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OAKLAND

2019 OCT 29 AM 9:54

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Jason Mitchell
Director, Public Works

SUBJECT: Adoption of Legislation to Place a
Parcel Tax for Parks Maintenance and
to Address Homelessness on the
March 3, 2020 Ballot

DATE: October 25, 2019

City Administrator Approval

Date:

10/29/19

RECOMMENDATION

Staff Recommends The City Council Adopt A Resolution On The City Council's Own Motion Submitting To The March 3, 2020 Statewide Primary Election, A Proposed Ordinance To Adopt A Special Parcel Tax To Maintain and Improve City Of Oakland Parks and Recreational Facilities, Provide Services to Unhoused/Unsheltered Persons, And To Provide, Maintain, and Improve Other Municipal Services As The City Council May Deem Appropriate; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The March 3, 2020 Statewide General Election.

EXECUTIVE SUMMARY

As part of the Fiscal Year (FY) 2019-21 Adopted Policy Budget, the City Council approved one-time funding for ballot measure development. In this report, staff will provide recent polling results, a draft seventy-five word ballot measure statement, and draft enabling legislation for the proposed parcel tax. The purpose of this report is to provide the Oakland City Council with sufficient information to determine whether or not they should authorize the placement of a special parcel tax on the March 3, 2020 Statewide General Election Ballot. The objectives of the parcel tax include, but are not limited to, the equitable distribution of maintenance services to parks and recreational facilities throughout Oakland in order to decrease disparities in life outcomes of marginalized communities and to facilitate equity of opportunity throughout Oakland, and increasing direct services to unhoused/unsheltered persons, with an emphasis on those living in the City of Oakland's parks, to reduce homelessness its impacts to public health. Staff has prepared a presentation (**Attachment A**) which provides an overview of the Ballot Measure.

As directed by City Council, a follow-up to an earlier August poll/survey has been completed, and the consultant team of CliffordMoss and EMC Research have tallied and analyzed the results. Please refer to the consultant team presentation (**Attachment B**) for more information.

Item: _____
Rules and City Council
October 31, 2019

BACKGROUND AND LEGISLATIVE HISTORY

The Landscape Lighting Assessment District (LLAD), Fund 2310, is a parcel tax that was approved by the Oakland City Council in 1989, and currently generates approximately twenty million dollars (\$20.0 million) in revenue annually (including delinquency assessments from prior years) and provides funding to maintain grounds and landscaped medians, tree maintenance, tot lots, open space, pools, and custodial services at about one hundred and thirty (130) park and recreation facilities, fifty thousand (50,000) acres of fields, forty-four (44) stand-alone restrooms, community gardens and ball fields, and many other recreation-related buildings and infrastructure in the City of Oakland, as well as, pays utility costs for City street lights and water use at parks and fields. The LLAD was not indexed for inflation and so revenues have remained flat for thirty (30) years. During that time the costs for personnel, materials, and utilities have increased. If the LLAD did have an inflationary elevator, it is estimated that revenues collected would equal approximately forty million dollars (\$40.0 million) per year.

As a result of staffing reductions to parks maintenance staff proposed in the fiscal year (FY) 2019-21 Budget, which included the freezing of eight and a half (8.5) full time equivalent (FTE) positions in the Oakland Public Works, Parks and Tree Division for FY 2019-20, and further staff reductions slated for the FY 2020-21 Budget, and in recognition of the need for increased funding for parks maintenance as well as the need to fund projects to reduce wildfire threats and to improve storm water infrastructure, the City Council approved seventy-five thousand dollars (\$75,000) in the FY 2019-21 Adopted Policy Budget to explore a potential ballot measure.

At the October 3, 2019 Rules and Legislation, and October 8, 2019 Public Works and Life Enrichment Committee meetings, staff presented its work to date on the proposed parcel tax measure which included: issuance of a request for proposal (RFP); selected a consultant team comprised of CliffordMoss and EMC Research; and met with the consultant team to develop polling and survey questions. CliffordMoss and EMC did conduct the poll and analyzed the data received. For more information on prior meetings, please refer to **Attachment C**.

At the aforementioned meetings, City Council members and members of the public provided feedback on the concept of a parcel tax, and advised on next steps such as the questions to be included in the second poll/survey.

ANALYSIS AND POLICY ALTERNATIVES

Opinion Poll and Survey

In late Spring/early Summer of 2019, Oakland Public Works engaged CliffordMoss and EMC Research to conduct a poll/survey to assess voter interests for such a measure. An initial poll was conducted on August 27 through 31, 2019.

A sixty-eight dollar (\$68.00) and ninety-eight dollar (\$98.00) parcel tax were tested as part of the poll/survey. This is referred to as a "split poll". In this case fifty percent of respondents were asked about their support for sixty-eight dollar (\$68.00) parcel tax and the other half were asked about their support for a ninety-eight dollar (\$98.00) parcel tax. When polling data was tallied

and analyzed, there was no statistical difference between levels of support for either dollar amount. Based upon this polling data and because the amount collected would not enable the City to improve maintenance and service levels at all parks sites and recreational facilities, staff does not recommend that the City pursue a sixty-eight dollar (\$68.00) parcel tax.

Staff did provide poll results to Council at the October 3, 2019 Rules and Legislation Committee meetings, and to the October 8, 2019 Public Works and Life Enrichment Committee meetings. At these meetings Councilmembers provided additional direction to staff, including a request that questions regarding homelessness and services to unhoused/unsheltered persons and language regarding stormwater and trash capture devices be included a subsequent poll. The feedback from Council is reflected in the survey questions prepared for the poll that was conducted on October 15 - 20, 2019. In addition, and as a result of the broader scope of the potential parcel tax, staff did request that the consultant team poll a ninety-eight dollar (\$98.00) and one hundred and forty-eight dollar (\$148.00) parcel tax. Please refer to **Attachment B** for more information about the second poll.

A ninety-eight dollar (\$98.00) parcel tax, would collect approximately fourteen million dollars annually, and a one hundred and forty-eight dollar (\$148.00) parcel tax would collect approximately twenty-one million dollars (\$21.0 million).

Services to Unsheltered/Unhoused Persons

As noted in the October 22, 2019 report titled "Informational Report on City's Five Year Plan to Address Homelessness in Oakland"¹ from the Department of Human Services "70 percent of people who are homeless are African American compared to 24 percent of the general population." Should the ballot measure move forward, interventions that seek to reduce the aggregate number of persons experiencing homelessness and that, per that same October 22 Department of Human Services report, services for unhoused/unsheltered should "[e]liminate racial disparities that are impacting African Americans who are homeless in Oakland by using an equity framework when planning and evaluating interventions." The recently presented provides the following overview of homeless in Oakland:

The City of Oakland, along with many other communities in this country, is facing a humanitarian crisis of neighbors who find themselves homeless. On a single night in January 2019, more than 4,000 people were experiencing homelessness in Oakland. Nearly four out of five (79 percent) of the people experiencing homelessness in Oakland are unsheltered and live outdoors or in tents or vehicles, often along the city's streets and in our parks. These numbers represent an unprecedented 47 percent increase in total homelessness in Oakland and a 63 percent increase in unsheltered homelessness since 2017. These numbers account for only a fraction of the people who become homeless over the course of a year. It is generally agreed that the production of housing development, at all income levels, has not kept pace with demand, putting an inordinate upward pressure on housing prices resulting in the displacement of long term residents.

¹ <https://oakland.legistar.com/LegislationDetail.aspx?ID=4147464&GUID=00963DB2-45DF-4712-A930-5789EF91C3C3&Options=&Search=>

As noted in the first poll conducted, housing and homelessness were to most pressing issues identified by Oakland voters. In addition, the Oakland Parks and Recreation Foundation report titled "Continuing Crisis: The 2018 Report on the State of Maintenance in Oakland Parks" highlighted homelessness as the first of the four (4) major issues in Oakland's parks, and its recommendations noted that the City should do "everything in its power to alleviate the causes of homelessness and assist those in need" and that "[a]ll Oaklanders deserve safe and easy access to our parks". Furthermore, several Councilmembers have recognized the nexus between parks conditions and homelessness and have requested that staff bring additional polling data on the issue of homelessness, and that draft legislation include services for the unhoused/unsheltered.

Based upon this information, staff has developed proposed ballot measure language that includes the following as an allowable use of fund proceeds:

- Increase direct services to unhoused/unsheltered persons, with an emphasis on those living in City of Oakland parks, to reduce homelessness its impacts to public health.
- Support the implementation of the City's Permanent Access to Housing (PATH) Plan.

As there are few funding streams outside of the General Purpose Fund (GPF, Fund 1010), LLAD (Fund 2310), City Facilities (Fund 4400), and Comprehensive Clean-up (Fund 1720) available for the ongoing maintenance of Oakland parks and recreational facilities, and there are a variety of funding sources that currently exist or are under development to address homelessness, staff recommends the majority of funds be allocated to enhancing existing services levels for parks, recreational facilities, trees, and medians.

Storm Drainage System Trash Reduction

At several public meetings, Councilmember Dan Kalb has stressed that the proposed ballot measure include funding for water quality and the City's stormwater collection system. This section includes information regarding the City's efforts to improve water quality as mandated by law and what activities within City parks, street medians and open spaces can be taken to reduce trash going into the City's stormwater collection system.

The Clean Water Act of 1972 (CWA) is a federal law whose primary objective is to maintain or to restore the water quality of surface waters in the United States. The federal Environmental Protection Agency (EPA) is tasked with implementing programs that support that goal, actions to ensure compliance, as well as enforcement of the CWA.

Under the CWA, EPA has implemented pollution control programs such as setting wastewater standards for industry. EPA has also developed national water quality criteria recommendations for pollutants in surface waters. The City of Oakland is subject to the San Francisco Bay Regional Water Quality Control Board's (Water Board) National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP). Under Provision C.10 "Trash Load Reduction" of the MRP, the City is mandated to reduce trash and litter in its storm drain system and receiving water bodies. The trash load reduction requirements are:

- Seventy percent (70%) by 2017
- Eighty percent (80%) by 2019
- One hundred percent (100%) by 2022

The City is currently receiving trash reduction credit through:

- The extent of full trash capture systems installed in the City's storm drain system that capture trash;
- The volume of trash removed during volunteer cleanup events at creeks and shorelines;
- The implementation of source control bans on plastic bags and polystyrene foam food service ware; and
- The reduction in trash on the City's streets and sidewalks as measured by on-land visual assessments.

For more information on the City's actions to reduce trash in its stormwater collection system and to prevent the discharge of trash from the stormwater collection system to creeks and waterways that feed the San Francisco Bay, please refer to the document titled "Informational Report on Stormwater Trash Load Reduction Compliance" that was presented to the Oakland City Council's Public Works Committee on February 19, 2019.²

The report indicated that the City was on track to meet the Water Board's trash reduction targets. In addition, the report highlighted a series of actions underway or planned that would enable the City to continue to meet the Water Board's targets. These actions include: the installation of Full Trash Capture Systems, Creek & Shoreline Cleanups, Source Control Actions, Other Control Measures, and Direct Trash Discharge Controls.

Should the Council want to address the stormwater issue, staff recommends that rather than allocating a specific dollar amount to water quality/stormwater the Council should consider adding a clause under the "Use of Proceeds" Section that states "Actions that enable the City to meet the objectives of Provision C.10 "Trash Load Reduction" of the San Francisco Regional Water Quality Control Board's National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit (MRP)." Such language will allow the City flexibility in spending these funds, while also ensuring that they are spent in a manner consistent with regulatory requirements.

Proposed Parcel Tax Ballot Measure Language

Based on current funding levels from Fund 2310 and Fund 1010 (General Purpose Fund), the addition of this proposed parcel tax revenue is projected to achieve the following:

- Parks and Recreational Facility Service Enhancements
 - Prevent parks maintenance and custodial service level reductions by resolving the LLAD shortfall.
 - Improve the cleanliness of free-standing restrooms by increasing staffing and thereby enabling more frequent cleaning
 - Improve and increase maintenance and landscape services.
 - Increase litter container servicing and cleaning of storm drain trash capture devices.
 - Increase maintenance of athletic fields, lawns and landscaping
 - Maintain playgrounds and tot lots and make necessary repairs to equipment
- Services to Address Homelessness

² <https://oakland.legistar.com/LegislationDetail.aspx?ID=3848359&GUID=39562E42-9EA7-44CE-A290-AAD4BCB24DA2&Options=&Search=>

- o Increase direct services to unhoused/unsheltered persons, with an emphasis on those living in City of Oakland parks, to reduce homelessness its impacts to public health.
- o Support the implementation of the City's Permanent Access to Housing (PATH) Plan.

The proposed ordinance has language requiring oversight by an existing Commission.

The proposed measure also provides specific exemptions for low-income households, low-income senior households, and affordable housing projects.

Please refer to **Attachment A** for the staff presentation that outlines the background, how the City staff has arrived at this point, planning and proposed structure, and features of a potential parcel tax measure.

Staff will develop a detailed potential staffing and spending plan for proceeds of this tax, should it be approved for consideration by the Council, in a future supplemental agenda report. Such a plan will note the services levels than are targeted to be achieved with these additional resources.

FISCAL IMPACT

The proposed ballot measure implements a parcel tax at one hundred and forty-eight (\$148.00) per parcel for a single-family homeowner, and adjusted for multiple resident unit parcels, vacant residential parcels, and nonresidential parcels. Staff estimates that this parcel tax would result in approximately \$21million in additional revenue for services for the residents of Oakland. The legislation authorizes collection of the tax for twenty (20) years. The annual amounts available for each of the categories of services that would be available ongoing is noted in the table below. Please note that allocations in FY 2020-21 would be somewhat reduced due to costs associated with the election.

CATEGORY	APROXIMATE ALLOCATION
Parks, landscape maintenance, and recreational services	\$13.6 million
Services to address homelessness	\$6.2 million
Services to address water quality	\$0.6 million
Audit and evaluation of programs, strategies and services	\$0.2 million

The proceeds of this tax would be restricted in their usage and would only be available to support the services related to parks maintenance, homelessness, and water quality. The Adopted 2019-21 Biennial Budget provides roughly \$8.0 million in one time funding each year to avoid significant cuts to parks maintenance. Failure to approve the measure for submission to

the voters, or failure of the voter to approve of this measure by a two-thirds margin will result in significant reductions in services at the City's Parks.

At the discretion of the City Council, special tax revenues collected by the City pursuant to this measure may be used to reimburse the City for costs incurred in connection with the election seeking voter approval of this measure. If the measure is approved by voters this will alleviate a cost that would otherwise be borne by the General Purpose Fund. If the City Council places this measure before the voters and it is rejected the City's General Purpose Fund will need to bear the cost of conducting the election which could exceed \$1.0 million.

PUBLIC OUTREACH / INTEREST

The Parks and Recreation Advisory Commission (PRAC) and OPRF have indicated initial support for a parcel tax measure. As noted in the proceeding section, the City has retained CliffordMoss to provide opinion polling services. An initial poll was conducted on August 27 – 31, 2019. The poll results were discussed in a report to Council (**Attachment C**).

Based upon the results of the first poll as well as feedback from Council, staff worked with the consultant team to develop a second poll/survey. Staff from the City Administrator's Office, City Attorney's Office, OPW, the Finance Department, and Council Offices were invited to participate in the development of the questions for the second poll/survey. The survey (please refer to **Attachment B** or more information) covered an array of topics including, the maintenance of parks, recreational facilities and free-standing restrooms; stormwater and water quality; and services that address homelessness.

If placed on the March or November 2020 ballots by the City Council, this parcel tax would require two-thirds (2/3; 66.67%) of voters to vote in favor of the ballot measure. The results of this survey show that there is currently strong support for a ballot measure at the one hundred and forty-eight dollar (\$148.00) level for maintenance of Oakland's parks, recreational centers, and stormwater collection infrastructure; and services that address homelessness.

COORDINATION

This report was reviewed by the City Attorney's Office, Finance Department and Department of Human Services.

SUSTAINABLE OPPORTUNITIES

Economic: The proceeds from the special parcel tax will enable the City to increase its capacity to maintain parks and recreational facilities, and to provide services to address homelessness in City parks.

Environmental: Funds from the parcel tax will be used to reduce trash and litter in parks, the City's efforts to improve water quality, maintain the urban canopy, and to address the environmental impacts caused by unsheltered/unhoused persons living in City parks.

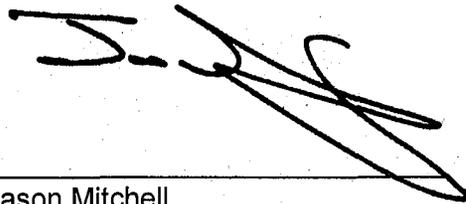
Race & Equity: Proceeds collected will support the equitable distribution of maintenance services to parks and recreational facilities throughout Oakland in order to decrease disparities in life outcomes of marginalized communities and to facilitate equity of opportunity throughout Oakland. The expenditure of funds for homelessness services will be targeted to the most vulnerable and at-risk populations in this City and is providing essential and basic human services, housing and support.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends The City Council Adopt A Resolution On The City Council's Own Motion Submitting To The March 3, 2020 Statewide Primary Election, A Proposed Ordinance To Adopt A Special Parcel Tax To Maintain and Improve City Of Oakland Parks and Recreational Facilities, Provide Services to Unhoused/Unsheltered Persons, And To Provide, Maintain, and Improve Other Municipal Services As The City Council May Deem Appropriate; And Directing The City Clerk To Fix The Date For Submission Of Arguments And Provide For Notice And Publication In Accordance With The March 3, 2020 Statewide General Election.

For questions regarding this report, please contact Angela Robinson Piñon, Strategy & Planning Manager at (510) 238-3707 or arobinsonpinon@oaklandca.gov.

Respectfully submitted,



Jason Mitchell
Director, Oakland Public Works

Prepared by:
Angela Robinson Piñon
Oakland Public Works

Attachments (5):

- A. Staff Presentation
- B. EMC Research Presentation on Second Poll Results
- C. Ballot Measure Informational Update and Council Resolution for Next Steps

Attachment A: Staff Presentation



The 2020 Oakland Parks Ballot Measure

Presented by Oakland Public Works Staff

October 31, 2019

**Proposed Parcel Tax
Ballot Measure
Statement Language**

Shall a measure to provide: programs to help homeless individuals move into shelters and housing; clean, safe and well-maintained parks and trails; improved water quality; clean and accessible park restrooms; park lighting and security; trash removal from parks; and playgrounds and park facilities maintenance, by enacting an annual \$148 parcel tax per single family equivalent, for 20 years, raising approximately \$21,000,000 annually with community oversight and exemptions for low-income seniors, be adopted?

Highest Ranking Priorities

- Protecting local water quality
- Providing programs to help homeless individuals move out of parks and into shelters and housing
- Providing homeless support services
- Removing trash and debris from city parks
- Reducing homelessness in parks

Key Components of the Ballot Measure Ordinance

- In addition to addressing stabilization of funding for maintenance to parks and recreational facilities and expanding those services beyond current levels. This parcel tax would also provide services and programs to persons experiencing homelessness that would enable them to either move into a temporary shelter, transitional/supportive housing, or permanent housing.
- Equity is a primary objective of the measure
- An annual audit
- City Council shall assign to existing Boards or Commissions for Citizen Oversight

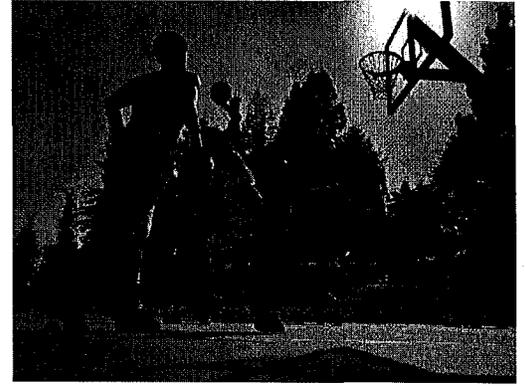
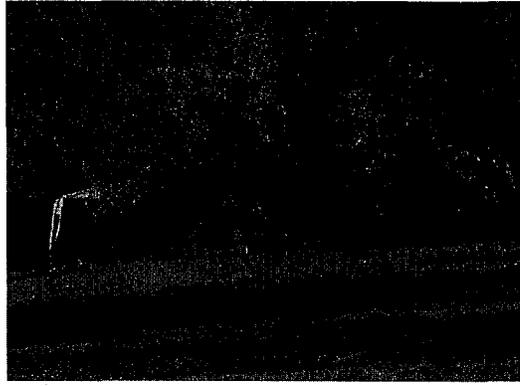
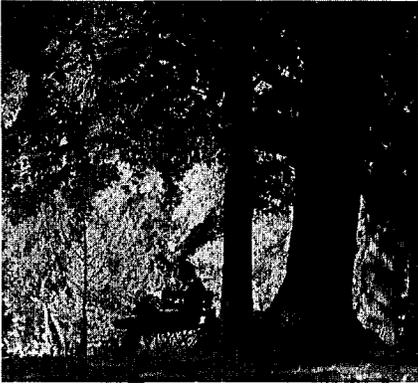
Key Components of the Ballot Measure Ordinance

- The parcel tax shall be levied for twenty (20) years
- The parcel tax shall be established at \$148.00 per parcel and provide approximately \$21.0 million annually
- At the discretion of the City Council, revenues collected by the City may be used to reimburse the City for costs incurred in connection with the election seeking voter approval
- Exemptions for very low income households
- Exemptions for low income senior households

Parks Parcel Tax Ballot Measure Development Timeline

1. **October 31, 2019:** Rules Committee Review of Ballot Measure Package
2. **November 5, 2019:** City Council Review Proposed Ballot Measure.
3. **November 19, 2019:** Enabling Legislation Presented to City Council for approval.
4. **November 22, 2019:** City Attorney Submits Text of Measure to City Clerk.
5. **December 6, 2019:** 88 Day Deadline to County.

Questions



CliffordMoss.
POLITICAL STRATEGY | COMMUNICATIONS | PUBLIC AFFAIRS
ATTACHMENT B

Survey of Likely March 2020 Voters RE: Potential Parcel Tax City of Oakland *Summary of Results*

Methodology



- ▶ Two email-to-web/telephone surveys of likely March 2020 voters
- ▶ First poll conducted August 27-31, 2019
 - 615 interviews; overall margin of error ± 4.0 % pts
- ▶ Second poll conducted October 15-20, 2019
 - 960 completed interviews; overall margin of error ± 3.2 % pts
- ▶ Surveys offered in English, Chinese, and Spanish

Please note that due to rounding, some percentages may not add up to exactly 100%.

Split Sample Methodology

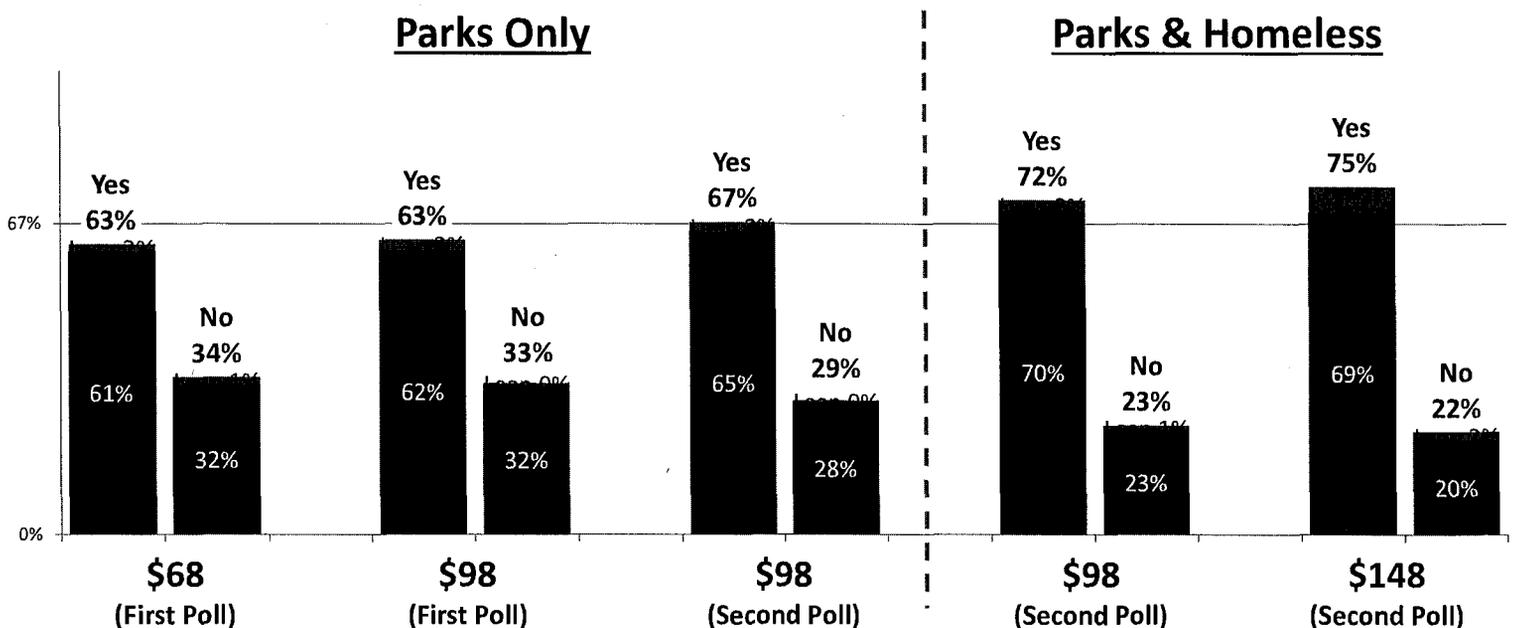
- ▶ First poll: 2-way split sample included approximately 307 interviews per split sample (margin of error of ± 5.6 percentage points within each split)
- ▶ Second poll: 3-way split sample included approximately 320 interviews per split sample (margin of error of ± 5.5 percentage points within each split)
- ▶ Split samples weighted to match on key demographics

First Poll		Second Poll		
SAMPLE A1: \$68 Parcel Tax (Parks Only)	SAMPLE A2: \$98 Parcel Tax (Parks Only)	SAMPLE A3: \$98 Parcel Tax (Parks Only) <i>Updated Ballot Language</i>	SAMPLE B1: \$98 Parcel Tax (Parks & Homeless)	SAMPLE B2: \$148 Parcel Tax (Parks & Homeless)

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Vote Comparison

Support for a measure that includes services for people who are homeless is higher than a measure that only addresses parks.



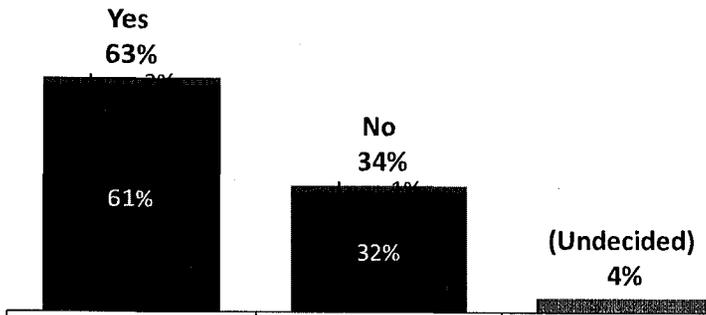
Vote Comparison: Parks-Only Measure



Support for a parks-only measure is slightly higher with the updated ballot language.

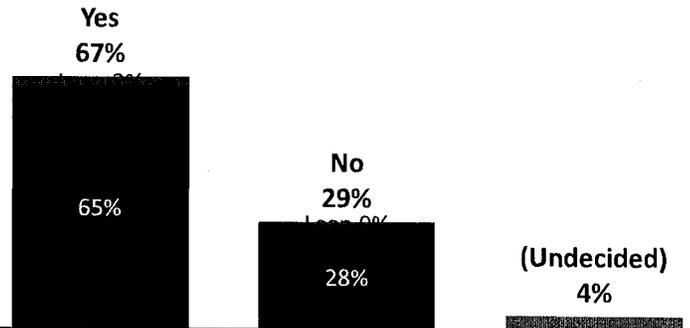
\$98 – First Poll

Shall a measure to support clean and well-maintained parks throughout Oakland; improve access to recreational programs for all residents including at-risk/low-income youth, families, seniors and persons with disabilities; repair and maintain playgrounds, recreational centers, sports fields, swimming pools, trees, and park restrooms; by enacting an annual \$98 parcel tax, for 20 years, raising approximately \$14,000,000 per year with citizen oversight and exemptions for low-income seniors, be adopted?



\$98 – Second Poll

Shall a measure to support clean, safe, and well-maintained parks throughout Oakland; keep park restrooms clean and accessible; maintain park lighting and security; remove trash and debris from parks; maintain quality city afterschool and recreation programs for youth; and repair and maintain playgrounds, recreation centers and other park facilities; by enacting an annual \$98 parcel tax, for 20 years, raising approximately \$14,000,000 per year with oversight and exemptions for low-income seniors, be adopted?



Q13/5. If the election were held today, would you vote yes to approve or no to reject this measure?

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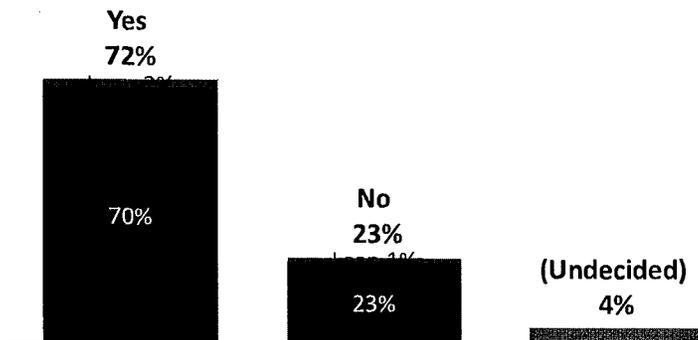
Vote Comparison: Parks & Homeless



Support for a measure that addresses parks and homelessness services is consistent between the two amounts tested.

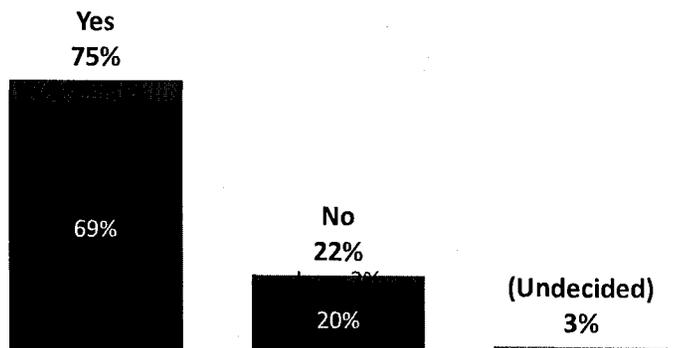
\$98 – Second Poll

Shall a measure to provide homeless support services and programs to help homeless individuals move into shelters and housing; clean, safe and well-maintained parks and trails throughout Oakland; clean and accessible park restrooms; park lighting and security; trash and debris removal from parks; and playgrounds and park facilities maintenance, by enacting an annual \$98 parcel tax, for 20 years, raising approximately \$14,000,000 annually with community oversight and exemptions for low-income seniors, be adopted?



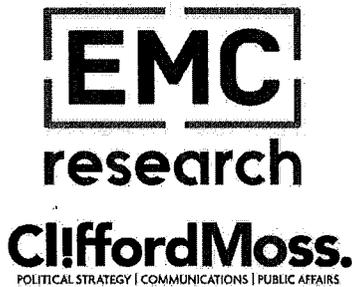
\$148 – Second Poll

Shall a measure to provide homeless support services and programs to help homeless individuals move into shelters and housing; clean, safe and well-maintained parks and trails throughout Oakland; clean and accessible park restrooms; park lighting and security; trash and debris removal from parks; and playgrounds and park facilities maintenance, by enacting an annual \$148 parcel tax, for 20 years, raising approximately \$21,000,000 annually with community oversight and exemptions for low-income seniors, be adopted?



Q5. If the election were held today, would you vote yes to approve or no to reject this measure?

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Potential Components & Additional Information

Potential Components



Potential measure components are important to many voters, services for people who are homeless rise to the top.

