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2016 FEB 22 AM 9:07 **AGENDA REPORT**

TO: Sabrina B. Landreth
City Administrator

FROM: Stephanie Hom
Interim Director, OPR

SUBJECT: Joint Facility Use Agreement

DATE: February 18, 2016

City Administrator Approval

Date:

2/22/16

RECOMMENDATION

City staff recommends that the Education Partnership Committee discuss and provide input on the new Joint Facilities Use Agreement between City of Oakland (City) and Oakland Unified School District (District).

EXECUTIVE SUMMARY

The current Joint Facilities Use Agreement (JFUA) between the City and District expired on June 30, 2013. City, District staff, and legal counsel are preparing a new agreement and this report outlines the primary components of the new agreement. Discussion and input from the Education Partnership Committee will be incorporated into a new agreement that will be subject to both City Council and Oakland Unified School District Board approval.

BACKGROUND / LEGISLATIVE HISTORY

The City and District have a long history of shared facility use to best serve the needs of the public. The most recent agreements contemplated the use of City facilities under the supervision of Oakland Parks & Recreation and District for youth, adult recreational, and educational programs such as Neighborhood Crime Prevention Councils (NCPC) and Citizens of Oakland Respond to Emergencies (C.O.R.E.). The City and District entered into an agreement in 2008 that expired June 30, 2013. The City and District continue to operate shared facilities under the most recent agreement.

ANALYSIS AND POLICY ALTERNATIVES

The primary components of the agreement are as follows:

1. Joint Use

By agreement the District and City are allowed access to each other's facilities free of charge for youth, adult recreational, and educational programs such as Neighborhood Crime Prevention Councils (NCPC) and Citizens of Oakland Respond to Emergencies (C.O.R.E.).

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Use and maintenance fees are not charged, however supplemental costs, such as staffing, are paid for by the entity using the facility. Utilities, such as water, gas, and electricity costs, are not considered supplemental costs. The cost to pay a custodian or attendant to be onsite during hours the facility would normally be closed is an example of a supplemental cost.

2. Facilities and Scheduling

The Facility List, incorporated into the agreement, lists the sites for shared use and which entity governs the facility. The entity that issues use permits for the property has first priority to schedule/program the shared facility, the other entity is given second priority, community youth groups have third priority and other community organizations or agencies have fourth priority.

The Facility List is updated on an annual basis to adjust for facility changes, such as temporary or long-term closures, changes in use, etc.

3. Coordination

A Joint Facility Use Committee consisting of five representatives from each organization will meet regularly, but at least quarterly to coordinate and approve programs at the shared facilities, establish sub-committees to deal with facility scheduling, consider requests regarding reduced fees for uses that fall outside the scope of the JFUA, communicate maintenance needs and planned capital improvements, and prepare the Facility Use Report to be submitted to City Council and the District Board.

4. Term

The proposed term of the agreement is for five years with one five year extension. Legal requirements including but not limited to documentation of insurance coverage with certificate of additionally insured, indemnification, tuberculosis testing, fingerprinting and background verification of employees, volunteers, agents etc., hazardous material handling, and rules of conduct are covered in the agreement.

FISCAL IMPACT

This report is provided for discussion purposes so there is no direct fiscal impact. A report and resolution will be brought to the City Council and Oakland Unified School District Board for future consideration and action.

A primary component of the joint facility use agreement is to enable both the District and City to access to each other's facilities free of charge, and foregoing revenue that may be otherwise garnered for rental of the facilities. Costs are incurred for each entity for supplemental costs, specifically labor costs that may be required to staff the facility during usage times. These costs would be covered by the entity using the facility and would be subject to funds available in the respective City and District departmental budgets.

PUBLIC OUTREACH / INTEREST

No outreach was deemed necessary for the proposed policy discussion beyond the standard City Council agenda noticing procedures.

COORDINATION

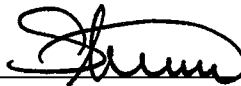
Coordination in developing a new agreement has been taking place among the Oakland Parks & Recreation Department, City Attorney's Office, and Oakland Unified School District.

ACTION REQUESTED OF THE CITY COUNCIL

City staff recommends that the Education Partnership Committee discuss and provide input on the new Joint Facilities Use Agreement between City of Oakland (City) and Oakland Unified School District (District).

For questions regarding this report, contact Dana Riley, Assistant to the Director, at 238-6495.

Respectfully submitted,



Stephanie Hom
Interim Director
Oakland Parks & Recreation

Prepared by:
Dana Riley
Assistant to the Director
Oakland Parks & Recreation