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OFFICE OF THE CITY CLERK
OAKLAND

2015 JUL 16 AM 9:33

AGENDA REPORT

TO: Sabrina B. Landreth
CITY ADMINISTRATOR

FROM: Brooke A. Levin

SUBJECT: Peralta Hacienda Historic Park -
Museum Grant for Historic Core

DATE: June 19, 2015

City Administrator
Approval

Date:

7/14/15

COUNCIL DISTRICT: 5

RECOMMENDATION

Staff recommends that the City Council adopt a:

Resolution Authorizing the City Administrator or Designee to Apply For, Accept, and Appropriate Grant Funds Up To Two Hundred Fifty Thousand Dollars (\$250,000) From the California Cultural and Historic Endowment (CCHE) – Museum Grant Program for the Peralta Hacienda Historic Park Phase 4 - Historic Core Project (Project).

OUTCOME

Adoption of this resolution will allow the City to apply for, accept, and appropriate grant funds to implement the Peralta Hacienda Historic Park (PHHP) Phase 4 – Historic Core project, part of the PHHP Master Plan Site Plan. The City will be required to provide matching funds through existing City funds from Measure WW East Bay Regional Park District Bond and Friends of Peralta Hacienda Historic Park.

BACKGROUND/LEGISLATIVE HISTORY

Peralta Hacienda Historical Park, located at Coolidge Avenue and 34th Avenue in the Fruitvale District, is the site of the original Peralta Rancho that historically encompassed the East Bay cities from Albany down to San Leandro. The park incorporates the first European landholding in the East Bay and was the location of three Peralta homes built beginning in the 1820s. The park contains the Peralta House, built in 1870, which is a designated local, state, and national historic landmark. The Park is rich in its historical context and serves as a museum exhibiting the history of the site and historic artifacts. Peralta Creek also is located on the site and is

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connected by a stairway and a trail ramp. The park and the Historic Peralta House are on the local, state, and National landmark register.

The park has evolved since recognition by the State Office of Historic Preservation as a historical park in 1977. A Master Plan for the Park was adopted by the City Council in 1977 (*see Attachment A: Peralta Hacienda Historical Park Updated Master Plan 2001 - Site Plan*). In 1981, a project (Phase I) was completed revitalizing the landscaping along the Peralta creek and providing a picnic area, restrooms, and pathways. In 1986, Phase II was completed and included the restoration of the Peralta House and the adjacent landscaping in the upper level of the Park. Under a separate agreement between the City and Friends of Peralta Hacienda Historic Park (Friends), Friends renovated the Victorian Peralta House. In November 2002, with input from community and Friends, the Master Plan was updated and approved by the Planning Commission. Since then, Phase IIIA and IIIB improvements to areas along Coolidge Ave. of the park were completed in 2006 and 2010 respectively. Most recently, the Juan Bautista De Anza trail along the creek area was completed in 2012.

The next phase of the PHHP Park Master Plan improvement, the Historic Core, is the most important part of the park. It focuses on the historical significance of the site and how the area has evolved since occupied by Native Americans, then by the Spanish rancheros, and now by the multi-cultural inhabitants of our modern time. The concept of the park is to create an interactive social, museum, and educational hub for the people and their families who represent the diverse cultures living in the Fruitvale District today. The Historic Core project scope is suited to the goals of the CCHE Museum Grant Program.

ANALYSIS

Description of Project and Need for the Grant: The PHHP Master Plan develops the park in six major areas. Phase 4 – Historic Core of the PHHP Master Plan is the “center” of the Park, representing a major interpretive and exhibit area for Oakland and California history. The Historic Core improvements will provide the physical structures and spaces for the outdoor museum, creating exhibit areas, interactive learning displays, and interpretive information on the cultural relevance and historic features at the site. The Master Plan envisioned a new pavilion with unique outdoor display structures, an outdoor adobe oven for education of the historical use, a community banquet table with artifacts reflecting the cultural interactions occurring at the time of the Peralta settlement, and an in-ground archeological display of historic artifacts discovered at the site. Preliminary estimated total project cost for the Phase 4 area is \$4.0 to \$4.5 million. One of the components of the Historic core will be identified for the grant project element in order to complete the specified element as required to meet the grant timeline.

