



Midpeninsula Regional
Open Space District

R-17-40
Meeting 17-08
March 22, 2017

AGENDA ITEM 13

AGENDA ITEM

Cooley Landing Park Partnership with City of East Palo Alto

GENERAL MANAGER'S RECOMMENDATIONS

Approve the following two recommendations from the Diversity Ad Hoc Committee:

1. Allocate Measure AA funds to cover the costs for design, permitting, and construction of six Cooley Landing Vision Plan elements, including the costs for an outside project manager, if needed, to complete the work by June 30, 2019 for an amount not to exceed \$1.25 Million.
2. Allocate District General Funds for consultant costs to develop a business and operating plan for Cooley Landing Park (includes the Education Center) working jointly with the City of East Palo Alto for an amount not to exceed \$200,000.

In addition, the General Manager recommends the following:

3. Authorize the General Manager to enter into a funding agreement with the City of East Palo Alto, providing \$217,148 to fund the design of six Cooley Landing Vision Plan elements as the first step of implementation, as described under Recommendation #1 above.

SUMMARY

The Cooley Landing Park is partially complete. The City of East Palo Alto (City) is seeking District funding support to complete additional key elements of the Cooley Landing Vision Plan, including three elements that are required to close a \$5 Million grant, which funded a major portion of the existing public access improvements. The Diversity Ad Hoc Committee unanimously recommends allocating Measure AA funds to complete six additional capital improvements to increase the park's functionality and public benefit. Work is expected to begin quickly as the City is preparing to amend a contract with their landscape design firm to proceed with design of the remaining elements for an amount of \$217,148, which would be part of the recommended funding contribution. In addition, a majority of the Committee also recommends allocating General Funds to work collaboratively with the City to develop a business and operating plan for the park to guide its long-term management and safeguard its long-term success. The Fiscal Year 2016-17 Budget includes sufficient funds for the current fiscal year. Funds for subsequent budget cycles would be included as part of the annual operating budget and three-year Capital Improvement Program, which the Board will review and consider in May 2017.

MEASURE AA

A 5-year Measure AA Project List was approved by the Board at their October 29, 2014 meeting and includes Project #2 Cooley Landing – Interpretive Facilities and Infrastructure. The Cooley Landing Park Project serves the goals of Measure AA Portfolio #2 by partnering to develop city-to-bay trails and supporting associated bayfront interpretive facilities.

BACKGROUND

The City has been working since 2004 to transform Cooley Landing Peninsula from a brownfield, as former toxic dumpsite, into a vibrant bayfront nature park for the surrounding community (Attachment 1). The 9-acre Cooley Landing Park, which is the only bayfront property within City boundaries, is increasing the City's prior 16 acres of parkland (0.5 acres/1000 persons) by 72% (to 0.85 acres per 1000 persons), moving toward the State of California's goal of 3 acres/1000 persons. Given the high benefit of the park project in a community that is in need of additional park space, this project has received extensive funding support from numerous entities (Attachment 2).

Demonstrating the District's support for the project, the Board of Directors adopted a Comprehensive Use and Management Amendment for the Ravenswood Open Space Preserve on February 24, 2010 to designate District property on the Cooley Peninsula as part of the "Cooley Landing Area" (Report 10-29). At this same meeting, the Board authorized execution of a Partnership Agreement with the City in support of the park project. On July 14, 2010, the Board received a presentation of the City's Cooley Landing Vision Plan (Cooley Plan), and expressed support for using the Cooley Plan as the project description to conduct the required environmental review. The Cooley Plan identifies numerous new public access facilities, including trails, picnic areas, and viewing areas, divided into six phases to allow for incremental implementation based on funding and the annual short construction window to protect special status species (Attachment 3). Consistent with the Cooley Plan, the City has fully completed Phase I and most elements of Phases II and III as follows:

- Phase I Site remediation, demolition and cleanup, grading, revegetation, underground utilities, and main trail loop
- Phase II Access road paving, expansion and paving of Preserve parking lot, additional underground utilities, and improvements to the Preserve trail along access road
- Phase III Education Center with indoor restroom, entry plaza, extension of access road, parking and turnaround paving at the drop-off circle, overflow parking area, and utility connections

DISCUSSION

The City secured a \$5 Million California State Parks (State Parks) Proposition 84 grant in March of 2012. At the time of award, the grant was set to fund all elements of Phases I through V. Unfortunately, due to higher than expected design and construction costs, the City expended all funds prior to fully completing Phases II and III, or initiating Phases IV and V, thus not meeting the grant requirements. Lacking funds to complete the remaining capital improvements, the City reached out to the District for assistance (Attachment 4). In addition, the City negotiated with State Parks to eliminate elements from Phases IV and V to reduce the remaining costs to close the grant and release the \$1 Million retention that State Parks is withholding for work completed

to date. Based on negotiations with State Parks, the City is now only required to complete the following Phase IV and V elements by June 30, 2019. Preliminary costs for these elements range between \$750,000 and \$1 Million.

