



Susan Wengraf
Vice Mayor and Councilmember District 6

CONSENT CALENDAR
May 7, 2024

To: Honorable Mayor and Members of the City Council
From: Vice Mayor Wengraf (Author), Councilmember Hahn (Co-Sponsor)
Subject: Budget Referral: Civic Center Plan Phase III – Advancing Pre-Design & Construction Activities for Berkeley’s Maudelle Shirek and Veterans Buildings

RECOMMENDATION

Refer to the Fiscal Year 2025/2026 Budget Process an allocation of \$300,000 for the Civic Center Plan Phase III.

FINANCIAL IMPLICATIONS

\$300,000

CURRENT SITUATION AND ITS EFFECTS

The Civic Center Plan is a Strategic Plan Priority Project, advancing our goal to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities. Our Veterans Memorial Building, and the Maudelle Shirek Building (“Old City Hall”) are not built to current seismic code and show signs of disrepair and deferred maintenance and are therefore underutilized. These beautiful, historical buildings in the center of our community will collapse unless we progress with the work of the Civic Center Vision Plan. Started in 2019, the Civic Center Vision Plan, which includes Martin Luther King Jr. Civic Center Park (“Civic Center Park”) and the Veterans Memorial Building, and the Maudelle Shirek Building, is guided by the following Vision Statement:

Civic Center will be the heart of Berkeley’s community. Civic Center will be the prime space for civic life, culture, and the arts. It will reflect the city’s diverse identities, celebrate its history, and contribute to shaping its future. A place of shared resources and a platform for free expression accessible to all, Civic Center aims to manifest the city’s values, advance social justice, and demonstrate the power of true public space.

Phase I and Phase II of the Civic Center Vision Plan have been successfully completed. Phase III: Advancing Pre-Design & Construction Activities needs funding in order to proceed. During this Phase, the tentative scope includes hiring a consultant team, with support of city staff, to achieve the following outcomes for Berkeley’s Civic Center:

1. **Existing Conditions Documentation** - on the city-owned and occupied Civic Center buildings (Maudelle Shirek and Veterans): topographic survey, Building

Information Models (BIM) including, if desired, 3-D modeling, hazardous materials study, utility assessments, building system assessments. Explore the possibility of moving the Council Chambers back to the Maudelle Shirek building when construction is completed. Explore and consider constructing and attaching a new structure to the back of the Shirek building in order to retrofit the original landmark, as recommended in one the earthquake studies. This could include a new Council Chamber (and possibly additional office space if new space is identified as a need.).

2. **Tenant Identification** - in close collaboration with all city departments Phase III of the Civic Center project will further identify and refine who the future tenants of the structures will be, with a focus on the Maudelle Shirek Building as the Veterans building has been identified already for arts and cultural uses, in the Phase II Design Concept Plan. This effort will utilize and/or update the City's existing space needs study (if available), and generate a companion inventory of city-owned space along with any existing conditions documentation as needed to develop a design concept for the Courthouse building (city owned, leased to Alameda County until potentially 2057, if the County uses all of their extension options) that integrates it into the larger Civic Center Design Concept given its prime location at 2120 MLK Jr Way in between the Public Safety and Maudelle Shirek Buildings. The Building Inventory should include all City owned and leased space, including rental costs and insurance costs of leased space and termination dates for existing leases.

As a refresher, the Maudelle Shirek Building (“Old City Hall”), located at 2134 MLK Jr. Way project is a remodel and rehabilitation of an approximately 27,500 square foot structure and a 15,000 square foot addition for new council chambers and meeting space, resulting in a 42,500 square foot building providing city meeting spaces, hearing rooms, and office spaces for mission-aligned non-profit organizations. Construction costs are assumed at \$68,860,000. The Veterans Memorial Building project is a remodel and rehabilitation of an approximately 28,000 square foot structure and a 6,000 square foot addition, resulting in a 34,000 square Community Arts Center, providing performance, teaching, exhibit and practice spaces accessible to all members of the community. Construction costs are assumed at \$40,590,000.

BACKGROUND

Council approved Berkeley’s Civic Center Vision and Implementation Plan (Phase I) on September 22, 2020 and approved the Berkeley Civic Center Design Concept (Phase II) on July 25, 2023 (Attachments 1&2). Phase III is awaiting funding. Project details and reports to date can be accessed online at the [Civic Center Vision Plan webpage](#). A summary of the approved Civic Center vision-aligned design concept is also included as Attachment 3. The resolution approving the design concept in July 2023, highlights the “highest priority of the Council is the seismic retrofit and best use of the historic buildings...in the approved plan.”

Costs and funding mechanisms for the Civic Center Plan are as follows:

Phase I: Vision Plan – \$350,000, funded from T-1 Bond Measure, Adopted September 2020.

Phase II: Design Concept - \$200,000, funded via a General Fund budget referral approved in the City Council’s adoption of the FY 2022 Budget, Adopted July 2023.

