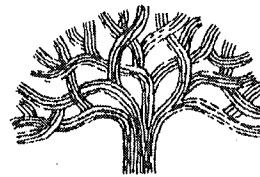


OFFICE OF THE CITY CLERK
CITY OF OAKLAND



19 APR 11 PM 3:58

CITY HALL • 1 FRANK H. OGAWA PLAZA OAKLAND, CALIFORNIA 94612

REBECCA KAPLAN
Council President
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FAX: (510) 238-6910
TDD: (510) 839-6451

Date: April 11, 2019

To: Members of City Council and Members of the Public
From: Council President Kaplan
Re: Resolution Authorizing The Use Of One-Time Revenues In Excess Real Estate Transfer Tax In The Amount Of \$1,200,000 From Fiscal Year 2018-2019 To Restore Library, Restorative Justice Programs, And Foster Youth Case Managers As A Grant To The Oakland Unified School District (OUSD)

Dear Colleagues on the City Council and Members of the Public,

On March 4th, 2019, the Oakland Unified School District, serving over 36,000 children, made over \$21 million in budgetary cuts as to meet state monitoring requirements around fiscal solvency. The budget cuts deeply impacted the District's nationally recognized Restorative Justice program, their foster youth case management program, and also included a re-allocation of library funds.

The Restorative Justice program in OUSD moves children towards healthy and healing ways of dealing with violence and trauma instead of punitive measures such as suspension and expulsion which a study found that "students who are suspended or expelled are nearly three times more likely to come into contact with the justice system the next year."¹ Studies have also found that students with onsite libraries improve their test scores by 8%.² In terms of the cuts to foster youth case management, we know that foster youth are some of the most vulnerable students in our city.

Restorative justice programs, foster youth case managers, and librarians at school sites are paramount for the emotional and educational well-being of Oakland students and so much so that we should use one-time and unexpected monies to cover the cost of these programs while OUSD works with the County and the State to find long-term solutions to their fiscal woes. This Resolution seeks to allocate \$1,200,000 in unexpended one-time Fiscal Year 2018- 2019 City of Oakland excess Real Estate Transfer Tax (RETT) revenue for a grant to the Oakland Unified School District to be used as follows: \$800,000 for Oakland Unified School District Restorative Justice programs and \$400,000 for Oakland Unified School District libraries and foster youth case management for Fiscal Year 2019-20 as a preliminary Fiscal Years 2019-2021 budget action and shall be taken into account in the Fiscal Years 2019-2021 adopted budget.

It is also imperative to move forward as quickly as possible as layoff notices go out at the latest on April 30th. The longer we take, the more likely employees may seek employment outside of Oakland and we lose counselors, librarians, and case managers who have developed trusting relationships with our children.

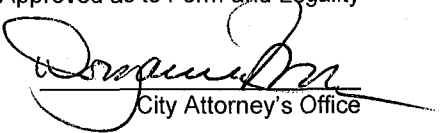
A handwritten signature in black ink, appearing to read "Rebecca Kaplan".

Rebecca Kaplan
Oakland City Councilmember At Large

¹The Public Policy Research Institute, Texas A&M University and the Council of State Governments Justice Center. *Breaking School Rules*. (July 2011) Retrieved from https://csgjusticecenter.org/wp-content/uploads/2012/08/Breaking_Schools_Rules_Report_Final.pdf

²Lance, Keith and Bill Schwarz, RSL Research Group. *How Pennsylvania School Libraries Pay Off: Investments in Student Achievement and Academic Standards*. (October 2012) Retrieved from <https://files.eric.ed.gov/fulltext/ED543418.pdf>

19 APR 11 PM 4:41


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

INTRODUCED BY COUNCIL PRESIDENT KAPLAN, COUNCILMEMBER BAS,
COUNCILMEMBER GALLO, AND COUNCILMEMBER THAO

RESOLUTION AUTHORIZING THE USE OF ONE-TIME REVENUES IN EXCESS REAL ESTATE TRANSFER TAX IN THE AMOUNT OF \$1,200,000 FROM FISCAL YEAR 2018-2019 TO RESTORE LIBRARY, RESTORATIVE JUSTICE PROGRAMS, AND FOSTER YOUTH CASE MANAGERS AS A GRANT TO THE OAKLAND UNIFIED SCHOOL DISTRICT (OUSD)

WHEREAS, on May 15, 2018, the City Council adopted the City of Oakland Consolidated Fiscal Policy (Fiscal Policy) Ordinance No. 13487 C.M.S., setting forth the City's budget policies and budget adoption procedures, and included the policy and criteria for the use of GPF reserve, excess Real Estate Transfer Tax (RETT) revenue, and other one-time revenues; and