**indicate components only presented to those who saw the parks + homelessness measures (n=644)*

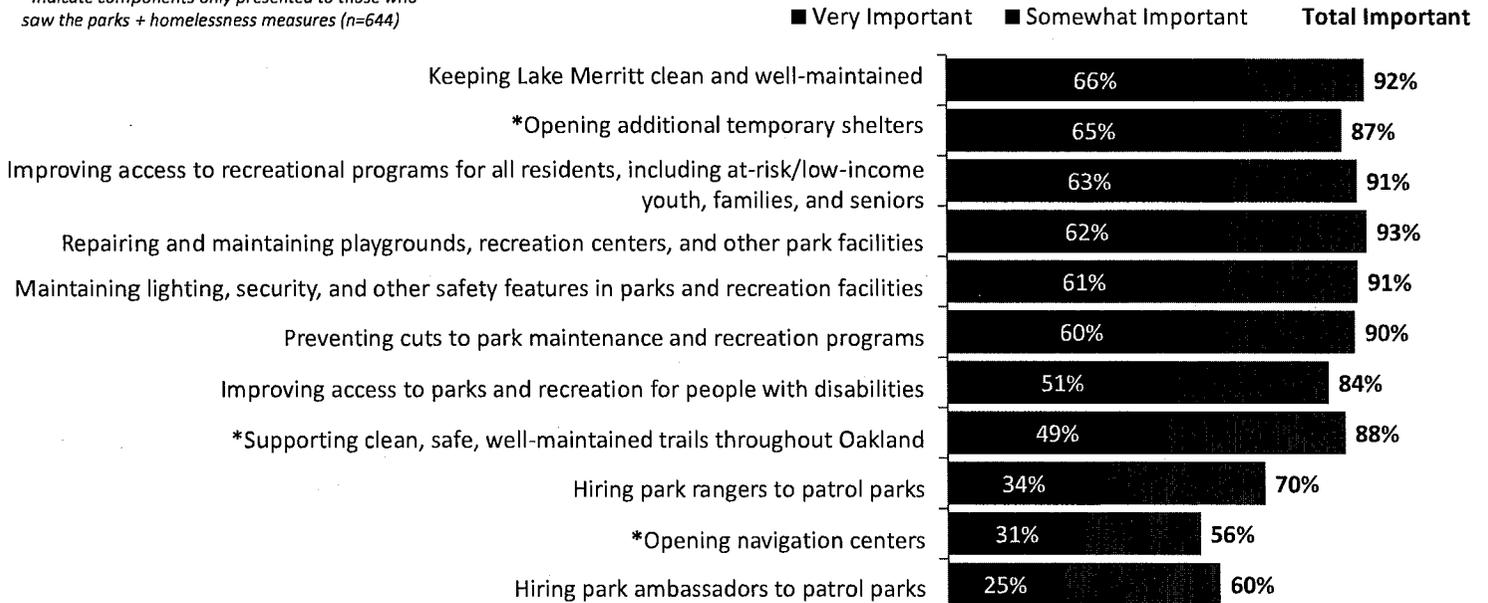


Q7-27. I'm going to read you a list of items that could be included in the Oakland parcel tax measure. After each one, please tell me if that item is very important, somewhat important, not that important, or not at all important to you.

Potential Components

Other potential programs are also important to voters, but with lower intensity.

**indicate components only presented to those who saw the parks + homelessness measures (n=644)*

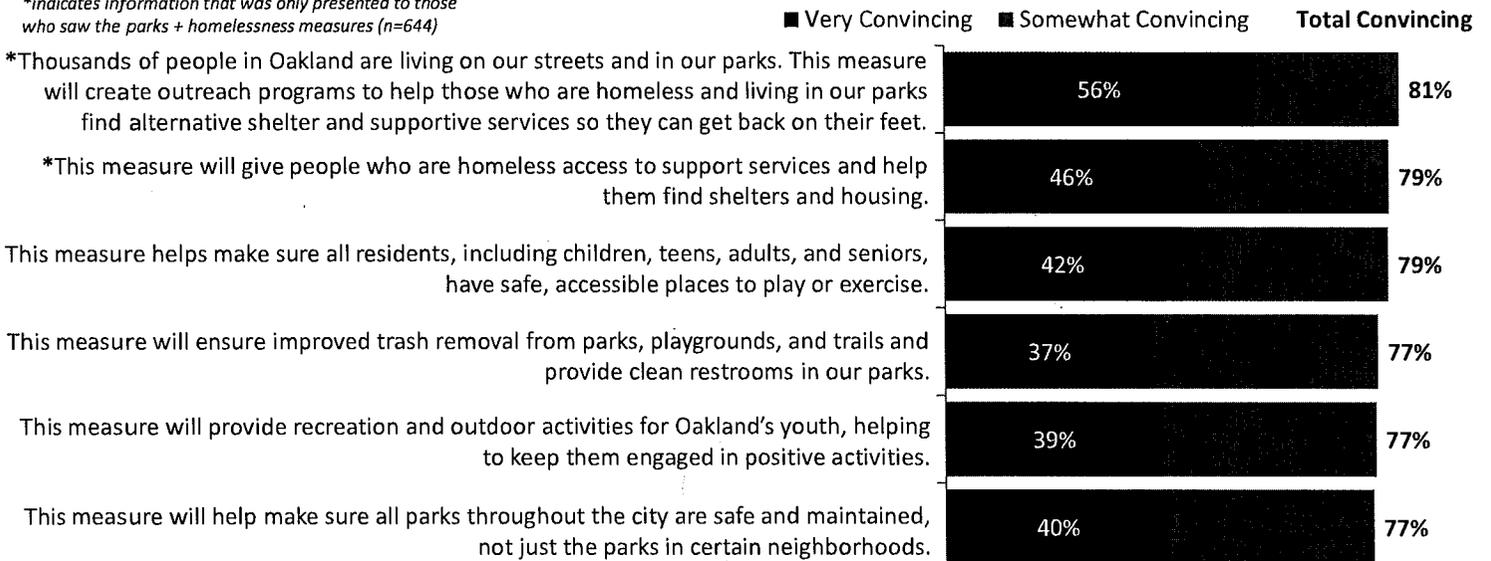


Q7-27. I'm going to read you a list of items that could be included in the Oakland parcel tax measure. After each one, please tell me if that item is very important, somewhat important, not that important, or not at all important to you.

Additional Information

Additional information is compelling to most with helping people who are homeless find shelter and support services rising to the top.

**indicates information that was only presented to those who saw the parks + homelessness measures (n=644)*



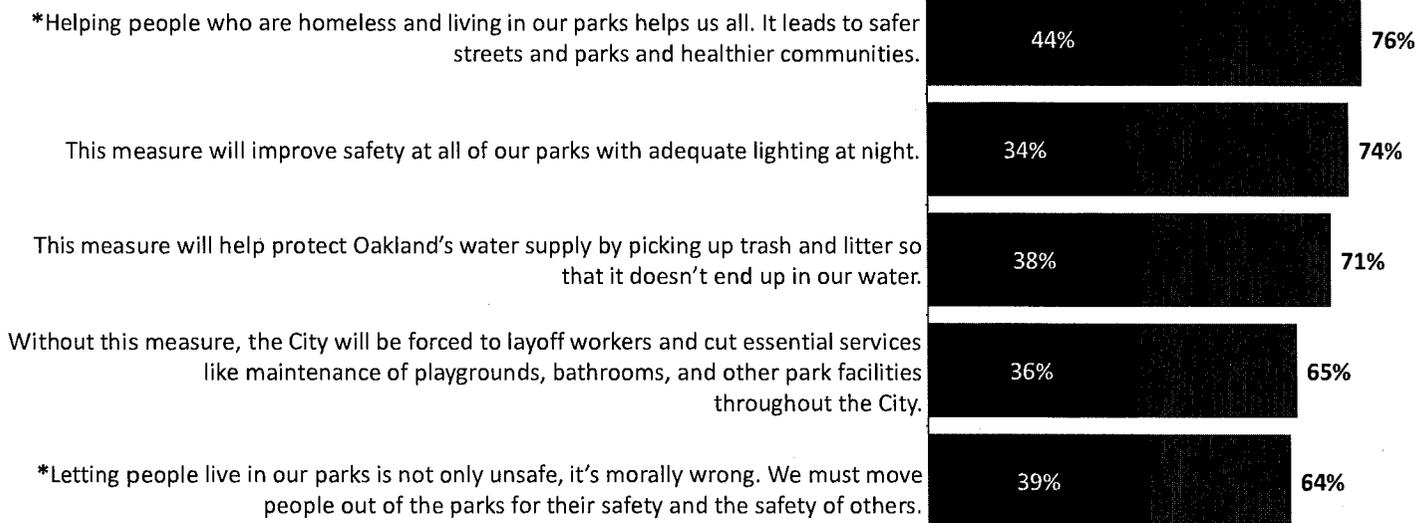
Q28-38. Next I'd like to read you statements from people who support a measure. After each one, please tell me how convincing that statement is as a reason to vote for this measure—very convincing, somewhat convincing, not too convincing, or not at all convincing.

Additional Information

Other information is also compelling to voters.

**Indicates information that was only presented to those who saw the parks + homelessness measures (n=644)*

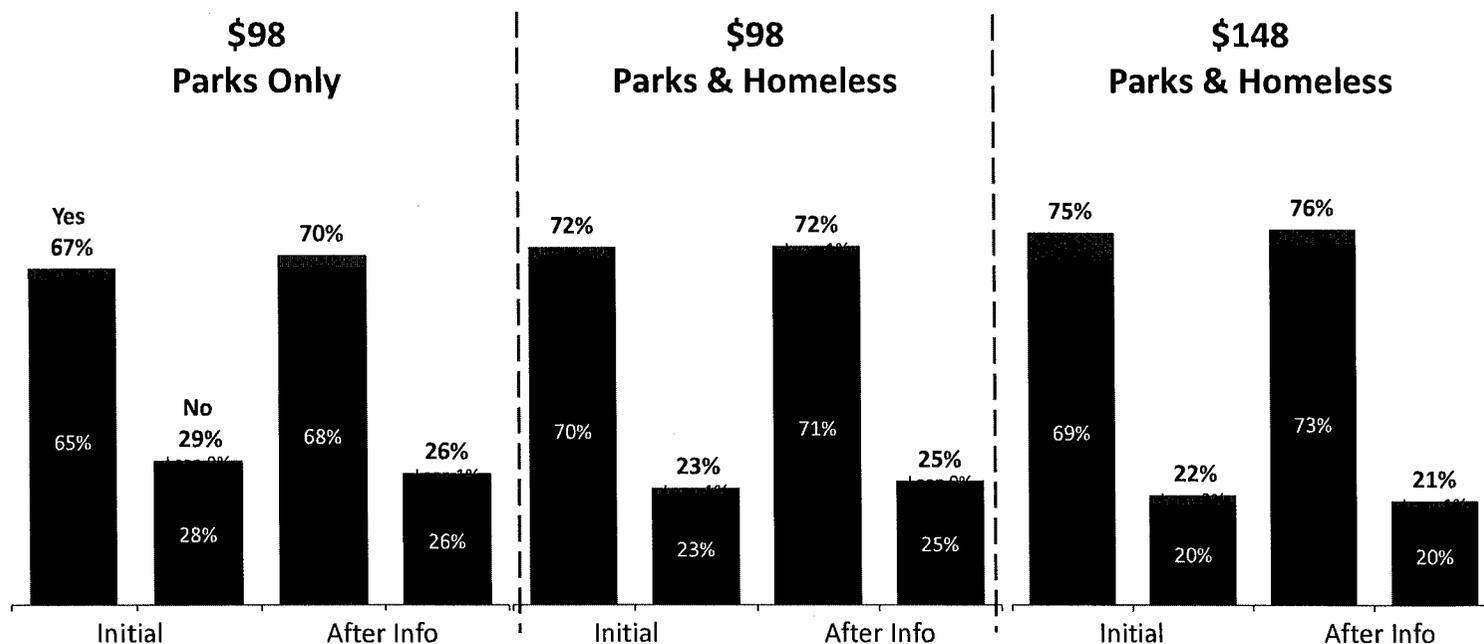
■ Very Convincing ■ Somewhat Convincing Total Convincing



Q28-38. Next I'd like to read you statements from people who support a measure. After each one, please tell me how convincing that statement is as a reason to vote for this measure—very convincing, somewhat convincing, not too convincing, or not at all convincing.

Vote After Information

Additional information helps to solidify support, slightly.



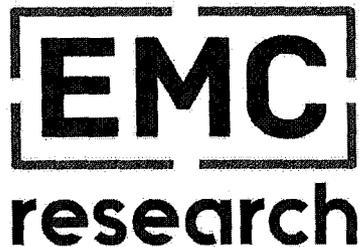
Q39. Given what you've heard, if the election were held today would you vote yes to approve or no to reject the measure?

Conclusions/Recommendations



- ▶ A measure that supports cleaning up parks and includes services for people who are homeless appears feasible.
- ▶ Support for a measure that addresses the parks and homelessness is consistent between the two amounts tested.
- ▶ Should you move forward with placing a measure on the ballot, a private, well-funded campaign effort is recommended.

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ATTACHMENT C: Ballot Measure Informational Update and Council Resolution for Next Steps



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OAKLAND

2019 SEP 20 AM 8: 57

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Jason Mitchell
Director, Public Works

SUBJECT: Ballot Measure Informational Update
and Council Resolution for Next Steps

DATE: September 17, 2019

City Administrator Approval

Date:

9/19/19

RECOMMENDATION

Staff Recommends That The City Council: Receive An Informational Report From The Administration On The Status Of Development Of Ballot Measures For The 2020 Ballot, Including; All Polling Questions And Results For Polls Already Conducted, A Schedule Of Planned Next Steps, And A Financial Report Showing Funding Amounts Allocated To Polling And Consultants, Including The Total Amount That Has Been Expended Or Allocated, Amounts Remaining, And The Process For Selecting The Consultant And Pollster; And 2) Adopt A City Council Resolution Adopting Next Steps For Ballot Measure Consideration, And Polling.

EXECUTIVE SUMMARY

The Rules & Legislation Committee ("Rules Committee") will hear an informational report on the status of potential ballot measures for the March 2020 ballot and will consider adopting a resolution which outlines next steps for ballot measure consideration and polling. They will also hear two (2) informational presentations regarding a potential parcel tax measure for the March 2020 election. The first is a staff presentation that will outline the background, planning and proposed structure and features of a potential parcel tax measure (**Attachment A**). The second presentation will summarize the results of public polling conducted by CliffordMoss, LLC ("CliffordMoss") and EMC Research, LLC ("EMC") during August 27 through 31, 2019 (**Attachment B**).

BACKGROUND / LEGISLATIVE HISTORY

On March 5, 2019 the Public Works Committee heard a presentation from the Oakland Parks and Recreation Foundation (OPRF) regarding their report titled: "Continuing Crisis: 2018 Report on the State of Maintenance in Oakland Parks" (**Attachment C** beginning on page 6 of the attachment). One of the recommendations from that report was for the City "pursue a dedicated ballot measure for park maintenance, ideally in 2020".

Item: _____
Rules & Legislation Committee
October 3, 2019

Per the adopted minutes of the meeting:

“the Committee approved as amended a supplemental report [to] address coasting (sic) and the recommendations listed on page 38 and 39 of the Oakland Park and Recreation Foundation report “Titled: Continuing Crisis: The 2018 Report on the State of Maintenance in Oakland Parks” given at the March 5, 2019 Special Public Works Committee Meeting... This Informational Report be scheduled to go before the “Public Works Committee to be heard 5/14/2019.”

As requested, the Administration prepared a response to the OPRF Report that was heard by both the Special Public Works and Special Life Enrichment Committees¹ on May 14, 2019 (**Attachment C**). On page 2 of the Agenda Report, the Administration indicated that “OPRF has...reached out to City staff regarding a potential park’s maintenance ballot measure that they hope will qualify for the November 2020 ballot.” Furthermore, the Administration’s report stressed that “without an additional funding source, the Parks and Tree Services Division will continue to experience a reduction in staff, and a corresponding reduction in service and service delivery.”

At the Special Public Works Committee, Councilmembers echoed the concerns noted in the OPRF Report. Public Works Committee Chair, Councilmember Dan Kalb expressed support for “the effort to find an ongoing maintenance stream”. He went on to add that “the LLAD (Landscape Lighting and Assessment District) should have had a normal cost of living increase, but it didn’t” and stated that he was interested in ways to resolve that. He also stated that he wanted to have included in the measure a “stormwater fee” to address “our stormwater needs and to keep our creeks clean”.²

At the Special Life Enrichment Committee, Council President Kaplan had questions regarding the OPRF report and the Administration’s response. Council President Kaplan’s initial questions were about additional revenue strategies. Council President Kaplan asked who would lead the ballot measure, whether or not it would be a parcel tax, and about the possibility of a March 2020 Measure as opposed to a November 2020 Measure. The Administration responded that Oakland Public Works would be working through the City Administrator’s Office on the parks ballot measure.³

Councilmembers have also asked that the Administration consider including wildfire prevention as part of the proposed parks parcel tax, as there are several parks and open space areas within the City of Oakland that are located in the state designated very high fire severity zone. Councilmembers Kaplan, Kalb and Thao included increased funding for vegetation management in their fiscal year (FY) 2019-21 Budget Priorities.⁴

¹ These meetings are “special” because they were to start earlier than their regularly scheduled time.

² These comments from Councilmember Kalb begin at the 1:15:30 mark and end roughly on the 1:16:00 mark of the video recording of the Special Public Works Committee meeting which can be accessed here: http://oakland.granicus.com/MediaPlayer.php?view_id=2&clip_id=3221.

³ The video from the Special Life Enrichment Committee begins at 1:54:07 and may be accessed here: http://oakland.granicus.com/MediaPlayer.php?view_id=2&clip_id=3223.

⁴ All FY 2019-21 Budget documents, including Council members Budget Priorities for the time period may be accessed here: <https://www.oaklandca.gov/projects/fy-2019-2020-budget-process-1>

As part of the Fiscal Year (FY) 2019-21 Budget development process, the City Council considered the Administration's proposal to freeze eight and a half (8.5) full-time equivalent (FTE) parks maintenance positions in order to balance the City's budget. These reductions were proposed to address a systemic budget shortfall that exists in the LLAD Fund. As a result of proposed staffing reductions, and in recognition of the need for increased funding for parks maintenance as well as the need to fund projects to reduce wildfire threats and to improve stormwater infrastructure, the City Council approved seventy-five thousand dollars (\$75,000) in the FY 2019-21 Adopted Policy Budget to explore a potential ballot measure.⁵ While the Adopted Policy Budget did provide funding to keep the parks maintenance positions open, that funding was for FY 2019-20 only. Therefore, for this reason and others stated above, the City is pursuing a March 2020 ballot because the City would be able to collect parcel tax proceeds and appropriate those funds to maintain those positions and to park service levels throughout the City.

Once the FY 2019-21 Budget was adopted by Council on June 24, 2019, the Administration moved forward as directed to obtain "polling for ballot measures". The actions taken with respect to the solicitation and selection of a polling consultant are detailed in the "Analysis / Policy Alternatives" section of this report under the heading "Status of Development of Ballot Measures".

At the September 12, 2019 Rules Committee meeting, Council President Kaplan requested that staff report on the following items: the status of development of ballot measures for the 2020 ballot, including; all polling questions and results for polls already conducted, a schedule of planned next steps, and a financial report showing funding amounts allocated to polling and consultants, including the total amount that has been expended or allocated, amounts remaining, the process for selecting the consultant and pollster; and 2) a City Council resolution adopting next steps for ballot measure consideration, and polling.

At this time, staff is providing an overview of how parks services are currently funded, the financing challenges facing the City's parks, and the current progress to date on a potential parks parcel tax ballot measure that is responsive to Council President Kaplan's request made at the September 12, 2019 Rules Committee Meeting.

ANALYSIS / POLICY ALTERNATIVES

Oakland's parks and recreational facilities are an essential City function that provides enormous value to the community. Park maintenance is essential to the success of the City's park system and the ability of the parks to serve everyone in Oakland. More fundamentally, park maintenance shapes the livability and image of Oakland. In order to increase access to parks and recreation programs and the maintenance of the City's parks and recreational centers, city leaders and parks advocates have asked staff to develop a ballot measure for the March 2020 ballot.

⁵ Please refer to page 7, Exhibit 2, line 45, of the FY 2019-21 Adopted Budget Resolution, Amendments and Directives which may be accessed here: https://cao-94612.s3.amazonaws.com/documents/FY-2019-21-Adopted-Budget-Resolution-Amendments-and-Directives_vFINAL.pdf

History of the Landscape Lighting Assessment District (LLAD)

In 1989, and as a result of a deficit in the City's General Purpose Fund (GPF), voters approved the LLAD and dedicated its funds to the maintenance of parks, grounds and medians, ball fields, open space; for the provision of custodial services at recreational facilities and free-standing restrooms at parks and ball fields, tree services and repairs to streetlights. Later in 1994, Oakland voters rejected a ballot measure challenging the LLAD and since then Oakland has acquired additional acres of parkland and constructed new recreational facilities.

LLAD Fund Uses and Revenue Generated

The LLAD currently generates approximately twenty million dollars (\$20.0 million) in revenue annually (including delinquency assessments from prior years) and provides funding to maintain grounds and landscaped medians, tree maintenance, tot lots, open space, pools, and custodial services at about one hundred and thirty (130) park and recreation facilities, fifty thousand (50,000) acres of fields, forty-four (44) stand-alone restrooms, community gardens and ball fields, and many other recreation-related buildings and infrastructure in the City of Oakland, as well as, pays utility costs for City street lights and water use at parks and fields.

LLAD Financing Challenges

Costs have escalated since the LLAD was enacted (e.g. utility rates, and personnel costs), and with no provision for a cost of living adjustment (COLA) in the LLAD, by 2005 the GPF had to begin supplementing the LLAD by five and a half million dollars (\$5.5 million) annually. That pattern has persisted in each budget since. The City of Oakland will contribute approximately eight million dollars (\$8.0 million) in fiscal year (FY) 2019-20 from other funding sources for the maintenance of parks, street medians and recreational facilities. Furthermore, it is projected that the LLAD fund will have a negative ending balance (approximately \$1.65 million) in FY 2018-19. While the City has taken proactive steps to decrease the negative fund balance from approximately six million dollars (\$6.0 million) in FY 2008-09, the assessment rate has prevented the City from reaching its goal of maintaining a net positive LLAD fund balance.

New and renovated parks and plans are being developed and primarily funded by voter-supported Measure DD, Measure WW, State Park Bonds, and former Redevelopment funds (still funding projects in process). Private developers are adding more parks and open spaces as well. Bonds and former Redevelopment funds are restricted to supporting the creation of a park or other facility, and are not available to fund staff or materials for ongoing maintenance. With level LLAD revenues, there have been insufficient funds budgeted to maintain these newly constructed parks. Parks require more care as years pass, and deferred maintenance can result in more expensive repairs and renovations.

Most recently, the City Council considered freezing eight and a half (8.5) FTEs as part of the FY 2019-21 Budget Process. Those positions were not frozen; however, funding was only provided through FY 2019-20, and the City Council must revisit whether or not it will continue to fund these positions during future budget deliberations.

Increasing Demands, Declining Parks Maintenance Staff

Park maintenance staffing has plummeted since its zenith in the early 1970s, but the reductions occurred slowly over the years as Proposition 13 curtailed City revenues. The fiscal year 2019-20 Budget authorizes approximately ninety-six (96) FTEs to provide park maintenance services. In 1970, there were approximately one hundred and seventy-five (175) FTEs; this represents a reduction of forty-five percent (45%) from 1970 to today.

Similarly, according to the U.S. Census, Oakland's population grew from 361,561 in 1970 to 428,827 in 2018. This represents a nearly nineteen percent (19%) increase in the number of residents from 1970 to 2018.

Staff agrees with OPRFs statement in their 2018 report, "great parks are part of Oakland's distinctive legacy and are vital to our quality of life." Furthermore, staff also shares OPRFs concern that "diminished maintenance conditions are becoming the 'new normal' and that our parks are now operating at a level that would have never been acceptable to prior generations of Oaklanders." Staff maintains that the only way that the City can improve conditions at its parks and recreation centers is through increased investment coupled with a continued commitment to racial and socio-economic equity not only for capital improvements, but also in the ongoing maintenance and stewardship of community assets. Furthermore, any efforts to improve Oakland's parks must include public engagement with the goal of achieving community partnership and ownership of these spaces so that they are places that are available and accessible to all Oaklanders.

Status of Development of Ballot Measures

At the September 12, 2019 Meeting of the Rules Committee, Council President Kaplan requested the following: "all polling questions and results for polls already conducted, a schedule of planned next steps, and a financial report showing funding amounts allocated to polling and consultants, including the total amount that has been expended or allocated, amounts remaining, the process for selecting the consultant and pollster; and 2) a City Council resolution adopting next steps for ballot measure consideration, and polling."

Polling Questions and Poll Results: The polling questions assess, among many things, community support for a potential ballot measure, what services they would like to see provided under a parks ballot measure, and how much they would be willing to pay to provide for those services. The results for polls and their related questions already conducted are contained in **Attachment B**. The consultant team consisting of CliffordMoss and EMC will present their findings at the meeting.

Schedule of Planned Next Steps: A schedule of planned next steps may be found on slide number 14 of **Attachment A**.

Funding for Polling: Staff has responded to Council President Kaplan's request for a "financial report showing funding amounts allocated to polling and consultants, including the total amount that has been expended or allocated, amounts remaining" as part of the "Fiscal Impact" section of this Agenda Report.

Process for Selecting the Consultant and Pollster: A request for proposal (RFP) was issued by the Administration on Friday, July 5, 2019 with a close date of Friday, July 26, 2019. A legal notice announcing that the City was seeking polling services was published in the East Bay Times, Oakland Post, El Mundo and San Francisco Chronicle. A voluntary pre-proposal Meeting was held by the City on Thursday, July 18, 2019. Staff from Oakland Public Works and Contract Compliance did staff the event; however, no vendors or members of the general public attended the pre-proposal meeting. A total of two (2) firms responded to the RFP. The responding firms are listed in alphabetical order: 50+1 Strategies, LLC and CliffordMoss.

The City convened an RFP Review Panel/ Selection Committee consisting of four (4) subject

matter experts on parks maintenance, advocacy and engagement from the City of Oakland and Oakland Parks and Recreation Foundation. The RFP Review Panel evaluated the proposals using the criteria listed in the RFP which included relevant experience, qualifications, organization, and approach. The RFP Review Plan met on Wednesday, July 31, 2019 to discuss the proposals and to make a contracting recommendation.

50+1 Strategies received an average score of ninety-one and a half (91.5) points and CliffordMoss received an average score of ninety-four and a half (94.5) points from the RFP Review Panel. As a result, the RFP Review Panel recommended that the City contract with CliffordMoss.

The City Attorney's Office, Contract Compliance, Oakland Public Works (OPW), and the Finance Department have weighed on the negotiation and execution of a contract with CliffordMoss. The funding source, codes and recent expenditures are further detailed in the "Fiscal Impact" section.

During the Rules Committee proceedings of September 12, 2019, Council President Kaplan expressed concern that the contract for polling services was not brought back to Council for approval. The Administration has followed the City's requirements for professional services agreements. The Oakland City Council was not asked to approve the contract because: 1) the contract was being negotiated during Council Recess and so if the contract had been fully executed by the conclusion of recess, it would have been reported in the City Administrator's Report of actions taken during recess (Section 2.040.020 (H)); 2) the work had to occur during Council Recess, in order to bring data to Council that would enable them to make an informed decision as to whether or not to move forward with a parks parcel tax ballot measure in March 2020 or in November 2020; and 3) the proposed contract amount is within the City Administrator's contracting authority as specified in Chapter 2.04 ("Purchasing System") of the Oakland Municipal Code (O.M.C.) and so Council approval is not required (Section 2.40.020 (A)).

Attachment D contains a list of contracting requirements and the actions taken by the Administration to comply with the requirements of Chapter 2.04.020 of the O.M.C.

A City Council Resolution Adopting Next Steps for Ballot Measure Consideration, and Polling: The Rules Committee may want to formalize next steps for a ballot measure in a resolution, or proceed without a resolution.

The Council must vote to adopt a resolution that directs the City Clerk file documents necessary for the parks parcel tax ballot measure to be placed on the March 3, 2020 ballot. The last date for Council to adopt a resolution and for staff to compile and submit all of the necessary documents to meet the eighty-eight (88) day filing deadline on December 6, 2019 would be the November 19 City Council meeting.

At this time, the Administration asks that the Rules Committee provide its recommendations on issues and topics for a subsequent poll that will be conducted by the consultant to confirm and refine results in October 2019. In addition, Rules Committee may forward this Agenda Report to the Public Works and Finance Committees for their consideration at their October 22, 2019 meeting. At the November 5, 2019 City Council meeting, the Administration will present a report that includes updated poll results, and possible ballot measure language and invite feedback and direction from the City Council and the public on the proposed ballot measure.

FISCAL IMPACT

There are no direct fiscal impacts to the City of Oakland from the acceptance of this report. The decision to place a measure on the March 2020 ballot will have costs that will be articulated in future reports once staff have better estimates. The adoption of a parks funding measure by the voters in the March 2020 election will have a significant positive fiscal impact on the City of Oakland should it pass.

Please see the table below summarizing the funding sources and allocations for the CliffordMoss professional services contract.

Fund	Project	Organization	Expense Account	Task	Award	Source	Amount
1010	1005007	90591	53712	1.0	1010.IP50	FY 2019-21 Adopted Policy Budget and FY 2018-19 Carryforward Funds	\$75,000.00
TOTAL							\$75,000.00

As September 18, 2019, CliffordMoss had not invoiced the City for its services. The only invoices received have been in the amount of approximately (three thousand three hundred dollars (\$3,300.00) for the publishing of legal notices associated with the polling services RFP issues in July, 2019. Therefore, there is a balance of roughly \$71,700.00 remaining in this project account.

PUBLIC OUTREACH / INTEREST

The Parks and Recreation Advisory Commission (PRAC) and OPRF have indicated initial support for a parcel tax measure. As noted in the proceeding section, the Administration has retained CliffordMoss to provide opinion polling services. Staff from the City Administrator's Office, City Attorney's Office, OPW, the Finance Department, Department of Transportation, Oakland Fire Department, and Oakland Parks, Recreation & Youth Development were invited to participate in the development of the survey questions. The survey (please refer to **Attachment B** or more information) covered an array of topics and issues, that include but are not limited to, the maintenance of parks, recreational facilities and free-standing restrooms; stormwater and water quality; wildfire prevention; tree services; and park safety. Moreover, the survey topics reflect the direction that Councilmembers have given during recent Committee meetings, meetings of the City Council, interactions with staff, and the Budget Priorities prepared for the FY 2019-21 Budget Development Process.

In addition, a mixed-mode telephone and email-to-web survey of six hundred and fifteen (615) likely March 2020 voters in the City of Oakland was conducted August 27 to 31, 2019. The margin of error for this survey is plus or minus four percentage points (+/- 4%) at the ninety-five percent (95%) confidence interval.

Staff requested that the survey use a split sample methodology to assess how the amount of the parcel tax might impact support for the measure. This means that half of the respondents were asked if they would be likely to vote for a sixty-eight-dollar (\$68.00) annual parcel tax on single family residential properties that would collect approximately nine million dollars (\$9.0 million) each year to maintain parks and recreational facilities, and the other half were asked if they would vote for a ninety-eight dollar (\$98.00) parcel tax that would yield approximately fourteen million dollars (\$14.0 million). These results are briefly summarized in the table that follows.

Parcel Tax Amount	Number Surveyed	Likely to Vote in Favor (Yes/Leaning Yes)	Likely to Vote Against (No/Leaning No)	Undecided
\$68.00	307	63%	34%	4%
\$98.00	308	63%	33%	4%

There is no statistical difference in support between the two amounts tested and indicates that the price of the parcel tax has no or very little bearing on voter support for a parks parcel tax.

If placed on the March or November 2020 ballots, this parcel tax would require two-thirds (2/3; 66.67%) of voters to vote in favor of the ballot measure. The results of this survey show that while a majority of voters are in support for this proposed parcel tax, the support is less than the required two-thirds required to pass. Additional polling is needed to test surrounding a revised ballot measure statement and to assess if likely March 2020 voters or November 2020 voters view the ballot measure more favorably.