Phase III: Advancing Pre-Design and Construction Activities - \$300,000

- REQUEST funding via a General Fund budget referral to the City Council’s FY 2025-2026 Budget Process

A funded Phase III for Civic Center would allow for the city to *embark upon the start of the design and construction phase* which would take the project from the design concept included in the 2023 Berkeley Civic Center Design Concept Plan through construction. The project design team would include an architect, civil engineer, landscape architect, mechanical engineering plumbing (MEP) engineers, required specialty consultants, and cost estimator. In addition, the City will need to provide overall project management, procure existing conditions documentation, complete an environmental review and permitting process, and manage the construction bid. A fulfilled \$300,000 request would allow for the first part of this phase by completing the following elements:

1. **Pre-Design Existing Conditions Documentation** – these pre-design drawing and documents would be completed for the city-owned and occupied Civic Center buildings (Maudelle Shirek and Veterans) and could include topographic survey, Building Information Models (BIM) including, if desired, 3-D modeling, hazardous materials study, utility assessments, and building system assessments.
2. **Identify Building Tenants** – this effort would identify which City Departments are best suited to move into a retrofitted and rehabbed Maudelle Shirek Building and which additional community-serving agencies should also occupy the space. Similar defining will take place with arts agencies and community organizations that are to become tenants of the Veterans Memorial Building. The results will inform subsequent Pre-Design steps for each building. This effort will rely on the generation of two reports; a *space needs assessment* which identifies the city departments’ space needs for staff and operations, including growth projections, and a *city-owned space inventory* that catalogues the current City-owned buildings and spaces, their size, use, and general condition. The Space Inventory (or space / building audit) task would yield a map and list of all city properties, including use, area, size, and condition of the building at 2120 MLK Jr. Way that is currently leased to Alameda County for county court related uses and sits between the city’s Public Safety Building and the Maudelle Shirek Building.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Funding Phase III of the Civic Center Plan supports rehabilitation of existing city owned buildings. Rehabilitation is in alignment with the City's Environmental Sustainability Goals.

CONTACT PERSON

Vice Mayor Susan Wengraf

Council District 6

510-981-7160

Attachments:

- 1: Resolution No. 69,579-N.S. Approving Berkeley's Civic Center Vision and Implementation Plan (Phase I)
- 2: Resolution No. 70,964-N.S. Approving Berkeley's Vision-Aligned Civic Center Design Concept (Phase II).
- 3: Presentation to Council on July 25, 2023: Berkeley Civic Center Design Concept (Phase II)

Budget Referral: Civic Center Plan Phase III

Attachment 1: Resolution No. 69,579-N.S. Approving Berkeley's Civic Center Vision and Implementation Plan, September 2020

RESOLUTION NO. 69,579-N.S.

APPROVING BERKELEY'S CIVIC CENTER VISION AND IMPLEMENTATION PLAN

WHEREAS, the Berkeley voters passed *Measure 11 Bond Funding for Infrastructure and Facilities*, to repair, renovate, replace, or reconstruct the City's aging infrastructure and facilities, including important City facilities and buildings; and

WHEREAS, the Veterans Memorial Building and Old City Hall were slated for structural analysis and visioning of possible conceptual design alternatives, in concert with Civic Center Park, to help determine a direction for future capital improvements to restore and secure these facilities to maximize their community benefit; and

WHEREAS, on January 22, 2019 City Council approved this solicitation at its regular meeting and approved the engagement of a qualified project consultant team to assist in the completion of this project at its regular July 16, 2019 meeting; and

WHEREAS, the City of Berkeley's project team has conducted an inclusive and transparent community process, engaged meaningfully with stakeholders, and provided a compelling and shared vision for the Civic Center area that supports current and future community needs while respecting and celebrating the area's rich past and historically significant structures; and

WHEREAS, *Berkeley's Civic Center Vision and Implementation Plan* determines a direction for future capital improvements to restore and secure these facilities to maximize their community benefit.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Council approves and adopts *Berkeley's Civic Center Vision and Implementation Plan* (Exhibit A) and declares its intent to support the vision articulated in the plan.

BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to further the implementation of the plan and its ambitious vision for the future of Berkeley's Civic Center:

"Civic Center will be the heart of Berkeley's community. Civic Center will be the prime space for civic life, culture, and the arts. It will reflect the city's diverse identities, celebrating its history, and contributing to shaping its future. A place of shared resources and a platform for free expression accessible to all, Civic Center aims to manifest the city's values, advance social justice, and demonstrate the power of true public space."

Budget Referral: Civic Center Plan Phase III

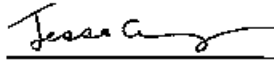
CONSENT CALENDAR
May 7, 2024

The foregoing Resolution was adopted by the Berkeley City Council on September 22, 2020 by the following vote:


Ayos: Bartlett, Droste, Fahh, Harrison, Kesarwani, Robinson, and Arreguin.

Noes: None.

Absent: Davila and Wengraf.



Jesse Arreguin, Mayor

Attest: 

Mark Numairville, City Clerk

Budget Referral: Civic Center Plan Phase III

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May 7, 2024

Attachment 2: Resolution N.S. 70,946, Approving Berkeley's Vision-Aligned Civic Center Design Concept, July 2023

RESOLUTION NO. 70,964-N.S.

BERKELEY'S VISION-ALIGNED CIVIC CENTER DESIGN CONCEPT

WHEREAS, in September 2020, the Berkeley City Council adopted a Vision for Berkeley's Civic Center to, "*be the heart of Berkeley's community. Civic Center will be the prime space for civic life, culture, and the arts. It will reflect the city's diverse identities, celebrating its history, and contributing to shaping its future. A place of shared resources and a platform for free expression accessible to all, Civic Center aims to manifest the city's values, advance social justice, and demonstrate the power of true public space.*"; and

WHEREAS, the development of the Civic Center Vision Plan (2019-2020) was underwritten by the *T1 Bond Funding for Infrastructure and Facilities*, to repair, renovate, replace, or reconstruct the City's aging infrastructure and facilities, including the Veterans Memorial Building, the Maudelle Shirek Building, and Civic Center Park, to help determine a direction for future capital improvements to restore and secure these facilities to maximize their community benefit; and

WHEREAS, in August of 2022, the city engaged a qualified project consultant team underwritten by general fund dollars to assist in the completion of Phase II, the development of a consensus design concept aligned with the adopted vision for Civic Center; and

