusiasm for skateboarding. The temporary skate-park was opened in July 2009 with an amazing event at which approximately 300 Oakland youth proudly enjoyed their new skate-park.

Over the years, K-Dub has worked with other community volunteers to maintain and repair the wood ramps and obstacles at the park so that youth, community and visitors can freely enjoy what is the only park of this kind in Oakland. The DeFremery Skate Park has hosted special community events, such as the "Life is Living Festival" as well as provided skate camps, professional demos and amateur competitions. At these events K-Dub approached world renowned skate park builders about developing an amazing destination site for Oakland.

Even in its temporary condition, the skate park is consistently the most utilized facility at DeFremery Park with non-stop activity that maintains a positive and inviting image for Oakland's parks, and provides a much-needed recreational activity for local youth and community members.

Early 2014, K-Dub submitted an application and received a philanthropic grant of \$300,000 from Levi Strauss & Company to replace a portion of the temporary park with a permanent skate park (Phase I). City Council authorized the gift of phase I in Resolution 85154 C, M.S., approved August 13, 2014. Levi Strauss & Company, along with the Skate Park's fiscal sponsor, the Friends of Oakland Parks and Recreation, and the Skate Park community partnered with the City to construct the phase I project in November 2014.

### **ANALYSIS**

The Skate Park continues to be a success providing programs for Oakland youth through the efforts of the City, K-Dub and other community organizations. While the temporary wood skate park has been sufficient a complete concrete permanent skate park was always part of the plan and will reduce maintenance needs and safety issues significantly.

With the overwhelming success of the Phase I permanent concrete skate park, Levi Strauss & Company has chosen to fund another \$300,000 for a second phase in order to replace the remaining temporary skate park area with permanent facilities. The project will continue to involve volunteer participation to be coordinated by Levi Strauss and the contractor. (*See Attachment A for Phase II Concept Plan*)

In order to receive this donation the City must facilitate the project completion by the funder's required deadline of April, 2015. Due to the compressed timeframe, the specialty construction (i.e. skate park), and the donation of the construction budget, the Council must determine that it is in City's best interest to receive this donation and therefore waive the advertising and bidding procedure for the construction of the DeFremery Skate Park Phase II.

### **PUBLIC OUTREACH/INTEREST**

Beginning with the planning phase of the DeFremery Skate Park, K-Dub held public design workshops with community members at the West Oakland Senior Center. These workshops

were the basis for the design of both the temporary wood skate park. The objective to upgrade to a permanent concrete skate park after 4-5 years was also discussed at the design workshops.

Over the years, K-Dub has continued to reach out and work with the community on producing events such as the statewide urban skateboard festival the "Hood Games", which was created in 2005 at the East Oakland Youth Development Center. Since 2005 53 "Hood Games" events have been held in Oakland and throughout the State involving Oakland youth. Through these events K-Dub has successfully built interest and support for the implementation of the DeFremery Skate Park.

In 2012, California Skateparks design team Site Design Group Incorporated (SDGI) created preliminary concrete skate park designs for K-Dub to share with the skate park users at the West Oakland Community Center. Concepts were shown and commented on at neighborhood Oakland Community Neighborhood Association meetings and, for the past 2 years, at the "Life is Living Festival" event held at DeFremery Park. On March 29, 2014 – SDGI presented an updated version of the skate park design at a community meeting at DeFremery Park. In addition, the City conducted public outreach through the Parks and Recreation Advisory Commission (PRAC) meeting and the City's Conditional Use Permit process in 2014.

### **COORDINATION**

This report has been reviewed and approved by Office of City Attorney and Controller's Bureau. This project has been coordinated with the following departments:

- Office of Parks & Recreation
- Oakland Public Works Department Bureau of Facilities and Environment (Parks & Tree Services)
- Oakland Public Works Department ADA Program Division
- City of Oakland Planning & Building Department (Building Services)

### **COST SUMMARY/IMPLICATIONS**

Levi Strauss & Company has executed a funding agreement in the amount of \$300,000.00 with the FOPR for the grant. FOPR has contracted with a design firm, Stantec, to complete the Phase II design and with Grindline Skateparks to the improvements. The City will issue a \$1 gift in-place contract with Grindline Skateparks. The \$1 contract provides a contractual mechanism for the City to allow the construction on City property and to receive the improvements. The contractor will be required to provide the necessary insurance and bonds for the project value.

### **SOURCE OF FUNDING.**

**Operation & Maintenance:** Operation and maintenance costs are expected to remain the same since there is an existing skate park in operation since 2009. The project will add to the Phase I

skate park with additional amenities. Skate park community groups will participate in the programming and maintenance of the skate park

**Staff costs.** Staff costs incurred for supporting the permitting and contracting of the project will be absorbed within the existing Internal Service Funds (Fund No. 4400) allocated for Project Delivery Division. In addition, the skate park community group and FOPR will assist with coordination and management of the design and construction of the project.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** The project will improve the quality of recreation at DeFremery parks for Oakland residents, provide business tax, sales tax, and other revenues for the City by those who work on the project.