At this time, staff recommends that the consultant conduct a tracking poll with results reported to Council on November 5, 2019, before they would make a decision on how to proceed. The data to be presented and discussed at this meeting shall be considered "baseline" information for the subsequent analysis and report that will be delivered in November.

COORDINATION

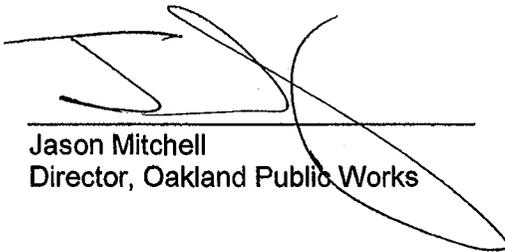
This report was reviewed by the City Attorney's Office and Finance Department.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council: Receive An Informational Report From The Administration On The Status Of Development Of Ballot Measures For The 2020 Ballot, Including; All Polling Questions And Results For Polls Already Conducted, A Schedule Of Planned Next Steps, And A Financial Report Showing Funding Amounts Allocated To Polling And Consultants, Including The Total Amount That Has Been Expended Or Allocated, Amounts Remaining, And The Process For Selecting The Consultant And Pollster; And 2) Adopt A City Council Resolution Adopting Next Steps For Ballot Measure Consideration, And Polling.

For questions regarding this report, please contact Angela Robinson Piñon, Strategy & Planning Manager at (510) 238-3707.

Respectfully submitted,



A handwritten signature in black ink, appearing to read 'Jason Mitchell', is written over a horizontal line. The signature is stylized and somewhat abstract.

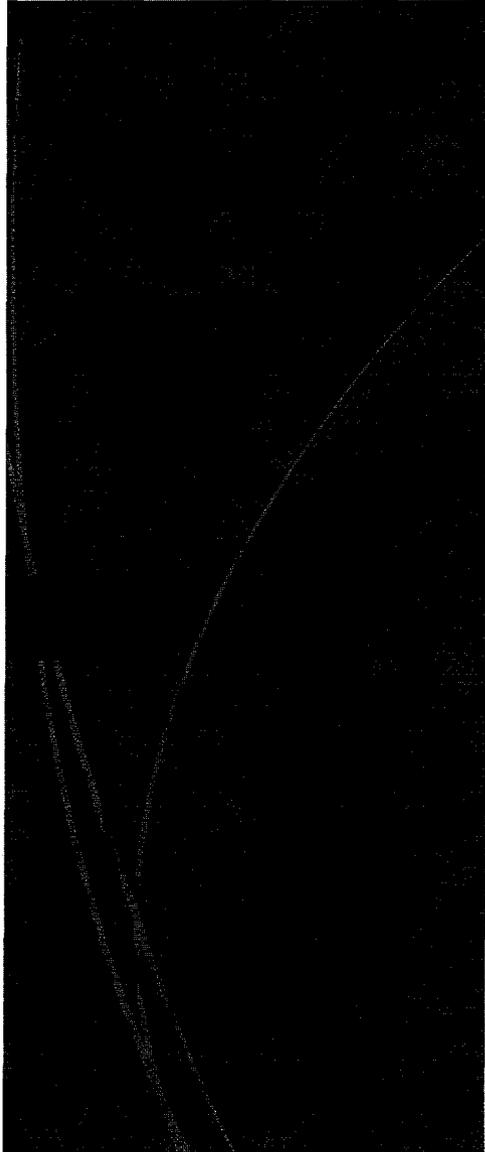
Jason Mitchell
Director, Oakland Public Works

Prepared by:
Angela Robinson Piñon
Oakland Public Works

Reviewed by:
Tom Morgan, Agency Administrative Manager
Bureau of Administration

Attachments (6):

- A. Staff Presentation on Potential Parks Parcel Tax Ballot Measure
- B. EMC Research Presentation on Parks Parcel Tax Polling Results
- C. Response to Recommendations in the OPRF Report, April 22, 2019
- D. City Administrator Contracting Requirements



The 2020 Oakland Parks Ballot Measure

Presented by Oakland Public Works Staff

October 22, 2019

Overview

- ▶ Oakland's parks and recreational facilities are an essential City function that provides enormous value to the community.
- ▶ Park maintenance is essential to the success of our park system and the ability of our parks to serve everyone in Oakland.
- ▶ More fundamentally, park maintenance shapes the livability and image of Oakland itself.
- ▶ To increase access to parks and recreation programs and the maintenance parks and recreational centers, city leaders and parks advocates have asked staff to develop a ballot measure for the March 2020 ballot.

Oakland Public Works

Mission

Oakland Public Works is dedicated to you! We strive to maintain, improve and preserve Oakland's infrastructure and environment for the residents, businesses, visitors and future generations of every neighborhood in our diverse city.

Vision

- ▶ Living and working conditions that are healthy, safe and clean
- ▶ Easy and equitable access to services
- ▶ Transparent, accountable, and efficient use of public resources
- ▶ Responsible, sustainable stewardship of our environment
- ▶ Teamwork and Partnership

Oakland Public Works

Overview

- ▶ 636 FTEs in four Bureaus
- ▶ Oakland's infrastructure includes:
 - ▶ 400 miles of storm drains and 11,500 structures
 - ▶ 80+ miles of open creek
 - ▶ 309 Public Buildings (which includes 20 recreation centers, 2 boating facilities, and other buildings that support recreational activities and sports), 140 City parks; and 27,000 structures
 - ▶ 100+ street medians
 - ▶ 42,600 official street trees
 - ▶ 1,055 acres of Resource Conservation Area

LLAD - Overview

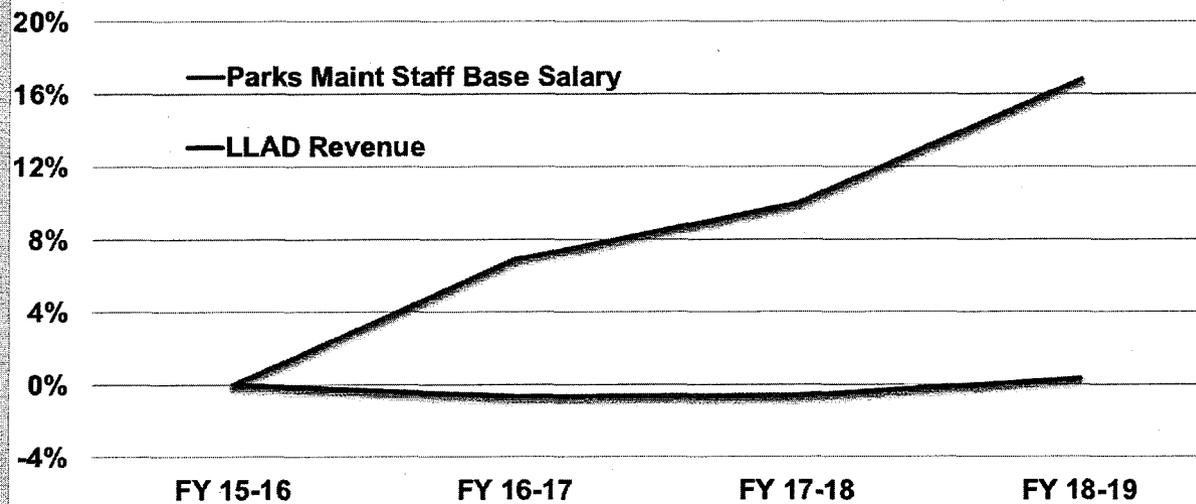
Landscape and Lighting Assessment District (LLAD) – Fund 2310

- ▶ Established in 1989
- ▶ Provides funding for core city services, including parks maintenance, tree services, and streetlight utility costs.
- ▶ Revenues have not been adjusted for **30 years**.
- ▶ However, expenditures have grown over the years.

Why a Parks Parcel Tax?

Increases in expenditures over the years with no corresponding increase in revenues have resulted in an on-going structural deficit.

Growing Structural Deficit
Parks Maintenance Base Salary vs LLAD Revenue (FY 2015-19)



Why a Parks Parcel Tax?

Increasing Demand, Declining Parks Maintenance Staff

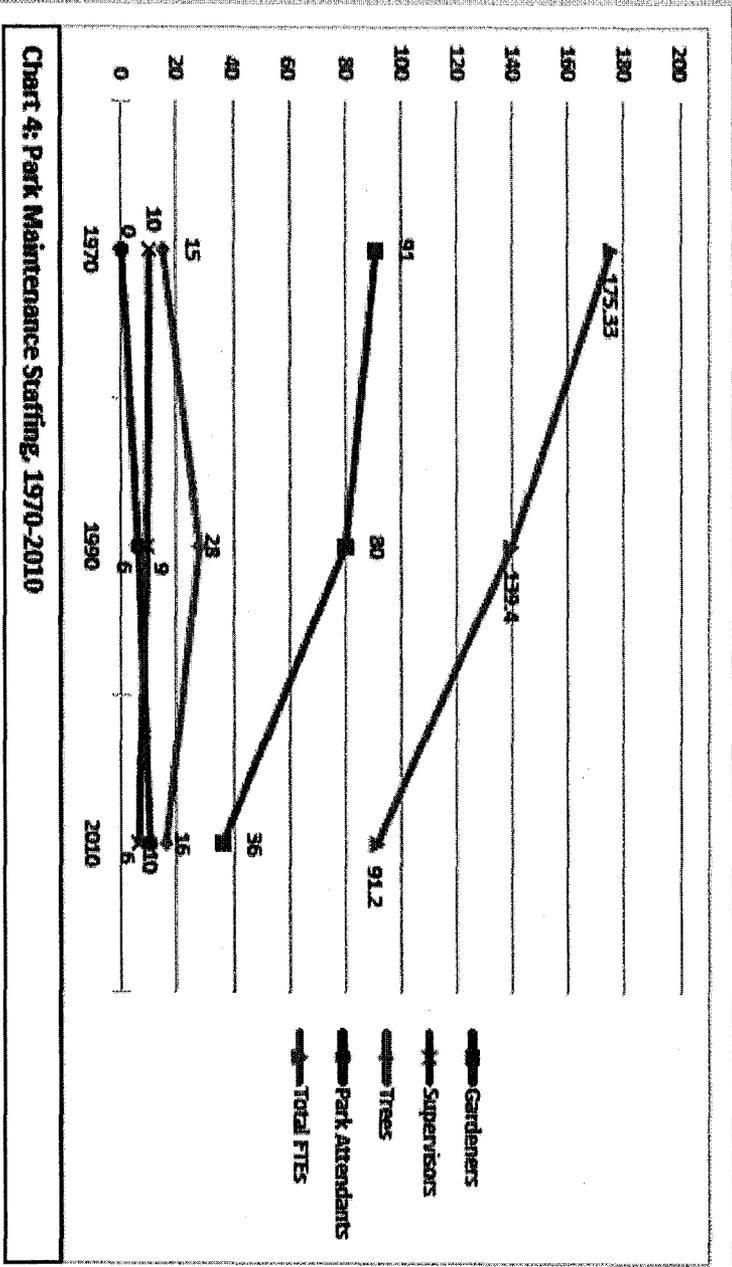


Chart 4: Park Maintenance Staffing, 1970-2010

Why a Parcel Tax?

Declining conditions of parks, recreational facilities and open space



Wade Johnson Park – overflowing trash and illegal dumping



South Prescott Park – bare spots, weeds, gopher holes

Why a Parks Parcel Tax?

- Scarce resources for maintenance of parks and recreational facilities
 - New and renovated parks and plans are being developed primarily funded by voter-supported Measure DD, Measure WW, State Park Bonds and former Redevelopment funds (still funding projects in process).
 - Private developers are adding more parks and open spaces as well.
 - Bonds and former Redevelopment funds are restricted to supporting the creation of a park or other facility, and are not available to fund staff or materials for ongoing maintenance.
 - With declining LLAD revenues, there have been insufficient funds budgeted to maintain these newly constructed parks.
 - Parks require more care as years pass, and deferred maintenance can result more in expensive repairs and renovations.
 - A 2018 survey and report from Friends of Oakland Parks and Recreation found that overall parks maintenance achieved a rating average "below historic levels". This decline can be tied directly to stagnant funding and the reduction in staffing to maintain parks.

How Could Funds be Used?

- ▶ The following list demonstrates what could be done with new funds for park maintenance and cleaning:
 - ▶ Remove trash and debris from city parks
 - ▶ Keeping restrooms at parks and recreational centers clean by attending to them more than once a day
 - ▶ Maintain quality city after-school and recreational programs for Oakland youth
 - ▶ Maintain affordable access to recreation programs for at-risk youth
 - ▶ Reduce wildfire risk by removing dead or dying brush and vegetation
 - ▶ Maintain lighting, security, and other safety features in parks and recreation facilities

Principles and Objectives for Proposed Parks Parcel Tax

- ▶ Equity
- ▶ Community Engagement
- ▶ Transparency and Accountability
- ▶ Improve quality of life throughout the City
- ▶ Improve and increase maintenance and landscape services
 - ▶ Increase litter container servicing
 - ▶ More frequent cleaning of restrooms
 - ▶ Increase maintenance of athletic fields, lawns and landscaping
 - ▶ Maintain playgrounds and tot lots and make necessary repairs to equipment
- ▶ Increase facility access by having more parks, recreational facilities and free-standing restrooms fully-operational
- ▶ Maintain assets to prevent costly repairs

Parks Parcel Tax Determination

- ▶ Uses a single-family residence as the basis for the tax rate.
 - ▶ Rates for multi-family dwellings are 68.30% of the single-family rate (same as Measure D).
 - ▶ The tax for non-residential parcels is calculated using both frontage and square footage measurements to determine total single-family residential unit equivalents (SFE).
 - ▶ The tax is the annual rate multiplied by the total number of single-family residential unit equivalents (determined by the frontage and square footage).

LAND USE CATEGORY	FRONTAGE	AREA (SF)	BUILDING AREA (SF)
Commercial/Institutional	80	6,400	N/A
Industrial	100	10,000	N/A
Public Utility	1,000	100,000	N/A
Golf Course	500	100,000	N/A
Quarry	1,000	250,000	N/A
Tall Buildings > 5 stories	80	6,400	5,000

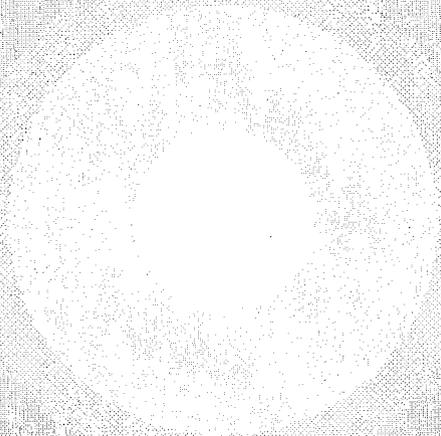
Example Calculation

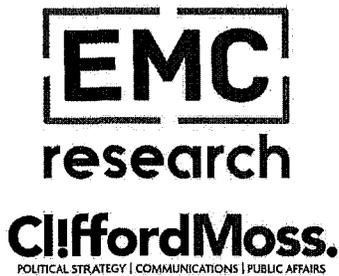
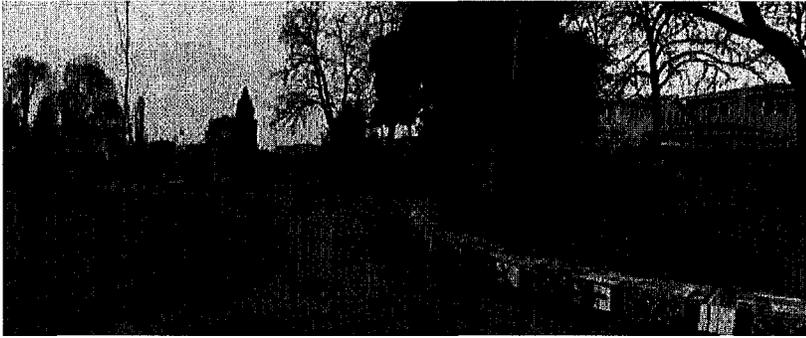
- ▶ Example assessment calculation for a Commercial Parcel with a Frontage of 160 feet and an Area of 12,800 square feet, and a base parcel tax of \$98.00:
 - ▶ Frontage - $160 \text{ feet} \div 80 = 2 \text{ SFE}$
 - ▶ Area - $12,800 \text{ square feet} \div 6,400 = 2 \text{ SFE}$
 - ▶ $2 \text{ SFE} + 2 \text{ SFE} = 4 \text{ SFE}$
 - ▶ $4 \text{ SFE} \times \$98.00 = \392.00 tax

Parks Parcel Tax Ballot Measure Development Timeline

1. **October 22, 2019:** Informational Report to Finance & Public Works Committees with Poll Results & Draft Ballot Language
2. **October 29, 2019:** City Council Review Informational Report heard on October 22.
3. **November 5, 2019:** City Council Review Revised Ballot Measure.
4. **November 19, 2019:** Enabling Legislation Presented to City Council for approval.
5. **November 22, 2019:** City Attorney Submits Text of Measure to City Clerk.
6. **December 6, 2019:** 88 Day Deadline to County.

Questions





Survey of Likely March 2020 Voters re: Potential Parks & Rec Parcel Tax City of Oakland *August 2019*

Methodology



- ▶ Hybrid Email-Web/Live Telephone survey of likely March 2020 voters
- ▶ Survey conducted August 27-31, 2019
- ▶ 615 interviews; overall margin of error ± 4.0 percentage points
- ▶ Offered in English, Chinese, and Spanish
- ▶ A split-sample methodology was used to test two potential parcel tax amounts:
 - Sample A: \$68; \$9,000,000 estimated annual revenue (n=307; margin of error ± 5.6 % pts)
 - Sample B: \$98; \$14,000,000 estimated annual revenue (n=308; margin of error ± 5.6 % pts)

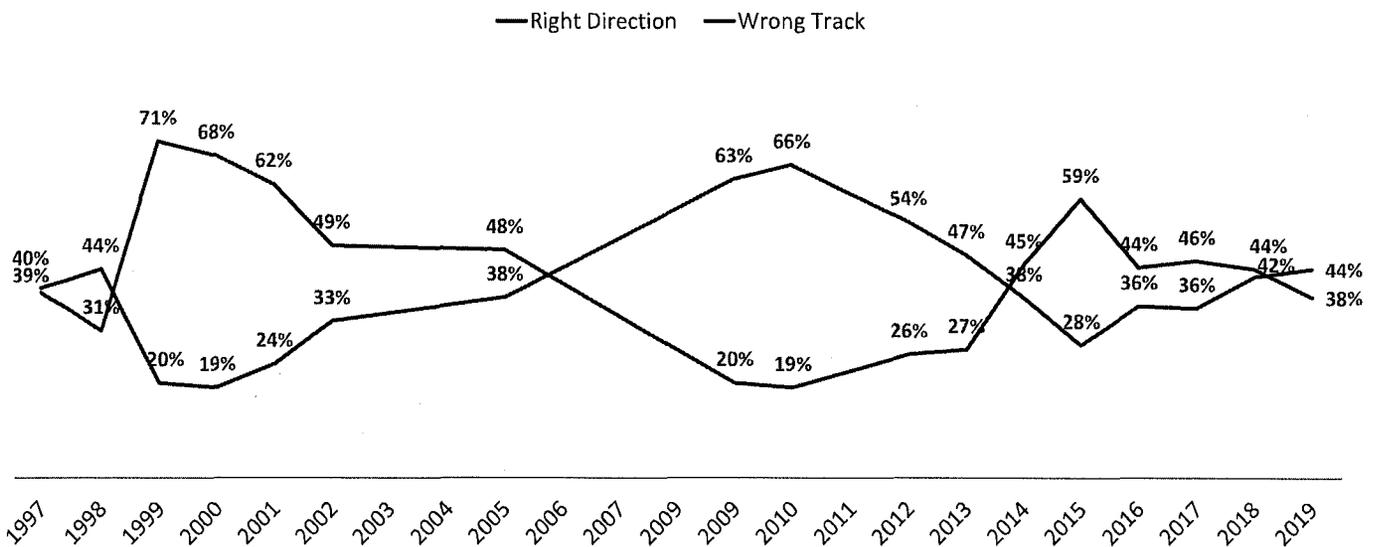
Please note that due to rounding, some percentages may not add up to exactly 100%.

Key Findings

- ▶ Voters are very concerned about homelessness and housing affordability.
- ▶ Many see a need for additional funding for recreation programs and parks in Oakland.
- ▶ Support today for a potential parcel tax to support Oakland parks and recreation programs falls short of the two-thirds threshold needed to pass, with no measurable difference between the two tax amounts tested.
- ▶ Additional information about what the measure would do increases support to hover at the two-thirds threshold.
- ▶ Potential measure components are important to voters, particularly making parks cleaner and safer, and maintaining recreation programs for youth.

Right Direction/Wrong Track: Oakland

Optimism continues to be divided among likely voters.

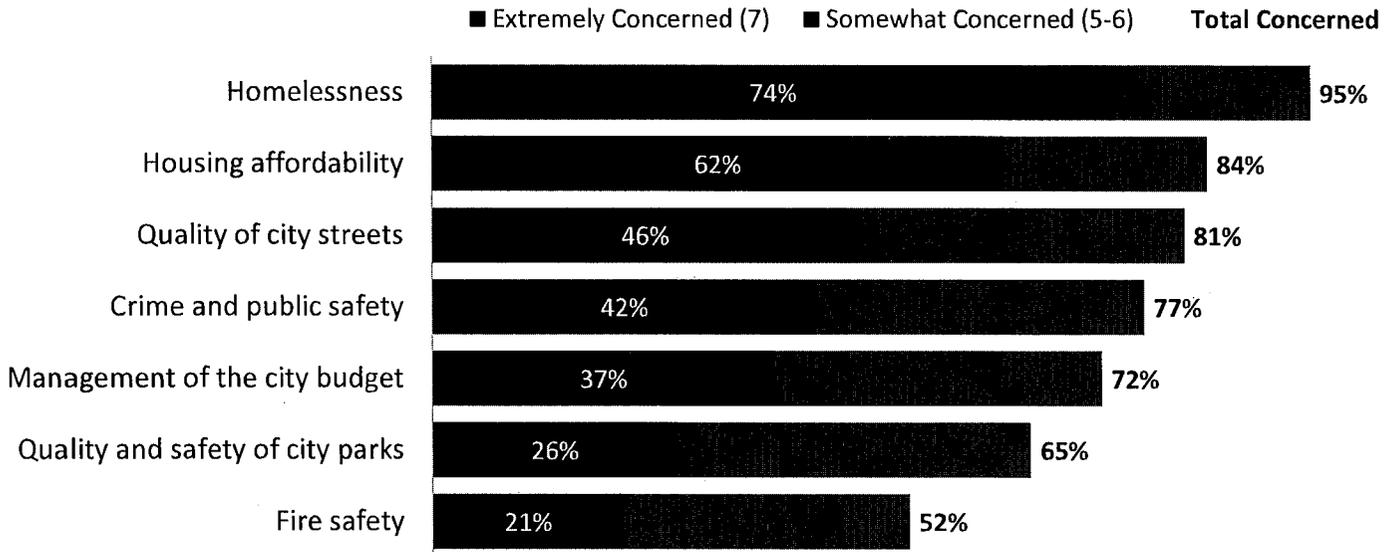


Q4. Do you feel that things in Oakland are generally going in the right direction or do you feel things have gotten pretty seriously off on the wrong track?

City Priorities for Voters



Voters are very concerned about homelessness and housing affordability; many are concerned about the quality and safety of city parks, but with low intensity.



Q6-12. How concerned are you about each of the following issues in Oakland?

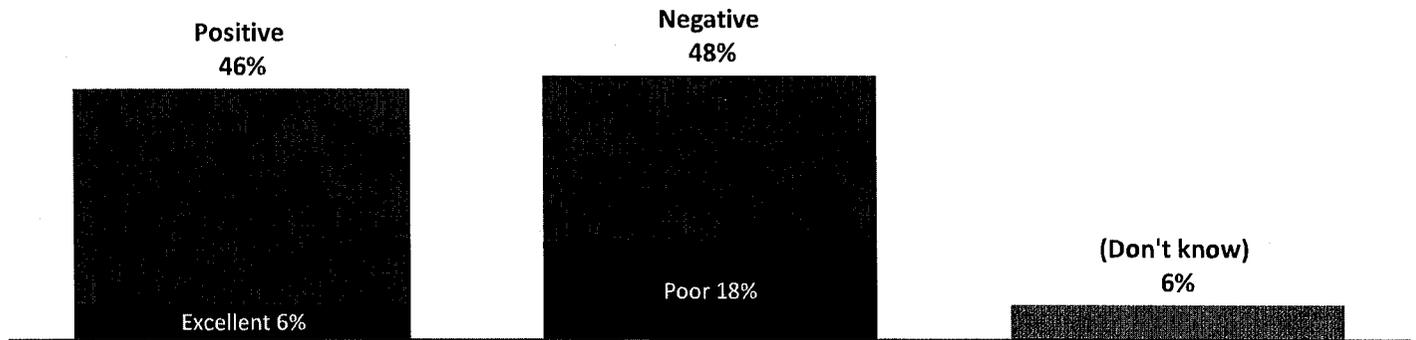
19-7400 Oakland Parcel Tax | 5

Quality of Local Parks



Voters are split on their opinions of the quality of local parks; those who rate local parks negatively do so with higher intensity.

How would you rate the overall quality of parks in your neighborhood?



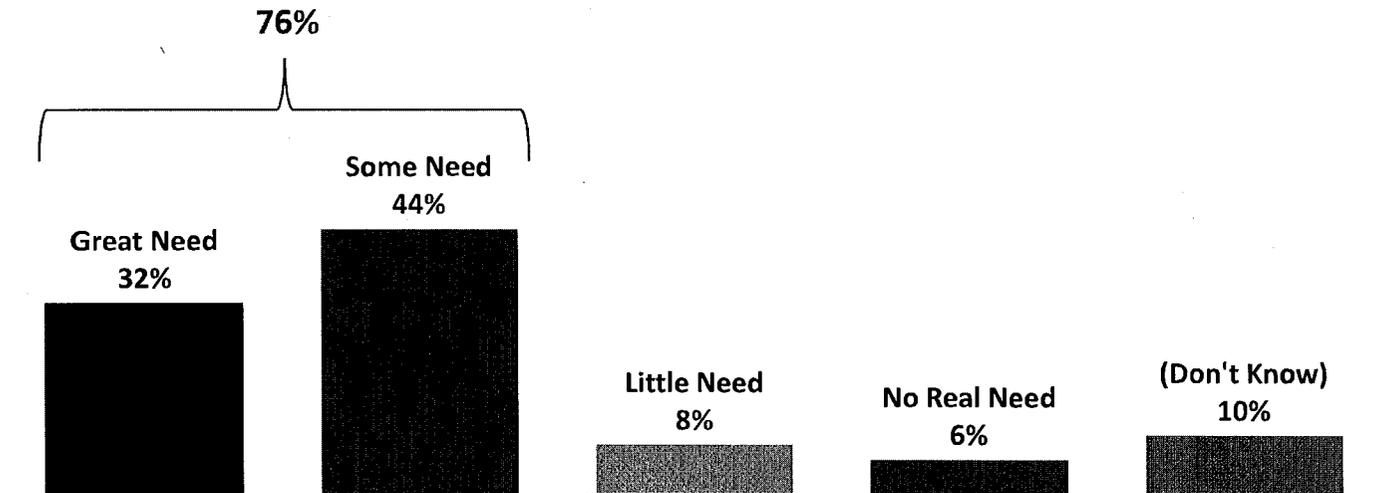
Q15. How would you rate the overall quality of parks in your neighborhood: excellent, good, only fair, or poor?

19-7400 Oakland Parcel Tax | 6

Perceived Need for Funding: Parks & Rec



Three quarters of voters perceive a need for additional money for recreation facilities and parks in Oakland.



Q14. Would you say that recreation facilities and parks in Oakland have a great need for more money, some need for more money, little need for more money, or no real need for more money?

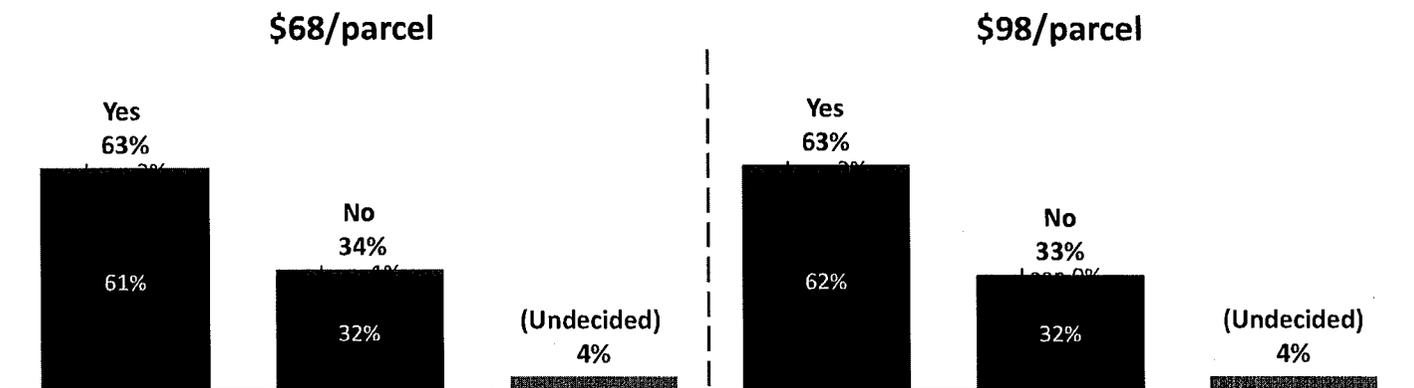
19-7400 Oakland Parcel Tax | 7

Initial Vote



Support today falls short of the two-thirds threshold required for the measure to pass.

Shall a measure to support clean and well-maintained parks throughout Oakland; improve access to recreational programs for all residents including at-risk/low-income youth, families, seniors and persons with disabilities; repair and maintain playgrounds, recreational centers, sports fields, swimming pools, trees, and park restrooms; by enacting an annual [A:\$68/B:\$98] parcel tax, for 20 years, raising approximately [A:\$9,000,000/B:\$14,000,000] per year with citizen oversight and exemptions for low-income seniors, be adopted?



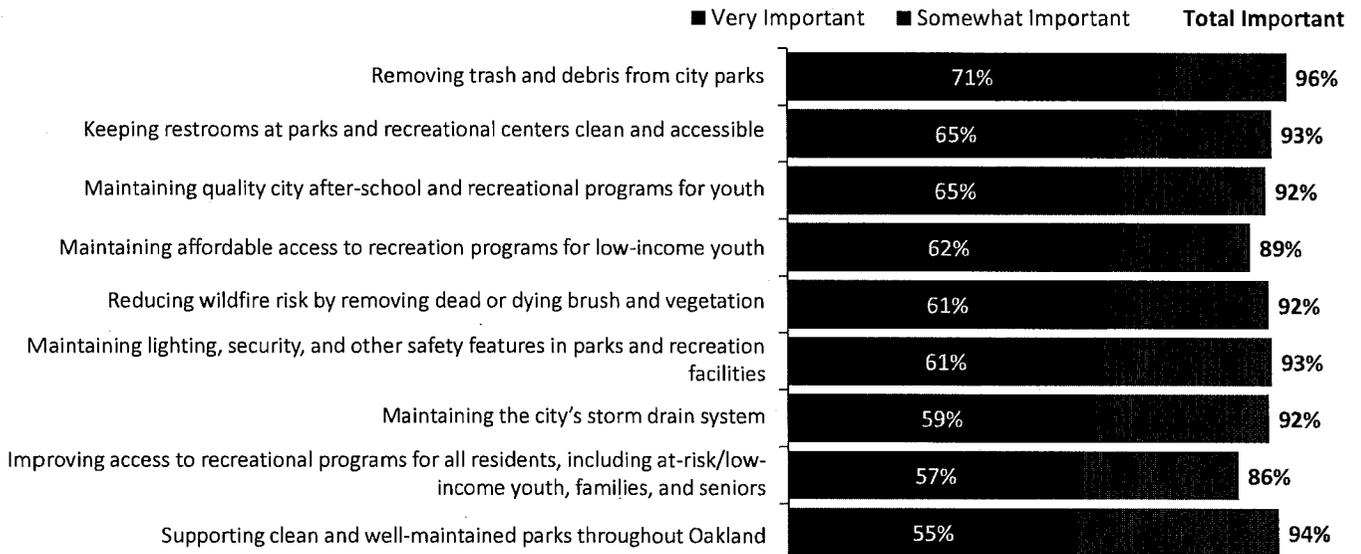
Q13. Next, I'm going to read you a measure that may be on the ballot in Oakland.... If the election were held today, would you vote yes to approve or no to reject this measure?