WHEREAS, the City of Berkeley's project team has conducted an inclusive and transparent community process, engaged meaningfully with stakeholders, and provided a compelling and shared design concept for the Civic Center area that supports current and future community needs while respecting and celebrating the area's rich past and historically significant structures; and

WHEREAS, *Berkeley's Civic Center Design Concept Plan* describes a direction for future capital improvements to restore and secure these facilities, park, and surrounding area to maximize their community benefit; and

WHEREAS, the Council provided direction to the City Manager to 1) explore full and partial creek restoration; 2) Ensure a home for the Farmers Market in the Civic Center; and 3) develop cost and feasibility information on building out additional spaces in the Veterans' Building courtyard for arts and cultural uses.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Council approves and adopts *Berkeley's Civic Center Design Concept Plan* (Exhibit A) and directs staff to pursue the next steps identified in the Plan, including any necessary environmental review.

Budget Referral: Civic Center Plan Phase III

CONSENT CALENDAR
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BE IT FURTHER RESOLVED by the Council of the City of Berkeley that Council retains full discretion to mitigate environmental impacts, select other feasible alternatives that will avoid environmental impacts, balance the benefits of any future actions against the environmental impacts, or decline to carry out any of the design concept elements, all based upon information generated by the environmental review process.

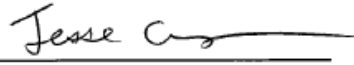
BE IT FURTHER RESOLVED by the Council of the City of Berkeley that the highest priority of the Council is the seismic retrofit and best use of the historic buildings in accordance with the Council's direction in the approved plan.

The foregoing Resolution was adopted by the Berkeley City Council on July 25, 2023 by the following vote:

Ayes: Bartlett, Hahn, Humbert, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: Harrison.



Jesse Arreguin, Mayor

Attest: 

Mark Numainville, City Clerk

Budget Referral: Civic Center Plan Phase III

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Attachment 3: Berkeley's Civic Center Design Concept, Presentation to City Council,
July 25, 2023.

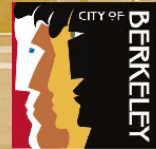


Berkeley Civic Center

Design Concept
City Council Meeting

July 25, 2023

SIEGEL & STRAIN Architects | Gehl ecb ibd

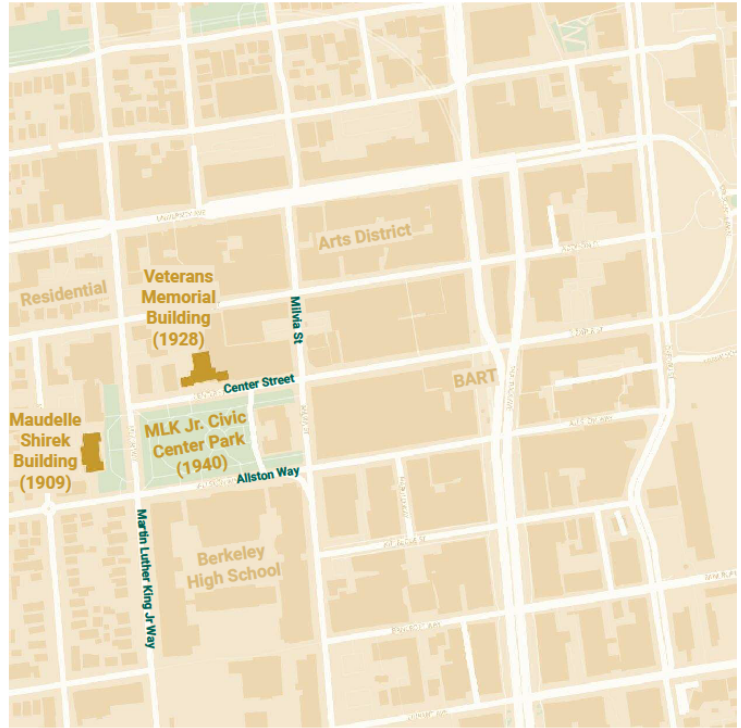


Project Background

July 2023

Civic Center Planning Area

- **Martin Luther King Jr. Civic Center Park**
- **Surrounding Streets**
 - MLK Jr. Way
 - Center Street
 - Allston Way
- **Maudelle Shirek Building**
- **Veterans Memorial Building**



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Berkeley Civic Center Design Concept 2

Budget Referral: Civic Center Plan Phase III

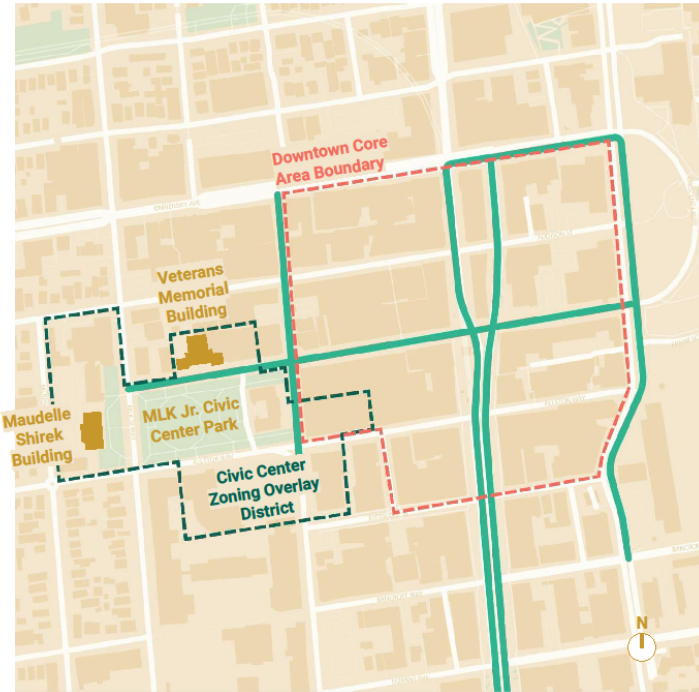
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July 2023