- New freestanding restroom building
- Outdoor classroom area
- Motion-sensor lighting along access road, drop-off circle, building, and entry plaza

There are three additional outstanding elements from the Cooley Plan, which the grant no longer requires, yet very closely align with the District's mission. These elements would enhance the low-intensity recreational and nature experience at Cooley Landing, and provide an extended bayfront experience for visitors of the surrounding open space lands, including Ravenswood Open Space Preserve. Preliminary costs for these elements range between \$150,000 and \$250,000.

- Path around Education Center to complete a trail loop through the site
- Secondary unpaved trails
- New/relocated sign at entry (existing one is blocked by large transformer and bollards)

District staff met with City staff to discuss the funding shortfall as well as programming needs for the Nature Education Center. Given the critical funding gap to complete Cooley Landing Park and the active Partnership Agreement between the District and City in support of the project, two goals and two objectives of the Diversity Ad Hoc Committee (Committee) focus on Cooley Landing, partnerships, and diversity. The full Board of Directors reviewed these goals and objectives at the special meeting of November 1, 2016:

Goal 1: Promote the District and its interpretive programs through collaborative partnerships with diverse community organizations.

Obj. 2: Explore potential partnership scenarios to support the long-term management and/or programming of the Cooley Landing Education Center; focus on scenarios that provide "next generation" bayfront community services and benefits.

Goal 4: Expand existing partnerships and enter into new, non-traditional partnerships to complete projects and improve programs that serve a diverse community.

Obj. 1: Define the District's role in completing Cooley Landing Park and in ensuring the success of the Cooley Landing Education Center.

Consistent with the Committee's charge, staff worked closely with the Committee to clarify the District's recommended role at Cooley Landing. This clarification will guide the use of District resources, including staff time and funding, as it relates to Cooley Landing Park. As part of this work, the Committee evaluated funding opportunities using Measure AA funds.

Available Measure AA Funds for Cooley Landing Park

Measure AA (MAA) allocates \$5.052 Million under Portfolio #02, Regional: Bayfront Habitat Protection and Public Access Partnerships. Portfolio #02 seeks to "partner to complete gaps in the Bay Trail and develop city-to-bay trails. Support wetland restoration and associated interpretive facilities. Preserve additional bayfront open space". Active projects that are eligible for MAA Portfolio #02 funding are the Ravenswood Bay Trail Connection Project (Bay Trail

Project) and a Native Planting Project at Cooley Landing. The total design and construction cost for both items is estimated at \$2.5 million.

Conceptual trail planning for the Bay Trail Project is funded in part by a grant of \$40,000 from the Association of Bay Area Governments. The Bay Trail Project is also receiving a County of San Mateo Measure K grant (formerly Measure A) of \$1 Million and a County of Santa Clara grant of \$400,000 for design, permitting, and construction. This leaves a deficit of approximately \$1.06 Million to be funded by either MAA, additional outside grants, or a combination of both. Assuming MAA funds the remaining deficit, approximately \$4 Million would remain unspent under MAA Portfolio #02 that can be allocated to fund improvements at Cooley Landing Park. Of note, District records indicate that Measure AA received high voter support in East Palo Alto, passing by 72.3% of the total citywide voter count.

Diversity Ad Hoc Committee Recommendations

Based on a review of the current project status, funding shortfall, and available Measure AA funds, the Committee has forwarded a split recommendation to the full Board:

Majority Recommendation #1 (vote 3-0):

Allocate Measure AA funds to cover the costs for design, permitting, and construction of the six elements listed above, including the costs for an outside project manager, if needed, to complete the work by June 30, 2019 for an amount not-to-exceed \$1.25 Million. *Note: all costs listed under this recommendation are eligible for Measure AA reimbursement.*

Minority Recommendation #2 (vote 2-1):

Allocate General Funds to cover consultant costs to develop a business and operating plan for Cooley Landing Park (including the Education Center), working jointly with the City of East Palo Alto, for an amount not-to-exceed \$250,000. *Note: costs to develop a business/operational plan is not eligible for Measure AA reimbursement.*

Recommendation #1 would fulfill the Prop 84 grant requirements and significantly expand the recreational opportunities at Cooley Landing for the benefit of park users, and Preserve visitors who will likely use the park to enhance their bayfront experience. Recommendation #2, which was raised in discussions between District staff and City staff, would provide the City with a useful roadmap on how best to manage and maintain the park in the long-term, and identify existing and potential new funding sources to keep the park operating as envisioned. The business and operating plan would also address the long-term use and management of the Education Center, which is currently on a short-term lease to Palo Alto through April.

