



City Council Staff Report

From: City Manager

Report Type: CONSENT CALENDAR

Lead Department: Community Services

Meeting Date: June 19, 2023

Report #:2303-1192

TITLE

Acceptance of an Outdoor Environmental Education Facilities Grant from the California Department of Parks and Recreation in the amount of One Hundred and Sixty-Two Thousand Dollars (\$162,000) for Signage and Exhibits at the Palo Alto Baylands Nature Preserve, Approval of Deed Restrictions in the Baylands, and Approval of a FY 2024 Budget Amendment in the Capital Improvement Fund; CEQA – categorically exempt (Regulation 15311).

RECOMMENDATION

Staff recommends that City Council approve the following:

1. Acceptance of a \$162,000 grant from the California Department of Parks and Recreation to fabricate and install interpretive exhibits and signage along the Baylands trail;
2. Approval of 30-year deed restrictions for the sites where State-funded interpretive exhibits will be installed;
3. Direct the City Manager or designee to execute all documents necessary to implement items 1. and 2. above.
4. Amend the Fiscal Year 2024 Budget Appropriation for the Capital Improvement Fund, requires a 2/3 vote, by:
 - a. Increasing the estimate for Revenue from Other Agencies for grants by \$162,000; and
 - b. Establishing the Baylands Interpretive Signage Program (OS-24001) Capital Project and expense appropriation in the amount of \$162,000.

BACKGROUND

The California Department of Parks and Recreation awarded the City of Palo Alto an Outdoor Environmental Education Facilities grant for \$162,000 to improve educational opportunities for visitors to the Baylands, specifically for the fabrication and installation of interpretive exhibits. The City Council adopted a Resolution approving the submission and management of the grant

in 2018¹. The State conditionally awarded the grant to the City of Palo Alto and both parties entered into a contract for the \$162,000 award on October 9, 2018. Section One, Subsection 5 of the grant contract requires the City to place a deed restriction for 30 years (until 2047) on land where State-funded exhibits will be installed. Since 2018, there were several steps needed before staff could return to Council with the recommended grant acceptance and approval of deed restrictions. This included working with partner organizations to raise the matching grant funds, hiring a consultant to draft the legal descriptions for deed restrictions and developing the legal descriptions.

Since City Council approval, staff has met its obligation to provide regular reports to the State on the status of achieving the following grant requirements: A) Progress obtaining matching grants, B) Designing and approval of the exhibits, signage, and installation and C) Selecting a consultant for the drafting of legal descriptions of the parcels to which the grant funds would be used and contracted to a Deed Restriction. The status of these grant requirements is described below.

- A. The grant's match requirement of \$54,000 for preconstruction costs were raised exclusively by the Friends of the Palo Alto Parks and the Environmental Volunteers in 2019 and used to engage stakeholders and to design the exhibits in 2020-2021.
- B. A two-phase Baylands Signage plan was developed for exhibits and signage on the Lucy Evans Baylands Nature Interpretive Center (Center) deck, the boardwalk, and on two miles of nearby trails adjacent to the Center after the need for outdoor interpretive signage was identified during stakeholder engagement in three Capital Improvement Projects: The Baylands nature Interpretive Center Facility Improvements (PE-15029), the Baylands Nature Interpretive Center Exhibit Improvements (AC-14001) and, the Baylands Boardwalk Improvements (PE-14018).

The first phase included interpretive exhibits on the deck of the Center funded by the Baylands Exhibit Capital Improvement Project. The request to the California Department of Parks and Recreation Outdoor Environmental Education Facilities grant was sought to fund the second phase with the Baylands Exhibit Project long-range plan. The Palo Alto Architectural Review Board approved a Major Architectural Review Application for a Master Sign Program on February 1, 2018.

- C. For the approximately two miles of existing trail and boardwalk at the Center the attached Deed Restriction is required to be consistent with the public purposes of the 2002 Resources Bond Act recordation (Attachment A). The Deed Restriction is a restriction on the title to the property, which ensures that the property is used for a purpose consistent

¹ City Council, April 2, 2018; Agenda Item # 4; SR #8971,
<https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/reports/city-manager-reports-cmrs/year-archive/2018/id-8971.pdf>

with the grant for the duration of the contract performance period. A formal legal description of the park dedication of the Baylands to which grant funds will be used for development is required. These legal descriptions were drafted by consultant BKF ENGINEERS.

