

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2010 MAR 11 PM 6:30

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Office of Parks and Recreation
DATE: March 23, 2010

RE: **Supplemental Report on the Proposed Amendment to the Joint Facilities Use Agreement With Oakland Unified School District to Include Public Access to School Playgrounds**


SUMMARY

At the January 12, 2010 Life Enrichment Committee meeting, committee members requested that staff provide additional information regarding the following items relating to the resolution authorizing the City Administrator to propose an amendment to the Joint Facilities Use Agreement (JFUA) with the Oakland Unified School District (District) to include general public access to school playgrounds outside of school hours:

- Provide a list of school sites to have extended playground hours.
- Provide a list of school sites that will not have extended hours and a reason for the exception.
- Clearly define Summer, Holiday and School Breaks playground hours.

Staff met with the District and created *Exhibit A* which lists playground sites, extended hour programs currently at those sites, and outlines which sites should receive highest priority due to the lack of a nearby recreation center or park. The issue surrounding summer, holiday and school break hours has been researched and discussed with the District resulting in findings that many schools have unique requirements during closures. For example, some schools do not have summer programs and the facility is unattended during that break, while other sites perform maintenance which may restrict access during breaks.

District staff presented the proposed amendment to the District Facility Committee on February 2, 2010 where committee members strongly voiced their objection to the amendment. The Facility Committee expressed concern for security of District property and questioned if the City was prepared to provide funding associated with increased security, custodial and liability costs. The Facility Committee did not move the report forward and requested that the Facility Committee meet with the City Council to discuss possible amendments. It was suggested that the Educational Partnership Committee may be the appropriate venue for an interactive discussion.

Item: 
Life Enrichment Committee
March 23, 2010

FISCAL IMPACT

The District requested that the City be accountable for all costs (custodial, security and liability) associated with extending playground hours to provide public access to sites after school and on weekends, holidays and breaks. The District estimates increased security and custodial costs associated with opening each playground site to be \$56,580 annually as detailed below. Liability costs had not been estimated at the time of this report. The estimated added costs are not in the Office of Parks and Recreation FY 2010-11 Amended Budget.

**Oakland Unified School District
 Estimated Costs For After School / Weekend / Summer Playground Use**

MONDAY THROUGH FRIDAY: (9 month / 36 week school year)	
One SSO @ \$30.00 x 2 hours x 5 days	\$ 300.00
One Custodian @ \$27.50 x 2 hours x 5 days ¹	\$ 275.00
WEEKENDS: (9 month / 36 week school year)	
One SSO @ \$30.00 x 4 hours x 2 days	\$ 240.00
One Custodian @ \$27.50 x 4 hours x 2 days	\$ 220.00
SCHOOL YEAR HOURS: Total per Week / per Site	
\$ 1,035.00	
SUMMER: (3 month / 12 week summer)	
One SSO @ \$30.00 x 4 hours x 7 days	\$ 840.00
One Custodian @ \$27.50 x 4 hours x 7 days	\$ 770.00
SUMMER HOURS: Total per Week / per Site	
\$ 1,610.00	
Total Cost per Year / per Site (48 week average)	
\$ 56,580.00	

¹ Afternoon / swing shift custodian works on average from 2:00 pm until 10:00 p.m. Although Custodian on site during any anticipated weekly public access periods, Custodian will have increased work due to the increase in activity associated with the after hours opening. OUSD Director of Custodial Services estimates that a minimum of two additional hours needs to be budgeted for the extra use.

BACKGROUND

The Joint Facilities Use Agreement implemented the fall of 2002 included the language below referencing public access to school playgrounds during after school hours.

“The DISTRICT agrees to allow reasonable public access to school playgrounds after school hours, weekends and holidays. By this agreement, DISTRICT is agreeing to open its facilities to the general public at times when they would otherwise be closed. No supervision will be provided on weekends or after 4:00 p.m. by the District. School grounds will be opened from 4:00 p.m. until dark on holidays and weekends and from 4:00 p.m. until dark on school days. Exceptions may exist for individual school sites where security and public

safety requires the school's playground to be closed after school hours by the Superintendent or Superintendent's designee who shall notify City of the decision."

Throughout the JFUA negotiations which culminated in the current agreement in effect since the spring of 2009 (*Exhibit B*), City and District staff discussed providing access to all elementary and middle school sites and some sports fields. An impasse was reached resulting in and the deletion of language relating to after school hours playground use. During the Oakland City Council approval process of the 2009 JFUA it was requested that a method be identified to have public access to playgrounds added back into the agreement. Staff presented a proposed resolution authorizing the City Administrator to propose an amendment to the JFUA to include playground use language at the January 12, 2010 Life Enrichment Committee meeting. Committee members requested that staff return with additional information on which school sites would have extended hours and clarification surrounding playground hours during school breaks.

KEY ISSUES AND IMPACTS

The District is unwilling to absorb costs associated with extending hours at playground sites throughout the City. Vandalism is currently an issue that the District has been working to combat and the District is concerned for the security of school sites if playground gates are left open providing unsupervised access to the public. Security personnel would be required to monitor playgrounds during extended hours. General public access to the playgrounds and the associated increased use would require custodians to provide increased litter pick up and emptying of trash receptacles to ensure playgrounds are prepared for students arriving the next morning. Additionally, it is expected that all associated liability would be the responsibility of the City.

SUSTAINABLE OPPORTUNITIES

Economic: As with parks, maintained open space and school playgrounds lead to greater community participation, a healthier community; and increased quality of life adding to the economic value of a community.

Environmental: Creating available green space in the community supports the National Parks and Recreation standard of park and open space access within a five mile radius of every community, thereby creating and encouraging family walks, bike rides and more at home activities, reducing the numbers of vehicles on the road, fuel consumption and exhaust pollutants.

Social Equity: Several district playground sites are located in neighborhoods lacking nearby parks. Providing general public access to the playgrounds for recreational activities and physical exercise will benefit the surrounding neighborhoods by providing a safe and healthy space to play. In addition, access to open space supports and alleviates community social problems.

DISABILITY AND SENIOR CITIZEN ACCESS

District facilities conform to the requirements of the Americans with Disabilities Act, the Older American Act, and other applicable laws.

RECOMMENDATION AND ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends and requests the City Council utilize the Educational Partnership Committee forum to continue discussions with the Oakland Unified School District regarding public access to school playgrounds.

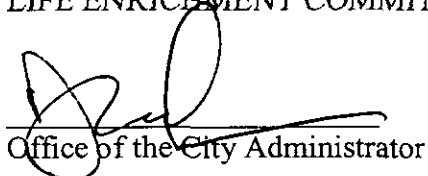
Respectfully submitted,



Audree V. Jones-Taylor
Director, Office of Parks and Recreation

Prepared by:
Dana Riley, Assistant to the Director
Office of Parks and Recreation

APPROVED AND FORWARDED TO THE
LIFE ENRICHMENT COMMITTEE:


Office of the City Administrator

Attachments:

- Exhibit A: Playground Use List
- Exhibit B: Joint Facilities Use Agreement between City of Oakland and Oakland Unified School District

**Exhibit A
Playground Ammendment List**

Name of Facility	OPR Programs	District	Near Rec. Center	Near A Park	Comments
Carter Middle School - Charter (Bay Area Technology & Oakland International)	M-F 6-8pm	1	No	No	Afterschool program collaborative - must end 6:00pm
Chabot Elementary	M-F 3-6pm	1	No	No	After school program collaborative
Claremont Middle School	M-F 3-6pm	1	No	No	After school program collaborative
Emerson Elementary (Alliance Academy)	M-F 3-7pm	1	No	No	After school program collaborative
Far West High School	M-F 3-6pm	1	No	No	After school program collaborative
Hillcrest Elementary	M-F 3-5pm	1	No	No	After school program collaborative
Kaiser Elementary	MW 11:30am-1pm	1	No	No	Supervised Lunch Program
Oakland Technical High School	M-T 5-10pm; Sat. 9am-3pm	1	Yes Studio One	No	Saturdays are time and ½. OUSD can't cover total cost of weekend use under Joint Use Agreement. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues. Weekday programs must end at 9:00 p.m. to coordinate with custodial coverage.
Peralta Elementary School	M-F 2-5pm	1	No	No	After school program collaborative
Piedmont Avenue Elementary School	M-F 3-6pm	1	No	No	After school program collaborative
Sankofa Academy		1	Yes Bushrod	Yes Bushrod	After school program collaborative
Santa Fe Elementary School	M-F 3-6pm	1	No	No	After school program collaborative
Bella Vista Elementary School	M-F 3-6pm	2	No	Yes Bella Vista	After school program collaborative
Cleveland Elementary	T-F 2-5pm	2	Yes FM Smith	No	After school program collaborative
Franklin Elementary School	M-F 3-6pm	2	Yes Franklin	Yes Franklin	After school program collaborative
Garfield Elementary School	M-F 3-6pm	2	Yes Manzanita	Yes Manzanita	After school program collaborative
La Escuelita Elementary		2	No	Yes (mini park)	
Lakeview Elementary		2	No	Yes Lakeshore & Astro	
Lincoln Elementary School	M-F 4:40-6pm	2	Yes Lincoln	Yes Lincoln	After school program collaborative
MetWest High		2	No	Yes Peralta	
Oakland High School	M-T 5-10pm; Sat. 9am-3pm	2	No	No	Saturdays are time and ½. OUSD can't cover cost of weekend use under Joint Use Agreement. Programs must end at 9:00 p.m. to coordinate with custodial coverage. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues.
Roosevelt Middle School	M-F 3-8pm	2	Yes San Antonio	Yes San Antonio	After school program collaborative
Bunche Academy	Twice weekly 4-6pm	3	Yes DeFremery	Yes DeFremery	
Cole Middle School	M-F 3-6pm	3	Yes DeFremery	Yes DeFremery	After school program collaborative