City's Next Steps

The City is working at this time to amend an existing contract with a landscape architecture firm to complete the design and construction plans, and assist with supplemental permitting, the bidding process, and construction administration during onsite implementation. This contract amendment will be for \$217,148 and include the six elements listed above, as well as additional elements from Phases II through V that the City hopes to implement, pending other future funding sources. If Recommendation #1 above is approved by the Board, District funds can be allocated to fund a portion or the entirety of the design and construction services contract, if deemed necessary, to move the project forward, as these costs are also Measure AA reimbursable.

FISCAL IMPACT

The FY2016-17 Planning Department budget includes \$180,000 for the Cooley Landing Interpretive Facilities Design and Implementation (MAA 02-001). There are sufficient funds in the current fiscal year project budget to cover the Cooley Landing Vision Plan implementation. Future fiscal year budgets would include funds to complete the capital improvements and business/operational plan.

	FY16-17	FY17-18	FY18-19	Total
MAA 02-002 Planning Budget	\$180,000			
Spent-to-Date (as of 3/13/17):	\$12,806			
Encumbrances:	\$22,194			
Native Planting Project:		\$30,000	\$25,000	\$55,000
Cooley Landing Vision Plan Implementation:	\$38,330	\$366,702	\$844,968	\$1,250,000
MAA Budget Remaining (Proposed):	\$106,670			
Cooley Landing General Fund Operating Budget (Proposed):				
Cooley Landing Park Business/Operating Plan:		\$200,000		\$200,000

The following table outlines the Measure AA Portfolio 02 budget, costs-to-date, and the fiscal impact related to the Cooley Landing Project (MAA 02-001). This proposed capital improvement work serves to “develop city-to-bay trails. Support... associated interpretive facilities”.

MAA #02 Portfolio Allocation:	\$5,052,000
Life-to-Date Spent (as of 3/13/17):	\$199,280
Encumbrances:	\$142,967
Future Cost for Native Planting Project at Cooley Landing:	\$55,000
Cooley Landing Vision Plan Implementation:	\$1,250,000
MAA #02 Balance Remaining (Proposed):	\$3,404,753

BOARD COMMITTEE REVIEW

The Diversity Ad Hoc Committee met on December 9, 2016 meeting to discuss this item in detail and finalize their recommendations for Board consideration.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. The City also received notice of this item.

CEQA COMPLIANCE

On July 27, 2011, the Board of Directors concurred as a Responsible Agency with the findings made by the City on the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan (MMRP) that was prepared for the Cooley Landing Vision Plan and certified on

February 15, 2011. The recommended actions that are part of this Agenda Item are consistent with the MND and MMRP.

NEXT STEPS

If approved by the Board, the General Manager will direct staff to work closely with the City to amend the Partnership Agreement and establish the mechanism to provide funding support for the design, permitting, and implementation of the Cooley Landing Vision Plan elements as described in this report. Also, if approved, staff will work with the City to lay out the next steps for developing and funding a business and operations plan for the park.

Attachment(s)

1. Location of Cooley Landing Park and adjacent Ravenswood Open Space Preserve
2. Prior Outside Funding Support Granted for the Cooley Landing Park Project
3. Cooley Landing Vision Plan - Phasing Plan
4. October 13, 2016 Letter from City Manager Carlos Martinez to General Manager Steve Abbors regarding Cooley Landing Park

Responsible Department Head:

Stephen E. Abbors, General Manager

Prepared by:

Ana Ruiz, AICP, Assistant Manager – Planning and Project Delivery

Graphics prepared by:

Jamie Hawk, Data Analyst I

Path: G:\Projects\Ravenswood\Cooley Landing\RW_CooleyLanding_RegionalBoard_20170310.mxd
Created By: hawk



Attachment 1: Location of Cooley Landing Park

- MROSD Preserves
- Other Protected Lands
- Private Property
- Watershed Land
- Other Public Agency
- Education / Interpretive Center

Midpeninsula Regional
Open Space District
(MROSD)
March 2017



While the District strives to use the best available digital data, these data do not represent a legal survey and are merely a graphic illustration of geographic features.

