

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2012 FEB 29 PM 2:30

Approved as to Form and Legality

  
Deputy City Attorney

## OAKLAND CITY COUNCIL

Resolution No. 83743 C.M.S.

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### RESOLUTION:

- 1) AMENDING RESOLUTION NO. 83165 C.M.S. TO AUTHORIZE AN INCREASE IN THE CONTRACT WITH PULTE HOMES FOR THE CONSTRUCTION OF THE RAINBOW TEEN CENTER BY \$30,699 FROM \$121,000 TO \$151,699 TO PAY FOR PREVAILING WAGE COSTS;
- 2) APPROPRIATING PRO-RATED ONE-TIME FUNDS FOR FY 2011-2012 IN THE AMOUNT OF \$67,000; AND
- 3) AMENDING RESOLUTION 83344 C.M.S. FOR THE FY 2011 ANNUAL ACTION PLAN, SUBMITTED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) WHICH INCLUDED THE FY 2011 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ALLOCATIONS, TO ASSIGN \$48,000 OF \$62,250 EARMARKED FOR THE OAKLAND CITIZENS COMMITTEE FOR URBAN RENEWAL (OCCUR) TO THE OFFICE OF PARKS & RECREATION IN ORDER TO PROVIDE FUNDING FOR THE RAINBOW TEEN CENTER, IF PERMISSIBLE UNDER CDBG REGULATIONS, FOR EXPENDITURES FOR PERIOD JULY 1, 2011 – JUNE 30, 2013

**WHEREAS**, the City of Oakland acquired the former child care and medical facility at 5818 International Boulevard with Redevelopment Agency funds in 2007 to provide a Rainbow Teen Center with a kitchen and recording and television training studios for Central East Oakland teens as part of the Oakland program to increase youth recreation activities; and

**WHEREAS**, in the spring of 2010 Pulte Homes partnered with Rebuilding Together Oakland to renovate the property by donating management time and pooling the skills and donations of a group of contractors; and

**WHEREAS**, in procuring the labor and materials which were not donated and were needed to complete the renovation of the Teen Center, Pulte Homes incurred expenses which the City seeks to reimburse; and

**WHEREAS**, Resolution No. 83165 C.M.S. passed on January 18, 2011, waived advertising and bidding requirements and awarded a contract for the construction of the

Rainbow Teen Center to Pulte Homes in an amount not to exceed \$121,000 to reimburse Pulte Homes for materials and labor expenses incurred for the project; and

**WHEREAS**, the City's Contract Compliance Department has collected payroll records from subcontractors for the project; and

**WHEREAS**, the City's Contract Compliance Department has determined that additional funds in the amount of \$30,699 should be paid to laborers on the project to comply with state prevailing wage laws; and

**WHEREAS**, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Agency assistance to City public improvement projects; and

**WHEREAS**, on May 3, 2011, City Council approved Resolution 83499 C.M.S. for the FY 2011 Annual Action Plan submitted to the U.S. Department of Housing and Urban Development (HUD) which included the FY 2011 Community Development Block Grant (CDBG) allocations; and

**WHEREAS**, as part of the approved CDBG allocations, the Community Development (CD) District Board in District 6 made a recommendation allocating \$62,250 to OCCUR of which \$48,000 was earmarked for operating the Rainbow Teen Center for period July 1, 2011 – June 30, 2013; and

**WHEREAS**, the development of the contract between the City and OCCUR for the Youth Services which included the Rainbow Teen Center has not been successful; and

**WHEREAS**, the recommended staffing level that has been deemed appropriate to continue service at the Center includes 1.0 Recreation Program Director; 1.0 Recreation Leader II-PPT, 2.0 Recreation Specialist I-PT, and 0.50 Recreation Specialist II-PT, for an annual staffing cost of approximately \$200,000; and

**WHEREAS**, one-time funding has been identified to fund the Center's operations for the remainder of FY 11-12, and this appropriation does not include maintenance, utilities, or any other O&M costs; and

**WHEREAS**, additional funding will need to be identified in the FY 12-13 Midcycle Budget to continue the Center's operations; and

**RESOLVED:** That Resolution No. 83165 C.M.S. is hereby amended to increase the amount of the contract awarded to Pulte Homes for Rainbow Teen Center interior and exterior improvements by \$30,699, from \$121,000 to \$151,699 to pay for the cost of payment of prevailing wages on the project; and be it

**FURTHER RESOLVED:** That funds in an amount not to exceed \$30,699 will be allocated from the Coliseum Capital Fund (5650) for this purpose; and be it

**FURTHER RESOLVED:** That the amendment increasing the contract amount shall be reviewed and approved for form and legality by the City Attorney's Office and filed in the office of the City Clerk; and be it

**FURTHER RESOLVED:** That funds in an amount not to exceed \$67,000 will be allocated from the OPRCA Recreation Center Operations Fund (1550) to provide staffing of the Center for the remainder of FY 11-12; and be it

**FURTHER RESOLVED:** That Resolution 83499 C.M.S. is hereby amended to assign \$48,000 of \$62,250 earmarked for OCCUR to the Office of Parks & Recreation in order to provide funding for the Rainbow Teen Center, if permissible under CDBG regulations, for expenditures for period July 1, 2011 – June 30, 2013.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 6 2012

PASSED BY THE FOLLOWING VOTE:

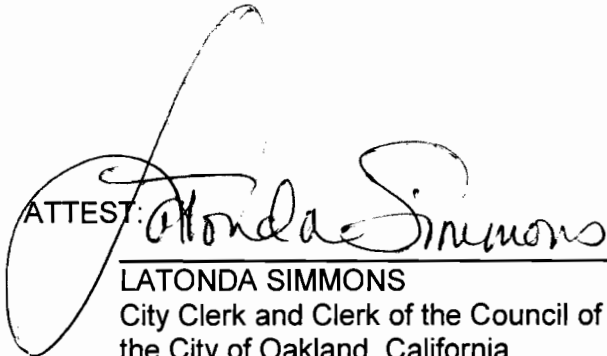
AYES - BROOKS, BRUNNER, DE LA FUENTE, ~~KAPLAN~~, KERNIGHAN, NADEL, SCHAAF, AND PRESIDENT REID - 7

NOES - 0

ABSENT - Kaplan - 1

ABSTENTION - 0

ATTEST:

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