

# Livermore Area Recreation and Park District

## Staff Report

---

---

TO: Chair Pierpont and Board of Directors

FROM: Mathew Fuzie, General Manager

PREPARED BY: Jeffrey Schneider, Business Services Manager

DATE: December 8, 2021

SUBJECT: Per Capita Grant Program, Contracts C9801138 and C9802012

---

---

**RECOMMENDATION:** That the Board of Directors approve Resolution # \_\_\_\_\_, authorizing General Manager Fuzie to execute the transfer of \$229,892 of grant monies, potentially available to the District from the State of California’s Office of Grants and Local Services (OGALS), to the City of Livermore in support of the Arroyo Trail project to close the gap between the existing trail at Wetmore Road and the Arroyo Del Valle Trail at the easterly entrance of Sycamore Grove park.

**BACKGROUND:**

The State’s OGALS unit is administering the distribution of Grant funds available from the “California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All” Act of 2018 (“the OGALS Grant”). Per Capita Grant funds available to LARPD via the OGALS Grant total \$229,892 and are made up of two Contracts: Contract no. C9801138 (general per capita grant program, \$177,952) and Contract no. C9802012 (Heavily Urbanized Counties, \$51,940).

The Per Capita Program originates from Proposition 68, placed on the ballot via Senate Bill 5 (DeLeon, Chapter 852, statutes of 2017), and approved by voters on June 5, 2018. Both the General Per Capita Program and the Urban County Per Capita Program (“Heavily Urbanized Counties”) are non-competitive grant programs, and the grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure, address deficiencies, and provide access to the outdoors. Eligible projects must be capital outlays for recreation purposes, either acquisition or development. Grant performance is from July 1, 2018 through June 30, 2024.

**In collaboration with the City of Livermore, staff have identified, and discussed in several recent Board Committee meetings, the opportunity to:**

- 1. Contribute the District’s share of funds from The OGALS Grant (\$229,892) to the Arroyo Road Trail project (described below).**

2. **Rely on the City to satisfy the current and on-going requirements prescribed by OGALS, including the submission of the Per Capita Grant funds application, CEQA submission, and all other project documentation requirements.**

Note: **LARPD's funds will be added to the City's share of funds from The OGALS Grant (\$185,683) and to other funds as reflected in the City's Capital Improvement Program (CIP) plan for FY2021-23**, which includes a total spend estimate of \$1.975 million. However, per the City's staff report (attached): "... the existing CIP budget for this project was developed with the assumption that the trail can utilize the existing County of Alameda's bridge over Dry Creek. Preliminary engineering has revealed that it is not feasible to connect the north and south segment of the trail with the existing bridge because of elevation differences and can only be achieved with the construction of the County's planned bridge project, which will include the ultimate Arroyo Road Trail (T-13, Segment B) bicycle and pedestrian alignment and complete the connection. The construction of the County of Alameda's bridge project is tentatively scheduled to commence in 2025 and be completed in 2028. Because of the timing of the city's and county's project, an alternate trail alignment and drainage crossing is necessary to connect the north and south trails below the bridge on the east side. The alternate trail will serve as a secondary alignment. The OGALS Per Capita Grant will supplement the project budget to accommodate these additional elements. After the OGALS Per Capita Grant is awarded staff will return to council for additional budget allocation as part of Capital Improvement Program budget adjustment process in spring 2022."

Note also that **there is a matching requirement of 20% of OGALS Grant funds**, or a total of \$83,115 when considering both LARPD's grant funds as well as the City's, which the City and LARPD staff have concluded **will come from AB1600 funds**.

### **The Project:**

The Arroyo Road Trail project is identified as Segment B of Trail No. 13 in the City of Livermore's Bicycle, Pedestrian, and Trails Active Transportation Plan. The project will close the gap between the existing trail at Wetmore Road and the Arroyo Del Valle Regional Trail at the easterly entrance of Sycamore Grove Park. The trail segments are located in unincorporated Alameda County and are separated by Dry Creek stream. The northerly trail segment will begin at the Olivina Gate and extend south for approximately 0.6 miles to Dry Creek stream inside private property owned by Wentz Brothers. Wentz Brothers will dedicate the trail easement for the purpose of constructing the new trail. The southerly trail segment (owned by Livermore Area Recreation and Park District) begins at Dry Creek stream and will continue to run south for approximately 0.8 miles and will align with the existing unpaved trail path inside Sycamore Grove park and connect to the existing Arroyo Del Valle Regional Trail. The total length of the proposed trail is roughly 1.4 miles and is classified as an all-weather two-way Type I bicycle and pedestrian paved path.