Attachment 2

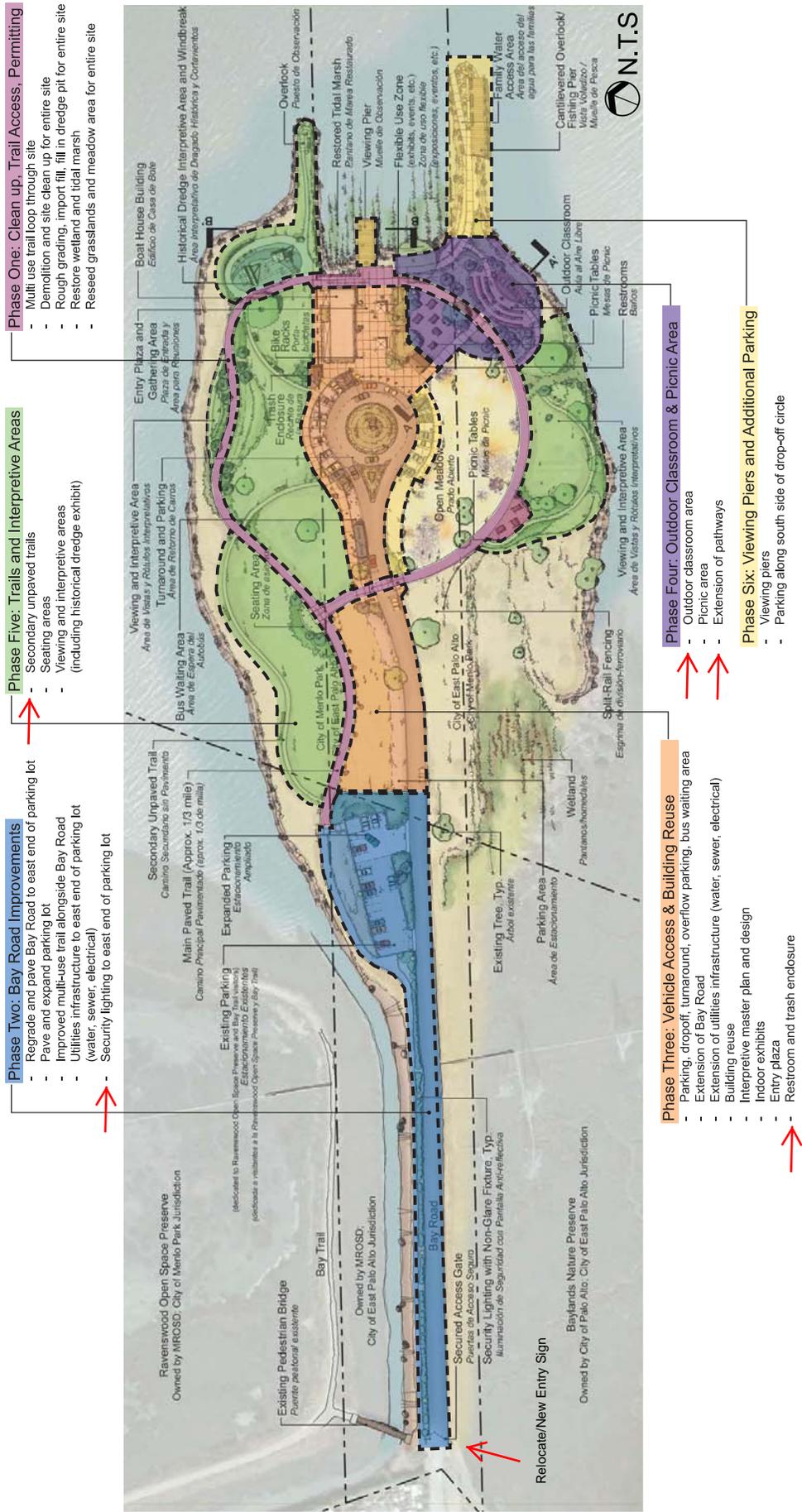
Prior Outside Funding Support Granted for the Cooley Landing Park Project

+\$2M	Packard Foundation for the land, interim maintenance and security, and project management assistance
\$40k	Nature Restoration Trust program supported by the National Fish and Wildlife Foundation and PG&E
\$800K	Environmental Protection Agency Brownfields Grant Program
\$244,649	Coastal Conservancy for construction of a Bay Trail spur
\$5M	California Department of Parks and Recreation (State Parks) Proposition 84 (Prop 84) grant through the Statewide Park Development and Community Revitalization Program, which awards grants for the creation of new parks and recreation facilities in critically underserved communities throughout California.