Friends has successfully brought in approximately \$880,000 of funding to-date and is continuing to actively seek project grant funds from multiple sources. Friends have received funds from National Endowment for Humanities, private donations, Slater and Evelyn Haas Foundation funds, California Arts Council, East Bay Community Foundation, University of California Office of the President, and Bayer USA. The addition of the CCHE Museum Grant Program will provide another \$250,000 for the project, serving as matching funds to the National Endowment for Humanities fund. City has also committed East Bay Regional Park District Measure WW Park Extension Local Grant Program fund in the amount of \$100,000 for this project. The grant requires a one-to-one match by the City. As such, both the Friends and Measure WW program funds will be utilized as grant matching funds.

Grant Focus: Per CCHE Museum Grant Program Guidelines: The Museum Grant Program’s objective is to “preserve, interpret and enhance understanding of the significant elements to the State’s cultural, social, and economic evolution... (and) California’s story and communities such as California’s living cultural heritage and folk life, Native American archeology, history, California history, archeology and culture.” The grant purpose is to fund acquisition and/or development of capital assets to support historical and history related exhibits.

PHHP is on the City’s adopted fiscal year (FY) 13-15 Park Capital Improvement Project Prioritization List (Resolution No. 85056 C.M.S.). The list serves as a guideline for capital project implementation, identifying priority projects. In the list of projects, there are several historical facilities, Dunsmuir Estate, DeFremery House in DeFremery Park, and PHHP. Due to the grant focus and objective to support Museum programs, PHHP has the strongest interpretive and exhibit component that is suited for the grant. In addition, PHHP has an existing approved Master Plan outlining the vision and capital project needs. Staff recommends submitting PHHP as the project for CCHE Museum Grant Program.

PUBLIC OUTREACH/INTEREST

In implementation of past PHHP project phases, including the development of the updated Master Plan in 2002, extensive community outreach and input were conducted, led by both the City and Friends. With the proposed Historic Core Improvement, public and the community will be engaged during the project design phase through community meetings, presentations, and display boards exhibited at the Peralta House. Staff and Friends will continue to inform the community on the project design and progress through publications, website, and community events held at the Park. In addition, City will publicize the project through public meetings during design at Planning Commission review and Parks and Recreation Advisory Commission review.

COORDINATION

Oakland Public Works (OPW) will be responsible for management of the project and working in partnership with Friends and Oakland Parks & Recreation. This report and resolution have been reviewed and coordinated with the Office of the City Attorney and the Controller’s Bureau.

COST SUMMARY/IMPLICATIONS

Approval of the proposed resolution will authorize the City Administrator or designee to apply for, accept and appropriate a grant from the CCHE in the amount of \$250,000 for the Historic Core Phase of the Peralta Hacienda Park. Based on State’s grant guideline, a one-to-one match is required for the grant. This grant does not fund staff overhead costs and indirect expenses; grantee is responsible for bearing the ineligible expenses through other fund sources and/or matching funds. Prior to acceptance of the grant if awarded, the City and Friends will determine available fund sources for the ineligible costs. The City will be required to provide matching funds through existing City funds from Measure WW (Fund 2260) allocated in Project No. C476810, and from Friends as follows:

- \$100,000 from Measure WW East Bay Regional Park District Local Grant Program,
- \$50,000 out of the \$500,000 National Endowment for Humanities
- \$100,000 from Slater and Evelyn Haas Foundation

1. AMOUNT OF RECOMMENDATION: Application for \$250,000 from Museum Grant Program.

2. PRELIMINARY ESTIMATED COST OF GRANT PROJECT:

Grant Project Fund Summary:

Museum Program Grant	\$250,000
Measure WW (City matching fund)	\$100,000
National Endowment for Humanities (Friends’ matching fund)	\$50,000
Slater and Evelyn Haas Foundation (Friend’s matching fund)	\$100,000
Grant Project Total	\$500,000

Components of the potential grant-funded project are anticipated to include one or more of the following elements:

- Community Banquet Table and seating
- Adobe Oven

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- Archaeological viewing structure/exhibit
3. COST ELEMENTS OF AGREEMENT/CONTRACT: The detailed project cost element within the Historic Core Area will be defined as project design is developed.