19-7400 Oakland Parcel Tax | 8

Potential Components



Potential measure components are important to many, top priorities for voters focus on making parks cleaner and maintaining recreation programs for youth.



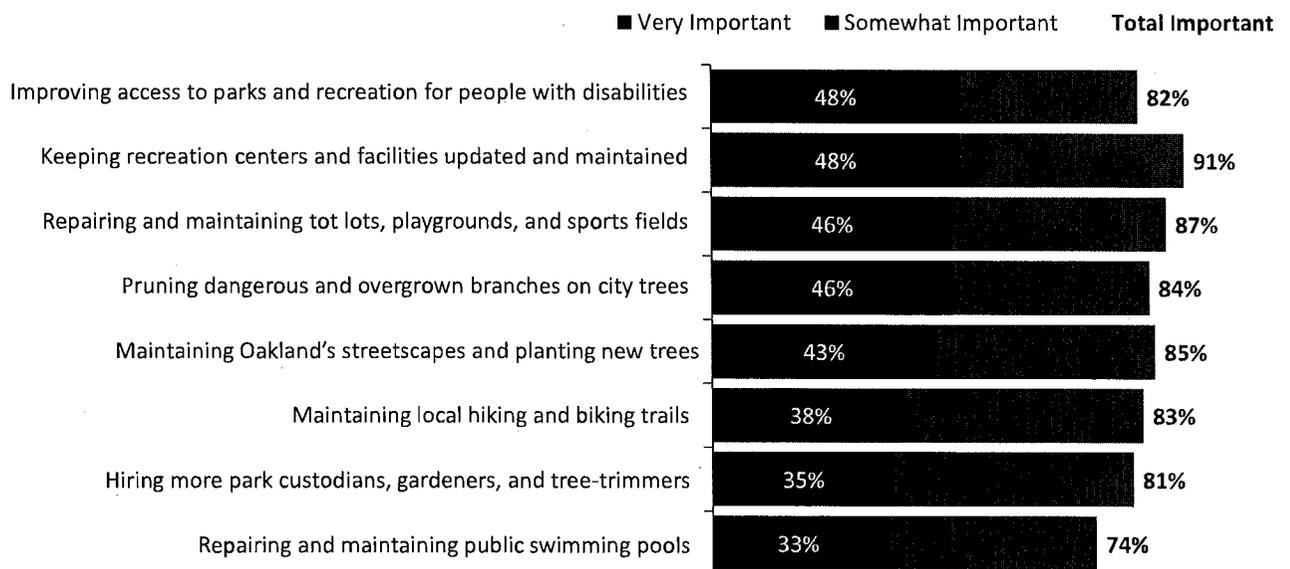
Q16-32. I'm going to read you a list of items that could be included in the Oakland parcel tax measure. After each one, please tell me if that item is very important, somewhat important, not that important, or not at all important to you.

19-7400 Oakland Parcel Tax | 9

Potential Components



Other potential programs are also important to voters, but with lower intensity.



Q16-32. I'm going to read you a list of items that could be included in the Oakland parcel tax measure. After each one, please tell me if that item is very important, somewhat important, not that important, or not at all important to you.

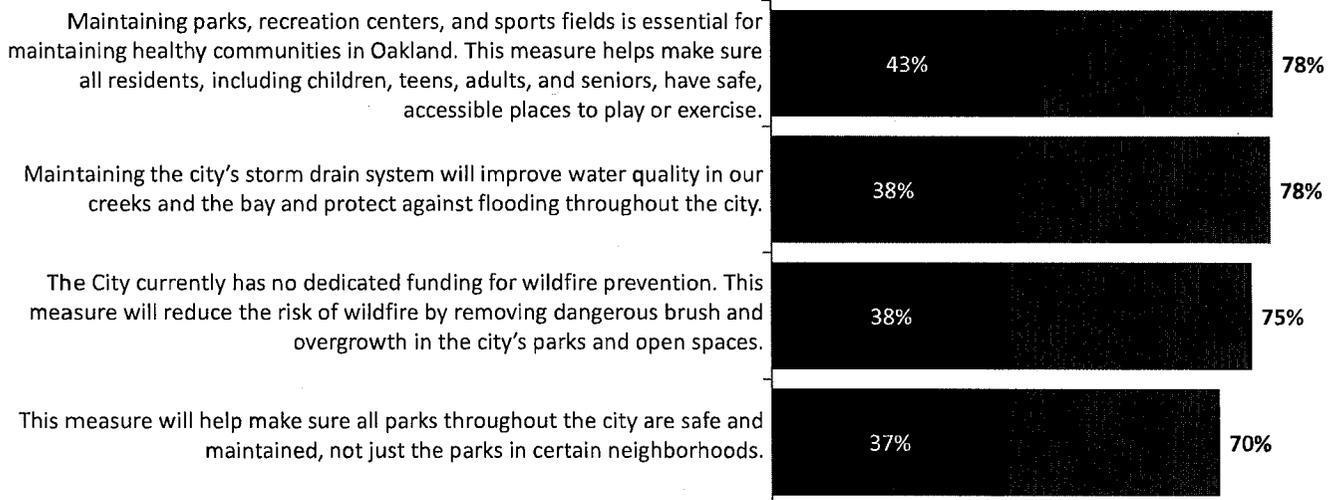
19-7400 Oakland Parcel Tax | 10

Additional Information



Maintaining access to parks and recreation facilities for all residents and maintenance to help prevent flooding and wildfires are compelling reasons for voters to support the measure.

■ Very Convincing ■ Somewhat Convincing Total Convincing



Q33-40. Next I'd like to read you statements from people who support a measure. After each one, please tell me how convincing that statement is as a reason to vote for this measure—very convincing, somewhat convincing, not too convincing, or not at all convincing.

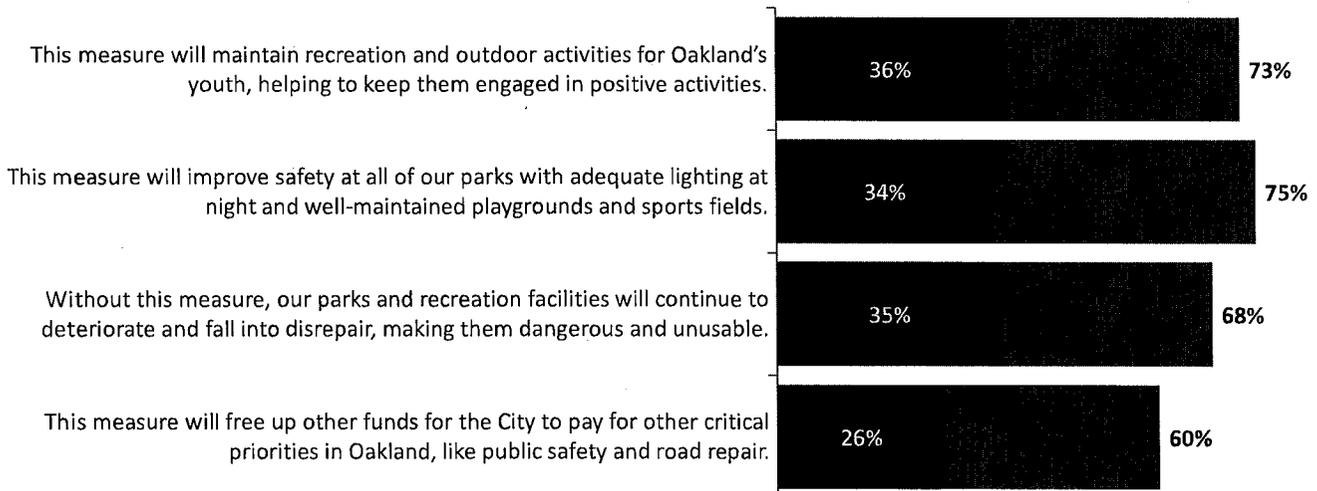
19-7400 Oakland Parcel Tax | 11

Additional Information



Maintaining recreation programs and safety improvements are also compelling reasons to support for voters. Messaging that emphasizes funding allocation is less compelling.

■ Very Convincing ■ Somewhat Convincing Total Convincing

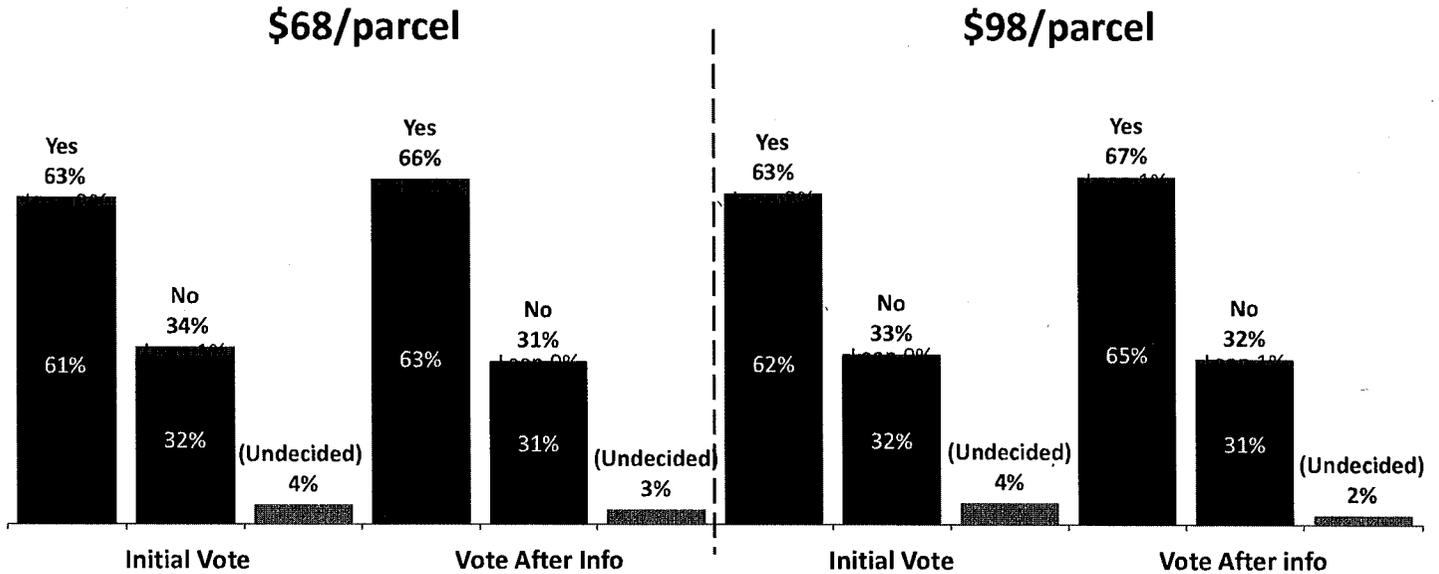


Q33-40. Next I'd like to read you statements from people who support a measure. After each one, please tell me how convincing that statement is as a reason to vote for this measure—very convincing, somewhat convincing, not too convincing, or not at all convincing.

19-7400 Oakland Parcel Tax | 12

Vote After Information

After hearing additional information, support increases and hovers at the two-thirds threshold



Q41. Given what you've heard, I'd like to read you the measure again... If the election were held today would you vote yes to approve or no to reject the measure?

19-7400 Oakland Parcel Tax | 13

Conclusions/Recommendations

- ▶ Support for a potential parcel tax measure to support Oakland parks and recreation is consistent between the two amounts tested.
- ▶ Additional research ahead of a final decision is strongly recommended.



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FILED
OFFICE OF THE CITY CLERK
OAKLAND

2019 MAY -2 PM 3: 13

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: J. Nicholas Williams
Director

SUBJECT: Response to Recommendations
In the Oakland Parks and Recreation
Foundation (OPRF) Report

DATE: April 22 2019

City Administrator Approval

Date:

5/1/19

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report Responding To The Recommendations From The Oakland Parks And Recreation Foundation's (OPRF) 2018 Report On The State Of Maintenance In Oakland Parks.

EXECUTIVE SUMMARY

This informational report provides a response to the recommendations contained in the Oakland Parks and Recreation Foundation (OPRF) Report titled: "Continuing Crisis: 2018 Report on the State of Maintenance in Oakland Parks".

BACKGROUND / LEGISLATIVE HISTORY

On March 5, 2019, the Public Works and Life Enrichment Committees heard a presentation from the OPRF regarding their report titled: "Continuing Crisis: 2018 Report on the State of Maintenance in Oakland Parks" (see **Attachment A**). At that meeting the Public Works Committee asked that Administration bring back a response to the OPRF's recommendations. The six (6) recommendations follow:

1. Find a new stream of Funding for Maintenance of Existing Parks
2. Alleviate Homelessness in City Parks
3. Increase Staffing and Fill Current Vacancies for Gardeners
4. Keep Restrooms Clean and Functional
5. Improve Sports Field Maintenance and Playground Repair
6. Improve Park Safety and Security

Item: _____
Public Works and Life Enrichment Committees
May 14, 2019

ANALYSIS AND POLICY ALTERNATIVES

Below are staff's responses for each of the six (6) recommendations posed by OPRF.

Recommendation #1: Find a new stream of Funding for Maintenance of Existing Parks

City's Response

Oakland Public Works (OPW), Bureau of Environment (BOE), Parks and Tree Services Division (PTSD) is funded by the Landscape and Lighting Assessment District (LLAD). Since its inception, the LLAD has not grown or been adjusted with the consumer price index (CPI). This has caused a continual budget shortfall that resulted in the layoff of nearly 50 percent of skilled park and tree maintenance staff in 2008, and the subsequent hiring of unskilled temporary Park Attendants.

With additional training and dedicated staff, park conditions have improved; however, with additional funding, parks and tree maintenance service levels will increase. OPRF has also reached out to City staff regarding a potential park's maintenance ballot measure that they hope will qualify for the November 2020 ballot. Without an additional funding source, the Parks and Tree Services Division will continue to experience a reduction in staff, and a corresponding reduction in service and service delivery.

Recommendation #2: Alleviate Homelessness in City Parks

City's Response

The City of Oakland acknowledges that Parks are not intended or designed to support homeless encampments and the existence of encampments in parks affects the ability of Oaklanders to use the parks as they were designed. The City recognizes that it is facing a homelessness crisis that affects everyone. Between 2015 -2017 the unsheltered population grew by 25 percent and that percentage is expected to show an even greater increase in the most recent point-in-time count to be released next month. Parks, right-of-ways, sidewalks, and under freeway overpasses are not safe or acceptable places to live and were never designed for human habitation. All Oaklanders deserve safe, affordable housing.

The City also recognizes that parks pose a unique set of challenges in regard to preventing encampments; unlike a City sidewalk which is clearly defined and highly visible, many parks have vast, expansive areas that are difficult to patrol, monitor, and maintain. Nevertheless, the City's Encampment Management Team applies the same standard to parks as it does to other areas; evaluating safety, health, location, and size of encampments to determine the best intervention. Those interventions can include encampment closures or less aggressive actions such as a deep cleaning or regular garbage service. There are parks the City has closed to encampments successfully and others where enforcing the closure has been unsuccessful, even after repeated attempts. While the City is taking aggressive steps to provide emergency shelter and housing through innovative new programs, such as the Community Cabin Program, Safe Parking Programs, and an expansion of its year-round shelter bed capacity, it will continue to monitor encampments in parks and respond with the goal of reducing the impact those encampments have on the intended use of the parks as designed.

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Public Works and Life Enrichment Committees

May 14, 2019

Recommendation #3: Increase Staffing and Fill Current Vacancies for Gardeners

City's Response

OPW agrees with this recommendation. Ongoing vacancies have a negative impact on OPW's operational effectiveness and efficiency. OPW is working closely with the City's Department of Human Resources Management (DHRM) to fill vacancies throughout OPW. Due to the absence of a cost of living adjustment within the LLAD, the fund suffers from a continual budget shortfall that resulted in the layoff of nearly 50 percent of skilled park and tree maintenance staff over the last decade, and the hiring of unskilled temporary Park Attendant staff. The reduction of skilled staff and the increased percentage of unskilled staff has led to reductions in service delivery. Oakland's parks are not maintained at a level that meets industry best practices.

Recommendation #4: Keep Restrooms Clean and Functional

City's Response

OPW agrees with this recommendation, however OPW believes that OPRF's assessment of the condition of restrooms at parks and recreational facilities is inadequate. Absent a strategy to improve park safety and security, adding additional custodial staff will not fully resolve the issue of restroom cleanliness and vandalism. Custodial staff have encountered drug dealing, prostitution, and assaults occurring in and around park restrooms in various areas of the City. As a safety policy, staff will not enter a restroom when it is occupied by someone who is unhoused, or by a person engaged in illegal/criminal activity. Custodial and maintenance staff are not law enforcement and are neither trained nor equipped to handle criminal and unlawful activities. OPW will revisit custodial staffing levels in parks and recreational facilities once the City has developed, adopted and implemented a strategy to address park safety.

Recommendation #5: Improve Sports Field Maintenance and Playground Repair

City's Response

OPW agrees with this recommendation. In fiscal year (FY) 2019-20, OPW has implemented a parks inspection program as part of the asset management program to track data to maintain and enhance the parks and facilities at a higher service level. The inspections will include irrigation system checks, tot-lot inspections, and pathway erosion monitoring. This data is necessary to procure additional funding (such as grants from the state) and to allocate the City's capital improvement project funds, Measure KK (Infrastructure Bond) funds, and other competitive grants. In addition, OPW is in the process of adding all parks assets to the department's Geographic Information System (GIS), enabling easier access to and more accurate management of all park assets.

Recommendation #6: Improve Park Safety and Security

City's Response

Park safety and security requires a level of Oakland Police Department (OPD) staffing which is neither currently funded nor available at this time. As of March 4, 2019, OPD is understaffed by 54 sworn officer positions and all available recruiting, hiring and retention efforts are designed to minimally bring the Department to its full authorized strength of 792 officers. This level of optimal strength is designed to fully staff and support current public safety commitments and expectations. The OPD agrees that all opportunities for additional staffing should be continuously explored and evaluated; however, adding staff and customized units is not the only manner of providing support, solutions and safety to Oakland parks, community members and city staff.

Many different approaches currently address the complex issues of crime and fear of crime at and near parks, and there may be opportunity to further collaborate and provide more focus on serious or prioritized public safety issues. In addition to routine police response to emergency and non-emergency calls for service, Community Resource Officers (CROs are Measure Y - Violence Prevention and Community Policing Act funded) and Neighborhood Service Coordinators (NSC) may attend or facilitate community meetings at or near parks where park issues may be prioritized as community policing projects. CROs and NSCs have engaged park issues through this existing program of neighborhood problem-solving. Likewise, CROs and our OPD Neighborhood Services Division have assessed physical designs of parks using a strategy known as Crime Prevention Through Environmental Design (CPTED).

The extent to which these resources and collaborations are known and utilized may be addressed through further outreach, education and partnership using current and available police and park staffing. OPD also agrees that planners, architects and developers play important roles in enhancing the safety of our park communities; OPD recommends that any initial design or design improvement include an assessment of best practices to maximize the benefit that design has in decreasing crime.

FISCAL IMPACT

This item is for informational purposes only and does not have a direct fiscal impact or cost.

PUBLIC OUTREACH / INTEREST

This item does not require additional public outreach, other than the required posting on the City's website.

COORDINATION

This report was produced in coordination with the City Administrator's Office, OPW, OPRYD, and OPD.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic opportunities associated with this item.

Environmental: There are no environmental opportunities associated with this item.

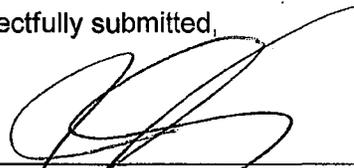
Social Equity: There are no social equity opportunities associated with this item.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council receive an informational report responding to the recommendations from the Oakland Parks and Recreation Foundation's (OPRF's) 2018 Report on the State of Maintenance in Oakland parks.

For questions regarding this report, please contact J. Nicholas Williams, OPRYD Director, at (510) 238-7527.

Respectfully submitted,



J. Nicholas Williams
Director, Parks, Recreation and Youth
Development

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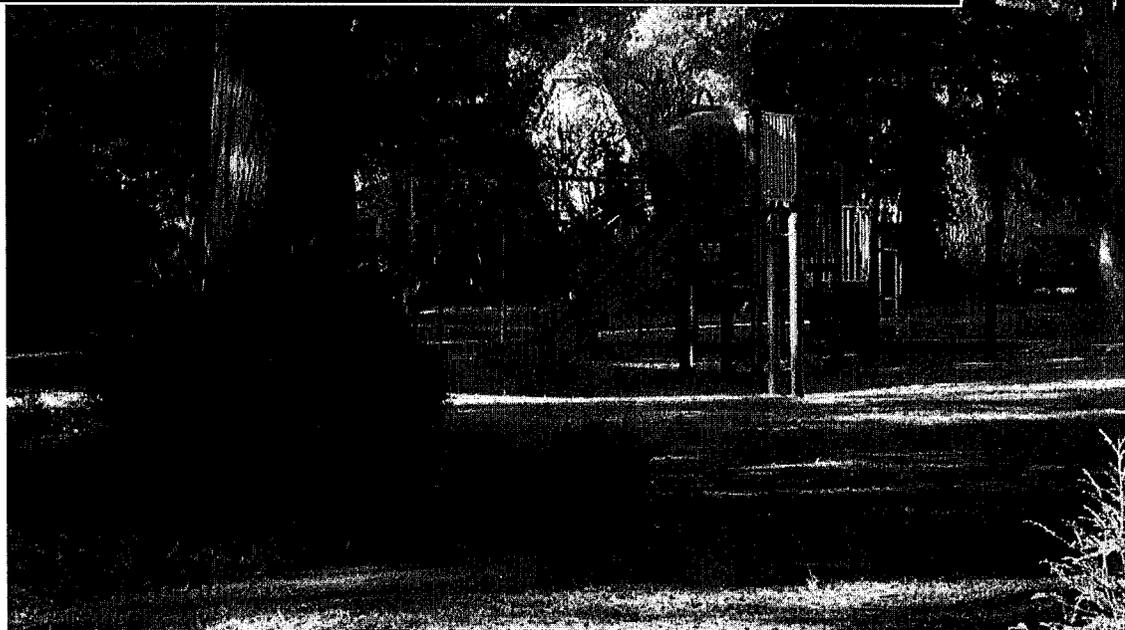
Attachments (1):

A: Continuing Crisis: The 2018 Report on the State of Maintenance in Oakland Parks



OAKLAND PARKS AND RECREATION FOUNDATION

CONTINUING CRISIS: The 2018 Report on the State of Maintenance in Oakland Parks



"Supporting Parks and Recreation Programs for Everyone in Oakland"

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Executive Summary

The Oakland Parks and Recreation Foundation's mission is to support "*parks and recreation programs for everyone in Oakland.*" This report presents the Foundation's 2018 assessment on the state of maintenance in Oakland's parks. Park maintenance is essential to the success of our park system and the ability of our parks to serve everyone in Oakland. More fundamentally, park maintenance shapes the livability and image of Oakland itself. Our parks should reflect Oakland's commitment to becoming a more inclusive and equitable city. While there are some bright spots, there is much work to be done.

The Parks Foundation assessment is based on a field survey conducted on October 20, 2018. Volunteers assessed 51 community and neighborhood parks. Parks were evaluated in multiple categories, including picnic areas, outdoor sports areas, litter, impact of homelessness, etc., with 47 rating questions in all. This report compares the 2018 findings to the 2016 findings in several categories, including greenery, restrooms, homelessness, playgrounds, and athletic fields.

The Report identifies challenges and highlights areas for improvement. Specifically, it finds:

- Modest improvements over 2016 in most categories but a rating average well below historic standards.
- Inequitably worse park conditions in Oakland's most vulnerable and underserved neighborhoods. particularly in Council Districts 3, 5, and 7.

We are concerned that diminished maintenance conditions are becoming the "new normal" and that our parks are now operating at a level that would have never been acceptable to prior generations of Oaklanders. Of significance, the homeless crisis has overwhelmed some of the city's parks, impeding them from serving their intended function and placing new demands on an already under-resourced system. The crisis is particularly glaring as it coincides with one of the greatest economic booms in Oakland's history.

The Parks Foundation believes the challenges identified in our survey are surmountable. Further, we believe it is imperative that Oakland take action if we are to meet 21st Century demands related to growing population, expanding notions of recreation and community, and climate change. Based on our findings, we ask that the Oakland City Council, the Mayor, and other leaders:

-
- Develop new funding sources for maintenance
 - Expedite hiring for vacant park and maintenance positions
 - Restore park gardener positions
 - Hire additional safety personnel
 - Work collaboratively with community partners to address homelessness in the parks

Great parks are part of Oakland's distinctive legacy and are vital to our quality of life. Oakland must take immediate action to end the long-term disinvestment and neglect that has plagued our parks for the past two decades. A parcel tax for park maintenance placed on the 2020 ballot would be a positive first step.

I. Introduction

“Parks, trails, and community centers ... provide recreational opportunities, improve human health, attract visitors, and provide natural goods and services such as filtering air pollutants and managing storm water.”

-- Trust for Public Land, 2016 ¹

We can all agree that the health and economic benefits of city park and recreation systems cannot be achieved without attractive, well-equipped and well-maintained parks. The health benefits are crucial to the well-being of residents and the economic benefits are invaluable to the sustainability and flourishing of any city:

- Parks, greenways, and trails enable and encourage people to exercise
- Exposure to nature improves psychological and social health
- Play is critical for child development
- Parks help build healthy, stable communities
- Parks generate additional property tax revenue
- Parks reduce municipal storm water management costs
- Parks improve air quality
- Parks are an essential part of cohesive, complete communities²

In this report, our 12th in a series of Community Report Cards on the State of Maintenance of Oakland Parks, we once again give an account on conditions in Oakland parks and on how well those conditions comport with the standards that Oaklanders expect for their recreational spaces. Our report is based on our park survey, performed by volunteer teams that work to achieve a rating consensus on each survey question. Questions cover a broad range of park issues and amenities including safety of play areas, condition of sports fields, park landscaping and hardscape, park cleanliness, restroom availability, homeless encampments and more. Results from the survey will be discussed in depth on the following pages.

¹ <https://www.tpl.org/economic-benefits-park-recreation-system-san-jos%C3%A9-california#sm.00016mauajk1neicr791s8cwyrp45>

² https://www.tpl.org/sites/default/files/files_upload/updated-san-jose-econ-rept.pdf

Unfortunately, the realities of long-term inadequate funding and staffing for parks maintenance continue to result in sub-optimal conditions. This report, like our previous reports, serves to impartially document these conditions, and most importantly, serves as a tool to encourage and facilitate increased maintenance resources so that our facilities may reach their fullest potential.

This year's survey and subsequent analysis has determined that our *Overall Park Rating* is a C+ for 2018, as it was in 2016. City staff should be commended for their work with limited resources, but greater investment is essential. Special emphasis should be placed upon:

- Unsheltered Residents in Parks
- Greenery and Trees
- Restrooms
- Playgrounds and Athletic Fields

II. Park Survey Background

Oakland Parks Coalition (OPC), led by its founders Gillian Garro and Audree Jones-Taylor, conducted the first park survey in 2003 out of concern for declining park conditions. Although the causal issues have been discussed in many City government venues and stopgap remedies have found their way into the maintenance program, the slow decline of park conditions has not been stopped. Aging parks require more care as years pass yet it has been more than 50 years since our park maintenance resources were at their zenith. Since then, multiple new parks have been created with little or no additional provision of maintenance resources or maintenance staffing. Oakland's population also has grown, increasing by 38,000 residents in the last eight years alone.³

The 2018-19 Oakland budget document points to the urgency for increased resources to care for parks:

“New and renovated parks and plans are being developed primarily funded by voter-supported Measure DD, Measure WW, State Park Bonds and former Redevelopment funds (still funding projects in process). Bonds and former Redevelopment funds are restricted to supporting the creation of a park or other facility, and are not available to fund staff or

³ California Department of Finance, [Table E-5](#)

materials for ongoing maintenance. No funds have been budgeted to maintain these newly constructed parks.⁴

OPC reorganized in 2006 and initiated this current series of survey events known as *Love Your Parks Day* and reports. In 2015 OPC merged with the former *Friends of Oakland Parks and Recreation* to form *Oakland Parks and Recreation Foundation* which conducted the 2016 survey and the 2018 survey related to this report. The Parks Foundation did not survey parks in 2017.

The Parks Foundation suspended the survey last year (2017) to consider ways to improve both the survey and the report. We looked at our methods and the traditional scope of the survey and decided that in 2018 it was important to limit the survey to the larger parks that are more highly used. We also modified our survey training so that surveyors' ratings would conform more closely to the same model. Additionally, we elected to conduct the survey biennially, in even years, allowing more time for improvements to maintenance between surveys.

Volunteers who participated in survey-taking this year all received their training on October 20 and every park was surveyed on the same day, providing uniform conditions for ratings. In other years we attempted to survey almost every park in Oakland (approximately 130) from the tiny tot lots to wilderness parks. This year we limited the survey to the largest parks, known as Community Parks (CP) and Neighborhood Parks (NP), where recreation opportunities are often similar. We excluded, however, our two largest city parks, Joaquin Miller and Lakeside Park. These parks attract users not just from Oakland but also from nearby cities and have unique assets. We determined that they would require a different survey and the undertaking should be a collaborative effort with their support groups. We feel that the changes we made have produced more focused and accurate information about current conditions in our parks.

Figure 1 shows the surveyed parks.

⁴ http://budgetdata.oaklandca.gov/#!/year/2017-2018/operating/0/departments/Oakland+Public+Works/0/service_area/Parks,+Grounds+%2526+Medians+Maintenance/0/fund_fund_number_and_name

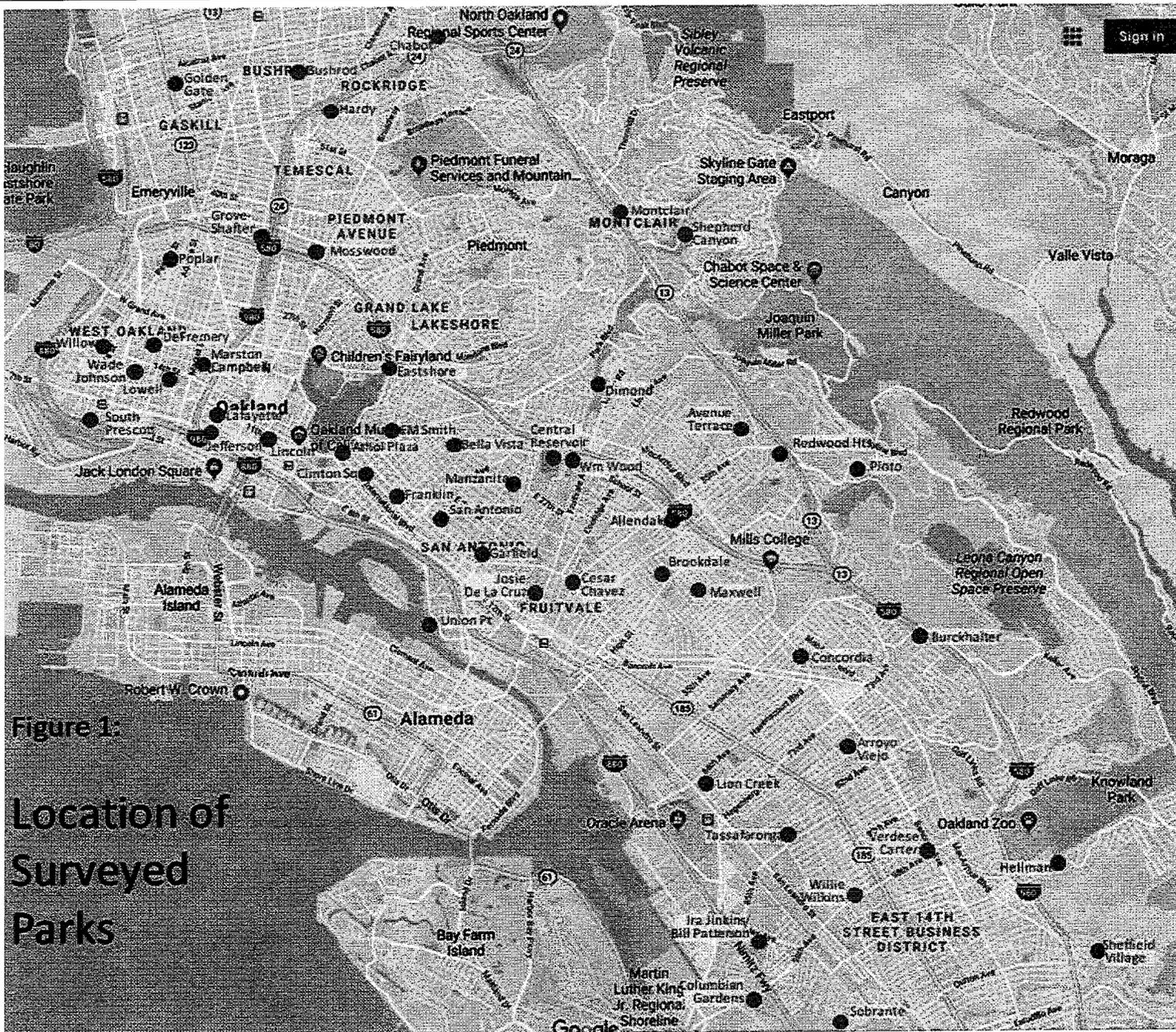


Figure 1:
Location of
Surveyed
Parks

The 2018 *Love Your Parks Day* training and survey were conducted on Saturday, October 20, from 9:00am-12:30pm by eighteen teams composed of 2-4 volunteers each, many of whom were park stewards or members of park organizations. Fifty-four Neighborhood and Community Parks were assigned for surveying; for various reasons three of those parks were not surveyed, leaving fifty-one.⁵



Love Your Parks Day Volunteers, 2018

Survey questions cover the complete range of park amenities. Survey teams are directed to reach a consensus for ratings for each question.