**Exhibit A
Playground Ammendment List**

Name of Facility	OPR Programs	District	Near Rec. Center	Near A Park	Comments
Foster Middle School	M-F & Sat. 6-8pm	3	No	Yes (mini park)	
Hoover Elementary		3	No	No	
KIPP Bridge College Prep Middle School	M-F 3-8pm	3	No	Yes Lowell	Charter School – OPR collaboration
Lafayette Elementary School	M-F 3-6pm	3	No	Yes	After school program collaborative
M.L. King Jr. Elementary	M-F 3-6pm	3	No	Yes Lowell	After school program collaborative
McClymonds Community of Small Schools (BEST)	M-T 5-10pm; Sat. 9am-3pm	3	No	No	Saturdays are time and ½. OUSD can't cover cost of weekend use under Joint Use Agreement. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues. Programs must end at 9:00 p.m. to coordinate with custodial coverage.
Prescott Elementary School (Place)	M-F 3-6pm	3	Yes Campell Village	No	After school program collaborative
West Oakland Middle School (Lowell Middle School Campus)		3	No	Yes Lowell	
Westlake Middle School	M-F 3-8pm	3	No	No	After school program collaborative
Allendale Elementary School	M-F 3-6pm	4	Yes Allendale	Yes Allendale	After school program collaborative
Bret Harte Middle School	M-F 3-8pm	4	No	No	After school program collaborative
Fruitvale Elementary School	M-F 3-6pm	4	No	No (Field Only - Curt Flood)	After school program collaborative
Horace Mann Elementary		4	Yes Brookdale	Yes Brookdale	
Joaquin Miller Elementary		4	Yes Montclair	Yes Montclair	
Laurel Elementary		4	No	No	
Maxwell Park Elementary School	M-F 3-6pm	4	No	Yes Maxwell	After school program collaborative
Montclair Elementary	MF 3:30-5pm	4	Yes Montclair	Yes Montclair	After school program collaborative
Montera Middle School	M-F 3-6pm	4	No	No	After school program collaborative
Redwood Heights Elementary School	M-F 3-6pm	4	Yes Redwood Hgts.	Yes Redwood Hgts.	After school program collaborative
Sequoia Elementary	M-F 3-7pm	4	Yes Dimond	Yes Dimond	Safe Passage After school program collaborative
Thornhill Elementary	MWF 11:30am-1pm	4	Yes Montclair	Yes Montclair	Supervised Lunch Program
Ascend Elementary		5	No	No	
Calvin Simmons Middle School (Peralta Creek & United for Success MS)	M-F 3-8pm	5	No	No	After school program collaborative
Edna Brewer Middle School	M-F 3-6pm	5	No	No	After school program collaborative

**Exhibit A
Playground Ammendment List**

Name of Facility	OPR Programs	District	Near Rec. Center	Near A Park	Comments
Fremont Federation High School (College Prep/Architecture, Mandela HS, Media College Prep & Robeson Arts)	M-T 5-10pm; Sat. 9am-3pm	5	No	Yes Brookdale	OUSD can't cover increased cost of weekend use due to staff costs at time and ½. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues. Evening programs must end by 9:00 p.m.
Glenview Elementary School	M, W, F 3:30-5:30pm	5	Yes Dimond	Yes Dimond	After school program collaborative
Hawthorne Elementary School (World Achieve)		5	Yes Carmen Flores	Yes Josie dela Cruz	Charter School – OPR collaboration
International Community		5	No	No	After school program collaborative
Jefferson Elementary (Global Family, Learning w/out Limits)		5	No	No	
Lazear		5	No	No	After school program collaborative
Manzanita Community and Manzanita Seed (same campus)		5	Yes Manzanita	Yes Manzanita	
Think College Now (Cesar Ceavez Edu. Center)	M,W,F 3-6pm (Afterschool Prog) Sat. 10am-2pm (Community Prog)	5	No	No	After school program collaborative for period after school from 3 p.m. to 6 p.m. Saturdays are time and ½. OUSD can't cover weekend use under Joint Use Agreement. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues.
Urban Promise Academy Middle School	M-F 3-6pm	5	No	No	
Burkhalter Elementary School	M-F 3-6pm	6	No	Yes Burkhalter	After school program collaborative
Carl Munk Elementary		6	No	No	
Explore Middle School – BURBANK ELEMENTARY SCHOOL CAMPUS	M-F 3-6pm	6	No	No	After school program collaborative
Frick Middle School	M-F 3-8pm	6	No	Yes Concordia	After school program collaborative
Greenleaf Elementary (Whittier)		6	Yes Rainbow	Yes Rainbow	
Havenscourt Middle School (Roots International & Coliseum Prep)	M-F 3-8pm 6-8pm Adult Program	6	No	Yes Carter Gilmore	After school program collaborative. Evening programs must end by 9:00 p.m.
Lockwood Elementary School (Community United & Futures)		6	No	Yes Carter Gilmore	
Markham Elementary		6	Yes Arroyo Viejo	Yes Arroyo Viejo	
Melrose Leadership Academy Middle School (Bridges Academy)	M-F 3-6pm	6	No	No	After school program collaborative
Parker Elementary School	M-F 3-6pm	6	No	No	After school program collaborative
Skyline High School	M-T 5-9pm Sat. 9am-3pm	6	No	No	Saturdays are time and ½. OUSD can't cover cost of weekend use under Joint Use Agreement due to increased staff costs. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues. Weekday programs must end at 9:00 p.m. to coordinate with custodial coverage.
Webster Elementary (East Oakland Pride)		6	No	No	

**Exhibit A
Playground Ammendment List**

Name of Facility	OPR Programs	District	Near Rec. Center	Near A Park	Comments
Acorn Woodland Elementary		7	Yes Tassafaronga	Yes Tassafaronga	
Brookfield Elementary School	M-F 3-6pm	7	Yes Ira Jinkins	Yes Ira Jinkins	After school program collaborative
Castlemont Community of Small Schools (E. Oak School of Arts, Leadership Prep)	M-T 5-10pm Sat. 9am-3pm	7	No	No	Programs must end at 9:00 p.m. to coordinate with custodial coverage. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues.
Cox Elementary (Education For Change @) Charter School		7	Yes PAL/Verdese Carter	Yes Verdese Carter	After school program collaborative
East Oakland Community High School – KING ESTATES MIDDLE SCHOOL	M-T 5-10pm Sat. 9am-3pm	7	No	No	Custodial hours are 2 p.m. to 9:30 p.m. Programs on site must end at 8:30 p.m. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues.
Elmhurst (Community Prep & Alliance Academy)	M-F 3-8pm	7	Yes PAL/Verdese Carter	Yes Verdese Carter	After school program collaborative Note name change
EnCompass Academy		7	Yes Tassafaronga	Yes Tassafaronga	
Grass Valley Elementary School	M-F 3-6pm	7	No	No	After school program collaborative
Howard Elementary	TTh 11am-12pm	7	No	No	After school program collaborative
Madison Middle School	M-F 3-8pm	7	No	Yes Madison	After school program collaborative
Marshall Elementary		7	No	Yes Hellman	After school program collaborative
New Highland Academy Elementary School	M-F 3-6pm	7	Yes Tassafaronga	Yes Tassafaronga	After school program collaborative
Reach Academy		7	Yes PAL/Verdese	Yes Verdese Carter	
Rise Elementary School (Highland)	M-F 3-6pm	7	Yes Tassafaronga	Yes Tassafaronga	After school program collaborative
Rudsdale Continuation	M-F 3-6pm	7	No	Yes Carter Gilmore	After school program collaborative
Sobrante Park Elementary School	M-F 3-6pm	7	No	Yes Sobrante	After school program collaborative
Stonehurst Elementary School (Esperanza & Korematsu Discovery)	M-F 3-6pm	7	No	Yes Stonehurst	After school program collaborative
Youth Empowerment School (YES) – King Estates Middle School	M-F 6-8pm	7	No	Yes King Estates	Civic Center to check with school site regarding programs on site. OPR has also proposed use of the gym from M-T & Sat 5-10 p.m. and 9-3 p.m. for a program in connection with the East Oakland Community High School, which has closed. OUSD can't cover weekend use at time and ½ for custodial staff.

Exhibit B

CITY OF OAKLAND
OFFICE OF CITY MANAGER

JOINT FACILITIES USE AGREEMENT
BETWEEN

CITY OF OAKLAND AND OAKLAND UNIFIED SCHOOL DISTRICT

THIS AGREEMENT is made on this 3rd day of November, 2008
by and between the City of Oakland (hereinafter called "CITY") and the Oakland Unified
School District (hereinafter called "DISTRICT") for the joint use of facilities.