Estimated operations and maintenance (O&M) cost have not yet been determined for the project. The park is an existing park that is currently maintained by OPW. The completed improvements will continue to be maintained by OPW. However, increased O&M costs may be experienced as improvements are added. Any additional costs will be addressed in the subsequent City budget development process based on project completion date. Friends will continue to be partners with the City to assist in general upkeep of the site as part of their program implementation as well as provide volunteer clean ups at certain events throughout the year.

If awarded, grant funds would be placed in a new project number in the State of California Fund (2159). Funds are received on a reimbursement basis, and the OPW Project Delivery Division will be responsible for grant administration, reimbursements and meeting all requirements set forth in the grant contract.

SUSTAINABLE OPPORTUNITIES

Economic: The successful award of the grant will provide funds to the City for project implementation, which allows for economic benefits to the businesses and contractors hired for the project.

Environmental: Improvements to the park will be required to meet City’s construction waste reduction standards, acceptable construction practices to protect the environment, and utilize environmentally friendly products for the project.

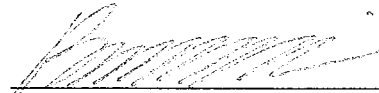
Social Equity: Improvements to the park will provide equal access of new facilities, amenities, educational and social experiences for all members of the community, such as seniors, mobility challenged, and youths.

CEQA

An Initial Study was prepared for the Master Plan update under the requirements of the California Environmental Quality Act (CEQA). Based on the results of the Initial Study, a finding of Mitigated Negative Declaration (MND) was issued for the Master Plan. The Planning Commission approved the Master Plan update in November 2002.

For questions regarding this report, please contact Danny Lau, Project Delivery Division at 510-238-7211.

Respectfully submitted,



Brooke A. Levin
Director, Oakland Public Works Department

Reviewed by:
Michael J. Neary, P.E., Assistant Director
Bureau of Engineering and Construction