The last task on the survey has always been to give the park an *Overall Rating*. Ratings are A-F: (A=4, B=3, C=2, D=1, and F=0). This year's *Park Overall Rating* was 2.63, a slight improvement over the 2016 *Overall Rating* of 2.55 for the Community and Neighborhood parks. In the following pages we will compare 2016 survey results with 2018 and take a closer look, through survey charts, survey comments and historical perspective, at the ratings of conditions in the survey categories.

III. Survey Results-Overview Comparing 2016 to 2018

Park Overall Ratings by OSCAR

Oakland adopted the Open Space, Conservation, and Recreation ("OSCAR") Element of its General Plan in 1996. The OSCAR established a classification system for Oakland's parks, intended to guide their planning and programming. The largest parks, like Lakeside and Joaquin Miller, were designated as Region-Serving Parks. OSCAR identified nine "Community Parks" and 44 "Neighborhood Parks." Other park categories include mini-

⁵ Snow Park and Rainbow Recreation Center were under construction at the time of the survey, and Stonehurst Park is an OUSD facility that was not accessible on the day of the survey. Thus, these parks were not surveyed.

parcs, linear parks, resource conservation areas, athletic fields, golf courses, and special use parks (such as Knowland Park Zoo and Peralta Hacienda).

As noted in the Introduction, the 2018 survey focused on the Community and Neighborhood Parks. The Community Parks are typically large, draw users from multiple neighborhoods, include recreation centers and ballfields, and have a diverse array of recreational facilities. The Neighborhood Parks are smaller, serve a more localized population, and have more limited facilities. Chart 1 shows the overall ratings for each category. This year, the overall rating for Community Parks was 2.78, which was slightly above the citywide average. The overall rating for Neighborhood Parks was 2.60, which was slightly below the citywide average.

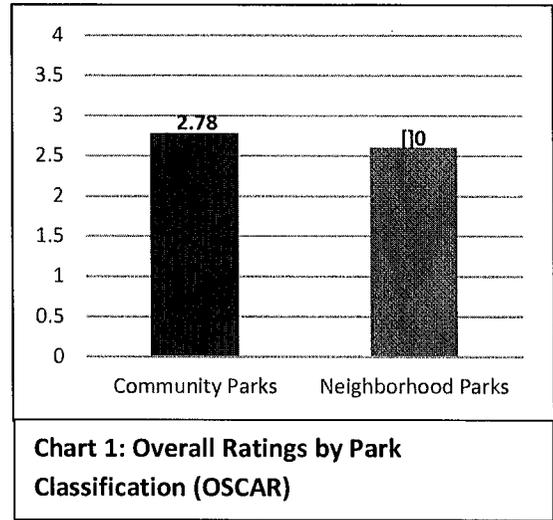


Chart 1: Overall Ratings by Park Classification (OSCAR)

Survey Category Ratings

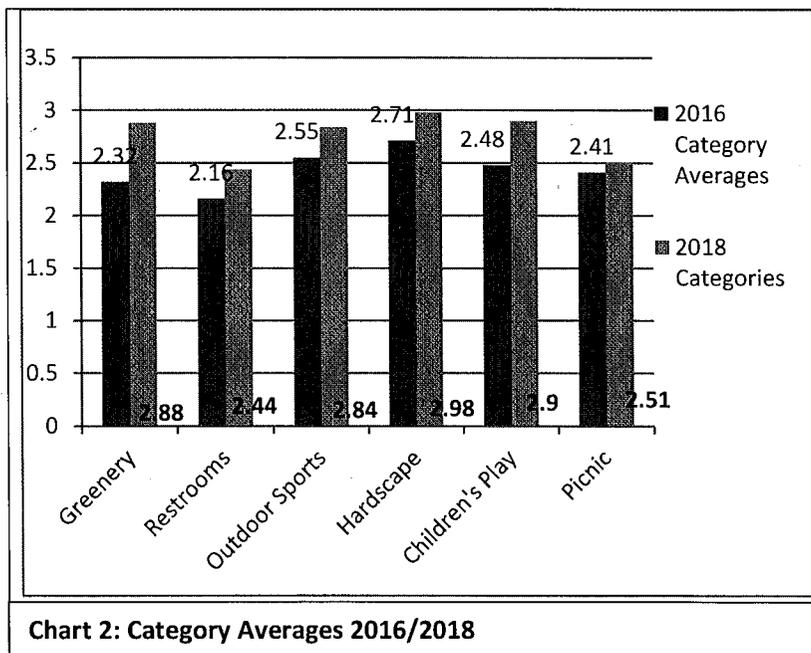


Chart 2: Category Averages 2016/2018

A comparison of the last two surveys (2016 and 2018) by survey categories (chart #2) shows that 2018 ratings surpass 2016 in all categories. Greenery appears to have improved the most while Restroom conditions were rated lowest in both years.

Park Overall Ratings by Council Districts

Chart #3 shows the averages for the *Park Overall Rating* question for each council district for 2018 and 2016. The number of Community and Neighborhood parks for each council district (CD) is listed in parenthesis in the label below the graph bars.

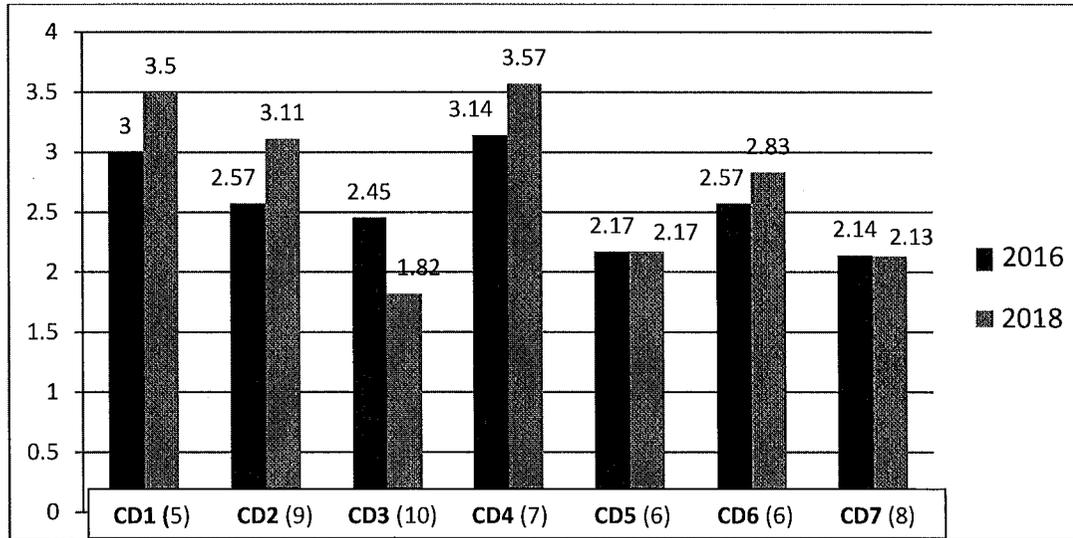


Chart 3: 2016/2018 Park Overall Ratings by Council District

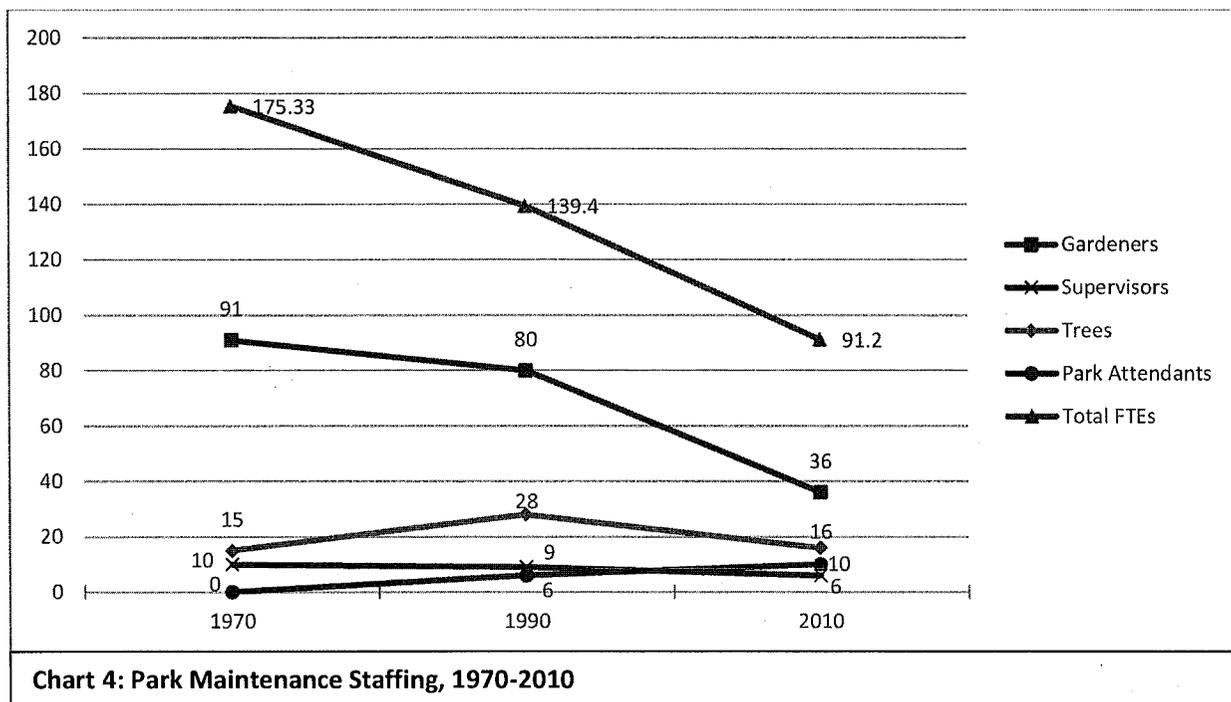
- CD4 had the highest *Overall Rating* in both 2016 (3.14-B) and 2018 (3.57-B+).
- Parks in CD1 come in second in both years, 3.0 in 2016 and 3.5 in 2018.
- CD3 draws our attention for its exceedingly low rating in 2018 of 1.82 (D+). Districts 5 and 7 also lag well below the citywide average. This is discussed in a later section of this report on Park Equity.

IV. Park Maintenance Background

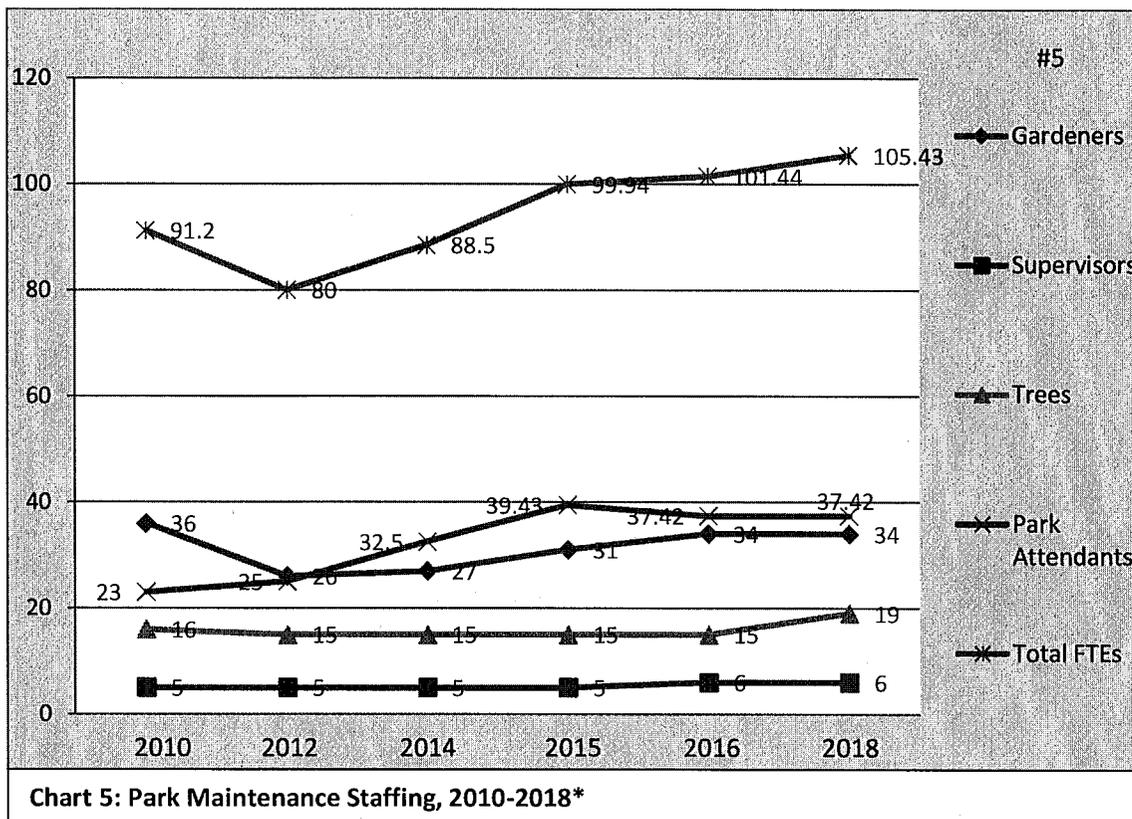
According to the 2017-18 budget, the Oakland Public Works Agency (OPW) provides landscape maintenance, litter removal, and homeless encampment abatement to 134 parks and public spaces and 1,055 acres of Resource Conservation Area. It also maintains approximately 100 landscaped medians and streetscapes, as well as grounds at City

facilities.⁶ Park maintenance activities include litter pickup and removal, pruning, weeding, turf mowing, irrigation system repairs and planting.

There are currently 105.4 Full-Time Employee (FTEs) positions allocated to provide these services. Charts #4 and #5 show that park maintenance staffing is only 60% of what it was in 1970, when there were 175.33 FTEs allocated. Park maintenance staff was particularly hard hit by the 2008 recession. Staffing dropped to its lowest point in 2012 when the FTEs numbered only 80; however, the recent gains came at a sacrifice of skilled gardener positions. Charts #4 and #5 also show the downward spiral of skilled gardeners from a once high of 91 to the current level of 34.



⁶ http://budgetdata.oaklandca.gov/#1/year/2017-2018/operating/0/department_name/Oakland+Public+Works/0/service_area/Parks,+Grounds+%2526+Medians+Maintenance/0/fund_fund_number_and_name



**The figures do not represent actual workers on the ground. They represent budgeted positions and at any point in time a number of those positions may be vacant.*

A new category of workers was introduced in 1990-Park Attendants (PTs or PPTs). The numbers of these part-time workers have risen steadily to the current level of 37.4 FTEs (see chart #5), even outnumbering gardeners. It is questionable whether this trade-off of gardeners for part-timers results in greater efficiency. Part-timers often begin their employment with few or no skills. They are trained by seasoned gardeners but attaining the skills needed to ascend to the ranks of gardeners is complicated by the punctuated and seasonal status of their employment. Many part-timers fail to return because of the insecurity of their job status. The increase in full-time gardener positions from 26 in 2012 to 34 in 2018 is a positive sign and should continue in the future.

As part of this report, Parks Foundation board members met with park maintenance staff at the Public Works Agency to discuss current challenges and opportunities. Key findings are reported here:

-
- Despite the addition of positions to the organization, the Agency is still challenged by a large number of vacancies. Vacancies can take from six months to more than a year to fill, in part because Oakland is competing with many other Bay Area jurisdictions—and with the private sector—for the same candidates. At the time of this writing, vacancies included:
 - 2 of the 5 Park Supervisor I positions
 - 6.43 Gardener positions out of 37.43 budgeted
 - 1 Tree Supervisor I position
 - 3 tree trimmer positions
 - The unsheltered population continues to pose a challenge to park maintenance, but the transfer of some of the clean-up responsibilities to Keep Oakland Clean and Beautiful (KOCB) has helped. KOCB is a division of Oakland Public Works and is responsible for reducing litter and illegal dumping, removing graffiti on public property, and providing garbage service and clean-up associated with homeless encampments. Some of this work was previously done by park gardeners, making it difficult for them to focus on landscape care.
 - Volunteers have made a difference. The number of neighborhood and Adopt-a-Spot volunteers has increased substantially in the last few years. However, volunteer sign-ups have been uneven, with some parks reaping the benefits while others languish.
 - There is a significant backlog of tree-trimming work. Staff resources are still not sufficient to keep pace, and the backlog continues to grow. The 2012-2016 drought severely impacted Oakland's parks.
 - Funding levels are adequate to provide "C-plus" maintenance service in most categories, but sustained investment and new funding sources will be necessary to deliver "A" maintenance grades for all parks. Basic services such as weekend restroom clean-up and locking of restrooms during night-time hours cannot be provided under current funding levels. Ballfield repair and maintenance is likewise underfunded, even as demand for field use remains at very high levels.

-
- Park vandalism remains an intractable issue. Restrooms are particularly prone to damage, but parks are also subject to frequent wire theft, damage to irrigation systems, and misuse or destruction of play equipment. Park vandalism is especially damaging because it discourages legitimate park use, which creates conditions that foster more anti-social behavior.

In the last decade, Oakland has invested millions of dollars in capital improvements for parks through grants and bond measures. Funding for maintenance has not increased at the same rate. This widening gap has hampered the City's ability to serve community needs.

V. Four Major Issues in our Parks

In our 2016 report we focused on three main survey categories that had been identified as priorities by surveyors—**Homelessness, Greenery/Trees, and Restrooms**. We will revisit those categories here and add a fourth—conditions of our sports fields and playgrounds -- and compare 2018 results to 2016.

A. Homelessness

2015: This was the first survey with questions about unsheltered residents in our parks:

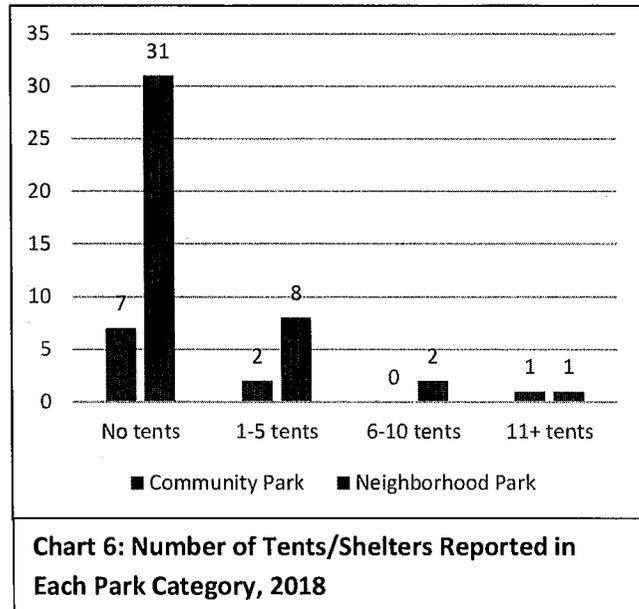
- “Is there evidence of homeless people using this park?” Surveyors named 18 parks with evidence of homeless people using the parks.
- “Is there evidence of homeless people living in this park?” Surveyors found evidence of 15 parks housing the homeless.

2016: In 2016 we eliminated the question about homeless people using the park (it was difficult to differentiate between using and living) and simply asked if the surveyor saw evidence of people living in the park. The result is very similar to the 2015 responses—16/50 parks were cited as housing the homeless.⁷

⁷ Note: We are being careful to compare apples to apples with these charts, limiting our data to only Neighborhood and Community Parks, of which 51 were surveyed in 2018. Overall, 112 parks were surveyed in 2016 and 37 of those were reported to have homeless persons living in them.

2018: By 2018 the homeless situation in our parks had morphed from a scattering of individuals to established homeless encampments. In 2018, around the same number of parks were identified as housing homeless people as in 2016-13 parks out of 51-but the numbers of people and tents in these parks had ballooned. To capture this trend we asked our surveyors three questions whose answers, we felt, would provide better insight:

- Q23: Estimate the number of tents/shelters you see in this park.
- Q24: Is there any dumping at the site of the tents or shelters?
- Q25: Are people living in their RVs/vans/cars around the perimeter of the park?



The answers to these questions are shown in Chart 6 and Table 1.

Two parks had 11 or more tents—Union Point and Mosswood. Two others, Lafayette and Jefferson Square, were cited as having encampments of 6-10 tents or shelters. Ten other parks were named in the 1-5 tent/shelter range.

In Which Parks Do the Homeless Reside?

Table 1 shows all Neighborhood and Community Parks in 2016 and 2018 where homeless people were living. Note that eight highlighted parks in the chart below are repeats. For the most part, parks with the most tents (more than six) do not have recreation centers (parks with recreation centers are starred). Mosswood, with eleven or more tents, is a special case since its recreation center burned and has not yet been replaced. The homeless encampments at Mosswood are at the back of the park, away from the play areas. The principle of safety in “eyes on the street” may contribute to the smaller number of homeless encampments in parks with recreation centers where staff is present on a daily basis.

Since the survey, the encampment in Lafayette Square has been cleared. Most of the residents of that encampment were placed in Tuff sheds at Northgate; others moved to Jefferson Square Park. We know that a group of new local residents began a campaign to

clean up Lafayette Square and make it safe to bring their children. They have worked with City agencies in this endeavor for at least two years.

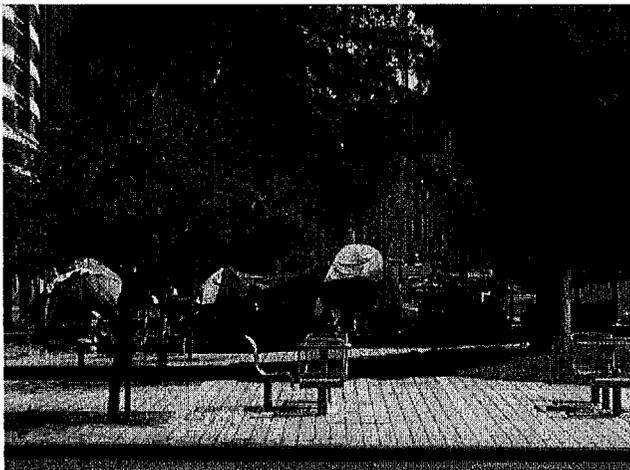
Table 1: Unsheltered Population in Oakland Parks, 2016 and 2018

Park	OSCAR	Council District	2016	2018	# of tents
Bushrod	CP	1	NO	YES	1-5
Hardy	NP	1	YES	NO	
Athol	NP	2	NO	YES	1-5
Clinton Square	NP	2	YES	NO	
San Antonio	CP	2	YES	YES	1-5
Grove Shafter	NP	1	NO	YES	1-5
Jefferson Square	NP	3	YES	YES	6-10
Lafayette	NP	3	YES	YES	6-10
Lowell Park	NP	3	YES	YES	1-5
Mosswood	CP	3	NO	YES	11+
Wade Johnson	NP	3	NO	YES	1-5
Willow	NP	3	YES	YES	1-5
Snow	NP	3	YES	NO	
Brookdale Park	CP	4	YES	YES	1-5
Dimond	CP	4	YES	NO	
Union Point	NP	5	YES	YES	11+
William Wood	NP	5	YES	NO	
Arroyo Viejo	CP	6	YES	NO	
Maxwell	NP	6	YES	YES	1-5
Columbian Gardens	NP	7	YES	NO	
Officer Willie Wilkins	NP	7	NO	YES	1-5
Verdese Carter	NP	7	YES	NO	
TOTALS	NP		16-YES	14-YES	

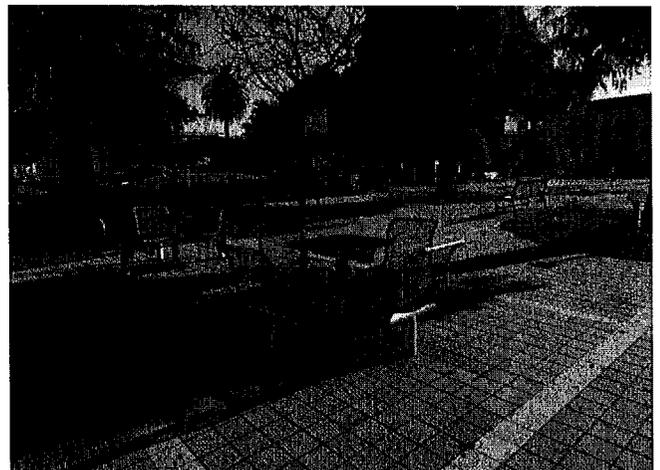
The photos and questions below relate to encampments, encampment dumping, and park perimeter conditions. Table 2 presents the findings of Survey Questions 24 and 25 regarding dumping at the site of tents/shelters and persons living in vehicles at the park perimeter.

Table 2: Impact of Unsheltered population on Surveyed Parks

	A Lot	Some	No	Not Applicable	Total
Question: Is there any dumping at the site of the tents or shelters?	4	8	4	35	51
	Yes	Maybe	No	Not Applicable	Total
Question: Are people living in their RVs/ vans/cars around the perimeter of the park?	4	8	37	2	51



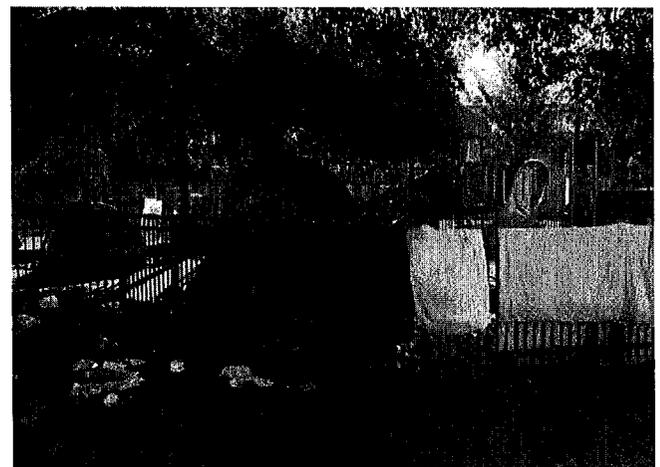
Lafayette Square Encampment in July, 2018



Lafayette Square November 2018, following abatement



Mosswood Encampment



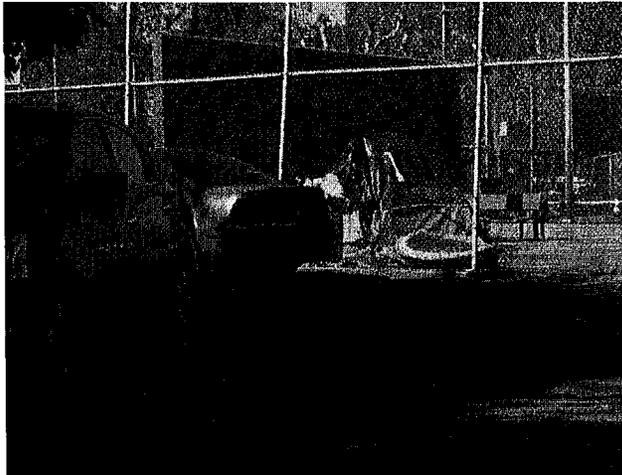
Jefferson Square



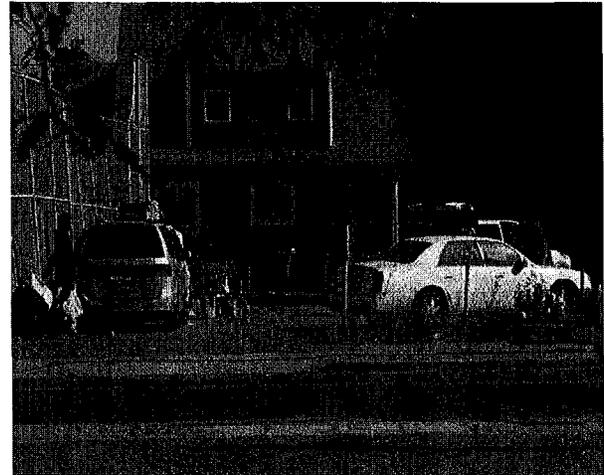
Union Point Dumping



Wade Johnson Perimeter Dumping



Officer Willie Wilkins Perimeter Car Camping. Homeless Encampment of cars on perimeter of tennis courts. Court nets are being used to fence off the encampment.



Officer Willie Wilkins Perimeter Car Camping. Extension cords have been connected to electrical box on court to supply electricity to encampment.

How Does Oakland Address the Proliferation of Residents Seeking Shelter in in our Parks?

The following quote is from our 2016 survey report and is as germane today as it was then except that the homeless problem is now at a crisis level.

“Although cities throughout California are experiencing what appears to be a rise in homelessness, the problem in the Bay Area is far more acute due to the steep increase in home values and the concomitant increases in rents. Oakland is experiencing astronomical rent increases, more than most cities, and homelessness is the fallout from this housing market disruption. Our parks have become havens for citizens who have lost their homes and this is not a tenable solution for anyone, either the homeless or the residents who frequent those parks.”

Every two weeks, representatives from the departments and organizations that are tasked with finding solutions to homelessness in Oakland meet under the direction of Assistant to the City Administrator Joe DeVries. Among other tasks, they create the schedule which is informed by outreach by Health and Human Services and Project Dignity for cleanups and cleanouts for the next two weeks. Cleanups and garbage service to encampments is on a routine service schedule while cleanouts or closures of encampments occurs only occasionally. These closures are coordinated by Keep Oakland Clean and Beautiful (KOCB) and they are implemented on a needs basis. A park closure is never a permanent solution. If the homeless have no place else to go, inevitably, the tents will reappear, much as they were before.

Mosswood is a case in point; after a summer 2018 cleanout the park is once more filled with tents. Lafayette Park was cleaned out in late October and was still clean of tents at this writing. We know that many of those experiencing homelessness received temporary shelter at the Northgate Tuff Shed site.

B. Greenery and Trees

“People’s desire to live near a park depends on characteristics of the park. Beautiful natural resource parks with great trees, trails, meadows, and gardens are markedly valuable. Other parks with excellent recreational facilities are also desirable. Less attractive or poorly maintained parks are only marginally valuable. And parks with frightening or dangerous aspects can reduce nearby property values.”⁸

⁸ Trust for Public Land, 2009, Economic Value of a City Park System

From a distance and from one's first step into a park what strikes the senses is the condition of its landscaping-its greenery, its grass, plants and trees. It is a given that parks need to be well-maintained to provide a healthy and enjoyable experience for park users.