**Environmental:** The contractor is required to recycle and re-use construction materials to the extent practicable and comply with City standards.

**Social Equity:** The improvements will enhance public access to the park by creating accessible pathways and play amenities

For questions regarding this report, please contact David Lau, Division Manager, Project Delivery Division at (510) 238-7131.

Respectfully submitted,



BROOKE A. LEVIN  
Director, Oakland Public Works

Reviewed by  
Michael Neary, P E , Assistant Director,  
OPW, Bureau of Engineering and Construction

Reviewed by  
David Lau, P E , Division Manager,  
Project Delivery Division

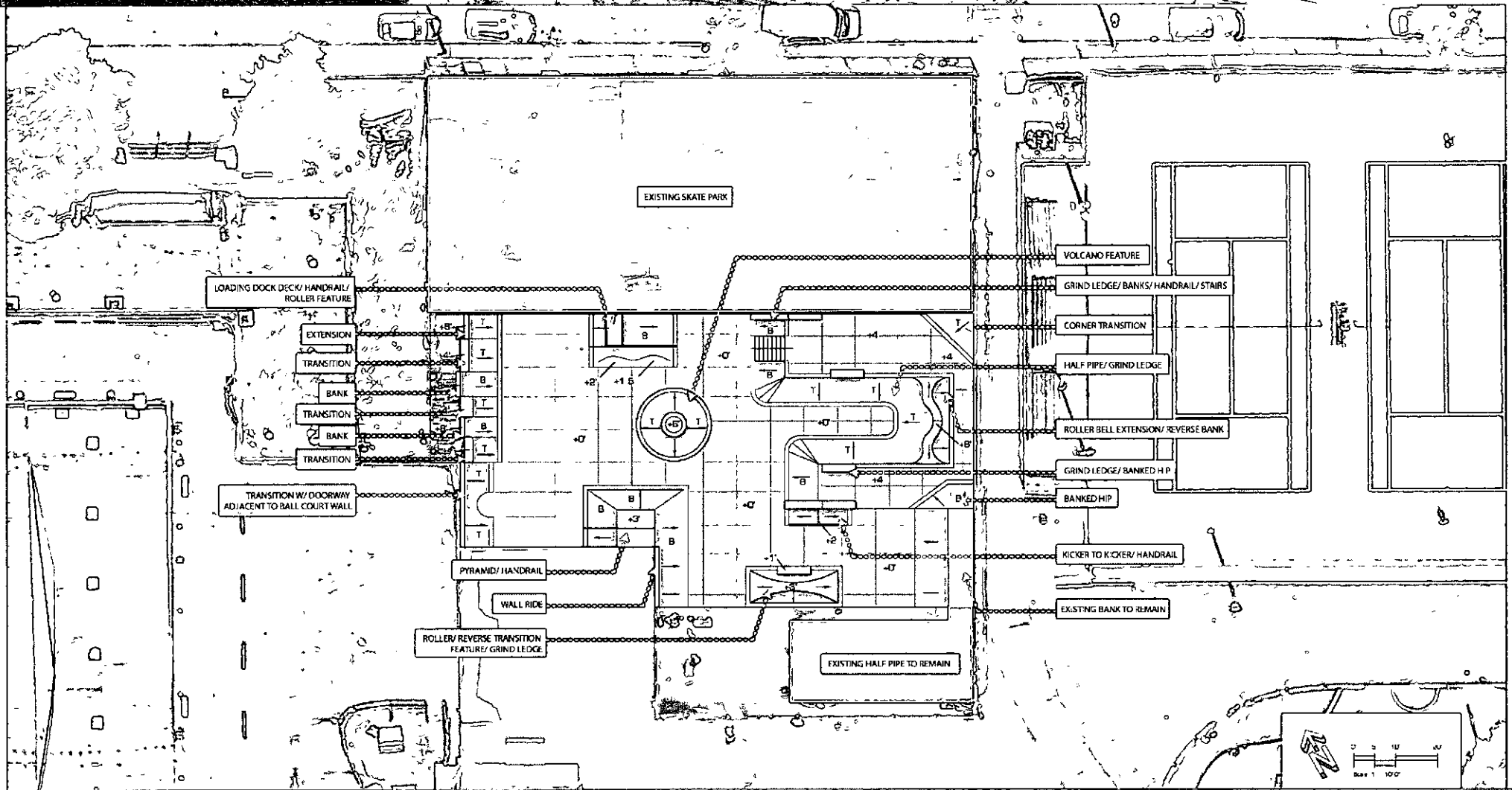
Prepared by  
Ali Schwarz, CIP Coordinator  
Project Delivery Division