WHEREAS, Section 1. Part C.2 of the Fiscal Policy provides: "to ensure adequate levels of the General Purpose Fund reserves and to provide necessary funding for municipal capital improvement projects and one-time expenses . . . 2. [t]he excess Real Estate Transfer Tax . . . shall be used in the following manner and appropriated through the budget process:

- a. At least 25% allocated to the Vital Services Stabilization Fund (VSSF) until that fund is projected to equal 15% of the General Purpose Fund over the next fiscal year, and
- b. At least 25% allocated to fund debt retirement and unfunded long-term obligations such as negative fund balances, Police and Fire Retirement System (PFRS) unfunded liabilities, CalPERS pension unfunded liabilities, paid leave unfunded liabilities and Other Post-Employment Benefits (OPEB) unfunded liabilities, and
- c. The remainder shall be used for one-time expenses or to augment reserves"; and

WHEREAS, Section 1. Part C.3 of the Fiscal Policy further provides that use of excess RETT for purposes other than those established in Section 1 Part C.2 must be authorized by Council resolution which explains the need for using the excess RETT for purposes other than those authorized in Section 1 Part C.2, and includes steps the City will take to return to using excess RETT revenues in accord with Section 1 Part C.2; and

WHEREAS, after the required allocations to the VSSF and debt retirement and unfunded long-term obligations there remains \$1,200,000 in excess RETT funds for Fiscal Year 2018-2019; and

WHEREAS, the City intends to designate the remaining \$1, 200,000 in excess RETT funds for the intended purpose of a grant to the Oakland Unified School District to cover cuts to the Restorative Justice program, foster youth case managers, and library program reallocations made on March 4th, 2019 by OUSD Board Resolution No. 1819-0144”; and

WHEREAS, a little over \$21,000,000 in devastating cuts were made to the OUSD budget for the 2019-2020 school year that impact 36,286 children in Oakland and their emotional health and educational outcomes; and

WHEREAS, OUSD is seeking state and county assistance to achieve fiscal solvency and RETT funds are being sought as a one-time use to stabilize needed programing at OUSD and no further steps will be required to be entertained by the City per Section 1 Part C.3 as this is a one-time grant; and

WHEREAS, OUSD’s fiscal circumstances have diminished programing that stabilize Oakland children and their families including the Restorative Justice program, foster youth case managers, and school libraries; and

WHEREAS, the Restorative Justice program in OUSD “allows affected parties the opportunity to collectively define the impact and determine steps to make things as right as possible for everyone—the person(s) harmed, the person(s) who harmed others, and the broader community”; and

WHEREAS, the Restorative Justice program moves children towards healthy and healing ways of dealing with violence and trauma instead of punitive measures such as suspension and expulsion, that disproportionately impact Black and Latino students; and

WHEREAS, according to a study by Texas A&M University’s Public Policy Research Institute and the Council of State Governments Justice Center, “students who are suspended or expelled are nearly three times more likely to come into contact with the justice system the next year”; and

WHEREAS, foster youth are some of the most vulnerable students at OUSD and benefit from caring adults in case management programs who support their learning as they face housing transition; and

WHEREAS, libraries are also an imperative need in our schools as a center for children to access freely books to support their learning and reading development; and

WHEREAS, there is a body of studies that show having a librarian improves test scores including a Pennsylvania study (Lance & Schwarz, 2012) where 8% more students

scored Advanced on Assessment exams when a full-time, certified librarian was on campus; and

WHEREAS, the City Council of Oakland declares that having restorative justice programs and librarians at school sites are paramount for the emotional and educational growth of Oakland students; now, therefore, be it

RESOLVED: That the City of Oakland shall allocate \$1,200,000 in unexpended one-time Fiscal Year 2018- 2019 City of Oakland excess Real Estate Transfer Tax (RETT) revenue for a grant to the Oakland Unified School District to be used as follows: \$800,000 for Oakland Unified School District Restorative Justice programs and \$400,000 for Oakland Unified School District libraries and foster youth case management for Fiscal Year 2019-20; and be it

FURTHER RESOLVED: That the City Administrator or her designee is hereby authorized to use one-time revenues and excess RETT revenues for FY 2018-19 RETT Funds (2211) funds in the amount of \$1,200,000 for a grant to the Oakland Unified School District for the restorative justice programs, foster youth case management and library services; and be it

FURTHER RESOLVED: That the allocation authorized under this Resolution is part of the Fiscal Years 2019-2021 budget process.

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