Additional notes:

- The latest project schedule we've seen from the City targets project completion by December, 2023, though this may slip to 2024.
- The trail will match existing line and grade of the aggregate walking path in Sycamore Grove Regional Park.
- The trail will parallel Arroyo Road and will generally reside at the toe of existing slope of Arroyo Road.
- Tree removals, if any, are anticipated to be minimal.
- The trail will be a 10-foot-wide, paved path with 2' shoulders for a total facility width of 14 feet.
- Wayfinding signage will be installed and will match existing and available City standards.
- Electrical facilities for signals and lighting are not included in the project since the existing trail facilities in the vicinity do not feature pedestrian-scale lighting.
- It is assumed that the project can maintain existing drainage patterns and that the installation of drainage systems is not required. It has been assumed that the project will install a portion or all the trail with pervious asphalt to avoid hydromodification requirements (note: LARPD Staff are considering alternative materials for the Sycamore section of the trail – this comment about pervious asphalt is from a preliminary City document).

Please see Attachment A, "Arroyo Road Trail", for a visual depiction of the project which outlines the Proposed Trail from start to finish.

**Next Steps:**

1. LARPD will send a copy of the attached resolution (Attachment B) , if approved, along with a letter to OGALS (Attachment C);
2. The City will submit its application to OGALS by the deadline of December 31, 2021.
3. Once the City's project is approved and the contracts are signed with OGALS, the State will provide to LARPD a deed restriction template that is required of LARPD regarding the portion of the Arroyo Trail that is located within LARPD's Sycamore Grove park.
  - a. The deed restriction will restrict the title to the property to safeguard it for purposes consistent with the Grant for 30 years from project approval.

Attachments:

- A. Visual Depiction: Arroyo Road Trail from start to finish
- B. \* Resolution
- C. \* Letter to OGALS outlining plans to transfer Grant funds to the City of Livermore
- D. City of Livermore's Staff Report

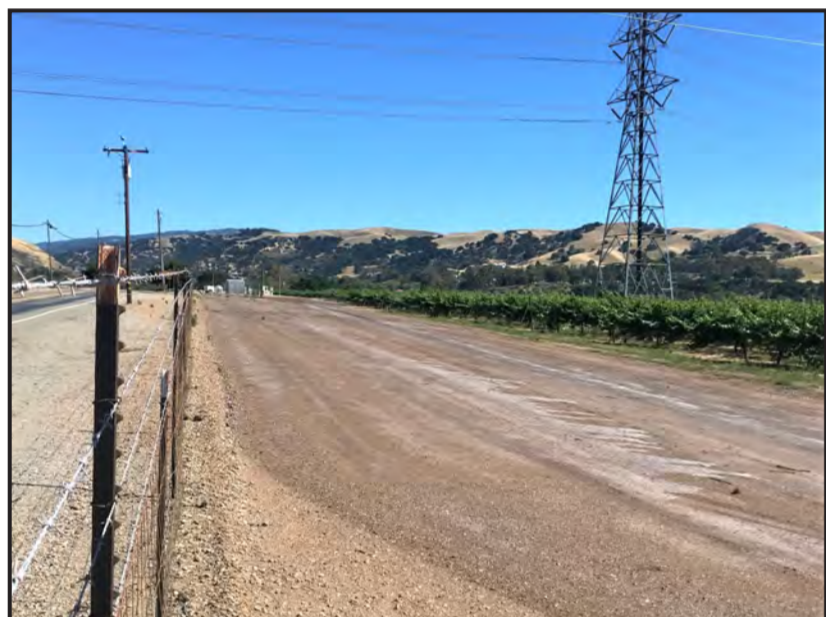
\* Submissions required by State OGALS to effect the Grant funds transfer to the City

