

**CITY OF ALBANY
PLANNING AND ZONING AGENDA
STAFF REPORT**

Agenda date: 11/11/08

Prepared by: JB

Reviewed by: AC

ITEM/ 7a

**SUBJECT: Notice of Filing of Categorical Exemption Pursuant to the California
 Environmental Quality Act Related to Improvements to the Sports Field at
 Ocean View Park.**

STAFF RECOMMENDATION

For information only.

BACKGROUND & DISCUSSION

Attached is a staff report to the City Council from the Recreation and Community Services Director describing proposed changes to the Ocean View Park sports field (Attachment 1).

Pursuant to the provisions of the California Environmental Quality Act, certain types of projects may be determined to be exempt from CEQA review procedures. Staff has evaluated the proposed project and determined that the improvements are a minor alteration of an existing facility, and thus exempt from further CEQA review. Thus, on November 6, 2008, City staff filed a Notice of Exemption (Attachment 2) with the Alameda County Clerk/Recorder (the filing of the notice was required in order to pursue grant funds).

Once the design of the improvements is more fully developed, staff will schedule a public hearing for Design Review of the improvements. We currently anticipate that the changes can be characterized as minor exterior alternations, and be reviewed in an administrative hearing by Community Development Department staff. A standard 10-day, 100-foot public notice will be provided for the administrative public hearing.

Attachment 1 – October 20, 2008 City Council Staff Report

Attachment 2 – CEQA Notice of Exemption

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: October 20, 2008
Reviewed by: BP

SUBJECT: RobertiZ'berg grant funds for Ocean View Sports Field improvements

REPORT BY: Penelope Leach, Recreation and Community Services Director

STAFF RECOMMENDATION

Approve the use of the RobertiZ-berg grant funds for Ocean View sports field improvements which include:

- (1) batting cages;
- (2) bullpen;
- (3) electronic scoreboard;
- (4) snack shack;
- (5) fencing;

BACKGROUND

The 2006/07-2010/11 Capital Improvements Plan adopted by Council earmarked the 2000 and 2002 Roberti-Z'Berg Block Grants for the renovation of the Veteran's Memorial Building should the City have the opportunity to renovate and manage the building. On June 16, 2008, the City Council voted to postpone the Veteran's Building project; therefore, the grant funds need to be reassigned.

The 2000 Roberti-Z'Berg grant mandates a completed project by March 31, 2009, and has a \$22,274 matching fund requirement. The total 2000 grant including the matching amount is \$74,247. The 2002 Roberti-Z'berg grant mandates a completed project by March 31, 2011, but does not have a matching fund requirement. The total 2002 grant is \$45,357. The two grants may be combined for one project or split to cover smaller projects; however, if the grants are combined, the project must be completed by March 31, 2009, in order to use the 2000 Roberti-Z'berg grant funds. Combined, the two grants total \$119,604. Guidelines for eligible projects and matching funds are outlined in Attachment A.

During recent discussions by the Parks and Recreation Commission regarding funds from the Lighting and Landscape District (LLD), the Commission reviewed projects identified in the Parks and Recreation Master Plan. The Commission was given a summary worksheet of those projects at the May 2008 meeting. Given the timeline for the 2000 Roberti-Z'Berg grant and the relatively small amount of the grants, none of the projects from the worksheet appear to be a good match. The worksheet from the May 2008 meeting is in attachment B.

At the July 2008 Commission meeting a subcommittee was established to discuss in more detail potential projects for the Roberti-Z'berg grant funds. The subcommittee met in early August and decided that there were two projects worth pursuing: (1) a Teen Media Center/Computer Lab; and (2) additional amenities for the Ocean View Park sports field. At the September 2008 Commission meeting, the Commission chose to recommend to Council that the grant funds be used for the Ocean View Sport Field additions. Although the Commission chose the sports field addition, they would also like to find a way to fund the Teen Center expansion project. The Commission asked staff to pursue ways to fund the Teen Center project.

DISCUSSION

The additional amenities at Ocean View Park sports field include an electronic scoreboard, a bullpen, batting cages, fencing, and a snack shack. The addition of a bullpen and batting cages would allow more flexibility in scheduling baseball and softball events as the field would be more attractive to the older age groups who currently prefer to use Memorial Field. Moreover, because Memorial does not have lights, there is little time to use the field from after school until sunset. Trying to fit in a high school softball program and the older little league teams has been problematic over the years.