Maintenance Service Schedules

At the height of the recession, in 2008, after revenue declines forced deep cutbacks in park maintenance staffing.⁹ parks, City landscapes and medians were grouped into three levels of service provision.¹⁰ These levels still pertain today.

- *Areas in Service Level 1 would receive a high level of "frequent, regular routine maintenance"*
- *Service Level 2 "a moderate level with regular monitoring, and adjustments to keep the area 'appealing'."*
- *Service Level 3 "little to no routine maintenance."*

Of the 163 parks and city landscapes on the maintenance list 95 are in Level 1, 58 in Level 2, and nine in Level 3. In an additional list of 77 medians most are Level 3.¹¹ Forty-five of the 51 parks surveyed this year were listed in Service Level 1 on the Park Service Zones and Service Levels document. The six remaining surveyed parks were listed as Service Level 2. The great majority of the surveyed parks are thus scheduled for "a high level of maintenance." Survey findings do not bear that out.

Survey Findings

Our survey poses nine questions pertaining to park greenery (see Chart 7). The first question won very positive reviews. It asked whether the grass looked as if it had been mowed and the average for that question was 3.49 (B+). The 2016 mowing schedule showed a three-week turn-around. Other landscaping tasks are performed on a seasonal calendar, usually in winter when the parks are not crowded, and the ratings in Chart 7 reflect this.

⁹ City of Oakland FY 2015-17 Adopted Policy Budget, G-69: "Park maintenance staffing levels for fulltime staff was reduced nearly 50% in 2008. These reductions have impacted the maintenance; resulting in a look and feel that Oakland parks are unkempt and have increased risk."

¹⁰ See Park List beginning on page I for current service levels of the surveyed areas.

¹¹ <http://www2.oaklandnet.com/oakca1/groups/pwa/documents/marketingmaterial/oak050141.pdf> This list is being revised by OPW and service levels for many parks will be downgraded as a result.

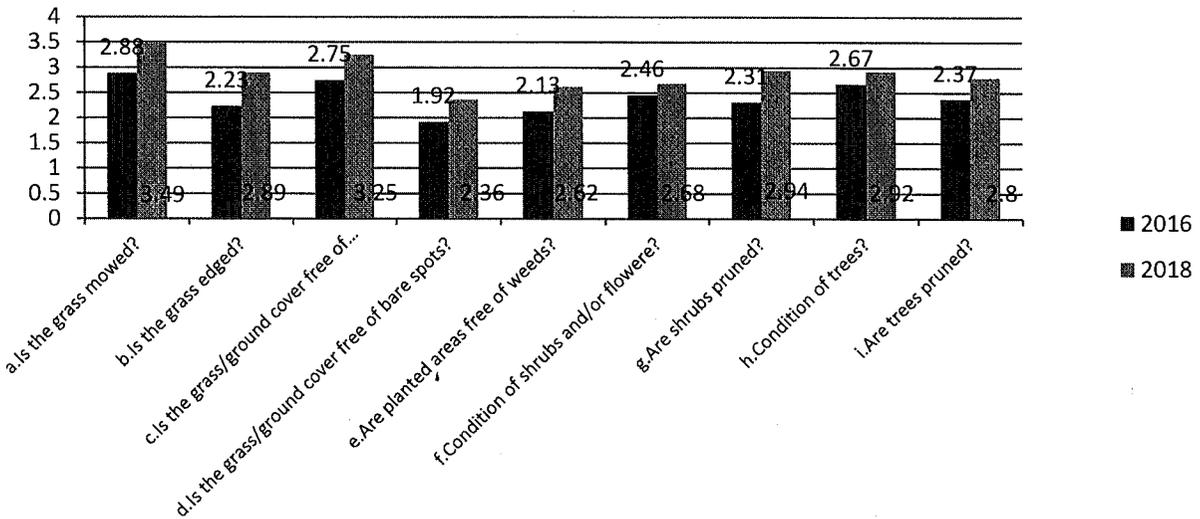


Chart 7: Greenery 2016/ 2018



Mowing in progress at Verdese Carter Park

Is the grass mowed? YES! This question received the highest number of A ratings. The mowing crew is fully staffed and, thanks to the procurement of new trucks a few years ago, mowing equipment is in good working order. Mowing is a top priority and this is reflected in these numbers. Forty-two parks received an A or B rating for mowing!

Three Trouble Areas for Greenery

These three Greenery questions about bare spots, weeding and tree pruning had the lowest ratings in both 2016 and 2018. 2018 ratings were generally better but continue to fall into the C range. Table 3 provides a summary of the rankings in both years. The paragraphs that follow address each issue.

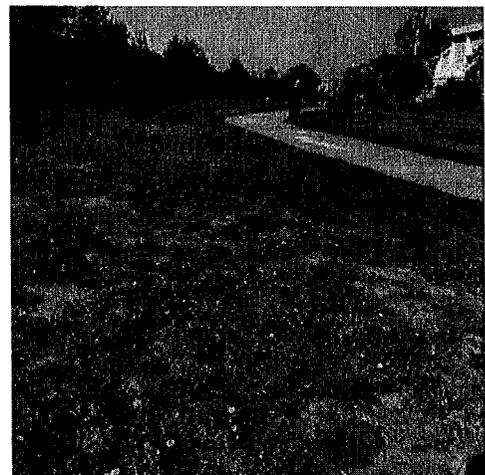
Table 3: Three Trouble Areas for Greenery

	2016	2018
Is the grass/ground free of bare spots?	1.92	2.36
Are the planted area free of weeds?	2.13	2.62
Are the trees pruned?	2.80	2.37

Is the grass/ground cover free of bare spots? The standout among the low ratings is this question. It received a 2.36 rating. Irrigation cutbacks since the beginning of the drought have done lasting damage to the ground cover in some parks. Bare ground also attracts gophers, complicating an already bad situation.

Are the planted areas free of weeds? The ratings to this question averaged 2.62. Eradicating weeds in planted areas requires weeding by hand. It's time consuming and, therefore, not practiced regularly. The preferred OPW method for weed removal is weed whacking but whacking can't be used effectively in planted areas and it is not as effective as hand pulling weeds.

Are trees pruned? Public Works is still playing catch up since its numbers were drastically cut in 2010. With only nine tree trimmers, two tree high climbers and a long backlog of priority jobs, it may take years before the team can get back to scheduled tree pruning in our parks.



South Prescott: Bare spots, weeds and gophers

Tree Maintenance

Because of the prolonged drought and cutbacks in staffing for tree services hundreds, it is entirely possible that thousands of our trees are dying; that translates to a loss of metric tons of stored carbon, contributing to climate change. The 2017-18 budget document states:

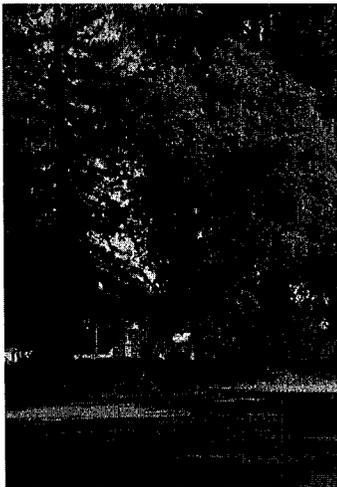
We are dedicated to protecting and maintaining the beautiful trees in Oakland while educating the public about the history and benefits of the trees in our community. Oakland has held the honored status of a Tree City USA for 28 years. The City maintains over 200,000 trees that grow in parks and along streets. In 2008, nearly half of the Tree Services unit was eliminated due to lack of funding. The tree planting, watering, [aesthetic]pruning and pollarding services were all eliminated. The City of Oakland will only prune trees in hazardous or emergency situations.¹²



Officer Willie Wilkins Park

This problem has been acute for years now as noted in this 2015 City budget document:

“Landscaped assets and Trees have been compromised by staffing decreases, resulting in increased blight, weeds, litter and a generally unkempt appearance. Tree maintenance is limited to hazardous response only.”¹³

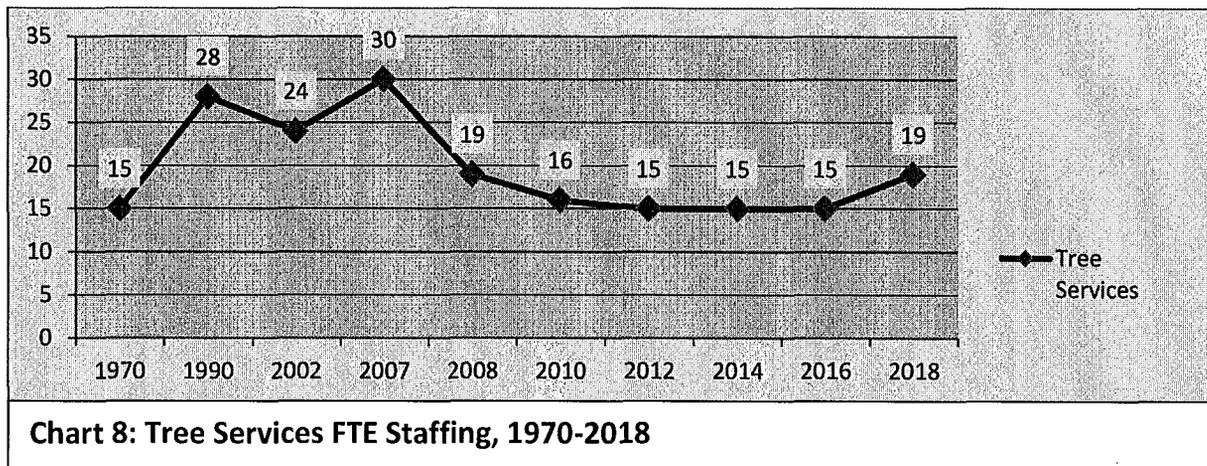


Hellman Park

Some staffing for tree services was restored in 2018, bringing team positions to 19 from 15 (Chart #8). Four of those positions are still vacant but local competition is steep for these skilled workers and the last time the jobs were posted only nine people applied. The backlog of tree maintenance calls for service is daunting and routine maintenance has been postponed for years.

¹² <https://www.oaklandca.gov/topics/tree-services>

¹³ City of Oakland Fiscal Year 2015-2016, G-61, Prior Reductions



C. Restrooms

Our survey covers only free-standing restrooms, not recreation center restrooms or porta-potties. There are 42 free-standing restrooms in 36 parks. We surveyed 20 of those restrooms on October 20. Chart 9 shows the results.

For various reasons some restrooms were locked. One example is Officer Willie Wilkins Park which remains locked due to long-term abuse of the facility. Attempts were once made to reopen this restroom but they were short-lived since trashing continued. In some cases, where the restroom has been closed because of needed repairs, porta-potties are provided but the maintenance of those units has been unreliable. Generally, where there are homeless encampments the restrooms are unusable for the general public.

The restroom maintenance schedule calls for a thorough daily cleaning and resupplying of every park restroom, including:

- Wash down walls and floors
- Refill soap dispensers where applicable
- Refill toilet paper and hand towel dispensers
- Remove trash from interior litter receptacles and perimeter receptacles within a 50 foot radius
- Sweep and wash down entrances and perimeter

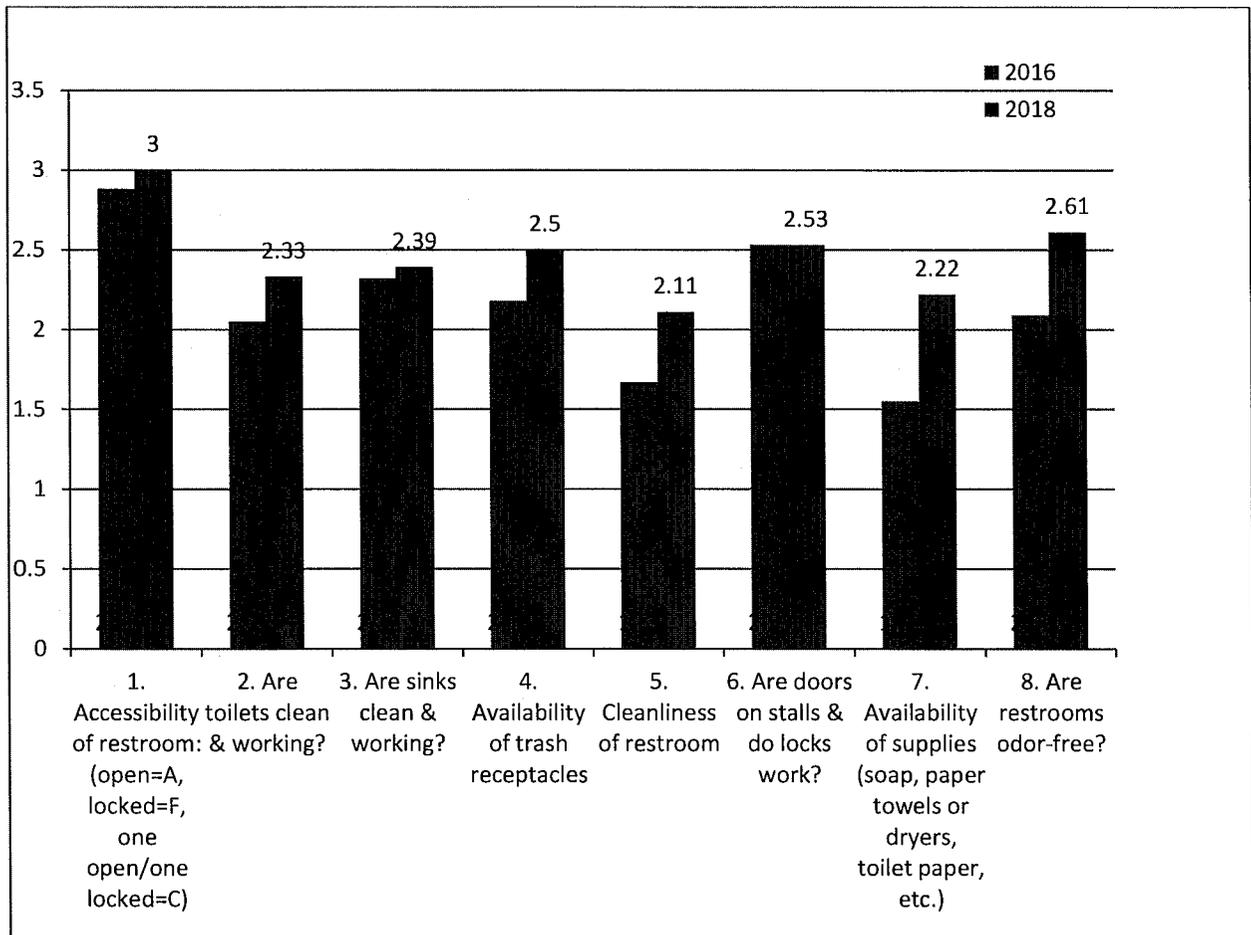
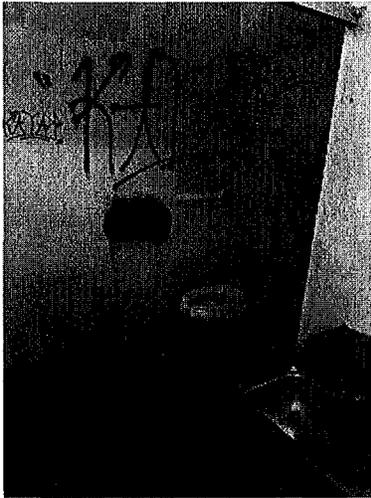


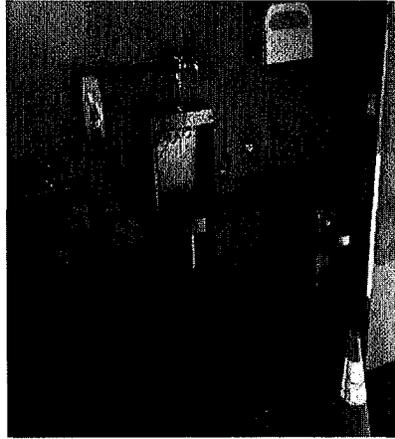
Chart 9: Restroom Conditions, 2016/2018

The free-standing restrooms are supposed to be open to the public seven days a week during park hours. On the morning of our survey, conditions at 20 restrooms were assessed. Of those, 13 were fully accessible, 4 had one side—men’s or women’s—locked and 3 were fully locked. In Chart 9 note that no question received above a 3 (equivalent of B) average rating. In fact, most averages were in the C- to C+ range.

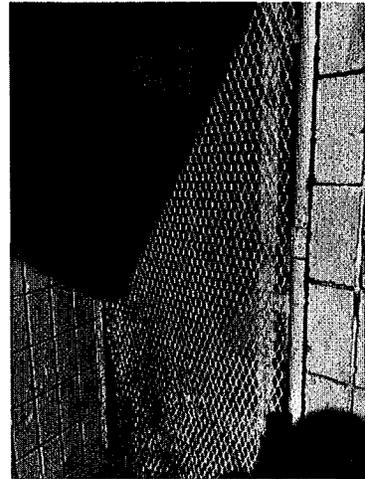
The photos on the following page profile restroom conditions observed by our surveyors. They range from Maxwell Park, which has been beautifully tiled by neighborhood children, to Sobrante Park, which has been locked for years. The cumulative rating score for each park (e.g., the average of the eight rating factors) is noted. We have also included a few direct quotes from our surveyors indicating what they observed.



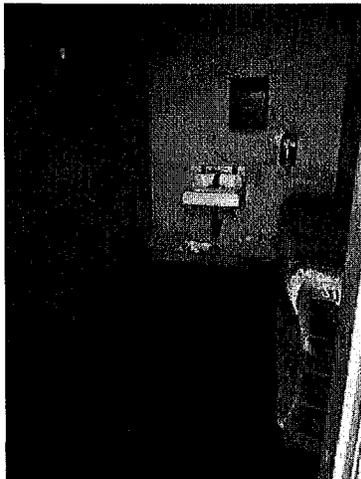
Montclair
Cumulative restroom score: 3.125



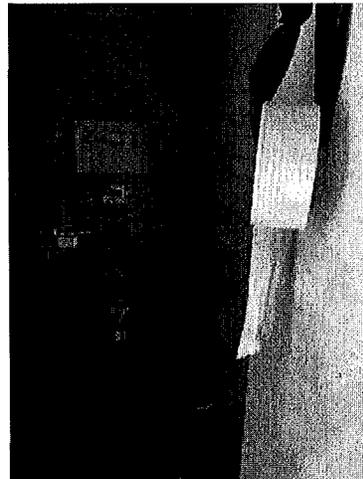
Central Reservoir
Cumulative restroom score: 2.375



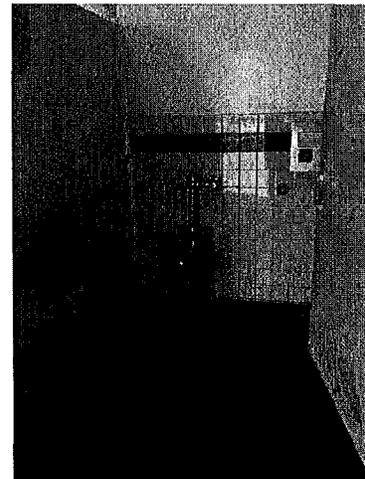
Officer Willie Wilkins
Cumulative restroom score: Zero



DeFremery
Cumulative restroom score: 1.875



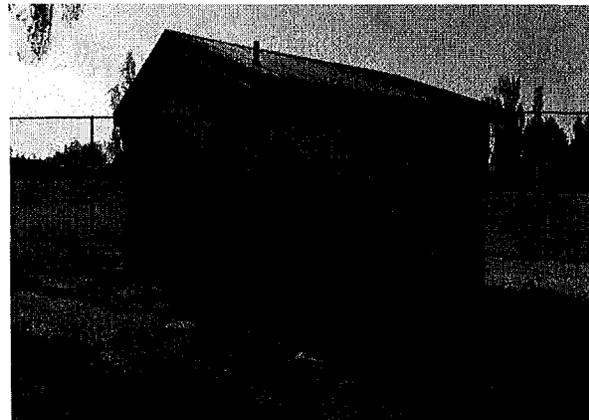
Dimond
Cumulative restroom score: 3.75



Eastshore/ Astro
Cumulative restroom score: 3.375



Maxwell
Cumulative restroom score: 3.83



Sobrante
Cumulative restroom score: Zero

The photos speak volumes about restroom conditions but many of the worst restrooms are not included in this montage. The bathrooms at Eastshore/Lakeview Library and Dimond get high marks. Others, less so. The bathrooms at Sobrante and Officer Willie Wilkins have been closed for several years, the former due to a fire, the latter because of abuse by park denizens.

High volume use of bathrooms presents a particular challenge to Public Works. Only 4.5 custodial positions are currently allocated to the maintenance of Outside Restrooms/ Pools. These few crew members are tasked with cleaning all of the open free-standing restrooms once a day (more frequently at enterprise facilities) from Monday to Friday; however, only two weekend workers cover the same territory when usage, especially in summer months, is at its peak. Keeping 42 restrooms functional, clean and well-stocked over busy weekends often proves a challenge that cannot be met by only two maintenance workers and results in unhappy park users.

We cannot stress enough the importance of increased restroom maintenance for a good park experience, especially for parents and their children. Park users tell us they will not take their children to a park that does not have a clean restroom available. With just an additional two custodial positions restrooms could be locked at night so they wouldn't be trashed and enhanced weekend service, so drastically needed, could be applied.

Sample Surveyor Comments on Park Restrooms

"Restrooms are horrible!"
(Lafayette)

"Locked" (Arroyo Viejo)

"Clean and stocked" (Cesar Chavez)

"Recently renovated but already vandalized by graffiti" (Montclair)

"No trash receptacles" (Hardy)

"Soap, but not much else" (Lowell)

"Men's room missing partition"
(Central Reservoir)

"Women's room- good condition, locks working. Men's room-so-so conditions no tissue, no locks, and smells." (Eastshore)

"Some stalls without toilet paper— it's not clear where it's supposed to be held when it's available."
(Dimond)

"Missing lock in men's restroom stall hand dryer not working no water in one of the sinks of women's restroom" (Shepherd Canyon)

"Both doors locked—smells terrible" (Officer Willie Wilkins)

"Only two of six stalls working"
(Union Point)

D. Playgrounds and Athletic Fields

Two of the recreational features common to most community and neighborhood parks in Oakland are playgrounds and athletic fields. All but a few of the parks surveyed in 2018 have a playground or tot lot and most have ballfields or other multi-purpose fields. The condition of these facilities defines the user experience for park visitors; playgrounds and fields are the reason many visitors come to the park in the first place.

Chart 10 indicates the condition of playgrounds in 2016 and 2018. The questions reflect key attributes of playgrounds, including the condition of play equipment, the condition of the sand or fibar (engineered wood fiber) beneath the equipment, the condition of rubberized surfaces in the playground, and the adequacy of seating areas for parents. Overall, the scores show slight improvements in all categories. However, the average remains in the “C+” range in most categories, and an unacceptably large number of parks are still scoring “D’s” and “F’s.”

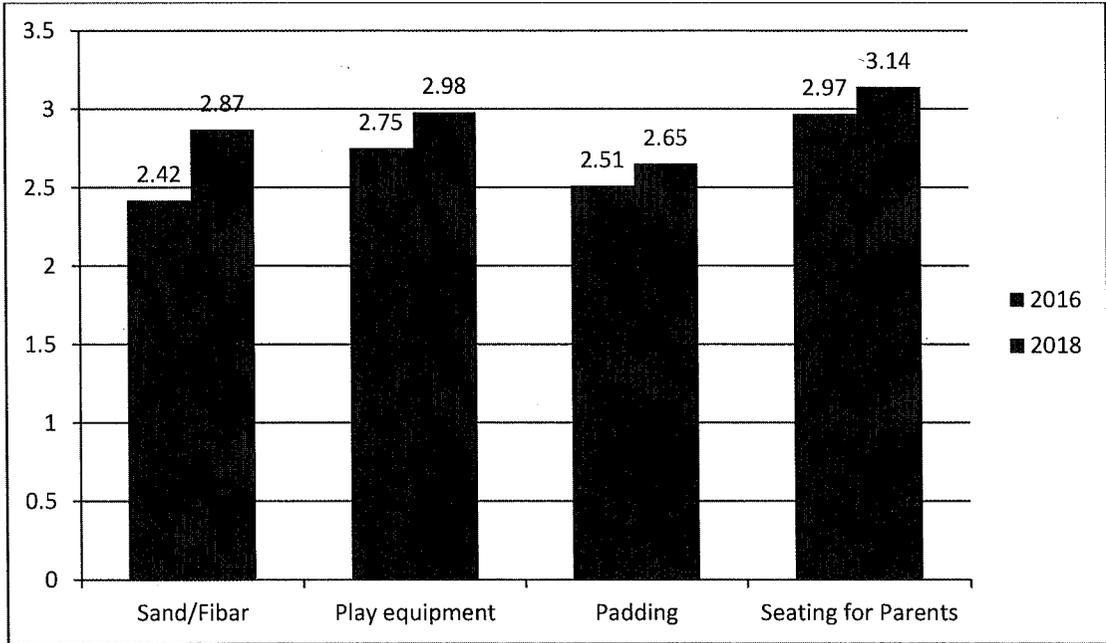
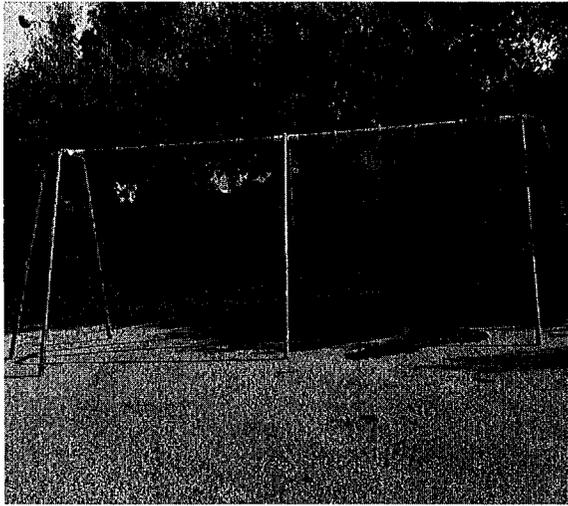
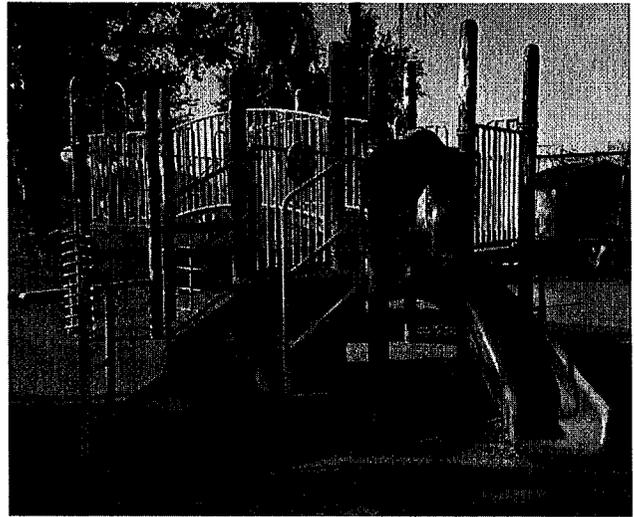


Chart 10: Scores for Playground Condition, 2016 and 2018



Vandalized swings at Columbian Gardens Park



Tot lot at Sobrante Park

For playground equipment, including swings, tot lots, climbing structures, and similar amenities, the average score was 2.98 in 2018, up from 2.75 in 2016. Community parks scored better than the neighborhood parks in 2018, averaging 3.11 compared to 2.95. There were six parks with scores of “D” or “F,” compared to eight in 2016.

Sand/Fibar condition scores were slightly lower, averaging 2.87. This was an improvement from the 2016 score of 2.42. Again, the community park scores in 2018 (3.13) were higher than the neighborhood parks (2.80). For rubberized surfaces, scores increased from 2.51 in 2016 to 2.65 in 2018.

Holes in the rubberized play surfaces remain a persistent problem, especially under slides and swings. The name “safety surface” loses all meaning when there is no cushion for children to land on if they take a tumble. These areas of the surface wear out quickly and must be patched to prevent injuries when children fall. The backlog of patching requests is extensive and the repair is expensive. On the positive side, the Public Works Agency is trying a new rubberized tile surface in its latest installation, which is purportedly more resilient. The photos on the next page provide a sampler of current conditions.



While the condition of many playgrounds have improved, the reverse is true for athletic fields (see Chart 11). Average scores for field condition declined from 3.08 in 2016 (a solid “B” grade) to 2.78 in 2018 (barely a C+). Many fields showed signs of overuse and stress from years of drought, while others were overwatered or not watered at all. Field equipment, such as chain-link backstop fencing, was damaged in some locations. Fields in neighborhood parks generally ranked higher than the community parks, with average scores of 2.89 and 2.38 respectively. The low score for community park ballfields is of particular concern given the reliance on these fields for youth sports and the shortage of athletic fields in the East Bay as a whole.

Similar low scores were observed for bleacher condition. The average score dropped from 3.22 in 2016 to 2.83 in 2018. Bleachers are prone to vandalism and appear to be suffering from deferred maintenance in some cases. On a positive note, gopher damage to fields was less severe in 2018 than it was in 2016. Two years ago, the cumulative score was 2.49. In 2018, it was 3.2, a significant improvement. Still, there were five parks with “D” or “F” grades with respect to gophers.