Downtown Berkeley & the Civic Center



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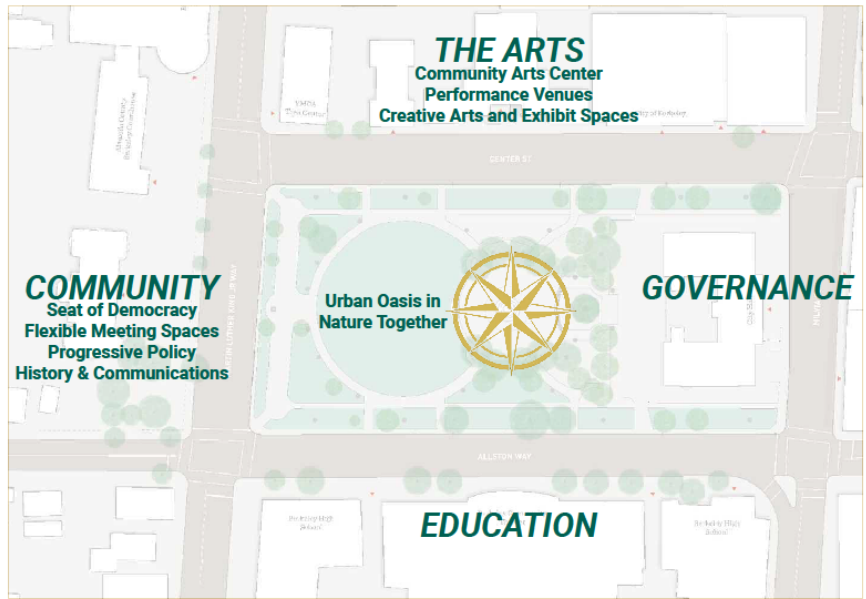
Berkeley Civic Center Design Concept 3

A Vision for Berkeley's Civic Center

Civic Center will be the heart of Berkeley's community. Civic Center will be the prime space for civic life, culture, and the arts.

It will reflect the city's diverse identities, celebrating its history and contributing to shaping its future.

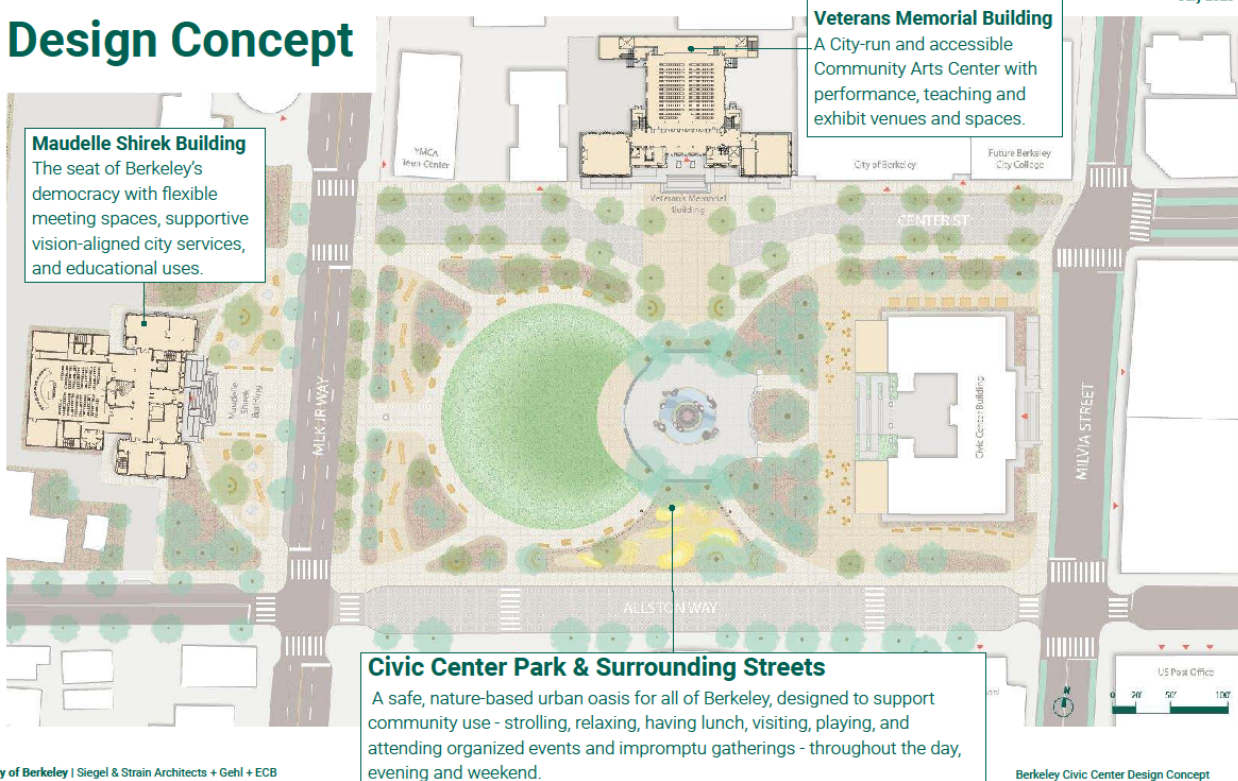
A place of shared resources and a platform for free expression accessible to all, the Civic Center aims to manifest the City's values, advance social justice, and demonstrate the power of true public space.