The addition of the scoreboard and snack shack would benefit all sports. The snack shack could be rented to various user groups and could be an attractive draw for Teen events at the Teen Center. The suggested fencing includes adding foul ball fencing to the backstop as well as adding fencing in front of the portable down the first base line.

Estimated costs:

Design	\$ 7,000
Bullpens	\$15,000
Batting Cages	\$20,000
Fencing	\$10,000
Electronic Scoreboard	\$15,000
Snack Shack	\$20,000
<u>Contingency/Project management</u>	<u>\$12,000</u>
TOTAL	\$99,000

The total grant is for \$119,000 leaving a balance of \$20,000. If funds are available after the work is complete at Ocean View, staff would like to use the remaining funds for a permanent stage at Memorial Park located near the walkway by the tennis courts where the stage is typically set up for Music in the Park. Staff will come back to Council with a formal request at a later time should funds be available.

Matching Funds

A \$22,274 matching grant is required for the 2000 RobertiZ'berg grant. The School District Superintendent has expressed a willingness to go the School Board to recommend the matching funds for the Ocean View project.

FISCAL IMPACT

The entire project for Ocean View would be paid for from grant funds. The additional maintenance cost of taking care of the additions would be minimal and could be absorbed into the current budget.

Attachments

- A. Roberti-Z' Berg Grant Fund Summary Information
- B. LLD Summary Worksheet from May 2008 Meeting
- C. Diagram of Ocean View Park proposed additions

Roberti-Z-Berg Block Grant Information

2000 Roberti-Z-Berg

Amount Allocated: \$51,973

Matching required: \$22,274

TOTAL **\$74,247**

2002 Roberti-Z-Berg

Amount Allocated: \$45,357

No matching

TOTAL **\$45,357**

Combined TOTAL: \$119,604

Deadlines: 2000 grant, project must be completed by March 31, 2009
 2002 grant, project must be completed by March 31, 2011

Eligible Projects

The following types of Projects are eligible for grant funding. The Local Agency shall adhere to the conditions that apply to these Projects.

1. Acquisition

Acquisition of open space areas is eligible.

Acquisition of historic sites or structures is eligible (see page 2 for more detail).

Acquisition may include developed or undeveloped parcels, fee title, less than fee title, such as easements, rights of way, riparian rights, or any interest sufficient to accomplish Project goals. Priority consideration should be given to open space areas with ready access to large numbers of the immediate population. Acquisition of lands and structures to be converted to recreation use is also eligible.

Property obtained under the state grant program must comply with provisions of Chapter 16, Sec. 7260 of Div. 7, Title 1 of the Government Code, and state procedures established by the California Department of Parks and Recreation.

Special circumstances apply if the Project involves the Acquisition of agricultural lands or has an impact on those lands. (See Appendix I, pg. **Error! Bookmark not defined.**).

2. Development/Rehabilitation

Preservation, rehabilitation, or restoration of historic sites or structures are eligible if they are in a park and recreation area (see page 2 for more detail).

Development of a park that meets an identifiable recreation need, or that provides recreation opportunities not now available, is eligible.

Rehabilitation of park, recreation, or historical facilities that are no longer fully serviceable, and that, when rehabilitated, provide expanded or additional recreation or historical opportunities, is eligible.

Adequate Tenure to the property is required for Development/Rehabilitation Projects. Adequate Tenure means the Applicant owns the land or holds a lease or other long-term interest that is satisfactory to the Department.

(See Appendix F, pg. **Error! Bookmark not defined.**)

3. Special Major Maintenance

Eligible Special Major Maintenance Projects include Rehabilitation or refurbishing activities performed on an annual or more infrequent interval, excluding capital improvements and routinized or other regularly scheduled and performed tasks such as grounds mowing, hedge trimming, garbage removal and watering. Special Major Maintenance Projects include activities that will reduce energy requirements to operate recreational lands or facilities. Frequent and routinized operation and maintenance, including costs for equipment and personnel, are not eligible.

IMPORTANT: No more than 30% of the grant amount received may be used for Special Major Maintenance or Innovative Recreation Programs, or a combination of both. Special Major Maintenance Projects must be used at parks that were acquired or developed with funds from the RZH Program.

4. Innovative Recreation Program

Eligible Innovative Recreation Programs are specially designed, creative social and human service activities that, by their nature, are intended to respond to the unique and otherwise unmet recreation needs of special urban populations, including, but not limited to, senior citizens, physically or emotionally disabled, chronic and "new" poor, single parents, "latchkey" children, and minorities. The term includes special transportation programs designed to facilitate access of these groups to parks and recreational programs and facilities.