# Arroyo Road Trail

- - - Proposed trail
- Existing trails
- Property lines



**A** Trail start



**B** Wentte property ranch road



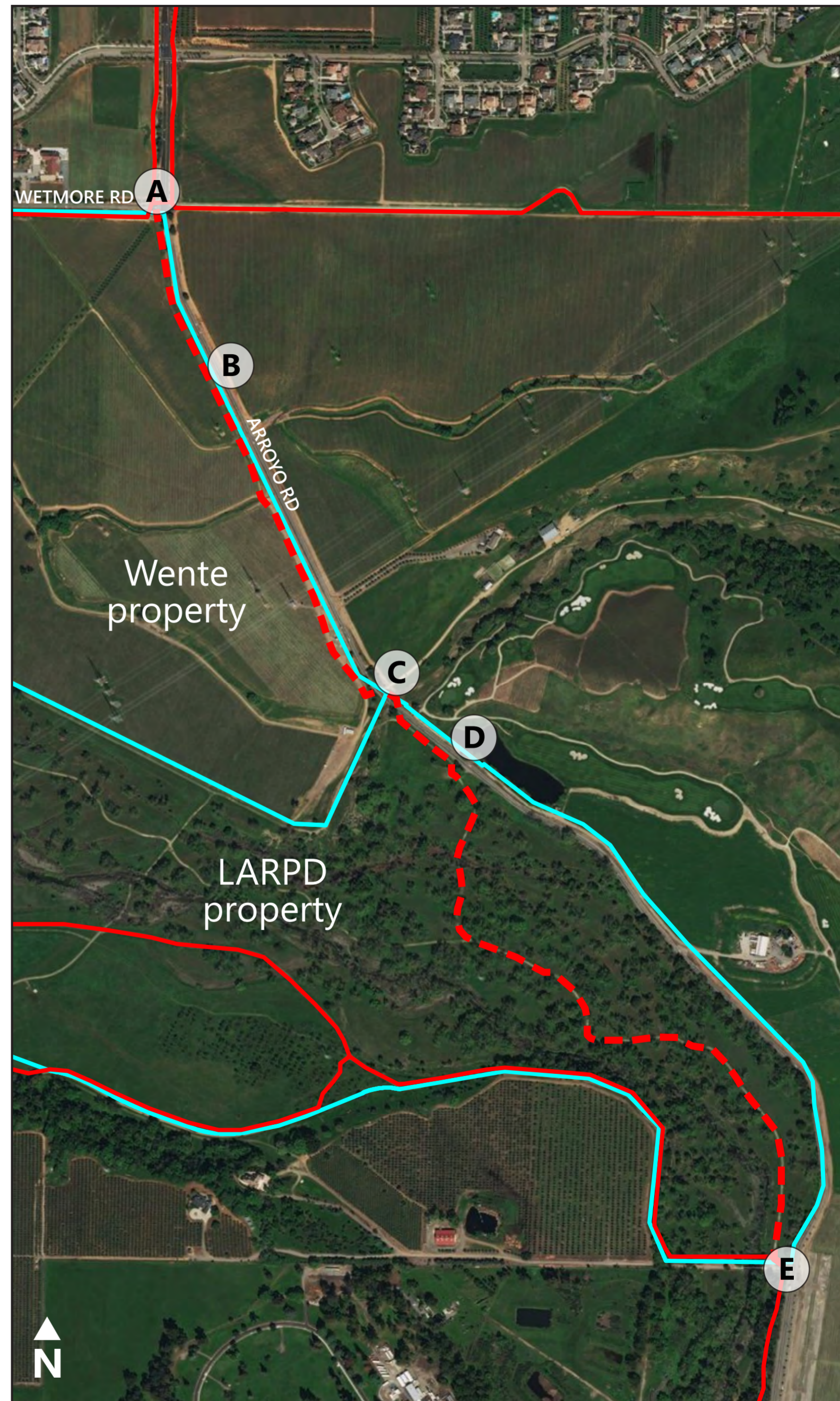
**C** Bridge to be replaced by Alameda County



**D** LARPD property - Sycamore Grove Park



**E** Trail end



**THE BOARD OF DIRECTORS  
OF THE  
LIVERMORE AREA RECREATION AND PARK DISTRICT**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE LIVERMORE AREA RECREATION AND PARK DISTRICT AUTHORIZING LARPD TO ENTER INTO AMENDMENTS TO CONTRACT NUMBERS C9801138 AND C9802012 WITH THE STATE OF CALIFORNIA FOR THE PER CAPITA GRANT PROGRAM UNDER THE CALIFORNIA DROUGHT, WATER, PARKS, CLIMATE, COASTAL PROTECTION, AND OUTDOOR ACCESS FOR ALL ACT OF 2018.**

*WHEREAS*, the Livermore Area Recreation and Park District will enter into Amended Contracts with the State of California to decrease the Livermore Area Recreation and Park District Per Capita Grant Fund allocation from \$229,892 to \$0 to reflect the pass through of \$229,892 to the City of Livermore.