WHEREAS, the CITY and DISTRICT desire to establish a basis for cooperative use of
their respective recreational and educational facilities; and

WHEREAS, it is in the public interest that the recreational and educational facilities of
public agencies be put to the fullest possible use at the lowest possible cost and

WHEREAS, such use should be facilitated through the implementation of streamlined
administrative procedures; now, therefore;

The CITY and DISTRICT mutually covenant and agree with each other as follows:

A. PRINCIPLES

This Agreement contemplates the shared use of facilities between CITY under the
supervision of Oakland Office of Parks and Recreation (OPR) and DISTRICT for youth,
adult recreational, educational programs including, Neighborhood Crime Prevention
Councils (NCPC) and Citizens of Oakland Respond to Emergencies (C.O.R.E.)
Trainings. All other requested uses by either party shall be negotiated through the Joint
Facility Use Committee described in Section J of this Agreement. Any additional
agreements affecting use and maintenance of specific DISTRICT and CITY facilities will
be designated in a written mutual agreement and will be appended to and made part of
this Agreement.

For the purposes of this Agreement the CITY Facilities and DISTRICT Facilities are
characterized individually as described in Exhibit A incorporated herein by reference.

B. JOINT PLANNING

Schedules for the joint use of facilities and equipment belonging to each entity (CITY
and DISTRICT) will be developed by a Joint Facility Use Committee (see Section J of
this Agreement), with representatives to be appointed by the City Administrator and the
District's Superintendent. The Joint Facility Use Committees shall meet at least quarterly
each year in accordance with Section J of this Agreement. Once a facility/equipment use
schedule has been mutually agreed, scheduled use of such facility/equipment will receive
priority over all other use, except when prohibited by law or mutual written agreement of
the parties hereto as prescribed herein.

C. JOINT USE

The CITY and DISTRICT agree to grant to the other upon its application, the use of designated facilities and/or equipment, as described herein, provided that the use of such facility or equipment shall not interfere with its use by the respective owner or constitute a violation of provisions of the State Education Code, including the Civic Center Act. A listing of designated facilities and equipment shall be attached to this Agreement and referred to hereinafter by reference as Exhibit A. The Joint Use Committee shall update Exhibit A annually or as necessary to ensure that it reflects actual conditions.

The use of facilities and equipment pursuant to this Agreement shall be granted subject to existing rules and regulations of the respective owners pertaining to their use, as set forth in Exhibit B. Copies of these rules and regulations will be kept in the respective offices of each party. Exhibit B shall be updated annually, or as necessary to ensure that it reflects actual conditions.

The CITY and DISTRICT respectively, shall delegate the Office of Parks and Recreation (OPR) Director, the DISTRICT's Assistant Superintendent of Facilities Planning and Management, Buildings & Grounds and Custodial Services and their staff persons as the responsible parties for establishing schedules for their agency's respective facility use. As of the effective date of this agreement, the accepted schedules which shall be updated by the Joint Use Committee include the Oakland Athletic League ("OAL") Sports Calendar for the 2007-2008 school years and the OPR Schedule as of the date of execution, which are attached hereto as Exhibit C and incorporated herein by reference. To facilitate uses between Joint Use Committee meetings, any proposed use that was not scheduled or permitted by the Joint Use Committee shall be governed by the following procedure.

1. The responsible party shall submit to the other for review and consideration proposed facility/equipment use schedule indicating dates, hours, and specific areas the party desires to utilize in its programs.
2. Within ten (10) working days of submission, the petitioned party shall advise the other of any conflict in schedule for the purpose of schedule adjustment
3. Any proposed changes of schedule use shall be reported to the other party as soon as possible, or at least 30 days (30) days of proposed use.
4. Any use permitted other than scheduled use will be made contingent upon the availability of the facility/equipment.
5. All facility uses approved outside of the procedures established in Section D of this Agreement shall be incorporated into the Annual Facility Use Report described in Section J of this Agreement.

Each party using facilities or equipment owned by the other pursuant to this Agreement shall furnish personnel including but not limited to employees, agents, consultants, volunteers, or representatives, deemed necessary for the proper conduct and supervision of the use. Each party shall be responsible for any damage, injuries, or harm caused by their respective personnel. The CITY and DISTRICT shall have sufficient responsible adult representatives present at all times at any event held on the respective owner's property. The representative shall see that rules and regulations for said facility are observed and complied with and that the facilities and grounds are returned to existing condition upon completion of the activity. Both CITY and DISTRICT shall have personnel, as defined above, on call at all times during any sponsored or scheduled activity in order to respond to and investigate any questions or improper action at the respective facilities. Special events may require additional provisions to be determined on a case by case basis by CITY and DISTRICT.

The CITY and DISTRICT shall make facilities available to the other, rent free, for uses described in Section A and providing such use does not conflict with previously scheduled activities, or in the normal conduct of the CITY and DISTRICT'S activities. Supplemental (costs greater than the usual costs which each party will absorb) and equipment costs will be negotiated.

Parties understand and agree that when using facilities listed on Exhibit A, the party who secured the permit for use of the site shall leave the site in clean and usable condition after the event, including the collection of trash which shall be deposited in appropriate receptacles.

The party using facilities or equipment of the other pursuant to this Agreement shall repair, or cause to be repaired, or will reimburse the owner for the cost of repairing damage done to said facilities or equipment during the period of such use, other than that attributed to ordinary wear and tear or identified in writing as pre-existing dangerous conditions.

Each party shall be responsible for any damage, injuries, or harm caused by dangerous conditions of its own premises or defective condition of its own equipment.

When either party has actual knowledge of injury, damage, or harm caused by a dangerous condition or defective equipment, that party shall provide written notice of the injury, damage, or harm to the other party within 45 days of receipt of such knowledge.

Each party shall provide written notice to the other party within 30 days of receipt of a claim for injury damages, or harm allegedly caused by a dangerous condition or defective equipment.

Failure to provide either notice as described above shall result in waiver of the right to bring an action against the other party.

D. SCHEDULING OF FACILITIES

In scheduling the use of DISTRICT facilities, DISTRICT events and programs shall have first priority, CITY events and programs shall have second priority, community youth groups shall have third priority and other community organizations or agencies shall have fourth priority. For the purposes of this Agreement, the term "DISTRICT events and programs" shall mean those events and programs conducted by DISTRICT staff on behalf of students enrolled in DISTRICT programs or as part of DISTRICT business. In cases of emergencies or errors in scheduling, the DISTRICT shall have first priority for use. Every reasonable attempt will be made by the DISTRICT to avoid such conflicts.

In scheduling the use of CITY facilities, CITY events and programs shall have first priority, DISTRICT events and programs shall have second priority, community youth groups shall have third priority and other community organizations or agencies shall have fourth priority. For the purpose of this Agreement, the TERM "CITY" events and programs" shall mean those events and programs conducted by CITY staff on behalf of persons enrolled in CITY events and programs. In cases of emergencies or errors in scheduling, the CITY shall have first priority for use. Every reasonable attempt will be made by the city to avoid such conflicts.

Pursuant to Exhibit A, each Party, as set forth therein, shall issue permits for those sites as listed. DISTRICT and CITY shall designate one key contact person to maintain records related to the schedules created and agreed to by the Joint Use Committee. The CITY and DISTRICT shall submit to each other written use requests in advance. Advance scheduling shall occur in accordance with the following schedule (which may be revised as needed by mutual agreement of both CITY and DISTRICT):

For the regular school year (September through Mid-June), facility use requests shall be submitted by CITY and DISTRICT to each other via the Joint Facility Use Committee by the preceding May 1st.

For the summer (Mid-June through August), facility use requests shall be submitted by CITY and DISTRICT to each other via the Joint Facility Use Committee by proceeding January 1st.

The Joint Use Committee shall approve a master calendar for each of these periods within thirty (30) days of submittal. For the regular school year (September through Mid-June), facility use requests shall be determined by CITY and DISTRICT and communicated to each other via the Joint Facility Use Committee by May 31st. For the summer (Mid June through August), facility use requests shall be determined by CITY and DISTRICT and communicated to each other via Joint Facility Use Committee by January 31st. The CITY and DISTRICT recognize that facility access at school sites may be limited by summer school schedules and school construction project schedules, either of which may require modification of the time frames specified above.

Third priority uses shall not be scheduled until first and second priorities are set. Third priority user shall be scheduled by the CITY and DISTRICT in accordance with the procedures prescribed herein. Third priority users shall be required to complete appropriate permit forms. Such scheduling would be for facilities use during times appropriate not to interfere with the respective owners normally scheduled activities.

The annual calendars referenced in this section shall be attached to this agreement as Exhibit C, and updated annually.

E. EXTENDED DAY AND AFTER SCHOOL RECREATION PROGRAMMING

The scope and content of the recreation programs and services may annually be determined by the level of funding approved and appropriated by each party. Programs and services coordinated under this provision shall be agreed to separately, under separate agreements to accommodate other relevant considerations.

F. MAINTENANCE OF FACILITIES JOINTLY DEVELOPED OR USED

Should facilities be jointly developed they shall be adequately maintained to ensure proper and safe use, appearance, and longevity.