IMPORTANT: No more than 30% of the grant amount received may be used for Special Major Maintenance or Innovative Recreation Programs, or a combination of both.

Historic Preservation

Projects for Acquisition, preservation, rehabilitation, or restoration of historic sites or structures are eligible if they are in a park and recreation area. Projects must appear on one of the following four registration programs: 1) National Register of Historic Places, 2) California Historic Landmark Program, 3) California Register of Historical Resources, or 4) Points of Historic Interest Program.

Or

If the site is NOT listed in one of these registration programs, the applying Jurisdiction's governing body may provide a resolution declaring the site to have true historic value, and a declaration of its intent to apply immediately for historic registration.

Ineligible Projects

1. Projects located on school properties and used solely for school purposes.
2. Projects on land or improved property acquired by condemnation from an unwilling seller.

Attachment A

3. Projects traditionally provided by the private, non-government sector or by concessionaires, unless it can be shown that no private entrepreneur is willing to provide services, and there is demonstrated need for the Project.
4. Master planning for park Acquisition and Development.
5. Highway beautification and parking for other than recreation purposes.
6. Routine operations and maintenance.

The minimum local Match, all of which must come from non-state monies, is 3/7 times the jurisdiction's allocation.

Component of local matching money from Private or Non-state Sources:

- Cash donations,
- Gifts of real property, *RZH Block Grant Procedural Guide 9*
- Equipment and consumable supplies,
- Volunteer services,
- Free or reduced cost of lands,
- Facilities,
- Bequests and earnings from wills, estates, and trusts,
- Funds from the federal government,
- Funds from local public agencies other than the Applicant

CRITERIA FOR WAIVER OF MATCH

Waiver Conditions for 10% Private or Nonstate Match (Acquisition and Development Projects)

Grantees may request a waiver of the 10% private or non-state Match either on a Project-by-Project basis or by submitting a single request for waiver of this Match to apply to the Grantee's total allocation. With a waiver, the Grantee is still responsible for a 30 percent local Match but will not be required to certify that one-third of this 30 percent Match is from Private or Non state Sources. It is recommended that this request for waiver be submitted in narrative form to the Department. It may be submitted at the same time the Grantee submits a signed resolution from their governing body to receive a Contract. The Applicant's matching money from Private or Non-state Sources shall not be required if the Local Agency can comply with Item A **and** Items B or C (i.e. A and B **or** A and C).

A. The Applicant currently has available the entire 30% in other eligible matching funds in the event the private or non-state Match is waived (certification required).

AND B.

There has been an unsuccessful attempt to raise private or obtain non-state matching funds or contributions for the proposed Project or similar Projects (submit evidence);

OR

C. An attempt to raise funds would, in the estimation of the Local Agency, be unsuccessful for two or more of the following reasons:

Attachment A

1. The availability of financial assistance from Private or Non-state Sources for the Project is limited (submit statement);
2. The per capita income in the Applicant's Jurisdiction is lower than the statewide average (submit evidence);
3. The unemployment rate in the Applicant's Jurisdiction is above the statewide average (submit evidence);
4. Plant or business closure in the Applicant's Jurisdiction has accelerated in the past two years (submit evidence);
5. The proposed Project is of a nature not likely to attract private or non-state funds or contributions. This includes, but is not limited to, replacement Projects of existing support facilities (restrooms, parking, irrigation systems, water supply, drainage), site preparation for new developments (grading, utility, fencing), and Acquisition Projects such as in-holdings, easements, and boundary adjustments.

Recommendations from the Parks and Recreation and Open Space Master Plan

Completed Projects	Project Description	Total Costs	Comments	Funds
Dartmouth Tot Lot	Replaced play equipment, repaired drinking fountain, improved signage	\$6,500	Project Complete	Measure F
Ocean View Park	Ball field, community garden, picnic area, restrooms and play area	Costs to date: \$1,825,171.82	Very small punch list of items to complete	Measure F, Measure R (ball fields), CDBG, Prop 40, LLD Cap projects, Capital Projects
Terrace Park	Picnic area, drainage, turf, and restrooms	\$542,760.92	Project Complete	Measure F, Prop 12 and 40,
Memorial Park Phase I and II	Baseball/softball backstop, dugouts, bleachers, fencing, turf, drainage and irrigation, picnic area, sidewalks, landscaping	Costs to date: \$1,384,502.03	Very small punch list of items to complete	Measure F, Measure R (ball fields), Prop 40, Capital Projects
Ohlone Greenway Lighting	Installed light fixtures on the underside of the BART tracks to replicate the existing lighting installation along the BART tracks in El Cerrito		Project Complete	Safe Routes to Transit grant (MTC)
Catherine's Walk	Safety improvements and maintenance			