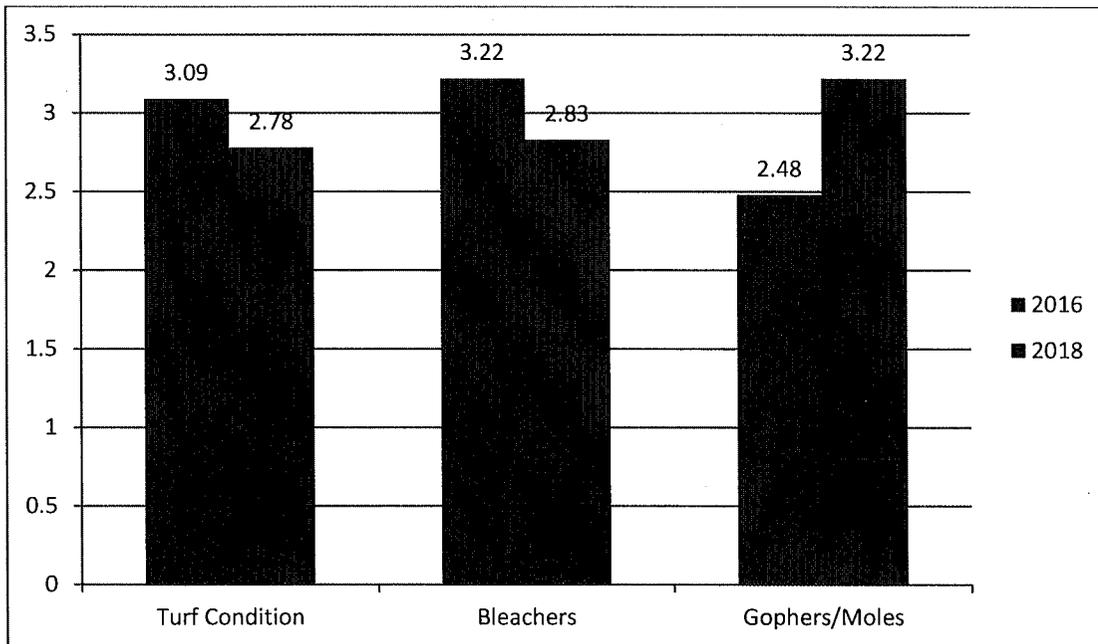
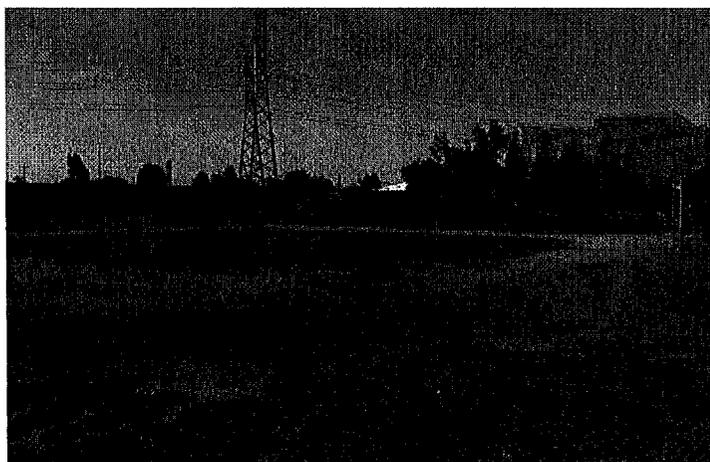


Chart 11: Scores for Athletic Field Condition, 2016 vs 2018



Brookfield/Ira Jenkins baseball field



Gopher holes at Ira Jenkins baseball field

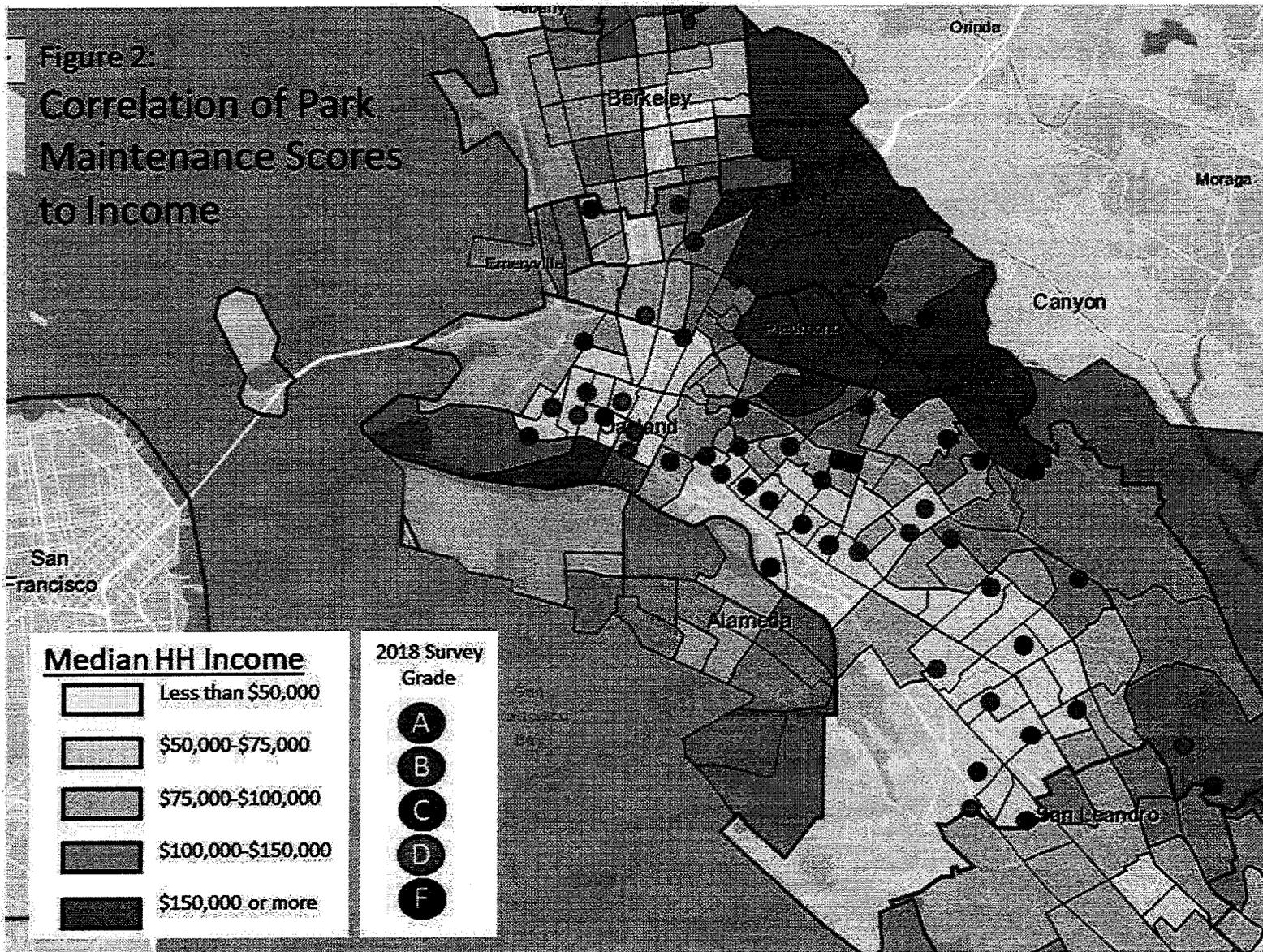
VI. Park Maintenance: A Matter of Equity

As Oakland aspires to be a more equitable city, it is worth taking a look at our park system. This year's survey revealed significant differences in park conditions across Oakland neighborhoods, with a strong correlation between household income and the condition of our parks.

As Figure 2 indicates, parks in the city's higher income neighborhoods were more likely to receive "A" and "B" scores, while the "D" and "F" parks were generally located in economically disadvantaged or gentrifying neighborhoods. High-scoring parks in the city's lower income neighborhoods tended to be those with active volunteer organizations, where City resources are supplemented by community resources. For example, DeFremery and Poplar Parks are neighborhood jewels, strongly supported by advisory groups and effective recreation directors. Other parks in West Oakland did not fare as well.

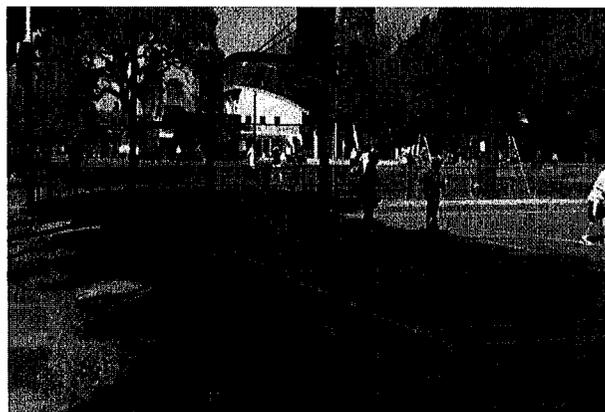
There are success stories in all parts of the City but the stories of park distress are most often in the neighborhoods that need parks the most. At the time of the last decennial census, 59% of City Council District 3's households had incomes below \$50,000, giving it the lowest median income among Oakland's seven Council District. District 3 also had the lowest park maintenance score in our survey, with a cumulative average of 1.82. By contrast, Council District 4 has the highest median income in the city, with 54% of its households earning over \$75,000 (2010 data). District 4 also had the highest park maintenance score—3.57. Districts 5 and 7 both have substantial concentrations of poverty—and average park maintenance scores of 2.17 and 2.13.

The disparities are even more troubling when specific facility types are considered. For example, children's play equipment in District 3 parks received a cumulative score of 1.80 (a D+) while play equipment in District 4 parks received a cumulative score of 3.86 (A-). Turf condition in Districts 3, 6, and 7 parks were all below 2.75, while scores in the other Council Districts were all 3.0 or better. We must do more to close these gaps if we are to be a fair and just city.



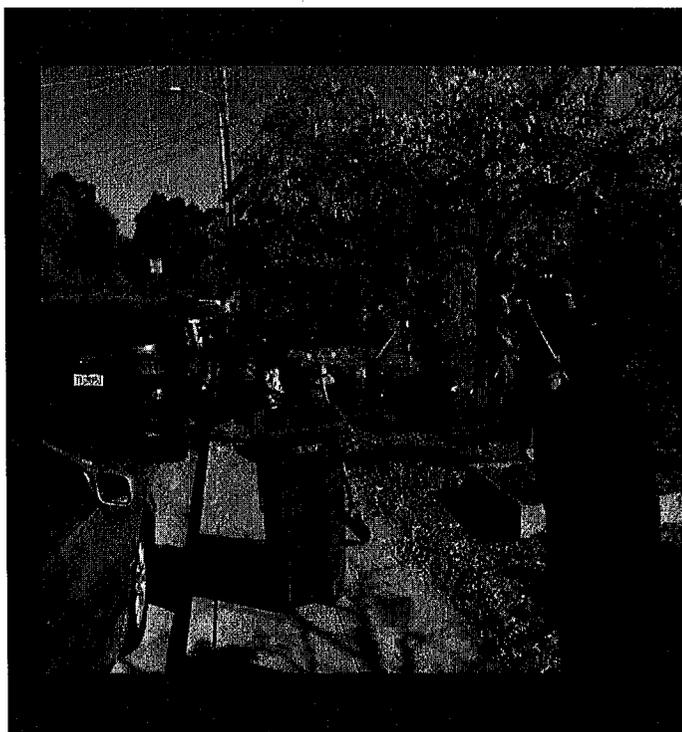
Stellar Parks

Special mention is well deserved for the nine parks that received A's—the highest *Overall Rating*: Golden Gate, Hardy, Eastshore/Astro, Avenue Terrace, Dimond, Redwood Heights, Shepherd Canyon, Josie de la Cruz, and Pinto Ranch Recreation Area. The high scores for Josie de la Cruz, in particular, are laudable. Sustained community investment has made this park an essential resource in a neighborhood with high social and economic needs and very little access to open space.



Josie de la Cruz Park

We have included a few Survey photos of the stellar parks on the next page.



The Neighbors behind Neighborhood Parks

We'd like to give a shout out to the neighborhood groups that invest their time and energies to improve conditions in their parks. There are dozens of groups attached to parks, some of which have been working together for decades. Some of these groups meet on a monthly basis, others on designated workdays throughout the year. They weed, rake, plant, paint, tile, plant trees, etc. We caught a glimpse of one such group working on the day of our survey at William Wood.



Golden Gate (Council District 1)



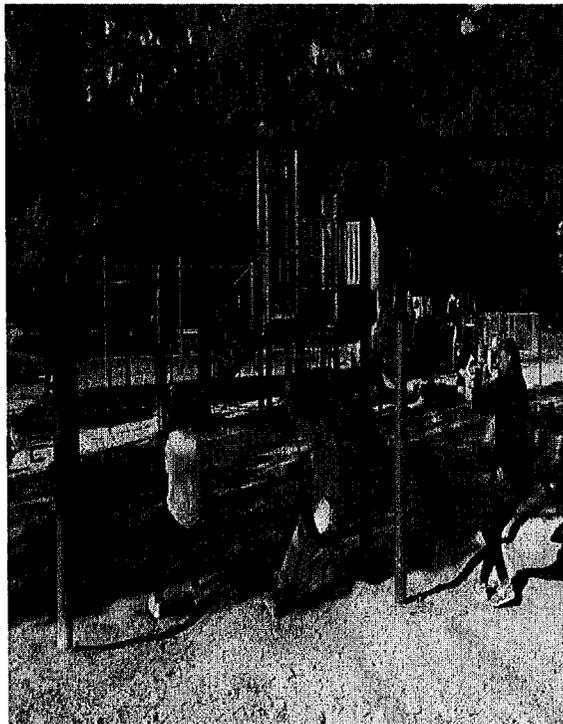
Hardy Park (Council District 1)



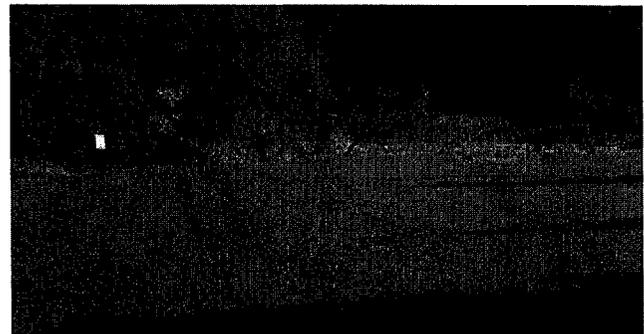
Redwood Heights (Council District 4)



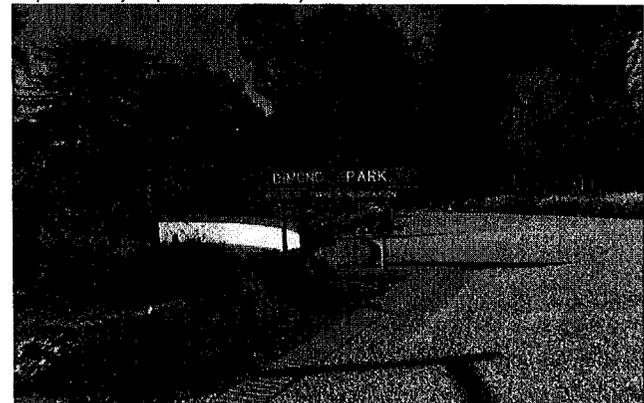
Eastshore/ Astro (Council District 2)



Avenue Terrace (Council District 4)



Shepherd Canyon (Council District 4)



Dimond (Council District 4)

Parks in Jeopardy

In reports prior to and including 2016 we chose parks for the jeopardy list that received an F rating for *Park Overall*. They were generally the smaller tot lots with the exception of Union Point in 2016, and they were in poor condition--graffiti plagued, often used by local gangs and off-limits to local families. Union Point was the only park to receive an F rating in the 2018 survey. This year's list, presented in Table 4 below, includes the sole F and the nine parks that were rated D. Comments from the surveyors are included for each park.

Table 4: Parks in Jeopardy

Council District	Park	Overall Rating	Surveyors' Comments
1	Grove Shafter	D	There is no park design here and it is disconnected from the neighborhood because of freeway underpass.- <i>Gretchen Till</i>
3	Jefferson Square	D	Park is not utilized due to homeless encampments. Signage is out of date and faded.- <i>Ray Oducayen</i>
3	Lafayette Square	D	Restrooms used by homeless and are unacceptable. Play equipment unsafe.- <i>Ray Oducayen</i>
3	Marsten Campbell	D	Good facilities (ball diamond, playground, picnic tables) but in bad condition.- <i>Donald Cooper</i>
3	Wade Johnson	D	
3	Willow Mini	D	Users report bathrooms cleaned daily but that missing play structure/grills are years-old problems.- <i>Elizabeth Brandon</i>
5	Central Reservoir	D	The two main draws of this park are the playing field and basketball court. Both are in poor condition.- <i>Terry Boom</i>
5	Union Point	F	Outstanding park that is completely unusable- <i>Kate Klingensmith</i>
7	Hellman	D	This appears to be a forgotten little park behind a school. In fact, the lack of a park sign on the road and then the long path to the park makes one wonder if anybody knows it's there. The field is so marshy in autumn, before the rains, one wonders what it is like during the rainy season. Tiny play area with some play equipment that seems to have no purpose.- <i>Ken Lupoff</i>
7	Columbian Gardens	D	This park is very forlorn, neglected, and depressing. - <i>Barry Miller</i>

Five of the ten parks in jeopardy are located in Council District 3, which includes West Oakland and much of Downtown. This area has been particularly hard hit by the recent housing crisis, with some of the most rapid increases in housing prices and rents in the Bay Area and a growing number of unsheltered residents. The parks have become a place of refuge for displaced Oaklanders, with recurring homeless encampments in Jefferson and Lafayette Squares, Mosswood Park, and other neighborhood and community parks. In some cases, unsheltered residents have converted tot lots and other park facilities into lean-tos, making these facilities unusable for children. Once this takes place, the park begins to feel unwelcome to many user groups. Park amenities such as restrooms and picnic areas can quickly become compromised as they are used beyond their capacity by park residents.

Even where there is not a visible homeless presence, some parks convey a sense of neglect or even despair. For example, the swings and climbing equipment at Columbian Gardens Park in East Oakland were vandalized years ago and have never been replaced. There is evidence of illegal dumping and the picnic facilities are unusable. Likewise, Wade Johnson Park abuts a recycling center, with illegal dumping on the perimeter. These are not welcoming spaces, but they are the public face of the neighborhood.

The photographs and summaries below illustrate the extent of the problems at the “parks in jeopardy.”

Grove Shafter (CD1) is a segmented park, one area on 34th Street and MLK, the other part on MLK and 36th Street. The section on 34th Street has long been closed to the general public. The 36th Street section has four basketball practice areas, all with nets and decent surfacing. It also has a dog run. However, the park perimeter is a dump site and homeless tents populate the areas across the street and under the freeway. The park is now the gathering place for the homeless living on MLK. On the day it was surveyed it was strewn with litter, needles were found and the park benches were in very poor condition. It is, as the surveyor wrote, “disconnected from the residential neighborhood,” but, has become its own residential area for the unhoused.





Willow Mini (CD 3/between 13th and 14th Streets at Willow): Here you will find an occasional pick-up basketball game in the half court and not much else healthy activity. Several years ago a fire destroyed the play area. The safety padding under the swings which sports a giant hole still hasn't been patched or replaced.

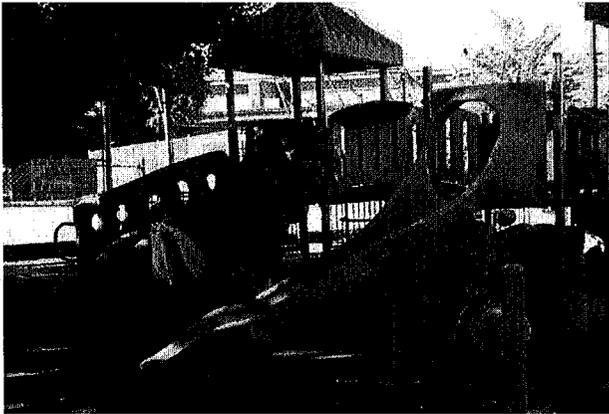
Wade Johnson (CD3/12th Street and Poplar) is located in an industrial area, right next to a recycling company and its perimeter is a dump site. Both Wade Johnson and Marsten Campbell have expansive fields that would be suitable for sports if they were in better condition.



Marsten Campbell (CD3/Market, between 16th-17th Streets) The picnic furniture-tables and benches-are broken and splintery, in desperate need of refurbishing and unsafe for use.



Lafayette Square

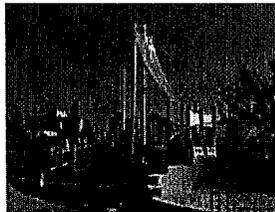


Jefferson Square

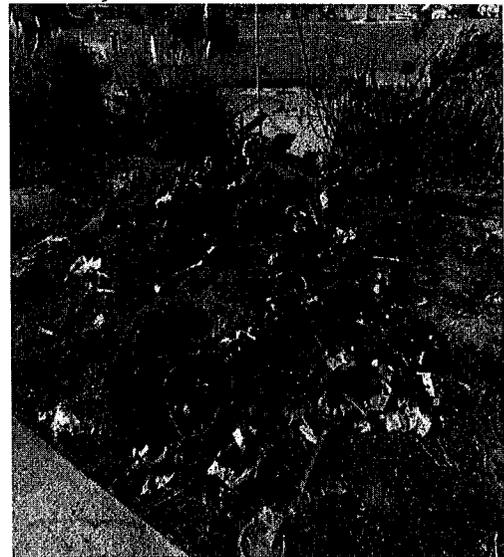
Lafayette and Jefferson Squares (CD3) are in Downtown Oakland. Hundreds of new homes have been built in this area in the last few years, and thousands of office workers are a few blocks away. At Lafayette Park, new neighbors are conflicted about taking their children to the attractive new play area because of the homeless people who occupy much of the park, even after the tent encampment was closed in late October. The neighborhood group organizes park cleanups and even engages some of the homeless in the task. However, their efforts have not transformed the park enough to make it a safe place. At Jefferson Square, the children’s play area and dog run have been colonized with tents and personal belongings. The baseball field and half basketball court are the only elements of the park unclaimed by the homeless.

Union Point (CD5): This park is located at 2311 Embarcadero. It was dedicated in 2005. Here’s what Waterfront Action wrote about the new park.

Union Point Park is an exciting new nine-acre waterfront venue located near Coast Guard Island, just south of the Embarcadero area shoreline. The park offers waterfront access, park activities, and attractive open space in an area of Oakland that has lacked such opportunities. It is owned and operated by the City of Oakland. [and] reflects the vision and collective efforts of a broad range of community groups, agencies, and individuals.¹⁴



A little more than a decade later, the park is unusable for recreation.



¹⁴ <http://www.waterfrontaction.org/learn/parks/up.htm>

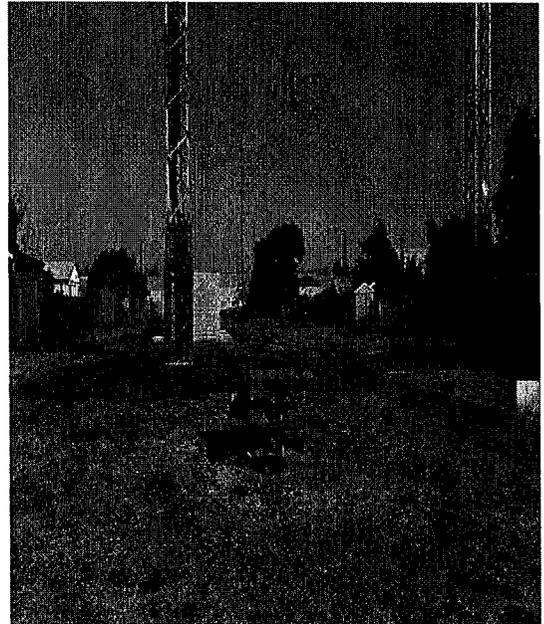


Central Reservoir Recreation Area (CD5):

This park is located next to the reservoir of the same name just off Highway 580 at Sheffield Avenue and 29th Street. It sports a playing field which has no grass, is rutted and uneven. The asphalt on the basketball court is covered with cracks.

Columbian Gardens (CD7): Located just off 880 and 98th Avenue, by all accounts it looks as though this park is closed although there is no signage to that effect. “

This park is very forlorn, neglected, and depressing. It looks more like a vacant lot (or the site of a future freeway) than a park. There are no facilities at all, and the grass is just weeds. The individual who surveyed this park reported “I almost gave this an “F” but chose “D” because there aren't enough facilities to rate.”



VII. Recommendations

Find a new stream of Funding for Maintenance of Existing Parks. We can no longer depend on the same four funding sources that have paid for park maintenance for decades.¹⁵ The City must increase resources dedicated to park maintenance and should consider a “portfolio” approach with multiple sources. We recommend the following specific actions:

- Pursue a dedicated ballot measure for park maintenance, ideally in 2020
- Expand and improve volunteerism and the Adopt-a-Park program
- Update and formalize the donor recognition process
- Explore other non-traditional funding opportunities, including equity-based grants through recent state bond measures.

Homelessness. The Oakland Parks and Recreation Foundation believes that parks are for everybody—those with homes as well as those without homes. **All** Oaklanders deserve safe and easy access to our parks. Our annual survey revealed at least a half-dozen locations where the balance has tipped to the point where unsheltered residents have overwhelmed a neighborhood or community park. In some cases, other members of the general public are no longer able to access such spaces and the parks are no longer serving their intended function as places of recreation, beauty, environmental health, and neighborhood well-being.

Our organization urges the City to continue doing everything its power to alleviate the causes of homelessness and assist those in need. However, parks must not be the solution to the problem. They were not designed as overnight shelters or campgrounds and should not be reimagined as such. Healthy communities need healthy parks where people of all abilities and backgrounds can safely gather, relax, and play. In many parts of Oakland, this is not currently possible and thousands of Oaklanders are losing out as a result.

Increase Staffing and Fill Current Vacancies for Gardeners. Public Works has slowly swapped Gardener positions for part-time positions over the last 20 years until current staffing for part-timers exceeds that for gardeners. Only trained gardeners have the skills and the experience to apply the practices that can prevent loss of landscaping and teach them to crew members. They are precious guides and teachers who know best how to

¹⁵ Funds: 2310-Landscaping and Lighting Assessment District, 172-Comprehensive Clean-Up, 1010-General Purpose, 4400-City Facilities

protect our parks by implementing a more rigorous schedule of preventive plant maintenance, which will save time and money in the long run.

Keep Restrooms Clean and Functional. Open, clean, functional and well-supplied restroom conditions are essential to the quality of the park experience. We strongly recommend increasing staffing by two FTEs which would enable the closing of restrooms at night when much of the damage is done to them. With extra staffing restrooms could be kept cleaner and well-supplied on weekends when park use is the highest.

Improve Sports Field Maintenance and Playground Repair. This will attract more Oaklanders to use our facilities and this will foster increased volunteerism.

Improve Park Safety and Security. Vandalism and unlawful behavior continue to be a problem in some of our parks. We urge the City to explore solutions such as bringing back the park rangers or creating a special unit of OPD trained in park culture and protocol, and addressing the physical design of parks to make them safer or more vandal resistant. We would welcome the chance to be part of a community dialogue that considers the options.

VIII. Conclusion

We wish we could be more sanguine about park conditions. After all, the results of this year's survey compared to 2016 were slightly improved. OPW Park Services Manager Brian Carthan attributes that improvement, in part, to the transfer of homeless encampment responsibilities to KOCB and thus, the freeing up of hours that can now be dedicated to gardening and landscape care. However, we remain deeply concerned about the entire park system.

We feel that the improvement in the ratings belies the actual condition of our parks. Is it possible that we have become so used to the dry conditions, poor playing fields and courts and park disrepair that we are now accepting a diminished level of maintenance that would have been anathema years ago? We know, with certainty, that increasingly inadequate resources for park maintenance have negatively impacted our parks. Has this just become the status quo?

Of course, the problems we presently encounter in our parks are not solely the outcome of diminished maintenance resources. The homeless crisis now looms large over the entire park network. We see that since our 2016 survey the small encampments in some parks have spread to take over those parks. Where there were no encampments just two years ago entire parks have become parking lots for tents, with park perimeters converted to dump sites.

We also acknowledge that many years of drought have wreaked permanent damage on the landscape of many of our parks. Yet, we see parks in other nearby cities that are in better condition than ours which leads us to believe that funding for park maintenance has not received the attention it urgently needs. If that is indeed the case, we implore City officials to rethink budget priorities and begin to allocate the much needed resources to making our park system a source of universal civic pride.

Thank you!

We wish to thank all those who participated in our survey and in the writing of this report—our stewards, our surveyors, our Foundation editors and our Oakland Public Works advisors. We prepare this report and the subsequent Power Point presentation in a quest to shed light on the problems associated with our parks and bring resolution to those issues.

Oakland Parks and Recreation Foundation is dedicated to making our park system outstanding through its work in obtaining capital improvement grants, providing scholarships for programming, providing financial support for park groups and lobbying for much needed resources for park maintenance. We know that functional and well-maintained parks help to create healthy and happy future citizens and provide peaceful retreats from the bustle of city life. We ask the readers of this report to do their part to help make our parks the best that they can be.

APPENDIX

Surveyed Parks

District 1	OSCAR Codes	Park Overall Rating 2016/18	Service Level
Bushrod Park	CP	A/B	1
Chabot Park	NP	B/B	1
Golden Gate Park	NP	B/A	1
Grove Shafter Park	NP	B/D	2
Hardy Park	NP	C/A	1
District 2	OSCAR Codes	Park Overall Rating 2016/18	Service Level
Athol Plaza Park	NP	C/C	2
Bella Vista Park	NP	B/B	2
Clinton Square Park	NP	A/B	2
Eastshore Park (Embarcadero & Astro Park)	NP	C/A	1
FM Smith Park	NP	B/B	1
Franklin Park	NP	C/A	1
Garfield Ball Field	NP	C/A	2
Lincoln Square Park	NP	B/B	1
San Antonio Park	CP	D/C	1
District 3	OSCAR Codes	Park Overall Rating 2016/18	Service Level
DeFremery Park	CP	B/B	1
Jefferson Square Park	NP	B/D	2
Lafayette Square Park	SU	C/D	2
Lowell Park	NP	B/C	1
Marston Campbell Park	NP	C/D	2
Mosswood Park	CP	A/B	1
Poplar Park /Willie Keyes Rec Ctr	NP	B/B	1
Snow Park*	NP	B/	2
South Prescott Park	NP	D/B	2
Wade Johnson Park [aka Cole]	NP	C/D	2
Willow Mini Park	NP	D/D	2

*Snow, Rainbow and Stonehurst were not surveyed in 2018 as they were closed, inaccessible, or under construction on the day of the survey.

District 4	OSCAR Codes	Park Overall Rating 2016/18	Service Level
Allendale Park	NP	A/B	1
Avenue Terrace Park	NP	B/A	2
Brookdale Park	CP	B/B	1
Dimond Park	CP	B/A	1
Montclair Park (RC)	CP	B/B	1
Redwood Heights Park	NP	A/A	1
Shepherd Canyon Park	NP/RCA	A/A	1
District 5	OSCAR Codes	Park Overall Rating 2016/18	Service Level
Central Reservoir Recreation Area	NP	B/D	2
Cesar Chavez Park	NP	B/B	2
Josie De La Cruz Park	NP	B/A	1
Manzanita Park	NP	C/B	1
Union Point Park	NP	F/F	2
William Wood Park	NP	C/C	2
District 6	OSCAR Codes	Park Overall Rating 2016/18	Service Level
Arroyo Viejo Park	CP	B/C	1
Burckhalter Park	NP	B/B	1
Concordia Park	NP	C/C	1
Lion's Creek Crossing (formerly Coliseum Gardens)	NP	C/B	2
Maxwell Park	NP	B/B	2
Owen Jones/Pinto Park	NP	B/A	1
Rainbow Park	NP	D/F	±
District 7	OSCAR Codes	Park Overall Rating 2016/18	Service Level
Brookfield Park/Ira Jinkins	CP	B/C	1
Columbian Gardens Park	NP	F/D	3
Hellman Park	NP	A/D	2
Officer Willie Wilkins Park	NP	D/C	2
Sheffield Village Park	NP	A/B	1
Sobrante Park	NP	C/C	1
Stonehurst Park	NP	A/F	±
Tassafaronga Park	NP	B/B	1
Verdese Carter Park	NP	C/B	2



2018 LOVE YOUR PARKS DAY SURVEY

** Please circle or check only one choice for each item except where noted otherwise. (A=Excellent, F=Failure)*

Category/Question numbers correspond to Survey Monkey numbering.