The maintenance, repair, and renovation of jointly developed facilities shall be governed by site-specific agreements developed and agreed to by the CITY and DISTRICT. For the purposes of this Agreement, the term "jointly developed" shall mean any facility that meets any of the following criteria:

1. The facility is funded or developed by both the CITY and the DISTRICT; or
2. The facility is funded or developed by CITY or DISTRICT and located on the other party's property; or
3. The facility (regardless of funding or development) is located on both CITY and DISTRICT property.

A listing of such specific facility use/maintenance agreements shall be attached to this Agreement and hereinafter referred to as Exhibit D. Exhibit D shall be updated annually or as needed to accurately reflect current conditions.

The CITY may install sprinkler systems, turf, playground equipment, fencing, restroom facilities, and additional recreational equipment on DISTRICT facilities, provided such installation is not in conflict with school use and subject to approval of the DISTRICT. All such improvements and facilities constructed or placed on DISTRICT property shall be available to the DISTRICT to use for school purposes during school hours and during such time as the property is not being used by the CITY. Major or minor improvements made under this provision shall be agreed to separately, under separate agreements to accommodate considerations for long-term use, maintenance responsibilities, and other appropriate needs under joint use provision herein. Title to such improvements shall be

determined under said agreements including transfer of title after a mutually agreed to period of time has expired.

G. USE FEES

The CITY and DISTRICT shall not assess each other use fees or maintenance charges for any facility use defined under Section A of this Agreement unless specifically directed to do so by the Oakland City Council or Oakland Board of Education, respectively.

For uses other than those defined under Section A of this Agreement, each party may require remuneration for facility use. Fees for such uses shall be discussed and negotiated through the Joint Facility Use Committee described in Section J of this Agreement.

Parties agree to maintain records describing the value of fees and maintenance services provided to the other party and publish such information in the Annual Facility Use Report described herein.

DISTRICT and CITY understand and agree that the shared use of their respective facilities requires the mutual allocation of resources to accommodate the reciprocity. The budgetary issues that remain will be resolved by the CITY Administrator and DISTRICT Chief Financial Officer, who agree to meet within sixty (60) days of the execution of this agreement to resolve outstanding budgetary issues, including staff costs for overtime and weekend use of DISTRICT and CITY facilities and other related cost issues that may arise from the joint use of their respective facilities.

H. INSURANCE

Each party acknowledges that it is permissibly self-insured under the applicable Government code provision and agrees to provide on an annual basis to the other party adequate proof of self insurance and excess liability coverage.

For all jointly used facilities, each party shall provide the other a certificate of insurance naming the other as additional insured. Each party shall provide a letter of self insurance and give a copy to the other party.

I. PUBLIC ACCESS TO SCHOOL PLAYGROUNDS AFTER SCHOOL HOURS

Reserved. To be determined.

J. ESTABLISHMENT OF THE CITY/DISTRICT JOINT FACILITY USE COMMITTEE

The CITY and DISTRICT shall appoint appropriate representatives to said Joint Facility Use Committee. Representation shall be limited to an equal number from each party not to exceed 7 participants per party. For the CITY, representatives to the Joint Facility Use

Committee may include, but not be limited to, the Director of the Office of Parks and Recreation, Deputy Director, Assistant to the Director, General Recreation Supervisors, Aquatics Supervisor, Sports Coordinators, and any other representative appointed by the City Administrator. For the DISTRICT, representatives to the Joint Facility Use Committee may include, but not be limited to the Assistant Superintendent of Facilities Planning and Management, Buildings & Grounds and Custodial Services; Director of Facilities; Director of Buildings and Ground, Facilities Manager, Civic Center Coordinator, Oakland Athletic League Commissioner, Executive Leadership Directors, and any other representative appointed by the School Superintendent.

The Committee shall meet no less than four (4) times per year or more if mutually agreed, to maintain the terms and conditions of this Agreement. The Joint Facility Use Committee shall annually elect a Chair, Vice-Chair, and Secretary. The Joint Facility Use Committee shall be responsible for:

- Conducting business and establishing procedures and responsibilities for administration of this Joint Use Agreement.
- Establishing sub-committees to deal with facility scheduling, after-school sports, and recreation programs and other matters.
- Consideration and recommendations regarding reduced fees for CITY and DISTRICT use of their respective facilities for uses that are not included in a previously approved joint use schedule.
- Monday through Thursday, during regular business hours, the CITY's enterprise facilities are available for use by DISTRICT at the direct cost of staffing the facility. For the purposes of this Agreement, direct costs shall refer to the CITY's staff costs for use of said enterprise facilities. The CITY and DISTRICT hereby authorize their respective representatives on the Joint Use Committee to approve the use of their respective facilities at a cost equal to the direct cost of the use of the facility.
- Reporting and discussing relevant facilities maintenance issues.
- Notification and communication regarding planned capital improvements to CITY and DISTRICT facilities included in the Joint Use Agreement.
- Emergency/Disaster Planning updates and communication in coordination with CITY's Office of Emergency Services and DISTRICT.
- Preparation of the Annual Facility Use Report of the Committee. The annual report shall be submitted to the City Council and the Board of Education through the Education Partnership Committee in October of each year. Such report shall highlight and summarize actions taken to implement the Joint Use Agreement for

the previous school year and make any necessary recommendations for the coming school year.

K. TERM OF THE AGREEMENT

The term of this Agreement shall be for five (5) YEARS UNTIL June 30, 2013, in the event either the CITY or the DISTRICT wishes for any reason to terminate this Agreement and its obligations hereunder, it may do so by providing one (1) year's prior written notice of intent to terminate to the other party.

L. MODIFICATION OF THE AGREEMENT

This Agreement shall be modified in writing by mutual agreement of the CITY and DISTRICT, as expressed by recorded action taken by the City Council on behalf of the CITY, and by the Oakland School Board on behalf of the DISTRICT.

M. INDEMNIFICATION

The CITY will defend indemnity and hold harmless the DISTRICT from any and all claims, demands, actions, or damages arising out of the CITY'S use of DISTRICT facilities to which the DISTRICT may be subjected as a direct consequence of this Agreement, except for those claims, demands, actions, or damages resulting from the sole negligence of the DISTRICT. The DISTRICT will defend, indemnify and hold harmless the CITY from any and all claims, demands, actions or damages arising out of the DISTRICT'S use of CITY facilities to which the CITY may be subjected as a direct consequence of this Agreement, except for those claims, demands, actions or damages resulting from the sole negligence of the CITY.

N. NOTICES AND COMMUNICATION

Any communications or notices required to implement this Agreement shall be sent by facsimile or US mail to each party as follows:

Notice to CITY shall be sent to:

Director
Office of Parks and Recreation
250 Frank Ogawa Plaza, Suite 3330
Oakland, CA 94612
Facsimile transmission to 510-238-2224

Notice to DISTRICT shall be sent to:

Superintendent
Oakland Unified School District
1025 Second Avenue, Room 300

Oakland, CA 94606
Facsimile transmission to 510-879-8800

And to:

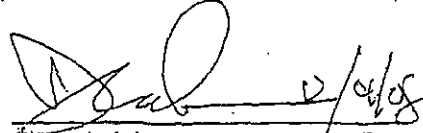
Assistant Superintendent of Facilities Planning & Management, Buildings &
Grounds and Custodial Services
Oakland Unified School District
955 High Street
Oakland, California 94601

In WITNESS WHEREOF, the CITY as duly authorized by Council Resolution No.
81647 adopted on Nov. 3 2008, and the DISTRICT as duly authorized by the
State Administrator and Board Resolution No. _____ adopted on _____, 2008
have executed this Agreement as of the date first above written.

OAKLAND UNIFIED SCHOOL DISTRICT

CITY OF OAKLAND

State Administrator Date



City Administrator Date

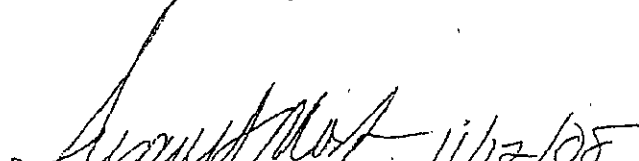
Assistant Superintendent Date
Facilities Planning and Management,
Buildings & Grounds and Custodial Services



Director Date
Office of Parks and Recreation

Approved as to form:

OUSD Special Facilities Counsel Date



City Attorney Date

OUSD General Counsel Date

OAKLAND UNIFIED SCHOOL DISTRICT

OAKLAND UNIFIED SCHOOL DISTRICT

By: *Noel Gallo*
Noel Gallo, President of the Board of Education

5/27/09
Date

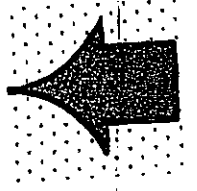
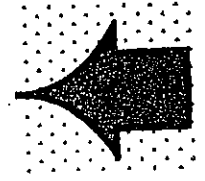
By: *Edgar Rakestraw, Jr.*
Edgar Rakestraw, Jr., District Secretary

5/27/09
Date

APPROVED AS TO FORM:

Danielle Houck
Danielle Houck, OUSD Interim General Counsel

5.27.09
Date



**EXHIBIT A
DISTRICT FACILITIES AND CITY FACILITIES LIST**

DISTRICT (OUSD) FACILITIES	CITY FACILITIES
Allendale Elementary School	Allendale Recreation Center & Fields
Bella Vista Elementary School	Arroyo Viejo Recreation Center, Fields & Tennis Courts
Bret Harte Middle School	Athol Plaza Tennis Courts
Brookfield Elementary School	Brookdale Recreation Center, Field & Tennis Courts
Bunche Academy	Brookfield Fields & Tennis Courts
Burkhalter Elementary School	Burkhalter Fields & Tennis Courts
Calvin Simmons Middle School	Bushrod Recreation Center, Fields & Tennis Courts
Carter Middle School	Caldecot Field
Castlemont Community of Small Schools	Carmen Flores Recreation Center & Field
Castlemont Pool	Carter Gilmore Fields
Chabot Elementary	Central Reservoir Fields
Claremont Middle School	Chabot / Rockridge Fields & Tennis Court
Cole Middle School	Concordia Fields & Tennis Courts
Crocker Highlands Elementary School	Curt Flood Fields
East Oakland Community High School	DeFremery Recreation Center, Fields, Tennis Courts & Pool
Edna Brewer Middle School	Dimond Recreation Center & Tennis Courts
Elmhurst Middle School	Elmhurts Tennis Courts
Explore Middle School - BURBANK ELEMENTARY SCHOOL CAMPUS	Eric Raimondi Field
Far West High School	FM Smith Recreation Center
Foster Middle School	Franklin Recreation Center & Fields
Franklin Elementary School	Fremont Pool
Fremont Federation High School	Garfield Field
Frick Middle School	Golden Gate Recreation Center & Fields
Fruitvale Elementary School	Grass Valley Field
Garfield Elementary School	Ira Jenkins Recreation Center
Glenview Elementary School	Jefferson Square Field
Grass Valley Elementary School	John Marshall Fields
Havenscourt Middle School	Jones-Pinto Field
Hawthorne Elementary School	Korematsu Park
Highland Elementary School	Lake Merritt Boating Center
KIPP Bridge College Prep Middle School LOWELL MIDDLE SCHOOL CAMPUS	Lincoln Square Recreation Center
Lafayette Elementary School	Lions Pool

**EXHIBIT A
DISTRICT FACILITIES AND CITY FACILITIES LIST**

DISTRICT (OUSD) FACILITIES	CITY FACILITIES
Lincoln Elementary School	Live Oak Pool
M.L. King Jr. Elementary	Lowell Fields
Madison Middle School	Manzanita Recreation Center
Maxwell Park Elementary School	McConnell Fields
McClymonds Community of Small Schools	Montclair Recreation Center, Field & Tennis Courts
McClymonds Pool	Mosswood Recreation Center, Fields & Tennis Courts
Melrose Leadership Academy Middle School	Oakport Fields
Montera Middle School	Otis Spunkmeyer Fields
Oakland High School	Rainbow Recreation Center & Tennis Court
Oakland Technical High School	Redwood Heights Recreation Center
Parker Elementary School	Ricky Henderson Field
Peralta Elementary School	Robin Perry Field
Piedmont Avenue Elementary School	Rotary Nature Center
Prescott Elementary School	San Antonio Recreation Center, Fields & Tennis Courts
Redwood Heights Elementary School	Sheffield Village Recreation Center
Rise Elementary School - HIGHLAND ELEMENTARY	Shepard Canyon Field
Roosevelt Middle School	Sobrante Fields
Rudsdale Continuation	Stone Hurst Fields
Santa Fe Elementary School	Tassafaronga Recreation Center & Fields
Skyline High School	Temescal Pool
Sobrante Park Elementary School	Wade Johnson Field
Stonehurst Elementary School	Willie Keyes (Poplar) Recreation Center & Field
Think College Now - CESAR CHAVEZ EDUCATION CENTER	
Urban Promise Academy Middle School	
West Oakland Middle School LOWELL MIDDLE SCHOOL CAMPUS	
Westlake Middle School	

EXHIBIT A
DISTRICT FACILITIES AND CITY FACILITIES LIST

DISTRICT (OUSD) FACILITIES	CITY FACILITIES
Youth Empowerment School (YES) - KING ESTATES MIDDLE SCHOOL	

Exhibit B

Office of Parks and Recreation
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612



Central Reservations Unit
PH (510) 238-3187 Fax (510) 238-2397

PARK RESERVATION INFORMATION

1. **RESERVATION REQUESTS/PAYMENTS FOR ANY EVENT MUST BE SUBMITTED NOT LESS THAN 30 DAYS NOR MORE THAN 11 MONTHS PRIOR TO PROPOSED USE DATE.** This includes: submission of park use application, deposits, rental fees, and any other fees. This also includes providing additional documents, i.e., OPD special event permits, certificate of insurance, and any other permits or forms required for the event.
2. **FORMS OF PAYMENT:** We accept cash, personal or business checks, money orders, cashier's checks, Mastercard and Visa. Checks and money orders must be payable to the 'City of Oakland'. *We do not accept personal or business checks less than 30 days in advance of the reservation date.*
3. **NO THIRD PARTY PAYMENTS:** We can accept checks or credit cards only from the person named on the check or credit card. Driver's License or State Identification is required.
4. **CANCELLATION POLICY:** A cancellation fee will be assessed for all reservations cancelled. The fee is established in the City of Oakland Master Fee Schedule. It is the customer's responsibility to be familiar with the cancellation fees associated with the site for which they are making a reservation.
5. **REFUNDS:** Deposit refund may be withheld to compensate the City for service charges, excessive park cleanup or damage, or any other failure to leave park use area in acceptable condition. If customer meets the standard requirements, *deposit refunds will be credited to payer's credit card account or a check will be mailed within eight weeks after the event date.*
6. **PROHIBITION AGAINST COLLECTING MONEY:** Charging admission, selling tickets or merchandise, or solicitation of money in any manner is prohibited on City of Oakland property. Some exceptions may be granted if approved by the Parks and Recreation Advisory Commission. See Rules & Procedures for Granting Park Use Permits for Special Events.
7. **DAMAGES/CLEANUP POLICY:** Customer is responsible and liable for any and all damages that may occur to or about the park use area during the hours of use. Trash must be placed in garbage receptacles.
8. **MISREPRESENTATION OF EVENT:** Any misrepresentation as to the nature of the event, the number of attendees expected, contact or payment information or any other falsification of permit documents will result in the immediate cancellation of the event and forfeiture of fees paid and may also result in denial of future permit requests and/or legal action.



Office of Parks and Recreation
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612



Central Reservations Unit
PH (510) 238-3187 Fax (510) 238-2397

PROCEDURE TO OBTAIN A PARK USE PERMIT

In accordance with City of Oakland Municipal Code 12.64.280, a permit from the Office of Parks and Recreation (OPR) is required for use of any public park as regulated under the sections of this ordinance. Applications for individual and group activities must be completed by an adult 21 years of age or older. The Park Use Application for any event must be submitted not less than 30 days nor more than 11 months prior to the proposed use date. No permits are issued to minors. Pre-approval is required for any requests submitted less than 30 days in advance. An administrative service fee will apply for any requests approved less than 30 days in advance.

Rental fees, deposit and cancellation fees are established in the City of Oakland Master Fee Schedule. Payment may be made by check, cash, cashier's check, money order or credit card (MasterCard/Visa). If making a payment less than 30 days in advance of requested event date, all fees must be paid by cash, cashier's check, money order or credit card (MasterCard/Visa). No personal or company checks will be accepted less than 30 days prior to the requested event date.

Permits are issued on a first-come, first-serve basis, subject to approval by the Director of OPR or his/her authorized representative.

The Director or his/her authorized representative shall consider the safety, health, and welfare of persons, and the security, preservation and orderly use of parks and criteria for the granting of a park permit. All applicable City ordinances, Parks and Recreation Advisory Commission rules and regulations, and those rules established for the individual park facilities will be in effect. This includes but is not limited to the scheduling of picnics, entertainment, music, theater activities, meetings, games, and general park noise level considerations, etc.

At the discretion of the Director or his/her representative, certain requests, (i.e., fundraising events, major gatherings, admission charge, sales or solicitation of money, etc.) may be referred to the Parks and Recreation Advisory Commission, City Administrator's Office, City Council, or other appropriate City department or agency for approval.

Note: If the number of expected attendees is 49 people or more, an Oakland Police Department (OPD) Special Event Permit Application must be completed. An OPD Special Event Permit application needs to be submitted not less than 30 days in advance nor more than 11 months prior to the proposed date of use. This time is required to allow for the applicant to meet and review the details of the event with the Oakland Police Department. A Facility Permit will not be authorized or issued if an approved OPD Special Events Permit is not received in the Central Reservations Unit by the due date noted on the Reservation Request.

OPD Special Event Office: Tuesday through Friday, By Appointment Only, Eastmont Precinct,
2651 73rd Avenue, Oakland, CA (510) 777-8525

All permit applications are considered tentative and are therefore non-binding until all fees and deposits have been paid, and all conditions or other special permits regarding use of the park are met by the applicant.



PROCEDURE TO OBTAIN A PARK USE PERMIT (cont.)