Attachment: A) DeFremery Skate Park Phase II Conceptual Plan

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February 24, 2015

Attachment A - DeFremery Skate Park Phase II Conceptual Plan

DeFremery Skate Park- Phase 2  
City of Oakland, CA



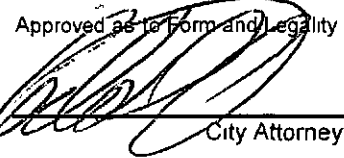
Plan View Render



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# OAKLAND CITY COUNCIL

Approved as to Form and Legality  
  
City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION TO: 1) AUTHORIZE THE CITY ADMINISTRATOR TO ACCEPT IN-KIND SERVICES FROM LEVI STRAUSS & CO. THROUGH FRIENDS OF OAKLAND PARKS & RECREATION TO CONSTRUCT THE DEFREMERY SKATE PARK PHASE II PROJECT IN WEST OAKLAND, VALUED UP TO THREE HUNDRED THOUSAND DOLLARS (\$300,000.00); 2) AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE A CONSTRUCTION CONTRACT WITH GRINDLINE SKATEPARKS FOR ONE DOLLAR (\$1.00) TO PERFORM THE SERVICES AND AUTHORIZE THE WORK ON CITY PROPERTY; AND 3) WAIVE ADVERTISING AND BIDDING REQUIREMENTS FOR THE PROJECT.**

**WHEREAS**, in 2008, Keith (K-Dub) Williams, an artist and art educator, entered into a volunteer partnership with The Friends of DeFremery Park to develop and help maintain a non-permanent skate park at that site, for which its goal is to legitimize the popularity of skateboarding among urban youth by creating a skate park within Oakland to allow the youth a safe place to express their interest and enjoy the recreational sport; and

**WHEREAS**, in 2009, a non-permanent skate park was opened at DeFremery Park with the objective of completing a permanent skate park in the future; and

**WHEREAS**, in 2014, K-Dub is successful at obtaining private funds from Levi Strauss & Co. to complete Phase I of the permanent skate park project and wishes to provide a gift-in-place project with the support of the funder for Phase II; and

**WHEREAS**, K-Dub is working in partnership with the funder, design consultant (Stantec), construction contractor Grindline Skateparks, and Friends of Oakland Parks & Recreation (FOPR) as the project sponsor to provide a gift-in-place project for the Phase II of the permanent skate park valued up to three hundred thousand dollars (\$300,000.00); and

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

**WHEREAS**, Oakland Municipal Code section 2.04 050.A. requires the City Administrator to conduct advertising and bidding and award to the lowest responsible, responsive bidder for the purchase of products or goods, and Oakland Municipal Code section 2.04.050.I.5 states that the Council may waive advertising and bidding requirements upon a finding that it is in the city's best interests to do so, and

**WHEREAS**, the funding agency has a sunset date for the fund availability on April 17, 2015 therefore staff recommends that it is in the best interests of the City to waive advertising and bidding requirements to expedite the construction; and

**WHEREAS**, the City lacks the equipment and qualified personnel to perform the necessary work and the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

**WHEREAS**, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now therefore, be it

**RESOLVED**, That pursuant to Oakland Municipal Code section 2.04.050.I.5 and based on the determinations of the City Administrator and staff in the accompanying agenda report and above, the Council finds that it is in the city's best interests to waive advertising and bidding requirements for the construction of the project and so waives the requirements; and be it

**FURTHER RESOLVED**, That the proposed improvements submitted by Stantec shall be reviewed by the City and shall meet City of Oakland standards, and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the City Administrator, or designee, to accept a gift-in-place donation valued up to the amount of three hundred thousand dollars (\$300,000.00) from Levi Strauss & Company through FOPR and shall enter into a \$1 construction contract with Grindline Skateparks to perform the services and authorize the work on City property for the DeFremery Skate Park; and be it

**FURTHER RESOLVED:** That Grindline Skateparks shall provide insurance, performance and payment bonds in the amounts required by law, and the contract shall be approved for form and legality by the office of the City Attorney and placed on file in the Office of the City Clerk; and be it

**FURTHER RESOLVED:** That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments, modifications, or extensions of said agreements, except those related to increasing the amount of the contract above the amounts authorized under this Resolution, provided that such amendments or extensions shall be approved as to form and legality by the Office of the City Attorney and filed with the Office of the City Clerk, and be it

**FURTHER RESOLVED:** That the City Council accept and express appreciation to the Levi Strauss & Co., FOPR, K-Dub, and partnership members for the permanent gift-in-place skate park phase II at the DeFremery 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