ANALYSIS

Council approval of the proposed acceptance of grant funds would authorize the City Manager or Designee to execute the grant agreement, administer the grant, and commit to a Deed Restriction for at least 30 years. These terms are similar to prior State Park and Recreation grant applications. In addition, Council approval of the Baylands Interpretive Signage Program (OS-24001) will enable the staff of the Palo Alto Junior Museum and Zoo, who manage the Lucy Evans Baylands Nature Interpretive Center (Center), to procure and enter contracts with exhibit and signage companies to fabricate and install the interpretive exhibits and signs on the boardwalk and along two miles of Baylands trails connecting Palo Alto's Nature Center with East Palo Alto's Cooley Landing Education Center. The project includes 11 sign exhibits with 11 installations most to be located on the Center's Deck and adjacent Boardwalk.

Deed Restriction

While staff received approval to submit an Outdoor Environmental Education grant application of \$162,000, acceptance of the grant requires approval of recordation of a Deed Restriction that covers a portion of the Baylands that are dedicated parkland. This deed restriction does not interfere with the Palo Alto Airport Property lines.

The duration of deed restriction shall be in effect from July 1, 2017 through June 30, 2047. The grant funds are to be spent exclusively on carrying out the purposes set in the original grant application referenced above to fabricate and install the interpretive exhibits and signs. Any changes to the original grant application would require State approval.

During the duration of the Deed Restriction the City would be required to have facilities operating hours consistent with the times proposed in the original application and be open to members of the public as described in the original application. Additionally, the City agrees that for the duration of the Deed Restriction the deed property shall be used only for the purposes of the grant and no other use, sale or other disposition shall be permitted except as authorized by a specific act of the legislature.

The City of Palo Alto would be required to submit status reports of the project from time to time. The State would have the right to inspect all property or facilities developed. Sixty days after completion of the project the City would provide final expenditures to the State.

The Outdoor Environmental Education Facilities Grant Contract defines the installation of interpretive signage and interactive exhibits as a capital improvement to real property by means of construction of permanent or fixed features of the property.

Policy Implications

The recommended actions outlined in this report advance many important policy objectives related to the City Comprehensive Plan Policy Goal C-1: Deliver community services effectively and efficiently. These include:

- A) Policy C-1.4 Promote City parks, open spaces, recreational facilities, libraries, classes and cultural activities for community members recognizing that these facilities and services build and strengthen community.
- B) Policy C-1.16 Provide arts, science and recreational activities that foster healthy children, youth and teen development.
- C) Policy C-1.20 Leverage available funding to support the development of, and improved access to, programs that address all types of developmental disabilities, including physical, sensory, cognitive or social/emotional needs.

All improvements to the Baylands will conform with the 2004 Baylands Nature Preserve Site Assessment and Design Guidelines. The string of 11 interpretive exhibits on the trails and boardwalk will engage and bridge the two communities that care for the saltmarsh. The project is intended to be completed by Fall 2024.

FISCAL/RESOURCE IMPACT

Acceptance of the \$162,000 grant, and appropriation of the funding to the Baylands Interpretive Signage Program Capital Project (OS-24001) will fund the fabrication and installation of the signs and exhibits. The 11 signs and exhibits will be installed on the boardwalk and along two miles of Baylands trails connecting Palo Alto's Nature Center with East Palo Alto's Cooley Landing Education Center. It is estimated that approximately \$3,000 annually will be needed to maintain the exhibits starting in FY 2025. The operating impact will include site checks of the 11 newly installed exhibits, cleaning supplies for care of the exhibits, and graphic replacement of the exhibits if necessary. These additional operating impacts will be absorbed by the Community Services Department with no additional budgetary action required.

STAKEHOLDER ENGAGEMENT

The stakeholder engagement included a multi-tiered approach involving members of the public, partners of the project, and interested City Departments. The engagement with members of the public included: one East Palo Alto Council Meeting, three Parks and Recreation Commission meetings and two design charettes.

The City also engaged with several partners of the project including but not limited to: (1) Friends of the Palo Alto Parks, (2) East Palo Alto Center for the Arts, (3) Save The Bay, (4) Audubon, (5) California Department of Fish and Wildlife, (6) US Department of Fish and Wildlife, and (7) San Francisquito Creek Joint Powers Authority. The City departments that were consulted include the Wastewater Treatment Plant and Open Space Division of the Community Services Department.

ENVIRONMENTAL REVIEW

This project is categorically exempt under CEQA Section 15311 (accessory structures).

ATTACHMENTS

Attachment A: CA Dept Parks and Rec Deed Restriction

APPROVED BY:

Kristen O'Kane, Community Services Director