



**Contra  
Costa  
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: March 1, 2016

Subject: Agreement with Byron Union School District for Measure WW Implementation

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### **RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Conservation and Development Director, as fiscal agent for a portion of the East Bay Regional Park District Measure WW Local Grant funds, to enter into a Joint Use Agreement with the Byron Union School District (BUSD) in an amount not to exceed \$600,000 to develop the BUSD Family Playground at 1401 Byron Highway in Byron; and

DETERMINE the Project is exempt from the California Environmental Quality Act (CEQA) as a Categorical Exemption Class 1, Class 3, and Class 14, pursuant to Article 19, Sections 15301, 15303, and 15314 of the CEQA Guidelines; and DIRECT the Conservation and Development Director to file a Notice of Exemption with the County Clerk; and

AUTHORIZE the Conservation and Development Director to arrange for payment of a \$50 fee to the County Clerk for filing the Notice of Exemption.

### **FISCAL IMPACT:**

No Impact on the General Fund. 100% of the costs will be paid by East Bay Regional Park

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **03/01/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

#### **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Mary N. Piepho, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 1, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie L. Mello, Deputy

Contact: Kristine Solseng (925)  
674-7809

cc:

District Measure WW Local Grant funds.

## BACKGROUND:

In November 2008, Alameda and Contra Costa County voters approved the East Bay Regional Park District's (EBRPD) Measure WW Regional Open Space, Wildlife, Shoreline and Parks Bond Extension. From that measure, a total of \$7.93 million is allocated for local park purposes to areas within the unincorporated area of the county. These funds were allocated to specific County Services Areas (CSA) (\$2.49 million), Community Service Districts (CSD) and local Recreation and Park Districts (\$2.39 million), and to unincorporated areas not in a CSA, CSD or local park district (\$3.05 million). On December 15, 2015 the Board of Supervisors adopted a resolution authorizing the Department of Conservation and Development to enter into a Master Contract with EBRPD for the \$3.05 million allocated to the unincorporated areas not in a CSA, CSD, or local park district.

The Master Agreement between the County and EBRPD was finalized on February 1, 2016, thus allowing the County to submit individual project applications to EBRPD for funding. Applications are accepted by EBRPD on an annual basis between February 1 and March 31. Included in the Board Authorization of the EBRPD Master Contract was a proposed project matrix identifying individual projects to be submitted to EBRPD for funding. The project identified in Supervisorial District 3 was the BUSD Excelsior Play Field improvements (now named the BUSD Family Playground), with an estimated cost of \$600,000.

The proposed BUSD Family Playground is located on an approximately 3.5 acre underutilized portion of the Byron Union School District property located at 1401 Byron Highway in Byron, CA. The project site is adjacent to Excelsior Middle School, the Byron Union School District Office, and Byer Road. The project will create a much needed family recreational space in the Byron community. The proposed project includes the design and construction of an all-abilities playground with park features including, but not limited to, benches, tables, accessible picnic tables, sidewalk, and improvements to the existing field area. The project also includes the design and construction of a 960 square foot building to house a multi-purpose room for educational and community activities (science club, scout meetings, etc). The project includes the demolition of existing field infrastructure and other actions that may be necessary for implementation.

Measure WW Grant eligibility requirements state applicants must provide evidence to EBRPD that they have adequate tenure and/or site control of properties to be improved. A Joint Use Agreement (Agreement) is one mechanism allowed to meet the site control requirement. The attached Agreement outlines the responsibilities of the County and BUSD for implementation of Measure WW grants. The major components of the Agreement include the following:

- The project shall be open to the public, at minimum, after 3:30 on weekdays and all day on Saturday,
- The agreement has a term of 25 years per EBRPD requirements,

- BUSD is responsible for completing the improvements identified in the scope,
- BUSD is responsible for maintenance of the site, and
- The County is responsible for grant administration.

If EBRPD approves the project, BUSD is ready to begin the design phase of the project. It is anticipated the BUSD Family Playground will be completed by the December of 2017.

CONSEQUENCE OF NEGATIVE ACTION:

Delay in approving the agreement may result in an inability to secure grant funding, and the project would not move forward.

CHILDREN'S IMPACT STATEMENT:

The proposed project will support the following community outcomes established in the Children's Report Card: 1) Children and youth are healthy and preparing for a productive adulthood; 2) Families are safe, stable and nurturing; 3) Communities are safe and provide a high quality of life for children and families.

ATTACHMENTS

Joint Use Agreement

CEQA - Notice of Exemption