From Berkeley Civic Center Vision & Implementation Plan dated July 10, 2020 and adopted by Berkeley City Council on September 22, 2020

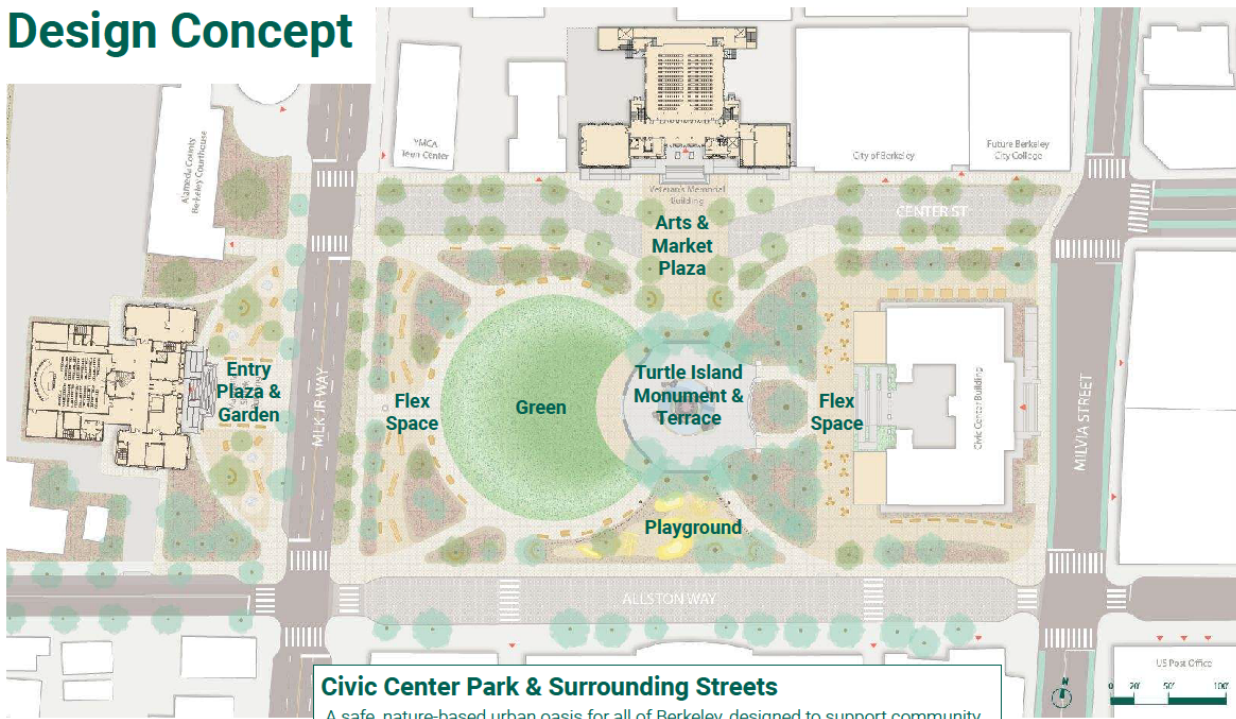
July 2023

Design Concept



July 2023

Design Concept



Civic Center Park & Surrounding Streets

A safe, nature-based urban oasis for all of Berkeley, designed to support community use - strolling, relaxing, having lunch, visiting, playing, and attending organized events and impromptu gatherings - throughout the day, evening and weekend.

July 2023

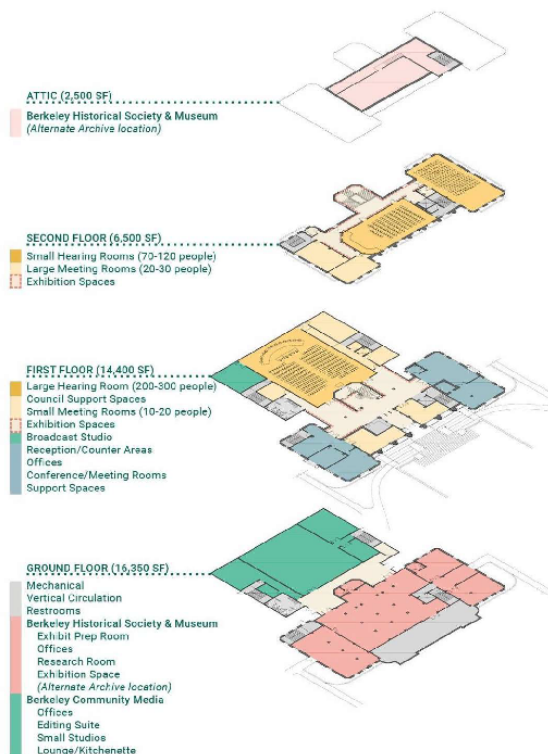
Design Concept

Maudelle Shirek Building

Seat of Berkeley's democracy with flexible meeting spaces and supportive and vision-aligned city services and educational uses.