*NOW, THEREFORE, BE IT RESOLVED* that the Board of Directors of the Livermore Area Recreation and Park District hereby:

1. Approves the Amendments to Contract No. C9801138 and Contract No. C9802012 with the State of California under the Per Capita Grant Program under the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018; and
2. Authorizes the General Manager to execute the Amendments on behalf of the Livermore Area Recreation and Park District.

**ON MOTION** of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, the foregoing resolution was passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following roll call vote:

**AYES:**

**NOES:**

**ABSTENTIONS:**

**ABSENT:**

Approved this \_\_\_\_ day of \_\_\_\_\_, 2021,

---

Philip Pierpont  
Chair, Board of Directors

ATTEST:

---

Mathew L. Fuzie  
General Manager and ex-officio Clerk  
to the Board of Directors

ATTACHMENT C

To: Erin Spencer  
Project Officer (APRS)  
California State Parks, Office of Grants and Local Services

CC: Mathew Fuzie  
General Manager  
LARPD

Fr: Jeffrey Schneider  
Business Services Manager  
Livermore Area Recreation and Park District (LARPD)

Re: Per Capita Grant Program, Contracts C9801138 and C9802012

Dt: December 8, 2021

Erin, our General Manager is presenting a resolution (# tbd) to the Board of Directors of the Livermore Area Recreation and Park District (LARPD, "the District") on December 8, 2021 that asks the Board to approve the transfer of per capita grant funds available from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 ("OGALS Grant"). Specifically, the District will transfer 100% of the grant monies available to it via Contract no. C9801138 (per capita grant program, \$177,952) and Contract no. C9802012 (Heavily Urbanized Counties, \$51,940) to the City of Livermore, who will administer the grant and apply the monies from its own OGALS grant, along with the funds transferred from the District, to the mixed use trails project known as "Arroyo Road Trail (T-13, Segment B)".

The District's resolution will ask the Board to:

1. Approve the Amendments to Contract No. C9801138 and Contract No. C9802012 to effect the transfer of a total of \$229,892, the total of grant monies from the two contracts; and
2. Authorize the General Manager to execute the Amendments on behalf of the Livermore Area Recreation and Park District.

The Project: As communicated to you by the City, the Arroyo Road Trail project is identified as Segment B of Trail No. 13 in the City of Livermore's Bicycle, Pedestrian, and Trails Active Transportation Plan. The project will close the gap between the existing trail at Wetmore Road and the Arroyo Del Valle Regional Trail at the easterly entrance of Sycamore Grove Park. The trail segments are located in unincorporated Alameda County and are separated by Dry Creek stream. The northerly trail segment will begin at the Olivina Gate and extend south for approximately 0.6 miles to Dry Creek stream inside private property owned by Wentte Brothers. Wentte Brothers will dedicate the trail easement for the purpose of constructing the new trail. The southerly trail

segment (owned by Livermore Area Recreation and Park District) begins at Dry Creek stream and will continue to run south for approximately 0.8 miles and will align with the existing unpaved trail path inside Sycamore Grove Regional Park and connect to the existing Arroyo Del Valle Regional Trail. The total length of the proposed trail is roughly 1.4 miles and is classified as an all-weather two-way Type I bicycle and pedestrian paved path.

Next Steps:

1. LARPD will send a copy of the aforementioned Board Resolution to you upon its approval at the December 8<sup>th</sup> Board meeting.
2. LARPD will await the State's email of the Deed Restriction template, which we will receive upon the project's approval.





**CITY COUNCIL STAFF REPORT**

**ITEM NO. 5.5**

---

**DATE:** November 8, 2021  
**TO:** Honorable Mayor and City Council  
**FROM:** Paul Spence, Community Development Director  
**SUBJECT:** Resolution approving application(s) for Per Capita Grant Funds administered by the State Department of Parks and Recreation's Office of Grants and Local Service.

**RECOMMENDED ACTION**

Staff recommends the City Council adopt a resolution:

1. Authorizing staff to prepare and submit the Per Capita Grant Funds application(s); and
2. Authorizing the City Manager or designee to sign all grant documents for the Per Capita Grant Funds.

**SUMMARY**

The Per Capita Program is administered by the State Department of Parks and Recreation's Office of Grants and Local Services (OGALS). As part of the application process, OGALS requires the grantee to certify, by resolution, the approval of filing the project application(s) and delegate the City Manager or designee to sign all grant documents for the Per Capita Grant Funds. The City is eligible for an allocation of \$185,683 (\$177,952 from the General Per Capita Program and \$7,731 from the Urban County Per Capita Program). Staff is proposing to request the full allocation for the Arroyo Road Trail (T-13, Segment B), Project No. 2019-55.