1. PARK USE PERMITS FOR PICNICS AND RELATED EVENTS

The term "Picnic and Related Events" is any event conducted in a City park consisting of 25 or more patrons that is a routine event not open to the public, including but not limited to family picnics, birthday parties, church and school picnics or related activities, and may or may not include amplified or non-amplified sound.

2. PARK USE PERMIT FOR SPECIAL EVENTS

The term "Special Event" is any event that may or may not be open to the public, including but not limited to rallies, races, entertainment, concerts, reunions, exhibits or related activities, and which is more specifically defined in Title 9, Chapter 9.32 of the Oakland Municipal Code.

3. RECREATION CENTERS WITHIN PARKS

If applicant is interested in a park at which a Recreation Center is located, the applicant must reserve the park use area with the Center Director of that facility. The Center Director will review dates, times, procedures and policies with the applicant. A park use application must be submitted to the Center Director. The Center Director will enter the reservation in RecWare as a Reservation Request and accept payment. The Center Director will forward all paperwork to the Central Reservations Unit for final processing and issuance of the Facility Permit.

4. ALL OTHER CITY OF OAKLAND PARKS

If applicant is interested in a park at which no Recreation Center is located, please contact the Central Reservations office at (510) 238-3187 for information and availability, located at 250 Frank H. Ogawa, 3rd Floor, Suite 3330, Oakland, CA 94612, Monday through Thursday, between 9 am - 4 pm.

5. MISREPRESENTATION OF EVENT

Any misrepresentation as to the nature of the event, the number of attendees expected, contact or payment information or any other falsification of permit documents will result in the immediate cancellation of the event and forfeiture of fees paid and may also result in denial of future permit requests and/or legal action.

6. OAKLAND POLICE DEPARTMENT (OPD)/RANGERS

OPD Rangers have full authority to shut down any unauthorized event.



Office of Parks and Recreation
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612



Central Reservations Unit
PH (510) 238-3187 Fax (510) 238-2397

PARK USE FEES & GUIDELINES FOR PICNICS AND RELATED ACTIVITIES

RENTAL FEES

(Residency is determined according to address indicated on Driver's License or State Identification card.)

All Parks (except Joaquin Miller - Dimond - Redwood Heights & Montclair)

<u>Patrons</u>	<u>Residents</u>	<u>Non-Residents</u>	<u>Unit</u>
01 - 49	\$ 50	\$ 60	Per day, per area
50 - 99	\$ 50	\$ 90	Per day, per area
100 - 299	\$100	\$150	Per day, per area
300 - 499	\$150	\$240	Per day, per area
500 - 1,000	\$300	\$420	Per day, per area
Each additional	\$125	\$180	Per day, per area
250 Patrons over 1000			

(Different rates apply to Lakeside Park Bandstand, Joaquin Miller Park, Morcom Rose Garden, and the Japanese Garden)

Dimond Park

Contact the Recreation Center Director at (510) 482-7831 for date availability.)
 Sequoia Grove Picnic Area \$ 75 Per event, per date
 Redwood Grove Picnic Area \$ 75 Per event, per date
 Church Area Picnic Tables Based on number of participants expected, per event, per date. (See fees above under "All Parks")

Redwood Heights Park

Contact the Recreation Center Director at (510) 482-7827 for date availability.)
 Picnic Tables Area (4 tables available for serving)
 \$ 50 Per area/per date

Montclair Park

Contact the Recreation Center Director at (510) 482-7812 for date availability.)
 Picnic Tables Area (12 tables available for reserving)
 \$ 25 Per area/per date

ADDITIONAL FEES

Deposit:	<u>Patrons</u>	<u>Residents/NonResidents</u>	<u>Unit</u>
	Up to 299	\$ 75	Per event, per date
	300 - 499	\$150	Per event, per date
	500 - 999	\$250	Per event, per date
	1,000 or more	\$500	Per event, per date

Sound Amplification:

Non-Amplified Sound \$ 25 Per event, per date
 Amplified Sound (portable radios/cd players/non-concert) \$ 50 Per event, per date
 Amplified Sound (Bands/Concert type, etc.) \$100 Per event, per date



Parking (Lakeside Park: Weekends & Holidays) \$ 3 Per car
Holiday Surcharge Additional 50% of Rental Fee
Administrative Service Fee \$ 75 Per Request
 (An administrative service fee will be charged for any late payments, changes to reservations, setup sheets or approved reservation requests less than 30 days prior to event date.)

PAYMENT REQUIREMENT

Rent, sound use and deposit are required when the park of your choice is reserved. If paying by check, make check payable to the 'City of Oakland'. Picture ID is required for all forms of payment.

Note: Reservations must be booked 30 days prior to event date. All rental, sound and deposit fees will be processed at the time of receipt. All returned checks will result in cancellation of reservation and customer will be responsible for all NSF and cancellation fees.

DEPOSIT

Deposits are held as security to cover service charges, park damage, and to cover cleaning fee for failure to leave park. Deposit amount, less any claims, will be returned to customer within 6 to 8 weeks after event date.

CANCELLATION FEES

31 Days or more notice	Forfeit ½ deposit, per event/per site/per date
30 Days to 11 working days notice	Forfeit deposit, plus ½ rental fee, per event/per site/per date
10 working days or less	No refund

OAKLAND POLICE DEPARTMENT (OPD) SPECIAL EVENTS PERMIT REQUIREMENTS

If the number of expected attendees is 49 people or more, an Oakland Police Department (OPD) Special Event Permit is required. An OPD Special Event Permit application must be completed not less than 30 days in advance nor more than 11 months prior to the proposed date of use. This time is required to allow for the applicant to meet and review the details of the event with the Oakland Police Department. A Facility Permit will not be authorized or issued for a Reservation Request.

OPD SPECIAL EVENT OFFICE:
 Tuesday through Friday, 11 am - 3 pm
 Eastmont Precinct, 2651 73rd Avenue, Oakland, CA (510) 777-8525
 Please call the OPD Special Event office for more information.

If the event is classified as something other than a picnic, private birthday party or meeting, special event rates and conditions may apply. For more information, see Procedures & Guidelines: Park Use Permits for Special Events.

ADDITIONAL INFORMATION

- No fundraising or solicitation of funds are allowed at park facilities without prior approval from the Parks and Recreation Advisory Commission. All requests must be submitted in writing not less than three (3) months, nor more than 11 months prior to the proposed event date. The organization must submit a proposal or letter of intent/description of event in writing that lists possible vendors, items to be sold, and/or reason for the fundraiser. If approved, Special Event rates will apply. See the Park Use Fees & Guidelines for Special Events.



PARK USE FEES & GUIDELINES FOR PICNICS AND RELATED ACTIVITIES (cont.)

- In accordance with Oakland Municipal Code 12.64.080: It is unlawful for any person to sell or offer for sale, any goods, wares, merchandise, foods, confections, refreshments or other article within any public park, public building or public grounds in the city without prior approval from the Parks and Recreation Advisory Committee. No gaming shall be allowed in said parks, buildings or grounds, nor any obscene or indecent act performed therein.
- If a group/organization is required to obtain a Food Handler's Permit, a copy of the Food Handler's Permit must be submitted to the Central Reservations Unit before a Park Use Permit is issued. Contact the Alameda County Health Services Agency at: Environmental Health Division

1131 Harbor Bay Parkway, Room 250
Alameda, CA 94502
(510) 567-6708

- Cleanup and litter control are the full responsibility of the permittee. Provision shall be made by the permittee for cleaning up and disposal outside in the park of all litter, debris, bottles, cans, paper, or other such matter remaining after use of the park, pursuant to the permit.