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Berkeley Civic Center Design Concept 7

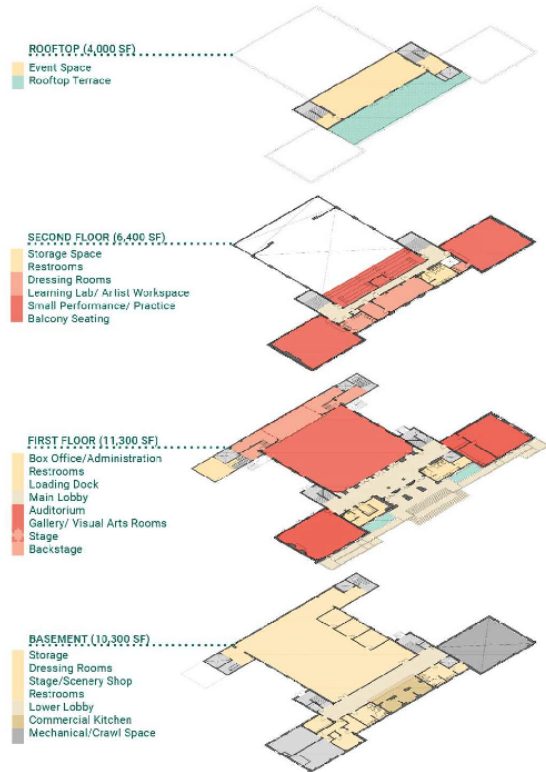
Design Concept

Veterans Memorial Building

A Community Arts Center, run by the city, with performance venues, teaching and exhibit space, accessible by all in the community.

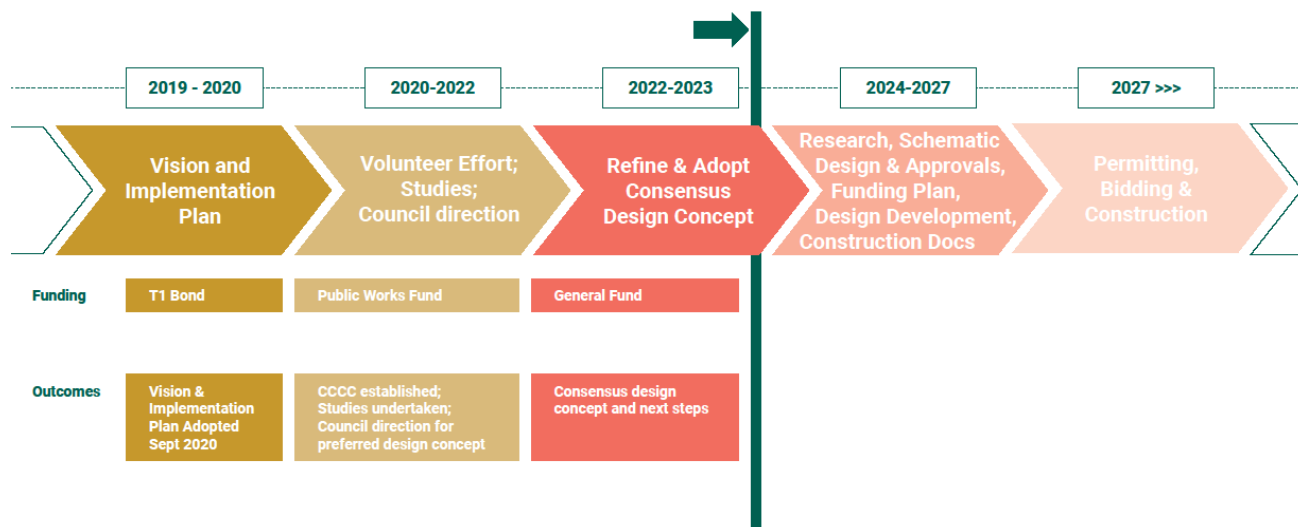


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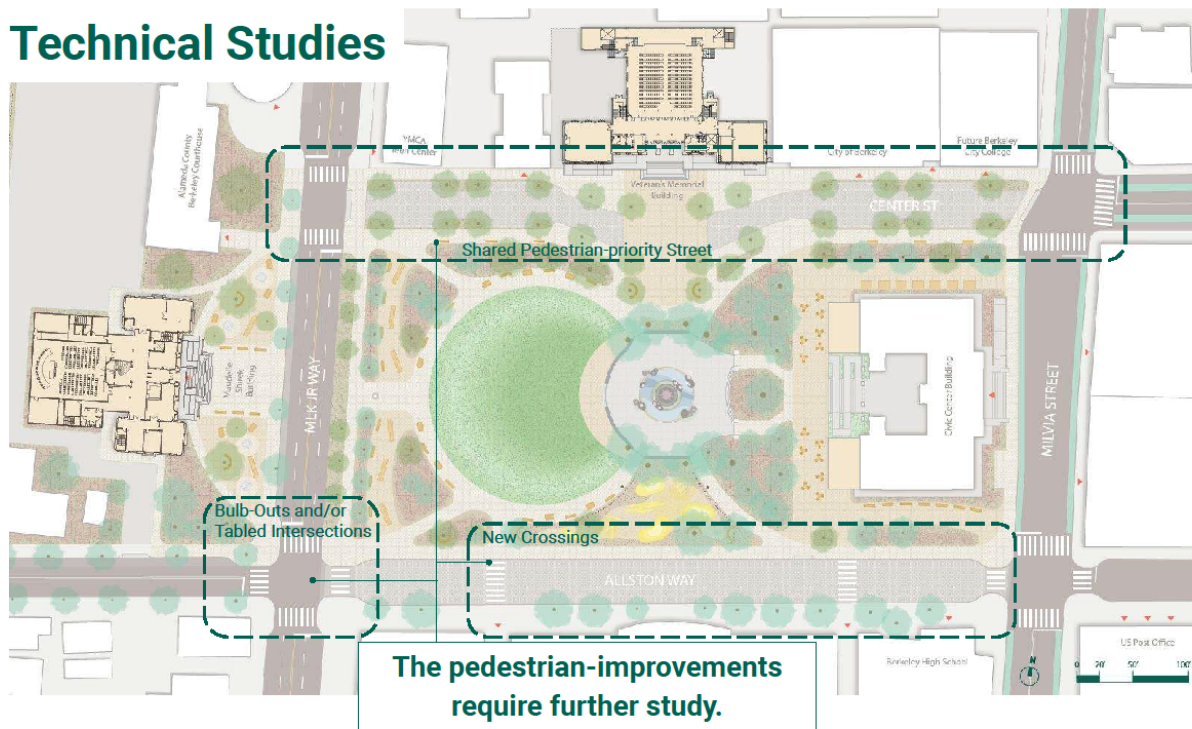
July 2023

Overall Project Schedule



July 2023

Technical Studies

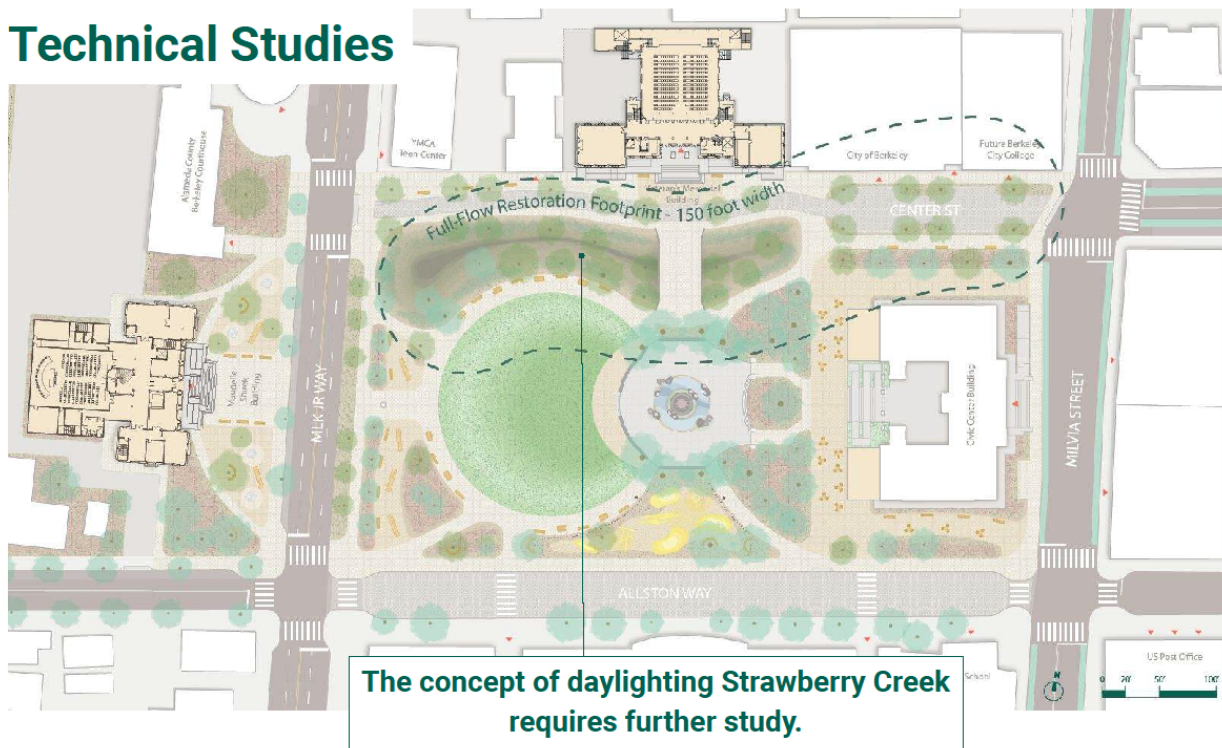


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Berkeley Civic Center Design Concept 10

July 2023

Technical Studies



Preliminary Cost Ranges

Construction Costs

Preliminary construction cost ranges provided in this report are based on the March 2023 Draft Berkeley Civic Center Design Concept Report, the 2021 Civic Center Buildings Study by Tipping Structural Engineers, and guidance from the City of Berkeley Public Works Department. See Appendix A for a full list of exclusions.

	Low (x \$1,000)	High (x \$1,000)
Maudelle Shirek Building - 27,500 GSF Existing + 15,000 GSF Addition	\$ 51,200	\$ 62,600
Seismic Retrofit - Damage Control+ to near Immediate Occupancy	\$ 13,400	\$ 16,400
Envelope & Systems (Electrification, Accessibility, upgrades, finishes)	\$ 15,500	\$ 18,900
Two-story addition on West side	\$ 19,000	\$ 23,200
PVs at new addition, panels & infrastructure	\$ 600	\$ 800
Site Improvement & Utilities	\$ 2,700	\$ 3,300
Veterans Memorial Building - 29,000 GSF Existing + 5,950 GSF Addition	\$ 26,300	\$ 36,900
Seismic Retrofit - Building Performance Objective for New Buildings	\$ 4,300	\$ 7,700
Envelope & Systems (Electrification, Accessibility, upgrades, finishes)	\$ 15,800	\$ 19,400
New Addition at Stage	\$ 2,900	\$ 3,500
Roof Terrace (in high range only)	(excluded)	\$ 4,600
PVs at new addition, panels & infrastructure	\$ 500	\$ 700
Site Improvement & Utilities	\$ 800	\$ 1,000
Martin Luther King Jr. Civic Center Park & Streets	\$ 16,470	\$ 20,130
Paths/paving, planting/irrigation, new trees/tree protection, utilities	\$ 14,670	\$ 17,930
Site Improvements to 2180 Milvia entry, VMB entry, restrooms	\$ 1,800	\$ 2,200
ESTIMATED CONSTRUCTION COSTS	\$ 93,970	\$119,630
+ Construction Contingency (10%)	\$ 9,783	\$ 11,957
TOTAL ESTIMATED CONSTRUCTION COSTS	\$103,753	\$131,587
DRAFT ESTIMATED CONSTRUCTION COSTS	\$101,000	\$129,000

Other City Costs

Leading up to and during construction, the City will incur costs related to technical studies, existing conditions, design, planning approvals, permitting and management, to name a few. These costs will be further refined in future efforts as more is defined about review process, design requirements and parameters, funding and financing, and timeline.

	Low (x \$1,000)	High (x \$1,000)
Other City Costs (estimated at 20% of construction costs)	\$ 21,523	\$ 26,305
TOTAL ESTIMATED CONSTRUCTION COSTS + OTHER CITY COSTS	\$125,276	\$157,892

Operations & Maintenance Costs

Utilizing the 2023 annual Operations & Maintenance budget from the 1947 Center Street building, a \$/SF annual cost was determined for O&M at the common and occupied spaces in city-owned buildings. That was applied to the areas of the Maudelle Shirek and Veterans Memorial Building to arrive at the following annual Operations & Maintenance budgets:

Maudelle Shirek Building	\$1,234,389
Occupied Space -	\$1,167,936
Common Space -	\$ 66,453
Veterans Memorial Building	\$1,069,860
Occupied Space -	\$1,012,900
Common Space -	\$ 56,690

Funding Strategies

With an approved design concept, this project would move into its next phase of additional recommended studies, environmental reviews, and initiating specific design projects. This work is estimated to cost ~\$10 million and take 2-3 years.

A variety of funding sources could contribute to the City's approach to funding. The first approach would involve many different sources of funding all leading to one large project, phased in over the course of years. The following funding sources might contribute to the project:

- **Congressionally Directed Spending Requests** (aka earmarks). These are typically in the range of \$750,000-\$1.5 million. The City has submitted a request to our federal legislators for this project and should learn in the fall whether the earmark is successful. If so, funding would commence in calendar year 2024. There is no match requirement.

- **Federal Infrastructure Funding.** staff and consultants have not yet been able to find a category within the current funding stream that is a strong fit for this project, but that may change as future opportunities arise. Grant match requirements vary.
- **FEMA/Cal OES Hazard Mitigation Grants.** These grants require a cost/benefit calculation that makes the BPON+ standard more likely to qualify for a grant. For that reason, the Veteran's Building is more likely to benefit. Grants require a 25% match.
- **Sustainability/Resiliency Grants:** the state and federal government offer grants that might help fund the electric conversion, green infrastructure, permeable paving, etc. Grant match requirements vary.
- **Urban Greening Grant/Coastal Conservancy Grant:** these grants may fund a feasibility study of daylighting the creek. Grant match requirements vary.

- **City Funding.** The City's General Fund, a future tax measure, or Certificate of Participation could contribute to the project. In addition, traffic safety and stormwater elements of the project might get contributions from Measure BB, Gas Tax, and/or the City's Storm Fund.
- **Foundations and/or Private Individuals.** Given the Civic Center's history and importance, private foundations and individuals might be a component to the overall funding strategy.
- **Bonding Capacity/Debt Service** - Using early construction costs estimates, and the general fund as collateral, assuming the Maudelle Shirek Building has a project cost of ~\$54M, the annual debt service would be ~\$3,900,000/year (30 year amortization). A ~\$71M project cost would have debt service of ~\$4,900,000/year. For the Veterans Memorial Building, a project cost of ~\$34M would have annual debt

service of ~\$2,400,000 and a project cost of ~\$41M would have annual debt service of ~\$2,900,000. There would be a reduction in annual debt service of approximately \$50,000/year if both projects were financed together.

An alternative, more opportunistic approach would be to identify specific project components that would be good fits for available grants, and when successful in gaining grants, move those elements forward, e.g., the project's raised sidewalks and bulbouts. This approach would likely take more time, involve more project cost overall (less efficiencies of scale), but might be more realistic.

Regardless, this project will be significantly more attractive for funding with an adopted design concept. Recognizing that strong plans need funding, and funding is attracted to strong plans, and staff are excited to work with City Council on moving this project forward.

A Design Concept for Berkeley's Civic Center

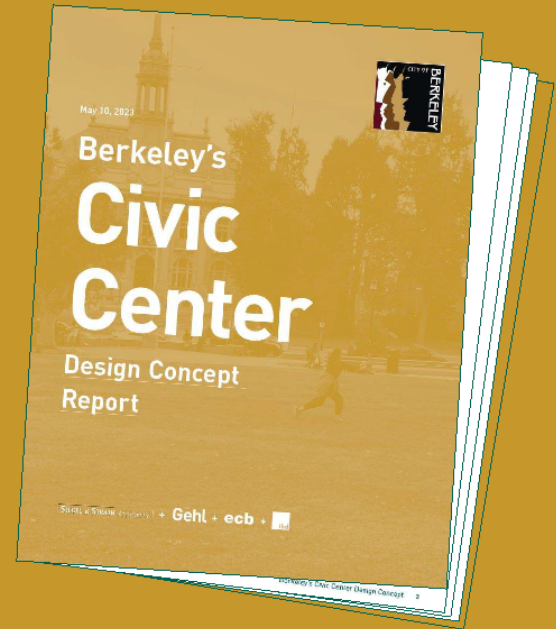


Bay Area Book Festival - May 7, 2023, Berkeley Civic Center

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From Berkeley Civic Center Vision & Implementation Plan dated July 10, 2020 and adopted by Berkeley City Council on September 22, 2020

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Berkeley Civic Center Design Concept 14