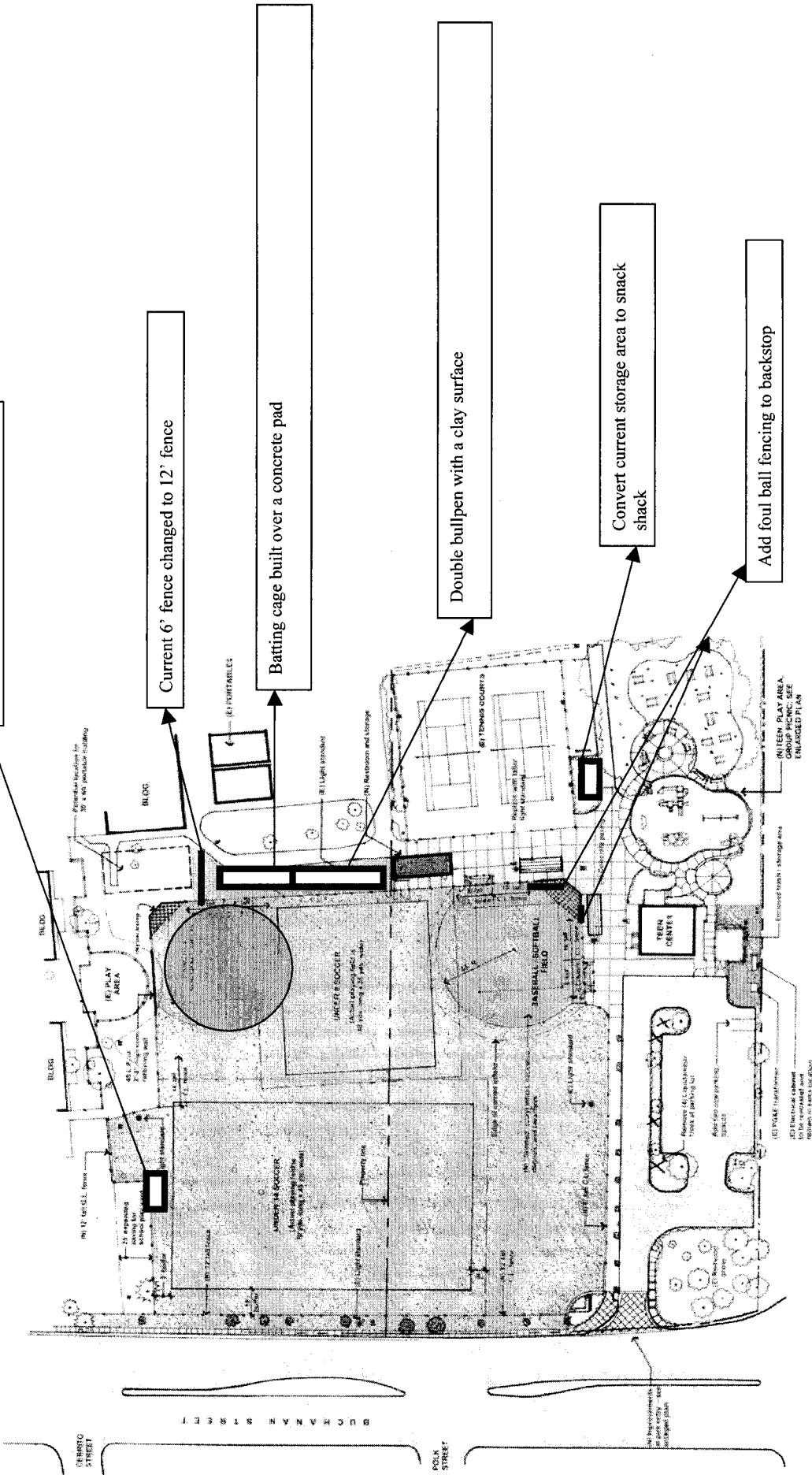
Proposed Projects	Project Description	Estimated Costs	Comments	Possible Funding
Pierce Street Park	Acquire site from Caltrans and develop site into a neighborhood park.	1.3 million in 2004 of which the City has committed \$580,000 for its purchase	Historically, this project has not been supported by the P and R Commission.	Measure F, Measure R (Recreational Playfields), General Fund
Veteran's Memorial Building	Acquire and Renovate: needs to be ADA compliant and seismically retrofitted, new HVAC	10.5 million	Project has been postponed via Council	Tax Measure TBD
Ohlone Greenway	Upgrade irrigation system, specialized trail surfaces for bikes, running, and walking, game courts, interpretive trails, native plantings, community garden, play structures		Due to the BART retrofit project, Gates and Assoc. has started the "master plan" process for the Ohlone Greenway.	Could possibly find a nexus to use Measure R (Recreational Playfields)
Waterfront Trail Park	Upgrade the area lying with a portion of the right-of-way of Buchanan Street extension to include minor improvements such as a drinking fountain, securable porta-potty enclosure, landscaping, tables/benches, irrigation	\$75,000 in 2004 with the additional per month rental of the porta-potties	In addition to construction and design cost, the Parks and PW maintenance budget would need to be increased.	No funds identified
Resurfacing Tennis Courts at Terrace Park		\$10,000	Planned for 2008/2009 fiscal year	88-1
Proposed Projects	Project Description	Estimated Costs	Comments	Possible Funding