JUMPERS AND STRUCTURES

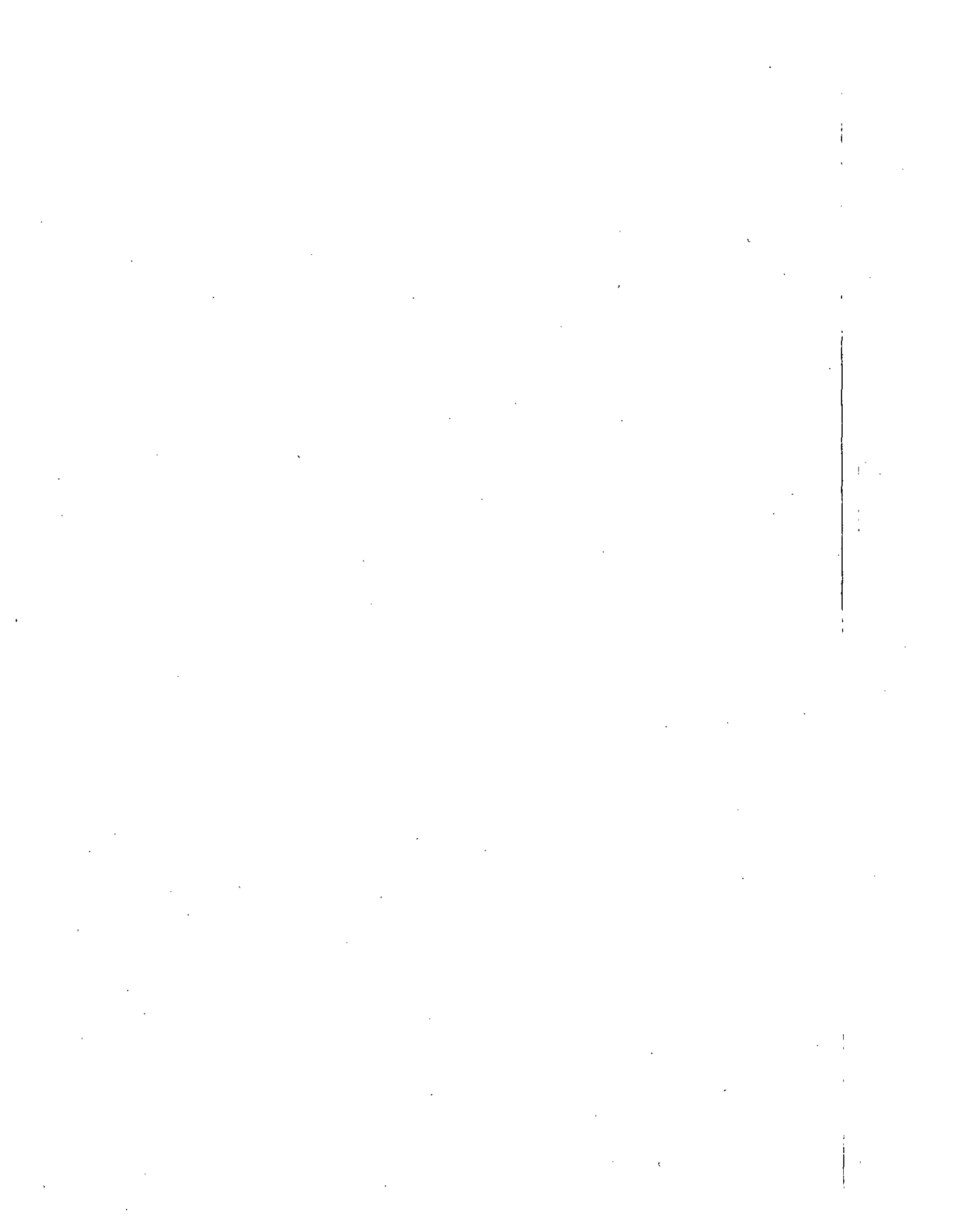
Party Jumpers have become very popular for use at events held in parks. The permittee must have prior approval from the Office of Parks and Recreation to use these or any portable structure in the park. A permit or rental agreement from the jumper or structure company must be submitted to the Office of Parks and Recreation at least 30 days prior to event date. A Certificate of Insurance naming the city, its council, agents and employees as additional insured is also required and may be used in lieu of the permit or rental agreement.

A park use permit will not be issued from the Office of Parks and Recreation until all documents are received.

MISREPRESENTATION OF EVENT

Any misrepresentation as to the nature of the event, the number of attendees expected, contact or payment information or any other falsification of permit documents will result in the immediate cancellation of the event and forfeiture of fees paid and may also result in denial of future permit requests and/or legal action.





Office of Parks and Recreation
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612



Central Reservations Unit
PH (510) 238-3187 Fax (510) 238-2397

PROCEDURES AND GUIDELINES FOR BUILDING RENTALS

APPLICANT REQUIREMENTS

Reservations must be made by an adult, 21 years of age or older. Reservation must be made at least 30 days in advance of the event. NO EXCEPTIONS. Applications are accepted on a first-come, first-served basis.

RENTAL HOURS

Normal closing time for all indoor City facilities is 12:00 midnight, Sunday through Thursday. Citywide curfew is 1:00 a.m. on Friday and Saturday for adult events. Overtime rates are charged for any groups staying past 1:00 a.m.

Ending time for youth events is 11:00 pm. Organizations or individual responsible for a youth event may rent facility until 12:00 midnight for teardown and cleanup only.

RENTAL FEES

The minimum rental fee (usually four hours) plus the deposit must be paid at the time the reservation is made. All fees must be paid in full 30 days in advance of your event. Rental fees and service charges are established in the City of Oakland Master Fee Schedule. The Office of Parks and Recreation (OPR) has no authority to waive established fees. These facilities may be reserved not more than 11 months and not less than 30 days in advance of the reservation date with the exception of the Lakeside Park Garden Center, which is reserved not more than six months and not less than 30 days in advance.

- Reservation requests are accepted via fax, mail or walk-in. Customer must submit completed application and I.D. with authorization to charge credit card number by mail, fax or walk-in. Your reservation will be confirmed upon receipt of a completed application and copy of your Driver's License or State Identification card with one of the reservation representatives. Please note: Residency is determined according to the address indicated on Driver's License or State Identification card.
- Authorized credit card phone charges by applicant, constitute an oral agreement and confirms the reservation.
- All rental fees, service charges and deposits will be processed at the time of receipt. All returned checks will result in cancellation of reservations and customer will be responsible for all bank charges and cancellation fees.
- Applicant must pay rental fees for the full duration of the reservation including caterer/DJ setup, decorations, etc.
- Fees may be paid 31 days or more in advance by personal or company checks, cash, money order or credit card.
- 30 days or less, fees must be paid by cash, money order or credit card. No checks will be accepted.

MAKING CHANGES TO EXISTING RESERVATIONS

- The person who made the original reservation must submit all changes to a building reservation permit in writing to the Central Reservations Unit at least 30 days in advance of the reservation date.
- A reservation may be changed to another date one time only without being charged a fee if the request is submitted in writing to the Central Reservations Unit at least 31 days in advance of the reservation date.
- An administrative service fee will be charged for any changes to a permit or authorized reservation within 30 days of the event date.
- Renters may not add hours or use options and pay for them on site. Park Rangers will close down any event that continues past contracted hours.

NUMBER OF ATTENDEES EXPECTED

If the number of expected attendees is 49 people or more, an Oakland Police Department (OPD) Special Event Permit Application must be completed. An OPD Special Event Permit must be submitted not less than 30 days in advance and not more than 11 months prior to the proposed date of use.

OPD SPECIAL EVENT OFFICE:

Applications are accepted by appointment only.
Tuesday through Friday, 9 am – 3 pm, Eastmont Precinct, 2651 73rd Ave., Oakland, CA, (510) 777-8525
Please call the OPD Special Event Office for more information.



PROCEDURES AND GUIDELINES FOR BUILDINGS RENTALS (cont'd)

SECURITY DEPOSIT/DAMAGE LIABILITY

1. A security deposit is required for all rental facilities.
2. *Deposit refund may be withheld to compensate the City for unpaid rents or service charges; excessive building cleanup or equipment damage; any other unusual janitorial or facility expenses; or failure to leave facilities in acceptable condition.*
3. Renter shall be responsible and liable for any and all damages that occur to or about the facilities during the hours of use.
4. Renter shall promptly notify facility attendant or City representative of any faulty equipment or utility problem.
5. Conditions for return of deposit:
 - A. *Decorations, including but not limited to signs, balloons and string must be removed from the walls and ceilings.*
 - B. *Trash must be placed in garbage receptacles.*
 - C. *Any spilled food or beverages must be washed off tables, chairs, floors, and kitchen area.*
 - D. *Fireplace must be cleaned if used (Sequola Lodge & Joaquin Miller Community Center).*
6. Security deposit, less any claims, will be credited to payee's credit card or, if paid by cash or check, a check will be mailed within six to eight weeks following event. Claims exceeding amount of security deposit paid are due as payable upon receipt of notification.

SETUP/CUSTODIAL SERVICES/CUSTOMER CLEANING RESPONSIBILITIES

1. There is a mandatory setup/teardown fee required for all rentals.
2. *Applicant must provide a diagram at least 30 days in advance of event date, indicating how many tables and chairs will be required and the setup arrangement. Only City staff/custodians are permitted to set up and take down tables and chairs.*
3. The City does not guarantee the availability of tables and chairs. Additional equipment needs are the responsibility of the applicant. Consult Central Reservations Unit about the number of chairs and tables available.
4. Custodians are permitted to set up only in those areas specifically approved for normal use.
5. Custodians are not permitted to set up on outside deck area or provide assistance with decorating for events.
6. Renters are to provide their own cleaning equipment and products.

DECORATIONS

1. All decorating is the responsibility of the renter. No tape or pins are permitted on painted walls. Renter is to use *appropriate hangers to fasten objects to the walls.*
2. Renters must remove all decorations, hangers, etc. from walls before leaving the facility.
3. Throwing rice or birdseed at wedding receptions is prohibited within the confines of the building, including stairways, walkways and pathways. In the interest of safety, it is recommended that any throwing of rice or birdseed be confined to the open parking area and driveway only. Customer is responsible for clean up of rice and/or birdseed if *thrown in parking area and driveway.*

CATERING POLICY

1. Applicant must provide the Office of Parks and Recreation with the caterer's name, address and license number.
2. Applicant is responsible for payment of any additional time a *caterer may need at the facility.*
3. *The caterer has a contract with the Applicant, not the City; therefore, Applicant is responsible for any damage to facility equipment or theft and clogged sinks or dishwasher, damage to grill or oven, greasy stoves, dirty floors and counter tops.*
4. Cleaning/damage deposit may be withheld for maintenance repairs to kitchen and other areas used by the caterer.

ADDITIONAL PERMITS

Additional permits may be required, e.g. Police Special Event Permit, Police Dance Permit, Charitable Solicitations Permit, Alcoholic Beverage License, Sound Amplification Permit, etc. Applicant is responsible to obtain such permits when required.