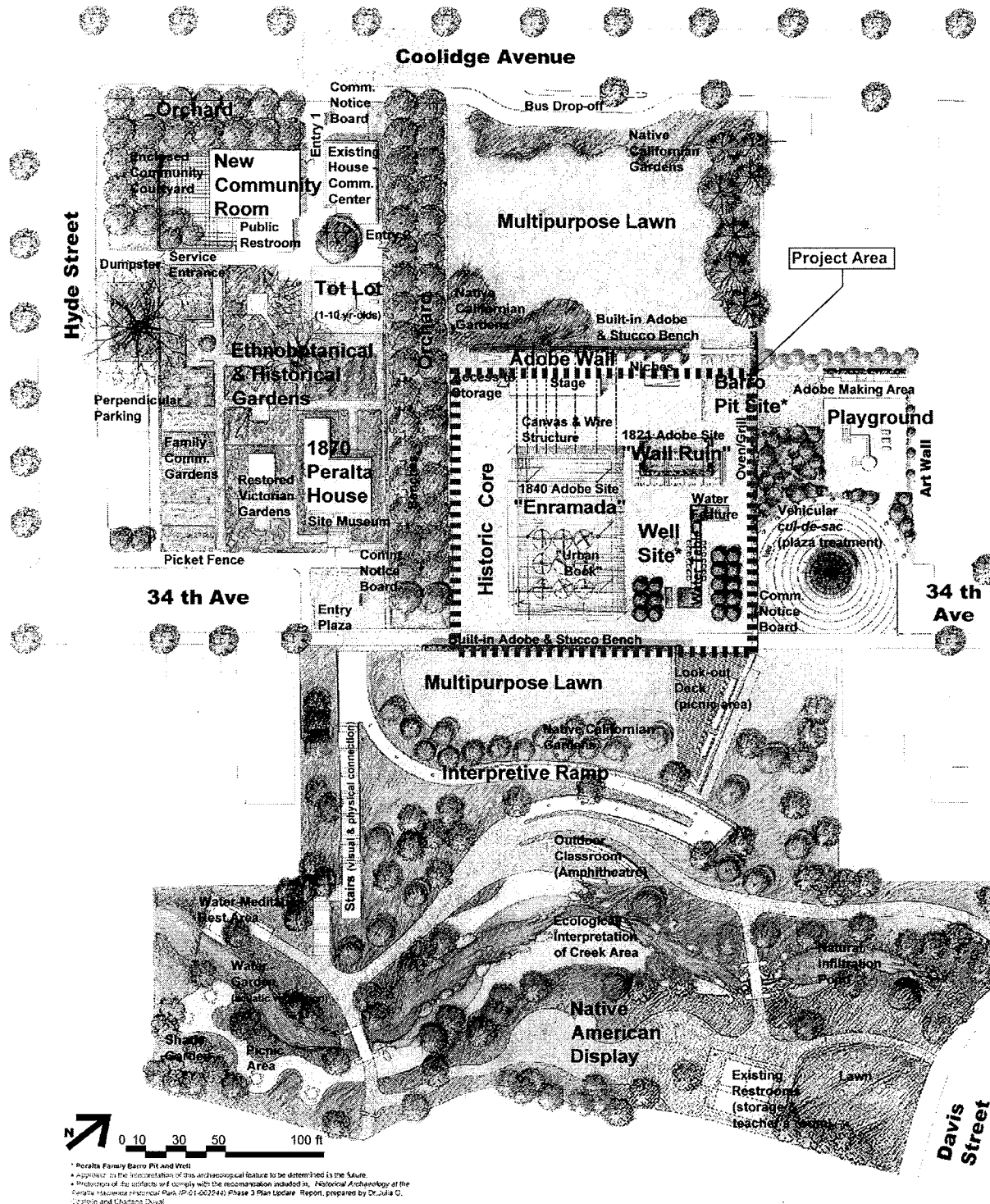
Danny Lau, Acting Division Manager
Project Delivery Division

Prepared by:
Lily Soo Hoo, Project Manager
Projects & Grant Management

Attachment (1)

Attachment A: Peralta Hacienda Historical Park Updated Master Plan 2001 - Site Plan

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* Peralta Family Barro Pit and Well
 * Approval by the interpretation of this archaeological feature to be determined in the future.
 * Photographs of the artifacts will comply with the recommendation included in, "Historical Archaeology of the Peralta Hacienda Historical Park (IP 01-602246) Phase 3 Plan Update" Report, prepared by Dr. Julia G. Cochran and Christine Duval.

Fig. 5 Peralta Hacienda Historical Park Updated Master Plan 2001

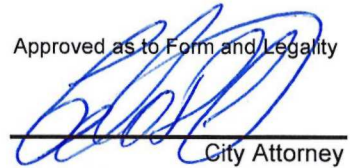
ATTACHMENT A

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Approved as to Form and Legality



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR
DESIGNEE TO APPLY FOR, ACCEPT, AND APPROPRIATE GRANT
FUNDS UP TO TWO HUNDRED FIFTY THOUSAND DOLLARS
(\$250,000) FROM THE CALIFORNIA CULTURAL AND HISTORIC
ENDOWMENT (CCHE) – MUSEUM GRANT PROGRAM FOR THE
PERALTA HACIENDA HISTORIC PARK PHASE 4 - HISTORIC CORE
PROJECT (PROJECT)**

WHEREAS, the Legislature and Governor of the State of California have provided funds for the California Cultural and Historical Endowment's Museum Grant Program under the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Proposition 40); and

WHEREAS, the California Cultural and Historical Endowment has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the California Cultural and Historical Endowment require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the State; and