Creekside Park	Implementation of the Albany-Hill-Creekside Master Plan including signage, benches and vegetation management and consider the feasibility of a connection access across Cerrito Creek to link the Cerrito Creek Bay Trail connector	\$383,630 in 2004	Negotiations are ongoing with El Cerrito, Richmond, Urban Creeks Council, and the Home Owners Assoc. Maintenance and liability are issues to TBD	Measure R (Creeks Restoration)
Cerrito Creek Restoration	Coordinate planning and improvement efforts with the Cities of Richmond and El Cerrito and non-profit organizations, such as Friends of Five Creeks, to improve the condition of the creek corridor.	The city currently pays Shelter Belt \$5,000 per year to keep banks and creek clear. Five Creeks oversees the work performed by Shelter Belt.	Negotiations are ongoing with El Cerrito, Richmond, Urban Creeks Council, and the Home Owners Assoc. Maintenance and liability are issues to TBD	No funds identified
Memorial Park Phase III	Turf, soil ammendment, drainage, irrigation	TBD	PW would like to get this done by July 4, 2008. Should not be a high cost item	TBD
Other	Project Description	Estimated Costs	Comments	Possible Funding
Community Center Tower	Repair damages caused by window leaks	Could cost as much as \$750,000. \$100,000 has been put aside from 88-1	Litigation pending	88-1

ATHLETIC FIELDS LAYOUT and RENOVATION
OCEAN VIEW PARK RENOVATION
 Albany, California



November 30, 2005



ENVIRONMENTAL DECLARATION
(CALIFORNIA FISH AND GAME CODE SEC. 711.4)

NAME AND ADDRESS OF APPLICANT OR LEAD AGENCY:

City of Albany _____
Community Development Department _____
1000 San Pablo Avenue _____
Albany, CA 94706 _____

**ENDORSED
FILED
ALAMEDA COUNTY**
FOR COURT USE ONLY
NOV 06 2008
PATRICK O'CONNELL, County Clerk
By *[Signature]* Deputy
FILING NO. 08-476

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:

1. NOTICE OF EXEMPTION/STATEMENT OF EXEMPTION PLU 117
 - A - STATUTORILY OR CATEGORICALLY EXEMPT PLU 117
\$50.00 (Fifty Dollars) - CLERK'S FEE
 - B - DE MINIMUS IMPACT - No fee required

2. NOTICE OF DETERMINATION - FEE REQUIRED
 - A - NEGATIVE DECLARATION PLU 116
 - 1,876.75 (One Thousand Eight Hundred Dollars) - STATE FILING FEE
 - \$50.00 (Fifty Dollars) - CLERK'S FEE
 - B - ENVIRONMENTAL IMPACT REPORT PLU 115
 - \$2,606.75 (Two Thousand Five Hundred Dollars) - STATE FILING FEE
 - \$50.00 (Fifty Dollars) - CLERK'S FEE

3. OTHER (Specify) _____ PLU 117
\$50.00 (Fifty Dollars) - CLERK'S FEE

* THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL ENVIRONMENTAL DOCUMENTS FILED WITH THE ALAMEDA COUNTY CLERK'S OFFICE.

FOUR COPIES OF ALL NECESSARY DOCUMENTATION ARE REQUIRED FOR FILING PURPOSES.
(include a .60 cent self addressed stamped envelope)

APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING AN ENVIRONMENTAL DOCUMENT WITH THE ALAMEDA COUNTY CLERK'S OFFICE.

MAKE CHECK PAYABLE TO: ALAMEDA COUNTY CLERK

Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

X County Clerk
County of Alameda

From: City of Albany
1000 San Pablo Avenue
Albany, CA 94706

**ENDORSED
FILED
ALAMEDA COUNTY**

NOV 06 2008

Project Title: City of Albany Ocean View Park Project

Project Location - Specific: 900 Buchanan Avenue

Project Location - City: Albany, Berkeley

PATRICK O'CONNELL, County Clerk
By  Deputy

Project Location - County: Alameda

Description of Nature, Purpose, and Beneficiaries of Project: Ocean View Park is located at 900 Buchanan Avenue in Albany, California. Ocean View Park is a 3.26-acre facility with a approximately 1,800 square foot one-story building that serves as a Teen Center, a multi-purpose sports field (baseball/softball/soccer), two tennis courts, two basketball courts, playground, picnic area, community garden, and a parking lot for 23 vehicles. The park is owned and operated by the City of Albany.

The property is located in a built-out urban residential community. Access to the park is off Buchanan Avenue, which is a four-lane arterial street that links the City of Albany to I-80 and I-580. Immediately adjacent to the west of the park is an 11.62-acre U.S. Department of Agriculture Research Facility. To the east is a 5.54-acre Ocean View elementary school. North of Buchanan Avenue is a low and medium density single-family residential neighborhood. The General Plan designation is "Open Space/Park & Recreation." The zoning designation is "Public Facilities."

The proposed project includes the following changes to an existing multi-use sports field in order to allow the field to meet current standards of safety for use by the Albany High School Junior Varsity baseball team.

- Add a bullpen and batting cages along the first base line, including a concrete pad, fencing, and netting.
- Increase the height of fencing in right field next to the playground at Ocean View Elementary School from approximately four feet to approximately twelve feet.
- Increase the height of fencing along the first base line from approximately six feet to approximately twelve feet.
- Extend fencing around the backstop to prevent foul balls from reaching the bleacher area and parking lot.
- Convert the interior of the existing storage room into a snack shack. (The outside of the storage room structure would not change.)
- Installation of a scoreboard.

Notice of Exemption

City of Albany Ocean View Park Project

Page 2 of 2

- Increase the height of the left field fence from approximately twelve feet to approximately twenty-two feet.

The existing field has lighting, and no changes to field lighting are proposed. The proposed use by the Albany High School Junior Variety Baseball team will not substantially change the hours or intensity of use of the facility, and will not substantially displace use of the field by other organization and teams.

Potential actions by the City of Albany and the Albany Unified School District associated with the project include approval of funding from California Department of Parks, approval of design, solicitation of bids for construction, approval of construction contracts, and issuance of ministerial building permits from the City of Albany.

Name of Public Agencies Approving Project: City of Albany; Albany Unified School District

Name of Person or Agency Carrying Out Project: City of Albany Recreation and Community Services Dept

**ENDORSED
FILED
ALAMEDA COUNTY**

Exempt Status: (check one)

NOV 06 2008

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

PATRICK O'CONNELL, County Clerk
By [Signature] Deputy

X Categorical Exemption. State type and section number: Class 1 -Section 15301 (Existing Facilities)

Statutory Exemptions. State code number:

Reasons why project is exempt: The project involves minor alteration of an existing public structure, and negligible expansion of use. The site is not environmentally sensitive and has no natural systems, habitat, wetlands, plant life, etc. No changes to the appearance of the building or to utility services to the building are proposed. The proposed project does not involve a change in the size of the facility, the types of programs, or the staffing levels. The only discretionary land use approval required is design review of the proposed fencing.

Lead Agency Contact Person: Jeff Bond 510-528-5769 (for CEQA Review); Penelope Leach 510-524-9283 (for project implementation).

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:

Date:

Title: Planning and Building Manager

[Signature]
JEFFREY T. BOND

November 5, 2008

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR: