




**EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS NEW MEETING
AGENDA STAFF REPORT**

DATE	November 21, 2023
TITLE	Authorization to Apply for Grant Funds from the Coastal Conservancy and Enter into a Cooperative Funding Agreement with the City of Emeryville to Pass-Through the Grants Funds for the Powell Street Project at McLaughlin Eastshore State Park in an Amount not to Exceed \$480,020
DIVISION	Finance and Management Services
FROM	Katy Hornbeck, Grants Manager Dr. Ana M. Alvarez, Deputy General Manager
APPROVED	Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize applications for grant funds to the State of California Coastal Conservancy and enter into a cooperative funding agreement with the City of Emeryville to pass-through the grant funds for the Powell Street project at McLaughlin Eastshore State Park in an amount not to exceed \$480,020.

BACKGROUND

In 1994, the San Francisco Bay Conservation and Development Commission (BCDC) required the State of California Department of Transportation (Caltrans) convey funds for projects in the McLaughlin Eastshore State Park/Emeryville Crescent area as a condition of permits for their Bay Bridge and I-80 work. Funds were deposited into an interest-bearing account and subsequently transferred to the State of California Coastal Conservancy (Coastal Conservancy).

Per language of the BCDC permit (#1 I-93), the funds were to be disbursed solely to the East Bay Regional Park District (Park District) for the purpose of improving a public view area and habitat enhancement in the upland areas on the south side of Powell Street west of I-80 and immediately east of Emeryville Fire Station. Funds are disbursed from the account at the discretion of BCDC's Executive Director, based on proposals submitted. Between 2009 and 2018, approximately \$610,000 has been disbursed to the Park District for the Albany Beach Restoration and Public Access (Phase I) project and the Point Isabel Water Access and Shoreline Restoration project.

There is approximately \$480,020 remaining in available funds. The City of Emeryville approached the Coastal Conservancy and Park District staff with the Powell Street Project as an appropriate receipt of these funds. The site is comprised of approximately three acres of upland areas east of the Emeryville Fire Station 34, in McLaughlin Eastshore State Park in Emeryville, along Powell Street.

ANALYSIS

The goal of the Powell Street project is to enhance the Bay Trail and the surrounding habitat in the upland area just east of the Emeryville Fire Station 34 and south of Powell Street in Emeryville. The

design may include adding gravel paths to the Bay Trail, various native coastal plants, as well as park patron amenities such as benches, a birdwatching platform, bird blind features, and informational exhibits. The design also includes additional waste disposal locations and bicycle parking along Powell Street to encourage proper waste disposal and active transportation to the park. The project description has been reviewed by staff from both Coastal Conservancy and BCDC, and they have given approval to submit a proposal. The City of Emeryville will act as the lead for the project and be responsible for managing the design and construction of the improvements. The Park District will be the grant funding applicant but will enter into a cooperative agreement with the City of Emeryville to pass-through the funds on a reimbursement basis to complete the project.

FISCAL IMPACT

There is no direct cost to the Park District as a result of this action. Approximately \$480,020 will be awarded to the Park District and these funds will be passed through to the City of Emeryville to complete the project. A new project will be created for the grant funds.

ATTACHMENTS

None.



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2023-11-
NOVEMBER 21, 2023**

**AUTHORIZATION TO APPLY FOR GRANT FUNDS FROM THE COASTAL
CONSERVANCY AND ENTER INTO A COOPERATIVE FUNDING AGREEMENT
WITH THE CITY OF EMERYVILLE TO PASS-THROUGH THE GRANTS FUNDS
FOR THE POWELL STREET PROJECT AT MCLAUGHLIN EASTSHORE STATE
PARK IN AN AMOUNT NOT TO EXCEED \$480,020**

WHEREAS, the California Department of Transportation (Caltrans), pursuant to San Francisco Bay Conservation and Development Commission (BCDC) Permit 11-93, was required to pay \$400,000 to provide public access to the shoreline at Powell Street in Emeryville within the Eastshore State Park; and

WHEREAS, Caltrans transferred the \$400,000 to BCDC and BCDC established an interest-bearing account to disburse the funds to the East Bay Regional Park District (Park District) once a proposed project was approved; and

WHEREAS, BCDC desires that the State of California Coastal Conservancy (Coastal Conservancy) accept and use certain funds required as conditions of regulatory permits, for purposes specified by BCDC via said permits, and subsequently transferred the funds to the Coastal Conservancy; and

WHEREAS, the Coastal Conservancy is responsible solely for administering the funds for such project, and the Park District must be the lead applicant; and

WHEREAS, City of Emeryville approached the Coastal Conservancy and Park District staff with the Powell Street Project as an appropriate receipt of these funds. The project site is comprised of approximately three acres of upland areas east of the Emeryville Fire Station 34, in McLaughlin Eastshore State Park in Emeryville, along Powell Street; and

WHEREAS, the goal of the Powell Street project is to enhance the Bay Trail and the surrounding habitat in the upland area just east of the Emeryville Fire Station 34 and south of Powell Street in Emeryville. The design may include adding gravel paths to the Bay Trail, various native coastal plants, as well as park patron amenities such as benches, a birdwatching platform, bird blind features, and informational exhibits; and

WHEREAS, the Park District procedures require Board Approval for all grant applications and funding agreements; and

WHEREAS, said application contains assurances and certifications that the applicant must comply with in order to enter into an agreement with the Coastal Conservancy; and

WHEREAS, the Park District and City of Emeryville mutually desire to cooperate in the completion of this project; and

WHEREAS, the cooperative funding agreement will specify terms and conditions under which the project will be completed and obligations of each agency; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby:

1. Approves the filing of an application with the California State Coastal Conservancy; and
2. Certifies the Grantee understands the assurances and certification in the application form; and
3. Certifies that Grantee has or will have sufficient funds to operate and maintain the project; and
4. Authorizes the Park District to enter into a Cooperative Funding Agreement with the City of Emeryville to accept and pass through grant funds for the Powell Street Project; and
5. Authorizes and directs the General Manager or Assistant General Manager of Finance and Management Services/CFO, on behalf of the East Bay Regional Park District and in its name, to accept grant funds and execute and deliver such documents including, but not limited to applications, agreements, payment requests and amendments and to do such acts as may be deemed or appropriate to accomplish the intentions of this resolution; and

BE IT FURTHER RESOLVED, that the Assistant General Manager of Finance and Management Services/CFO or Budget Manager is hereby authorized to amend the current year's budget, without further Board action, upon receipt of the executed contract from the Grants Manager. The budget amendment will include an increase in budgeted revenue and a corresponding increase in appropriation for the amount stipulated in the contract.

Moved by Director _____, and seconded by Director _____, and adopted November 21, 2023, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: