



AGENDA REPORT

Public Works
Library and Community Services

DATE:	April 28, 2026
TO:	Mayor Martinez and Members of the City Council
FROM:	Lashonda White, Deputy City Manager Daniel Chavarria, Director of Public Works Chris Dykzel, Assistant City Attorney Darin Fitzpatrick, Assistant Deputy Director of Public Works – Operations & Maintenance Wendy Wellbrock, Senior Civil Engineer
Subject:	Contract Amendment No. 4 with Pogo Park for the Harbour-8 Park Expansion Project and Operating and Management
FINANCIAL IMPACT:	<p>The proposed fourth contract amendment authorizes the release of \$3,275,000 in previously approved funding for the Harbour-8 Park Expansion Project. Funding is included within the approved Fiscal Year 2025–2026 Budget and Capital Improvement Plan. The project is supported by significant external funding sources, including an \$8.5 million Proposition 68 State Parks Grant and a \$4.9 million Caltrans Clean California Grant. Of this amount:</p> <ul style="list-style-type: none"> ▪ Up to \$1,000,000 will be directed toward repayment of the REDF Impact Investing Fund (REFI) bridge loan, consistent with the City’s reimbursement commitments. ▪ The remaining funds will support completion of construction and related project costs. <p>No additional appropriations are required. There is no impact on the General Fund and no net change to the overall City budget (Account String: 20136031-400708-23004).</p>

<p>PREVIOUS COUNCIL ACTION:</p>	<p>April 16, 2024 – City Council approved allocation of \$300,000 for the Harbour-8 Park Expansion Project for costs associated with LEED certification, including additional design services and construction change orders</p> <p>June 17, 2025 – City Council approved allocation of \$3,000,000 for the Harbour-8 Park Expansion Project contingent upon specific conditions.</p> <p>August 26, 2025 – Council approved Memorandum of Understanding (MOU) with Pogo Park as a required condition for funding release.</p>
<p>STATEMENT OF THE ISSUE:</p>	<p>The Harbour-8 Park Expansion Project requires additional administrative actions to (1) release previously approved funding and (2) formalize long-term operations and management of the completed facilities. City Council must consider approval of a Fourth Contract Amendment and authorization of an Operating and Management Agreement with Pogo Park to ensure:</p> <ul style="list-style-type: none"> ▪ Completion of the Harbour-8 Park Expansion Project; ▪ Compliance with Council-established funding conditions; and ▪ Sustainable long-term operations of the facilities.
<p>RECOMMENDED ACTION:</p>	<p>APPROVE a fourth contract amendment with Pogo Park to complete the Harbour-8 Park Expansion Project increasing the payment limit by \$3,275,000, for a total not-to-exceed amount of \$12,430,725, and AUTHORIZE the City Manager or their designee to negotiate and execute an Operations and Management Agreement with Pogo Park, with approval as to form by the City Attorney’s Office, for the programming and maintenance of park facilities, for a term ending May 1, 2029, with two one-year extension options – Community Services/Public Works (LaShonda White 510-620-6828/Daniel Chavarria 510-620-5478).</p>

DISCUSSION:

Project Background

The Harbour-8 Park Expansion Project (Project) is a community-driven initiative located in Richmond’s Iron Triangle neighborhood and includes construction of the new Harbour Hall community building, public restrooms, expanded park space, children’s play areas, public amenities, and community-serving infrastructure.

Pogo Park, a Richmond-based nonprofit founded in 2007, has served as a long-standing partner to the City, leading the design, development, programming, and stewardship of neighborhood parks and facilities.

The project is supported by significant external funding, including an \$8.5 million Proposition 68 State Parks Grant and a \$4.9 million Caltrans Clean California Grant. The City's Green Building Ordinance requires new commercial construction or major renovations over 5,000 sq. ft. to meet a minimum Leadership in Energy and Environmental Design (LEED) Silver rating. However, the grant budgets did not include funding for costs associated with LEED design and certification. The LEED Silver requirement resulted in revisions to project construction documents and engagement of additional LEED consultants to fulfill the LEED credit requirements. The Pogo Park team had already completed architectural plans and construction drawings when the City notified Pogo Park that Harbour Hall needed to achieve LEED Silver certification. Furthermore, during construction, Pogo Park discovered that the existing Richmond Greenway Trail located along the northern edge of Harbour-8 Park did not comply with ADA requirements due to areas exceeding ADA slope limitations. This resulted in additional change orders.

On April 16, 2024, the City allocated funds in the amount of three hundred thousand dollars (\$300,000) to the Project for costs associated with LEED and unanticipated design and construction costs associated with LEED and accessibility improvements. The final LEED costs, ADA-related change orders, and contingency total \$275,000. These funds were not previously incorporated into the contract.

The Project continued to face significant financial challenges due to escalation of design-phase costs and unforeseen conditions encountered during construction. On June 17, 2025, the City Council addressed this shortfall by allocating \$3,000,000 in the FY 2025-26 Budget and Five-Year Capital Improvement Plan for FY 2025-26 through 2029-2030.

City Council Requirements for Allocation of Additional \$3 Million

The City Council established five conditions to ensure project readiness and fiscal accountability prior to allocation of funds:

1. Execution of a Memorandum of Understanding (MOU)
2. Submission of detailed original and revised project budgets
3. Resolution of the kitchen scope and funding source
4. Confirmation that grant deadlines can be met
5. Formal alignment meeting between City staff and the Pogo Park Board

City staff have confirmed that all five conditions have been satisfied. On August 26, 2025, the City Council approved the Memorandum of Understanding (MOU) with Pogo Park as a required condition for funding release. The conditions were met as follows: (1) the MOU was executed in November 2025; (2) detailed budgets and change order

documentation were reviewed and accepted; (3) the commercial kitchen is fully funded through the \$10 million Community Resilience Center grant; (4) grant timelines remain achievable; and (5) required coordination meetings between City staff and Pogo Park leadership have occurred.

Fourth Amendment to Contract Dated April 29, 2026

With these conditions met, the remaining step is formal authorization to release the funds. The fourth contract amendment is necessary to operationalize the City Council's previously allocated \$3,275,000, as subject to the above-mentioned conditions, in part, to establish the mechanism for reimbursement-based payments to Pogo Park and facilitate completion of construction for Harbour-8 Park Expansion Project.

Additionally, the amendment aligns with financing requirements associated with the REFI bridge loan by directing up to \$1 million into a dedicated reimbursement account to satisfy loan repayment obligations.

Operating and Management Agreement

In parallel with construction completion, the City is transitioning from a capital project relationship to a long-term operational partnership. The proposed Operating and Management Agreement formalizes Pogo Park's role in managing Harbour-8 Park, Harbour Hall, the commercial kitchen, Elm Playlot, and related improvements; establishes responsibilities for operations, programming, maintenance, and security; defines financial roles, including City responsibility for major repairs and operating costs, and Pogo Park responsibility for programming and day-to-day operations; ensures performance standards, reporting requirements, and accountability measures; and supports the facilities' role as a Community Resilience Center providing emergency response, food access, and community services.

The Operations and Management Agreement builds on the MOU framework and ensures that the City's capital investment is supported by professional, community-based management over the long term.

Rationale for Recommended Actions

Approval of the fourth contract amendment and Operating Agreement is necessary to complete construction, release related funds that enables final delivery of the Harbour-8 Park Expansion Project and formally acts upon Council's prior direction allocating funds with all conditions for funding satisfied. The Operating Agreement additionally formalizes long-term operations and ensures sustainable management, maintenance, and programming of the related Park Facilities for the benefit of local recreational, health, and resilience to our neighborhoods.

DOCUMENTS ATTACHED:

- Attachment 1 – Original Contract
- Attachment 2 – First Contract Amendment
- Attachment 3 – Second Contract Amendment
- Attachment 4 – Third Contract Amendment
- Attachment 5 – Proposed Fourth Contract Amendment
- Attachment 6 – Operating and Management Agreement
- Attachment 7 – Memorandum of Understanding (Executed)
- Attachment 8 – June 17, 2025, City Council Agenda Report