WHEREAS, the Peralta Hacienda Historical Park has an established Master Plan approved by the Planning Commission in 2002 and adopted in the FY 13-15 Park Project Prioritization list in Resolution No. 85056 C.M.S.; and

WHEREAS, the Friends of Peralta Hacienda Historical Park, in partnership with the City, has obtained funds towards the design and construction of the proposed Phase 4 – Historic Core Project from National Endowment for Humanities, private donations, Slater and Evelyn Haas Foundation funds, California Arts Council, East Bay Community Foundation, UC Office of the President, and Bayer USA totaling approximately \$880,000, and being sufficient as matching funds for the grant; and

WHEREAS, the City of Oakland has committed funds of \$100,000 from East Bay Regional Park District Measure WW Bond – Local Grant Program Fund (2260), in project number C476810, for the Project as matching funds; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the Project; now therefore, be it

RESOLVED that the City Administrator of the City of Oakland, or designee, is hereby authorized to apply for, accept, appropriate, 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 Council of the City of Oakland:

1. Approves the filing of an application for the **Peralta Hacienda Historical Park Phase 4 – Historic Core Project**; and
2. Determines Applicant Is eligible to apply for a State grant due to status as a government entity; and
3. Certifies that applicant understands the assurances and certification in the application herein, and
4. Certifies applicant organization has long-term control of the property and will provide satisfactory documentation of the long-term control as part of the grant agreement development process; and
5. Certifies that applicant or title holder will have sufficient funds to operate and maintain the project consistent with the land tenure requirements; or will secure the resources to do so; and
6. Certifies the proposed project/organization is free of any legal challenges that could undermine progress on the project; and
7. Gives State permission to publish any provided digital image to its website and to crop or resize the image; and
8. Agrees to acknowledge State’s support in any news media, brochures, articles, publications, seminars, exhibits, buildings, displays, products, or other promotion materials about the funded project; and

9. Certifies that it will comply with the provisions of Section 1771.5 of the State Labor Code regarding payment of prevailing wages on Projects awarded Proposition 40 Funds, and
10. Agrees that projects involving construction, renovation, repair, rehabilitation, or ground or visual disturbances must comply with all current laws and regulations which apply to the Project, including, but not limited to, labor codes related to prevailing wage, legal requirements for construction contracts, building codes, environmental laws, health and safety codes, disabled access and historic preservation laws and environmental laws. Grantee will be required to certify that, prior to commencement of construction, all applicable permits and licenses (e.g., state contractor's license) will be obtained; and
11. Agrees to adhere to the Americans with Disabilities Act of 1990 (ADA) and the 2010 ADA Standards for Accessible Design. Title III of the ADA covers places of public accommodation (such as museums, libraries, and educational institutions) and includes a specific section regarding new construction and alterations in public accommodations; and
12. Agrees that projects involving construction, renovation, repair, rehabilitation, or ground or visual disturbances must comply with the National Historic Preservation Act and NAGPRA (Native American Graves Protection and Repatriation Act); and
13. Waives all rights to privacy and confidentiality of the material submitted to State, and
14. Agrees to execute a grant agreement prior to the encumbrance deadline of June 30, 2017, and will cause work on the project to be commenced within a reasonable time after encumbering the funds, so that the project will be complete and the final invoice submitted to the State by May 1, 2019; and
15. Agrees that for all property acquired or developed with Museum Grant funds, applicant will accept, sign, notarize and record a declaration of covenants, conditions and restrictions (deed restrictions) which attaches the conditions of the grant, as set forth in the grant agreement, on the use and enjoyment of the property until the end land tenure date specified in the grant agreement; and be it

FURTHER RESOLVED: that the City Administrator of the City of Oakland, or designee, is hereby authorized to conduct all negotiations, execute, amend, and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project(s) 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 if the application is approved, the City Administrator, or designee, is authorized establish a new project consistent with the project and funding under State of California Fund (2159), Capital Projects – Project Management Organization (92270), and a project to be determined.

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