9. LITTER

a. Are the grounds free of litter?	A	B	C	D	F	
b. Are trash receptacles available?	A	B	C	D	F	
c. Are trash receptacles relatively empty?	A	B	C	D	F	

10. GREENERY

GRASS & GROUND COVER

a. Is the grass mowed?	A	B	C	D	F	N/A
b. Is the grass edged?	A	B	C	D	F	N/A
c. Is the grass/ground cover free of animal/bird droppings?	A	B	C	D	F	N/A
d. Is the ground cover/grass free of bare spots?	A	B	C	D	F	N/A

FLOWERS & SHRUBS (No flowers or shrubs? Choose N/A)

e. Are the planted areas free of weeds?	A	B	C	D	F	N/A
f. Condition of shrubs or flowers?	A	B	C	D	F	N/A
g. Are shrubs pruned?	A	B	C	D	F	N/A

TREES

h. Condition of trees? (any dead branches, etc.?)	A	B	C	D	F	N/A
i. Are trees pruned?	A	B	C	D	F	N/A

11. RESTROOMS Freestanding Only (NOT in Rec Centers, NOT porta-potties) No freestanding restroom?--circle N/A for all.

a. Accessibility of restroom (open=A, locked=F, one open, one locked=C)	A		C		F	N/A
b. Are toilets clean & working?	A	B	C	D	F	N/A
c. Are sinks clean & working?	A	B	C	D	F	N/A
d. Availability of trash receptacles?	A	B	C	D	F	N/A
e. Cleanliness of restroom?	A	B	C	D	F	N/A
f. Are doors on stalls & do locks work?	A	B	C	D	F	N/A
g. Availability of supplies (soap, paper towels or dryers, toilet paper, etc.)	A	B	C	D	F	N/A
h. Are restrooms free of odor?	A	B	C	D	F	N/A

12. OUTDOOR SPORTS AREAS						
a. Condition of turf/grass (sports fields only)?	A	B	C	D	F	N/A
b. Condition of court (tennis or basketball) surfaces?	A	B	C	D	F	N/A
c. Condition/existence of netting (tennis or basketball)?	A	B	C	D	F	N/A
d. Condition of court lines (tennis or basketball)?	A	B	C	D	F	N/A
e. Condition of bleachers?	A	B	C	D	F	N/A
13. HARDSCAPE, FURNITURE, SIGNAGE						
a. Condition of fencing or gates?	A	B	C	D	F	N/A
b. Condition of benches/seating areas?	A	B	C	D	F	N/A
c. Condition of walkways?	A	B	C	D	F	N/A
d. Condition of park signs? (No sign?=F)	A	B	C	D	F	
14. GOPHER/RAT HOLES AND MOUNDS [No turf/grass? Choose N/A]						
Is the grass/turf free of gopher/rat holes & mounds?	A	B	C	D	F	N/A
15. OUTDOOR CHILDREN'S PLAY AREAS						
a. Cleanliness of sand or fibar under play structures?	A	B	C	D	F	N/A
b. Condition of play equipment?	A	B	C	D	F	N/A
c. Condition of safety padding under play structures?	A	B	C	D	F	N/A
d. Condition of seating for parents?	A	B	C	D	F	N/A
16. PICNIC AREAS (Picnic areas are designated by picnic tables with benches)						
a. Availability and condition of trash receptacles in the picnic area?	A	B	C	D	F	
b. Condition of barbecue grills (no grills? N/A)?	A	B	C	D	F	N/A
c. Condition of picnic benches & tables?	A	B	C	D	F	N/A
WATER FOUNTAINS						
17. Are all water fountains in this park working? (No water fountains? Check N/A)	G Yes		G No		G N/A	
18. If you answered NO check the areas below where they are not working.						
G Children's play areas	G Picnic Areas	G Restrooms	G Sports Fields or Courts	G N/A		

PARK USER IMPACT										
GRAFFITI										
19. Is the park generally free of graffiti?						A	B	C	D	F
20. If you found graffiti in this park where was most of it? (check 1-2 only.)										
G Play equipment G Tables/benches G Restrooms G Sports courts G Signs G Fences or walls										
PUBLIC HEALTH/NEEDLES										
21. Did you find needles in this park?						G Yes, a lot	G Yes, a few	G No		
DUMPING										
22. If there is a creek in this park is there dumping in the creek?							G Yes	G No	G N/A	
HOMELESS ENCAMPMENTS										
23. Estimate the number of homeless tents/shelters you see in this park.						0	1-5	6-10	11+	
24. Is there any dumping at the site of the tents or shelters?						A lot	Some	None	N/A	
25. Are people living in their RVs/vans/cars around the perimeter of the park?						G Yes	G No	G Maybe		
26. PLEASE CIRCLE AN OVERALL RATING FOR THIS PARK.						A	B	C	D	F

Oakland Parks and Recreation Foundation Board and Report Committee

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Nancy Karigaca, Report Committee

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Report Contributors

Many thanks to the individuals who contributed most importantly to this report with their park surveys and photos.

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DRAFT

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OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION ON THE CITY COUNCIL'S OWN MOTION SUBMITTING TO THE MARCH 3, 2020 STATEWIDE PRIMARY ELECTION, A PROPOSED ORDINANCE TO ADOPT A SPECIAL PARCEL TAX TO MAINTAIN AND IMPROVE CITY OF OAKLAND PARKS AND RECREATIONAL FACILITIES, PROVIDE SERVICES TO UNHOUSED/ UNSHELTERED PERSONS, AND TO PROVIDE, MAINTAIN, AND IMPROVE OTHER MUNICIPAL SERVICES AS THE CITY COUNCIL MAY DEEM APPROPRIATE; AND DIRECTING THE CITY CLERK TO FIX THE DATE FOR SUBMISSION OF ARGUMENTS AND PROVIDE FOR NOTICE AND PUBLICATION IN ACCORDANCE WITH THE MARCH 3, 2020 STATEWIDE GENERAL ELECTION

WHEREAS, park maintenance staffing has plummeted since its zenith in the early 1970s, but the reductions occurred slowly over the years as Proposition 13 curtailed City revenues; and

WHEREAS, the Landscaping and Lighting Assessment District (LLAD) was originally formed on June 23, 1989 and subsequently approved by the registered voters of the City of Oakland in 1994, to raise dedicated funds for the maintenance of parks, grounds and medians, ball fields, open space; for the provision of custodial services at recreational facilities and free-standing restrooms at parks and ball fields, tree services and streetlights; and

WHEREAS, in 1994, Oakland voters rejected a ballot measure challenging the LLAD and since then Oakland has acquired additional acres of parkland and constructed new recreational facilities; and

WHEREAS, the LLAD currently generates approximately \$20.0 million dollars in revenue annually (including delinquency assessments from prior years) which provides funding to maintain grounds and landscaped medians, open space, pools, and custodial services at about 130 park and recreation facilities, 44 stand-alone restrooms, community gardens and ball fields, and many other recreation-related buildings and infrastructure in the City of Oakland, as well as, pays utility costs for City street lights and water use at parks and fields; and

WHEREAS, costs have escalated, (e.g. utility rates, and personnel costs), and with no provision for a cost of living adjustment (COLA) in the LLAD, by 2005 the GPF had to begin supplementing the LLAD, and that pattern has persisted in each budget since; and

WHEREAS, the City will contribute approximately \$8.0 million dollars in fiscal year (FY) 2019-20 from other funding sources for the maintenance of parks and recreational facilities and streetlights; and

WHEREAS, new and renovated parks and plans are being developed primarily funded by voter-supported Measure DD, Measure WW, State Park Bonds and former Redevelopment funds (still funding projects in process); and

WHEREAS, bonds and former Redevelopment funds are restricted to supporting the creation of a park or other facility and are not available to fund staff or materials for ongoing maintenance; and

WHEREAS, there have been insufficient funds budgeted to maintain these newly constructed parks; and

WHEREAS, parks require more care as years pass, and deferred maintenance at can result more in expensive repairs and renovations; and

WHEREAS, parks and recreational facility maintenance is essential to the accessibility vitality, and livability of Oakland; and

WHEREAS, in their report titled *Continuing Crisis: The 2018 Report on the State of Maintenance in Oakland Parks*, the Oakland Parks and Recreation Foundation states, "Our parks should reflect Oakland's commitment to becoming a more inclusive and equitable city. While there are some bright spots, there is much work to be done"; and

WHEREAS, Oakland's parks provide spaces for all Oaklanders to be physically active, provide vital green space, generate economic benefits, and protect natural areas; and

WHEREAS, Oakland's parks and recreation centers host a variety of events, including infant and toddler play groups, after-school programs and summer camps for our children, arts instruction to students of all ages, community meetings and events, fitness classes, sports, and many more; and

WHEREAS, the revenues received from the Act will be expended exclusively for the benefit of parks and recreational facilities, to improve water quality, and provide homeless support services; and now therefore be it

RESOLVED: That the Oakland City Council finds and determines the forgoing recitals are true and correct and hereby adopts and incorporates them into this Resolution; and be it

FURTHER RESOLVED: That the Oakland City Council does hereby submit to the voters, at the March 3, 2020, Statewide Primary Election, an Ordinance that shall read as follows:

PART 1. General

SECTION 1. Title and Purpose.

- A. **TITLE.** This Ordinance may be cited as the "The 2020 Oakland Parks and Recreation Preservation and Homelessness Support Act".
- B. **PURPOSE.** The taxes imposed under this Ordinance are solely for the purpose of raising revenue necessary to maintain, protect and improve parks and recreational facilities and services, to provide homeless support services, to improve water quality, and to pay for certain administrative expenses related to the taxes.

Because the proceeds of the parcel tax will be deposited in a special fund restricted for the services and programs specified in Section 3, the tax is a special tax.

SECTION 2. Findings.

This Ordinance is exempt from the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA"), since in accordance with CEQA Guidelines Section 15061, subd. (b)(3), it can be seen with certainty that there is no possibility that the activity authorized herein may have a significant effect on the environment.

SECTION 3. Use of Proceeds.

- A. **Objectives.** The tax proceeds raised by these special taxes may be used only to pay for costs or expenses relating to or arising from efforts to achieve the following desired outcomes and objectives:
 - 1. Support the equitable distribution of maintenance services to parks and recreational facilities throughout Oakland in order to decrease disparities in life outcomes of marginalized communities and to facilitate equity of opportunity throughout Oakland;
 - 2. Provide ongoing maintenance and that facilitate the use and operations of parks and recreational facilities for Oakland residents and visitors;
 - 3. Improve and increase maintenance, tree and landscape services to parks and recreational facilities throughout Oakland;

4. Maintain fixed assets within parks and recreational facilities to prevent costly repairs; and
 5. Increase services to unhoused/unsheltered persons within Oakland, with an emphasis on those living in City of Oakland parks, to reduce homelessness and its impacts to public health;
 6. Improve water quality through actions that include the maintenance and cleaning of stormwater trash collection systems and reducing trash in our parks; and
 7. Cover the direct and indirect administrative expenses associated with the special tax.
- B. Uses. Taxes collected pursuant to the special taxes imposed herein shall be used only in connection with programs and services that further the objectives set forth in Section 3(A), such as but not limited to the following:
1. Parks, landscape maintenance, and recreational services. Includes costs associated with maintaining, protecting, and improving parks, open space, and recreational facilities and services throughout Oakland, such as but not limited to:
 - (a) Regularly mowing City operated sports fields; and
 - (b) Removing litter from the City's most frequently used parks; and
 - (c) Performing regular maintenance on frequently used trails and open spaces; and
 - (d) Performing regular maintenance of park assets including buildings, play structures, and trees; and
 - (e) Regularly cleaning City maintained park bathrooms; and
 - (f) Acquisition of furniture, fixtures, and equipment costs associated with enhancing parks and recreational services; and
 - (g) Acquisition of items necessary to create and maintain parks and recreational facilities for Oakland residents. This could include, but is not limited to, non-structural interior improvements to recreational centers. This does not include acquisition or construction of new facilities or structural changes, additions or construction on existing facilities; and

- (h) Employee staffing costs sufficient to maintain and enhance current maintenance and custodial services to parks and recreational facilities; and
 - (i) Costs associated with programs or services intended to enhance safety and security at parks; and
 - (j) Cost of purchasing equipment (vehicles, computers, etc.), supplies, facility improvement's, minor additions, building modifications, and the on-boarding of staff.
2. Services to address homelessness. Includes costs associated with alleviating homelessness or its impacts within Oakland, such as but not limited to:
- (a) Providing programs and services that enable unsheltered/unhoused to access and gain entry to temporary shelters, transitional/supportive housing, or permanent housing; and
 - (b) Creating and expanding services that reduce the public health impacts associated with homelessness which arise from a lack of sanitation, health and hygiene services to the unsheltered/unhoused; and
 - (c) Developing, implementing, and providing matching funds for programs to prevent homelessness; and
 - (d) Implementing programs, services and actions that are included in Oakland's Permanent Access to Housing (PATH) Strategy, or other policy to address housing and homelessness as adopted or amended by the Oakland City Council throughout the duration of the parcel tax; and
 - (e) Services to currently or formerly unhoused persons that would enable them to obtain or retain housing. These services may include, but are not limited to, employment services, rapid rehousing, and services to persons residing at temporary shelter sites, transitional housing and permanent supportive housing developments.
3. Services to address water quality. Includes costs associated with meeting the City's water quality objectives, such as but not limited to:
- (a) Actions that support and enable the City to meet the objectives of Provision C.10 "Trash Load Reduction" of the San Francisco Regional Water Quality Control Board's

National Pollutant Discharge Elimination System (NPDES)
Municipal Regional Permit (MRP).

4. Administrative Expenses. Includes direct and indirect costs associated with this special tax and the provision of the aforementioned services, such as but not limited to:
- (a) Any fees charged by County of Alameda to collect and remit the special tax; and
 - (b) Any costs related to an audit and financial monitoring of the special tax, costs necessary to levy the special tax, costs to implement a performance tracking system, or to conduct an evaluation of the effectiveness of services or programs that are funded by the special tax; and
 - (c) Costs required to implement the services and programs in Part1, Section 3(B) (1-3),

C. Allocation. The proceeds of the special tax shall be appropriated in the budget process or by resolution of the council. To achieve the objectives stated herein:

- (a) One percent (1%) of the total funds annually appropriated each fiscal year by this special tax net of any collection and tax levy costs & fees, shall be appropriated for audit and evaluation of the programs, strategies and services funded by this measure, and associated administrative expenses; and
- (b) Not less than Sixty-six percent (66%) of the total funds annually appropriated each fiscal year by this special tax net of any collection and tax levy costs & fees, shall be appropriated for parks, landscape maintenance, and recreational services such as those noted in Part1, Section 3(B)(1), and associated administrative expenses; and
- (c) Thirty percent (30%) of the total funds annually appropriated each fiscal year by this special tax net of any collection and tax levy costs & fees, shall be appropriated for services to address homelessness Part1, Section 3(B)(2), and associated administrative expenses; and
- (d) Three percent (3%) of the total funds annually appropriated each fiscal year by this special tax net of any collection and tax levy costs & fees, shall be appropriated for services to address water quality such as those noted in Part 1, Section 3(B)(3), and associated administrative expenses; and

- (e) These allocations shall be net of the amount needed reimburse the City for costs incurred in connection with the election seeking voter approval of this Ordinance; and
 - (f) The City Council may vary these allocations by resolution to meet urgent and changing needs, and minor variation in these allocations shall not be considered inconsistent with its purposes.
- D. Authorized Uses of Tax Revenues. Except as otherwise expressly authorized by this Ordinance, the special taxes authorized and collected pursuant to this Ordinance shall be used only for the purposes set forth in Section 3.

SECTION 4. Planning and Accountability

- A. Commission. The City Council shall assign to one or more existing Boards or Commissions, the responsibility for citizen oversight of this measure. This Board or Commission or Boards and Commissions shall review reports related to the expenditure of revenue collected by the City from the special tax imposed by this Ordinance and provide reports to the City Council when requested, and perform other functions as assigned by the City Council.
- B. City Auditor's Audit: The City Auditor may perform an annual audit to ensure accountability and proper disbursement of all revenue collected by the City from the special tax imposed by this Ordinance, in accordance with the objectives stated herein and in compliance with provisions of State Law.
- C. Annual Financial Audit: An independent audit may be performed annually to ensure accountability and proper disbursement of the proceeds of this tax in accordance with the objectives stated herein as provided by Government Code sections 50075.1 and 50075.3. The City will, from time to time, retain an engineer for services pertaining to this parcel tax.

SECTION 5. Special Fund.

All funds collected by the City from the special tax imposed by this Ordinance shall be deposited into one or more special funds in the City treasury and appropriated and expended only for the purposes and uses authorized by this Ordinance.

SECTION 6. Savings Clause.

If any provision, sentence, clause, Section or part of this Act is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such provision, sentence, clause, Section or part of this Act and shall not affect or Act any of the remaining provisions, sentences, clauses, Sections or parts of this ordinance. It is hereby declared to be the intention of the city, that the City would have

adopted this Act had such unconstitutional, illegal or invalid provision, sentence, clause Section or part thereof not been included herein.

If any tax or surcharge imposed by this Act is found to be unconstitutional, illegal or invalid, the amounts, services, programs and personnel required to be funded from such taxes and surcharges shall be reduced proportionately by any revenues lost due to such unconstitutionality, illegality or invalidity.

SECTION 7. Regulations.

The City Administrator may promulgate appropriate regulations to implement the provisions of this Act.

SECTION 8. Amendment.

Except as otherwise expressly provided herein, the tax rates set forth herein may not be increased by action of the City Council without the applicable voter approval but the City Council may make any other changes to this Ordinance as are consistent with its purpose.

SECTION 9. Challenge to Tax.

Any action to challenge the taxes imposed by this ordinance shall be brought pursuant to Government Code section 50077.5 and Code of Civil Procedure section 860 et seq.

SECTION 10. Severability.

If any provision of this Act, or part of this Act, or the application of any provision or part to any person or circumstances, is for any reason held to be invalid, the remaining provisions, or applications of provisions, shall not be affected, but shall remain in full force and effect, and to this end the provisions of this measure are severable. If a court were to find in a final, unreviewable judgment that the exclusion of one or more entities or activities from the applicability of the Act renders the Act unconstitutional, those exceptions should be severed and the Act should be made applicable to the entities or activities formerly exempt from the Act. It is the intent of the voters that this Act would have been enacted regardless of whether any invalid provision had been included or any invalid application had been made.

SECTION 11. Conflicting Initiatives.

- A. In the event that this measure and one or more conflicting measures appear on the same City ballot, the provisions of the measure that receives the greatest number of affirmative votes shall prevail in their entirety, and the other measure or measures shall be null and void.
- B. If this measure is approved by the voters but superseded by law by any other conflicting measure approved by voters at the same election, and the

conflicting ballot measure is later held invalid, this measure shall be self-executing and given full force and effect.

SECTION 12. Reimbursement.

At the discretion of the City Council, special tax revenues collected by the City pursuant to this Ordinance may be used to reimburse the City for costs incurred in connection with the election seeking voter approval of this Ordinance.

SECTION 13. Liberal Construction.

This Act shall be liberally construed to effectuate its purposes.

SECTION 14. Effective Date.

The taxes imposed by this Ordinance shall be effective only if approved by two-thirds of the voters voting in the election held on March 3, 2020 and shall go into effect ten (10) days after the vote is declared by the City Council.

SECTION 15. Term of Tax Imposition.

The taxes enacted by this Ordinance shall be imposed and levied for a period of twenty (20) years. The City shall place delinquencies on subsequent tax bills.

PART 2. Parcel Tax

SECTION 1. Definitions.

For purposes of this Part 2 only, the following terms shall be defined as set forth below:

- A. "Building" shall mean any structure having a roof supported by columns or by walls and designed for the shelter or housing of any person, chattel or property of any kind. The word "Building" includes the word "structure."
- B. "City" shall mean the City of Oakland, California.
- C. "Family" shall mean one (1) or more persons related by blood, marriage, domestic partnership, or adoption, legal guardianship, who are living together in a single residential unit and maintaining a common household. Family shall also mean all unrelated persons who live together in a single Residential Unit and maintain a common household.
- D. "Hotel" shall be as defined by Oakland Municipal Code Section 4.24.020.
- E. "Multiple Residential Unit Parcel" shall mean a parcel zoned for a Building, or those portions thereof, that accommodates or is intended to contain two (2) or more residential units, whether or not developed.

- F. "Non-Residential" shall mean all parcels that are not classified by this Act as Single Family Residential or Multiple Residential Unit Parcels, and shall include, but not be limited to, parcels for industrial, commercial and institutional improvements, whether or not developed.
- G. "Occupancy" shall be as defined by Oakland Municipal Code Section 4.24.020.
- H. "Operator" shall be as defined by Oakland Municipal Code Section 4.24.020.
- I. "Owner" shall mean the Person having title to real estate as shown on the most current official assessment role of the Alameda County Assessor.
- J. "Parcel" shall mean a unit of real estate in the City of Oakland as shown on the most current official assessment role of the Alameda County Assessor.
- K. "Person" shall mean an individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.
- L. "Possessory Interest" as it applies to property owned by any agency of the government of the United States, the State of California, or any political subdivision thereof, shall mean possession of, claim to, or right to the possession of, land or Improvements and shall include any exclusive right to the use of such land or Improvements.
- M. "Residential Unit" shall mean a Building or portion of a Building designed for or occupied exclusively by one Family.
- N. "Single Family Residential Parcel" shall mean a parcel zoned for single-family residences, whether or not developed.
- O. "Tax" shall mean the parcel tax created by this Act and further described in Part 2, Section 2, below.
- P. "Transient" shall mean any individual who exercises Occupancy of a Hotel or is entitled to Occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days. Any individual so occupying space in a Hotel shall be deemed to be a Transient until the period of thirty (30) consecutive days has elapsed.

SECTION 2. Imposition of Parcel Tax.

There is hereby imposed a special tax on all Owners of parcels in the City of Oakland for the privilege of using municipal services and the availability of such services.

The tax imposed by this Section shall be assessed on the Owner unless the Owner is by law exempt from taxation, in which case, the tax imposed shall be assessed to the holder of any Possessory Interest in such parcel, unless such holder is also by law exempt from taxation. The tax is imposed as of July 1 of each year on the person who owned the parcel on that date. The tax shall be collected at the same time, by the same officials, and pursuant to the same procedures as the one percent imposed pursuant to Article XIII A of the California Constitution.

The tax hereby imposed shall be set as follows subject to adjustment as provided in Section 4 of this Act:

- A. For owners of all Single-Family Residential Parcels, the tax shall be at the annual rate of \$148.00 per Parcel.
- B. For owners of all Multiple Residential Unit Parcels, the tax shall be at the annual rate of \$101.08 per Residential Unit.
- C. The tax for Non-Residential Parcels is calculated using both frontage and square footage measurements to determine total single-family residential unit equivalents (SFE). A frontage of eighty (80) feet for a commercial institutional parcel, for example, is equal to one (1) single family residential unit equivalent. (See matrix.) An area of six thousand four hundred (6,400) square feet for the commercial institutional parcel is equal to one (1) single family residential unit equivalent. For tall buildings (more than five (5) stories), the single-family residential unit equivalent computation also includes one (1) single family residential unit equivalent for every five thousand (5,000) square feet of net rentable area. The tax is the annual rate \$148.00 multiplied by the total number of single-family residential unit equivalents (determined by the frontage and square footage).

LAND USE CATEGORY	FRONTAGE	AREA (SF)	BUILDING AREA (SF)
Commercial/Institutional	80	6,400	N/A
Industrial	100	10,000	N/A
Public Utility	1,000	100,000	N/A
Golf Course	500	100,000	N/A
Quarry	1,000	250,000	N/A
Tall Buildings > 5 stories	80	6,400	5,000

Example: assessment calculation for a Commercial Institutional Parcel with a Frontage of 160 feet and an Area of 12,800 square feet:

Frontage 160 feet + 80 = 2 SFE
Area 12,800 square ÷ feet 6,400 = 2 SFE

2 SFE + 2 SFE = 4 SFE

4 SFE x \$148.00 = \$592.00 tax

D. The tax imposed by this Act shall be imposed on each Hotel within the City as follows:

1. Residential Hotels. Rooms in a Hotel occupied by individuals who were not Transients for eighty percent (80%) or more of the previous fiscal year shall be deemed Residential Units and the parcel on which they are located shall be subject to the Parcel tax imposed on Multiple Residential Unit Parcels. The remainder of the Building shall be subject to the applicable tax computed in accordance with the single-family residential unit equivalent formula set forth in Section 2(c) of this Act.
2. Transient Hotels. Notwithstanding paragraph (1) of this subdivision, if eighty percent (80%) or more of the Operator's gross receipts for the previous Fiscal Year were reported as rent received from Transients on a return filed by the Operator in compliance with Section 4.24.010 of the Oakland Municipal Code (commonly known as the Uniform Transient Occupancy Tax of the City of Oakland), such Hotel shall be deemed a Transient Hotel. The entire Building shall be deemed a Non-Residential Parcel, categorized as commercial/institutional, and shall be subject to the applicable tax computed in accordance with the single-family residential unit equivalent formula set forth in Section 2(c) of this Act, and the parcel tax imposed on Multiple Residential Units shall not apply.

SECTION 3. Exemptions.

- A. Very-Low income household exemption. The following is exempt from this tax: an Owner of a Single-Family Residential Unit (1) who resides in such unit and (2) whose combined family income, from all sources for the previous year, is at or below the income level qualifying as sixty percent (60%) of area median income for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.), or successor legislation, for such year. The Director of Finance shall set forth procedures for annual applications from Owners for the exemption, which may require information such as federal income tax returns and W-2 forms of owner occupants eligible for the exemption, or procedures for an alternative process.

- B. Senior household exemption. The following is exempt from this tax: an Owner of a single family residential unit (1) who resides in such unit, (2) who is sixty-five (65) years of age or older and (3) whose combined family income, from all sources for the previous year, is at or below the income level qualifying as eighty percent (80%) of area median income for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.), or successor legislation, for such year. The Director of Finance shall set forth procedures for annual applications from Owners for the exemption, which may require information such as federal income tax returns and W-2 forms of owner occupants eligible for the exemption, or procedures for an alternative process.
- C. Fifty percent reduction for affordable housing projects. Rental housing owned by nonprofit corporations and nonprofit-controlled partnerships for senior, disabled and low-income households that are exempt from ad valorem property tax pursuant California Revenue and Taxation Code 214(f), (g) and (h) shall be liable for only 50% of the parcel tax. The exemption shall apply in the same proportion that is exempted from ad valorem property tax.
- D. Rebate to tenants in foreclosed single-family homes. The City will provide a rebate of one-half (1/2) of the tax and subsequent increases thereto to tenants in single family homes that have been foreclosed upon who have paid a passed through Parcel Tax. To qualify for this rebate, a tenant must: (1) have lived in the unit before foreclosure proceedings commenced; and (2) be at or below the income level qualifying as sixty percent (60%) of area median income for a Family of such size under Section 8 of the United States Housing Act of 1937 (42 U.S.C.A. Sections 1437 et. seq.), or successor legislation, for such year. The City will provide this rebate for every month that the tax was applied and the tenant occupied the unit. The City will provide this rebate at the end of each year, or when the tenant vacates the unit, whichever is earlier. The City Administrator will promulgate regulations to effectuate this subdivision.
- E. Real property owned by a religious organization or school that is exempt from property taxes under California law is exempt from this tax. To qualify for this exemption, each religious organization or school seeking such exemption shall submit such information required to determine eligibility for such exemption.

SECTION 4. Reduction in Tax Rate; Rate Adjustment.

- A. Subject to paragraph (B) of this section, the tax rates imposed by this Ordinance are maximum rates and may not be increased by the City Council above such maximum rates. The tax imposed by the Ordinance may be suspended, reduced or eliminated by the City Council to the full

extent allowed by Section 2 of Article XIII C of the Constitution of the State of California.

- B. Beginning in the Fiscal Year 2021-2022, and each year thereafter, the City Council may increase the special parcel tax imposed by a percentage that is up to the greater of:
1. The percentage change in the cost of living in the immediate San Francisco Bay Area, as determined by the twelve-month (12) Annual Percentage Change in the Consumer Price Index (CPI) for all items in the San Francisco Bay Area as published by the U.S. Department of Labor Statistics; or
 2. The percentage change in California per capita personal income, as determined by the California State Department of Finance and shown in the Price Factor and Population Information Report issued each May.

SECTION 5. Duties of the Director of Finance; Notice of Decisions.

It shall be the duty of the Director of the Finance to collect and receive all taxes imposed by this Act. The Director of Finance is charged with the enforcement of this Act and may adopt rules and regulations relating to such enforcement.

SECTION 6. Examination of Books, Records, Witnesses; Penalties.

The Director of Finance or the Director of Finance's designee is hereby authorized to examine assessment rolls, property tax records, records of the Alameda County Recorder and any other records of the County of Alameda deemed necessary in order to determine ownership of Parcels and computation of the tax imposed by this Act.

The Director of Finance or the Director of Finance's designee is hereby authorized to examine the books, papers and records of any person subject to the tax imposed by this Act, including any person who claims an exemption, for the purpose of verifying the accuracy of any petition, claim or return filed and to ascertain the tax due. The Director of Finance, or the Director of Finance's designee is hereby authorized to examine any person, under oath, for the purpose of verifying the accuracy of any petition, claim or return filed or to ascertain the tax due under this Act and for this purpose may compel the production of books, papers and records, whether as parties or witnesses, whenever the Director of Finance believes such persons have knowledge of such matters. The refusal of such examination by any person subject to the tax shall be deemed a violation of this Act and of the Oakland Municipal Code and subject to any and all remedies specified therein.

SECTION 7. Collection of Tax; Interest and Penalties.

The tax shall be delinquent if the City does not receive it on or before the delinquency date set forth in the notice mailed to the Owner's address as shown on the

most current assessment roll of the Alameda County Tax Collector; and the tax shall be collected in such a manner as the City Council may decide. The City may place delinquencies on a subsequent tax bill.

A one-time penalty at a rate set by the City Council, which in no event shall exceed twenty-five percent (25%) of the tax due per fiscal year, is hereby imposed by this Act on all taxpayers who fail to timely pay the tax provided by this Act. In addition, the City Council may assess interest at the rate of one percent (1%) per month on the unpaid tax and the penalty thereon.

Every penalty imposed and such interest as accrues under the provisions of this Act shall become a part of the tax herein required to be paid.

The City may authorize the County of Alameda to collect the taxes imposed by this Act in conjunction with and at the same time and in the same manner as the County collects property taxes for the City. If the City elects to authorize the County of Alameda to collect the tax, penalties and interest shall be those applicable to the nonpayment of property taxes.

SECTION 8. Collection of Unpaid Taxes.

The amount of any tax, penalty, and interest imposed under the provisions of this Act shall be deemed a debt to the City. Any person owing money under the provisions of this Act shall be liable to an action brought in the name of the City for the recovery for such amount.

SECTION 9. Refund of Tax, Penalty, or Interest Paid More than Once, or Erroneously or Illegally Collected.

Whenever the amount of any tax, penalty, or interest imposed by this Act has been paid more than once, or has been erroneously or illegally collected or received by the City it may be refunded provided a verified written claim for refund, stating the specific ground upon which such claim is founded, is received by the Director of Finance within one (1) year of the date of payment. The claim shall be filed by the person who paid the tax or such person's guardian, conservator, or the executor of her or his estate. No representative claim may be filed on behalf of a taxpayers or a class of taxpayers. The claim shall be reviewed by the Director of Finance and shall be made on forms provided by the Director of Finance. If the claim is approved by the Director of Finance, the excess amount collected or paid may be refunded or may be credited against any amounts then due and payable from the person from whom it was collected or by whom paid, and the balance may be refunded to such person, or such person's administrators or executors. Filing a claim shall be a condition precedent to legal action against the City for a refund of the tax; and be it,

FURTHER RESOLVED: That the City Council of the City of Oakland does hereby request that the Board of Supervisors of Alameda County order the consolidation of the Oakland Municipal election with the state primary election of March 3, 2020, consistent with provisions of State Law; and be it,

FURTHER RESOLVED: That in accordance with applicable law, the City Clerk shall fix and determine a date for submission of arguments for or against said proposed Ordinance, and said date shall be posted in accordance with legal requirements; and be it,

FURTHER RESOLVED: That each ballot used at said election shall have printed therein, in addition to any other matter required by law, the following:

AN ORDINANCE APPROVING A PARCEL TAX TO MAINTAIN, PROTECT AND IMPROVE PARKS AND RECREATIONAL SERVICES, PROVIDE HOMELESS SUPPORT SERVICES, AND IMPROVE WATER QUALITY THROUGHOUT OAKLAND.

Measure ____. Shall a measure to provide: programs to help homeless individuals move into shelters and housing; clean, safe and well-maintained parks and trails; improved water quality; clean and accessible park restrooms; park lighting and security; trash removal from parks; and playgrounds and park facilities maintenance, by enacting an annual \$148 parcel tax per single family equivalent, for 20 years, raising approximately \$21,000,000 annually with community oversight and exemptions for low-income seniors, be adopted?	Yes	
	No	

FURTHER RESOLVED: That the City Council hereby authorizes and directs the City Clerk of the City of Oakland (the "City Clerk") at least 88 days prior to March 3, 2020, to file with the Alameda County Clerk certified copies of this resolution; and be it

FURTHER RESOLVED: That the City Council does hereby request that the Board of Supervisors of Alameda County include on the ballots and sample ballots recitals and measure language to be voted on by the voters of the qualified electors of the City of Oakland; and be it

FURTHER RESOLVED: That the City Clerk is hereby directed to cause the posting, publication and printing of notices, pursuant to the requirements of the Charter of the City of Oakland, Chapter 3 of the Oakland Municipal Code, the Government Code and the Election Code of the State of California; and be it

FURTHER RESOLVED: That the City Council does hereby request that the Registrar of Voters of the County of Alameda perform necessary services in connection with said election; and be it

FURTHER RESOLVED: That in accordance with applicable law, the City Clerk shall fix and determine a date for submission of arguments for or against said proposed Ordinance, and said date shall be posted in accordance with legal requirements; and be it

FURTHER RESOLVED: That the City Clerk and City Administrator are hereby authorized and directed to take any and all actions necessary under law to prepare for and conduct the 2020 state primary election and appropriate all monies necessary for the City Administrator and City Clerk to prepare and conduct the March 3, 2020 state primary election, consistent with law.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT
KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of the City
of Oakland, California