**DISCUSSION**

The Per Capita Program originates from Proposition 68, placed on the ballot via Senate Bill 5 (DeLeon, Chapter 852, statutes of 2017), and approved by voters on June 5, 2018. The funding for the Per Capita Program is from the General Per Capita Program and the Urban County Per Capita Program. Both are non-competitive grant programs, and the grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies and providing access to the outdoors. The City is eligible for an allocation of \$185,683 (\$177,952 from General Per Capita Program and \$7,731 from Urban County Per Capita). Eligible projects must be capital outlay for recreation purposes, either acquisition or development. Staff is proposing the Arroyo Road Trail (T-13, Segment B), Project No.2019-55 for the OGALS Per Capita Grant.

The Arroyo Road Trail project is identified as Segment B of Trail No. 13 in the City's Bicycle, Pedestrian, and Trails Active Transportation Plan. The project will close the gap between the existing trail at Wetmore Road and the Arroyo Del Valle Regional Trail at the easterly entrance of Sycamore Grove Park. The trail segments are located in unincorporated Alameda County and are separated by Dry Creek stream. The northerly trail segment will begin at the Olivina Gate and extend south for approximately 0.6 miles to Dry Creek stream inside private property owned by Wentz Brothers. Wentz Brothers will dedicate the trail easement for the purpose of constructing the new trail. The southerly trail segment (owned by Livermore Area Recreation and Park District) begins at Dry Creek stream and will continue to run south for approximately 0.8 miles and will align with the existing unpaved trail path inside Sycamore Grove Regional Park and connect to the existing Arroyo Del Valle Regional Trail. The total length of the proposed trail is roughly 1.4 miles and is classified as an all-weather two-way Type I bicycle and pedestrian paved path.

After Council authorizes the OGALS Grant Application, staff will prepare the necessary documents and submit the application to OGALS by the December 31, 2021 deadline.

### **ENVIRONMENTAL DETERMINATION**

Authorization of authority for the City Manager to apply for per capita grant funds for future trail improvements is not a project under CEQA pursuant to the Public Resources Code, Chapter 2.5, section 21065.

City Council authorization at this stage of applying for grant funding will not cause a direct physical change in the environment, or a reasonably foreseeable indirect change in the environment. No lease, permit, certificate, or entitlement is being issued at this time.

### **FISCAL AND ADMINISTRATIVE IMPACTS**

The grant requires a 20% match from the City. Eligible match sources are: Federal funds, Local funds, Private funds, In-House Employee Services and Volunteer Labor. The Arroyo Road Trail (T-13, Segment B), Project No. 2019-55 is included in the FY 2021-23 Capital Improvement Plan (CIP). The total project budget for FY 2021-2025 is \$1,975,000, funded by Measure B-Local Street and Roads (678), Measure B-Bike/Pedestrian (677), State Grant (607), and Park Fee- AB 1600 (337).

The FY 2021-23 Capital Improvement Plan budget for this project was developed with the assumption that the trail can utilize the existing County of Alameda's bridge over Dry Creek. Preliminary engineering has revealed that it is not feasible to connect the north and south segment of the trail with the existing bridge because of elevation difference. It can only be achieved with the construction of the County's planned bridge project. The future county bridge will include the ultimate Arroyo Road Trail (T-13, Segment B) bicycle and pedestrian alignment and complete the connection. The construction of the County of Alameda's bridge project is tentatively scheduled to commence in 2025 and be completed in 2028. Because of the timing of the city's and county's project, an alternate trail alignment and drainage crossing is necessary to connect the north and south trails below the bridge on the east side. The alternate trail will serve as a secondary alignment. The OGALS Per Capita Grant will supplement the project budget to accommodate these additional elements. After the OGALS Per Capita Grant is awarded staff will return to council for additional budget allocation as part of Capital Improvement Program budget adjustment process in spring 2022.

The estimated cost for grant preparation and administration by engineering staff is approximately \$4,000. The OGALS Per Capita Grant is subject to audit by State Department of Parks and Recreation's. All project records must be retained for five years after final payment is issued, or the project terminated, whichever is later. Based on this requirement, finance department has estimated their cost of grant administration for 7-years is approximately \$25,000.

**ATTACHMENTS**

- 1. Per Capita Program Procedural Guide
- 2. Resolution

Prepared by: Julie Chiu  
Associate Civil Engineer

Approved by:



---

Marc Roberts  
City Manager

Fiscal Review by:



---

Douglas Alessio  
Administrative Services Director