CITY OF EAST PALO ALTO

July 15, 2010



PHASING STRATEGY

Sincronizando Estrategia

Callander Associates

RON YEO FAIA ARCHITECT

THE ACORN GROUP



City of East Palo Alto

Office of the City Manager

October 13, 2016

Mr. Stephen E. Abbors
General Manager
Midpeninsula Regional Open Space District
330 Distel Circle
Los Altos, CA 94022

**SUBJECT: STATEWIDE PARK DEVELOPMENT AND COMMUNITY
REVITALIZATION, COOLEY LANDING PARK**

Dear Mr. Abbors,

Thank you for your years of support and for working with the City of East Palo Alto to expand public parks and access to the Bay through expanding trail opportunities in the City. Consistent with the Partnership Agreement between the City of East Palo Alto and the Midpeninsula Regional Open Space District ("District") for the Cooley Landing Project, the City would like to formally request further collaboration and partnership efforts with the District to implement the remaining phases of Cooley Landing Vision Plan and complete the improvements contemplated in the original community vision plan of the project.

As you are aware, Midpeninsula Regional Open Space District owns the Ravenswood Nature Preserve adjacent to Cooley Landing and, in addition to acting in partnership with the City on the project, provided an easement to the City to access the site from Bay Road. The City of East Palo Alto deeply appreciates the contributions of your agency, because the realization of Cooley Landing as a public park could not be achieved without your support and cooperation.

The vision of Cooley Landing Park in the City of East Palo Alto was created through the development of 15.31 acres of land and the construction of a new Environmental/History Education Center Building, outdoor classroom, picnic area, open space/informal soccer field, restroom building, multi-use trails, gathering plaza, parking lot, lighting and landscaping.

East Palo Alto and the District has long been working towards the benefits that would be offered at Cooley Landing. As early as 1995, studies such as the City's Parks, Recreation, and Open Space Recommendations have identified projects given highest priority by East Palo Alto residents to be bicycle and pedestrian trails, playgrounds and tot lots, access to Cooley Landing, and group picnic areas.

After more than a decade of studies, planning, research, and community discussion, improvements at Cooley Landing Park are underway. In March of 2012, the State of California Statewide Parks Program awarded \$5 million of Proposition 84 funds to the City of East Palo Alto for design and construction of the project.

The project was designed in subsequent six phases; to date, the first three phases of the project have been completed.

- Phase 1 included capping contaminated soil (related to the site's former use as a burn-dump) and providing for safe public access. When the park was opened to the public in 2012, Cooley Landing added nine acres to the amount of public open space in East Palo Alto.
- Phase 2 of the park improvements included installation of underground utilities, improving the access road, and installing native planting. This phase started in September, 2013 and was completed in February, 2014.
- Phase 3 of the project included the construction of the Education Center which will serve as a place for community meetings, and as an institution which preserves and enhances the area's cultural heritage, history, and traditions. Construction of the Education Center was completed in September, 2015. The City held a grand opening event of the Education Center on April 16, 2016.
- Phases 4 through 6 are still remaining and will require design and construction of the following improvements:
 - Phase 4 includes design and construction of outdoor classroom and outdoor bathrooms, and outdoor lighting along the access road, as well as security decorative fence around the perimeter of the building.
 - Phase 5 includes design and construction of trails and interpretive area; secondary unpaved trails; and viewing and interpretive Areas.
 - Phase 6 includes improvements to the viewing pier.

In order to fulfill the State of California Statewide Parks Program grant requirements, the City is obligated to complete the remaining phases of the project in accordance with the funding agreement between the City and the State. The State is still holding over \$1 million (out of the \$5 million grant) of Proposition 84 funds until the City complete the design and construction of the remaining phases of the project and complete the grant scope as referenced above.

The City is currently looking for funding opportunities to complete the remaining improvements. It is our understanding that the District indicated an interest in getting involved to assist the City complete some of the remaining improvements and potentially fund them using Measure AA Funds. The City is open to discuss the

remaining phases and find a way to continue our partnership toward completing the improvements and achieving the project goals.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Carlos Martinez', is written over a horizontal line. The signature is stylized and somewhat cursive.

Carlos Martinez,
City Manager

Attachment 1: Cooley Landing Park Concept Plan

CC: Sean Charpentier, Assistant City Manager
Kamal Fallaha, Public Works Director
Cooley Landing File