CHILDREN AT EVENT

Children are not permitted outside of the rental space except for bathroom use.

YOUTH EVENTS

Youth events include bar mitzvahs, bat mitzvahs, quinceañeras, Sweet 16 parties, 18-year-old birthday parties, and all events involving groups under 21 years of age. A minimum of one adult per 15 youths is required. Arrangement of security staffing must be approved in advance by the Central Reservations Supervisor. Alcoholic beverages are not allowed at juvenile events. See the "Procedures for Youth Events" for more information.



PROCEDURES AND GUIDELINES FOR BUILDINGS RENTALS (cont'd)

ALCOHOLIC BEVERAGES

Alcoholic beverages may be served inside facility for adult events only. The applicant will hold the Office of Parks and Recreation, City of Oakland and its employees free from any liability or claim for damages or suit by reason of any injuries to any person or property, of any kind whatsoever, arising out of the serving of alcoholic beverages before, during and after use of event to self and attendees.

PROHIBITIONS

1. Charging admission, selling tickets or merchandise, or solicitation of money in any manner is prohibited.
2. Illegal use of drugs, profanity, drunkenness, fighting and gambling are prohibited at any OPR facility.

MISCELLANEOUS

1. The City reserves the right to cancel the rental of any facility at any time and without stated cause therefore. In such cases, all fees, deposits, and service charges previously paid by renter will be returned to person originally receipted.
2. The City reserves the right to require appropriate liability insurance coverage for any event scheduled in a City rented facility. An Insurance Requirement Notice will be forwarded to renters/users when required.
3. Groups, organizations, or individuals using City facilities are expected to use the facilities in an orderly and safe manner at all times. Disorderly conduct on the part of those using the building may result in the immediate cancellation of the event and/or the forfeiture of the right to use any City operated facility in the future.
4. Facilities are rented "As Is". Renter must familiarize him/herself with the equipment and furniture provided. Renter may secure additional equipment by renter's arrangement and at renter's expense.

MISREPRESENTATION OF EVENT

Any misrepresentation as to the nature of the event, the number of attendees expected, contact or payment information or any other falsification of permit documents will result in the immediate cancellation of the event and forfeiture of fees paid. Misrepresentation may also result in depriving the individual/group of further use of any OPR facility, denial of future permit requests and/or legal action.



V

Office of Parks and Recreation
250 Frank H. Ogawa Plaza, Suite 3330
Oakland, CA 94612



Central Reservations Unit
PH (510) 238-3187 Fax (510) 238-2397

Hours of Operation: 9:00 am - 4:00 pm, Monday through Thursday

RULES & PROCEDURES FOR GRANTING PARK USE PERMITS FOR SPECIAL EVENTS

1. In order to be considered for a Special Event at a park, the following is required for submission to the Office of Parks and Recreation (OPR) Central Reservations Unit from the applicant:
 - a. Applicant must be 21 years of age or older;
 - b. A Park Use Application and Rules must be completed and submitted to the Office of Parks and Recreation at least sixty (60) days in advance of the event date. If applicant is interested in a park at which a Recreation Center is located, the applicant must speak with the Center Director of that facility;
 - c. An Oakland Police Department (OPD) Special Event Application must accompany the Park Use Application. For information, contact the OPD Special Event office at (510) 777-8525.
 - d. A written proposal describing the nature of the special event.
 - e. The appropriate fees and/or deposit must be paid. If pre-approvals/permits are required, the deposit must be paid and turned in with the application.

Note: The required application and deposit shall serve to tentatively reserve a particular park for use on the date/time requested until approval is given and all other requirements and conditions are met.

Rental fees, deposit and cancellation fees are established in the City of Oakland Master Fee Schedule.

2. Permits are granted on a first-come, first-serve basis. The Office of Parks and Recreation (OPR) Director or authorized representative shall consider the safety, health, and welfare of persons, and the security, preservation and orderly use of parks and other facilities as the criteria for granting Special Event Permits.

If all requirements are met by applicant, final approval is given by the OPR Director or other authorized representative before the Park Use Permit is issued.

3. The following activities are PROHIBITED in all public parks:
 - a. Charging admission;
 - b. Solicitation of money;
 - c. Sale of food and/or non-food items;
 - d. Barbecuing (except in designated areas);
 - e. Consumption/sale of alcoholic beverages;
 - f. Installation of banners and other park signage;
 - g. Animals of any kind, including dogs;
 - h. Possession and/or detonation of fireworks

Some exceptions may be granted for Special Events by the Parks and Recreation Advisory Commission (PRAC). All requests for exceptions to the above that require PRAC approval must be made in writing and submitted with the Park Use Application at least sixty (60) days in advance of the proposed event date.

Please note: The PRAC has a summer recess in August. The PRAC's last summer meeting is held on the second Wednesday in July. Any request for events to be held in the month of August must be submitted to the Office of



RULES & PROCEDURES FOR GRANTING PARK USE PERMITS FOR SPECIAL EVENTS (cont.)

Parks and Recreation no later than May 31 of the current year. Requests for events to be held in the month of September must be submitted to the Office of Parks and Recreation no later than June 30 of the current year.

4. All applicable City ordinances, Parks and Recreation Advisory Commission rules and regulations, and those rules established for individual facilities shall be in effect, including but not limited to:
 - a. Ordinances establishing requirements for noise level;
 - b. Ordinances establishing requirements for crowd control/security;
 - c. Ordinances establishing provisions for temporary toilet facilities;
 - d. Ordinances establishing conditions for cleanup services;
 - e. Ordinances establishing conditions for extraordinary police services;

5. In addition to the OPR Park Use Permit, Special Event Conditions for the event will be established for the event before a Park Use Permit is issued. The conditions will establish requirements for any additional services, fees, permits, and/or equipment, including, but not limited to:
 - a. Approved Oakland Police Department (OPD), Special Events Permit;
 - b. Non-profit 501(c)(3) Certificate from non-profit organizations;
 - c. Certificate of Insurance naming the City of Oakland, its council, agents and employees as additional insured;
 - d. Temporary Food Handler's Permit from the Alameda County Health Services Agency;
 - e. ABC License from the Alcohol Beverage Control Board;
 - f. Seller's Permit from the State Board of Equalization;
 - g. Charities Permit from the City Manager's Office;
 - h. Business Tax License from the City of Oakland Finance Department.

Any misrepresentation involved in renting a park will result in the immediate cancellation of the event and/or forfeiture of fees paid. Any misrepresentation may also result in depriving the group involved of further use of a facility and/or denial of future permit requests.

Last revised: 0406



**EXHIBIT C
OPR SCHEDULED USE OF OUSD FACILITIES**

NAME OF FACILITY	TYPE OF FACILITY USED	SPORTS	DAYS	TIMES	SPORT SEASON/TIME AND DATE OF USE	COMMENTS
Allendale Elementary School	PG, CL Lib	FF, BB, Pee Wee	M-F	3-6 p.m.	FF Sep-Nov BB Dec-April Pee Wee/ Girls Sports Sep-Jun	After school program collaborative
Bella Vista Elementary School	PG, CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Bret Harle Middle School	PG, CL, Gym	FF, BB, SB, VB	M-F	3-8 p.m.	School year	After school program collaborative
Brookfield Elementary School	PG, CL	FF, BB, Pee Wee	M-F	3-6 p.m.	FF Sep-Nov BB Dec-April Pee Wee/ Girls Sports Sep-Jun	After school program collaborative
Bunche Academy	Gym	BB	Twice weekly	4-6 p.m.	BB Dec-June	
Burkhalter Elementary School	PG & CL	FF, SB	M-F	3-6 p.m.	School year	After school program collaborative
Calvin Simmons Middle School (Now known as: Peralta Creek and United for Success MS)	PG, CL, Gym	FF, BB, SB, VB	M-F	3-8 p.m.	School year	After school program collaborative
Carter Middle School (Charter School Bay Area Technology)	Gym	BB	M-F	6-8 p.m.	Modernization to begin February 08. OPR will not use site due to construction during modernization	Programs on site must end 6:00pm
Carl Munk Elementary	PG					
Castlemont Community of Small Schools	Track & Gym	BB, VB, Track	M-T & Sat.	5-10 p.m., 9a.m.-3 p.m.	BB Four weekends March - June Sa & Su 8a to 8p Track two weekends March - June Sa 8a to 5p BB M-Th June - Aug. 5 p.m. to 9	Programs must end at 9:00 p.m. to coordinate with custodial coverage. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues.

					p.m.	
Casilemont Pool	Pool	Aquatics/ Swimming	Mon – Sun	9 a.m. to 8 p.m.	June 16 th to Aug 19 th 08	
Chabot Elementary	PG & CL	FF, SB	M-F	3-6 p.m.	School year	After school program collaborative
Claremont Middle School	PG & Gym	FF, BB, SB, VB	M-F	3-6 p.m.	School year	After school program collaborative
Cleveland Elementary	PG					After school program collaborative
Cole Middle School	PG, CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Crocker Highlands Elementary School	PG	Double Dutch	Tuesday	3:05 – 4:30 p.m.	School year	After school program collaborative
Cox Elementary (Education For Change @) Charter School	PG					After school program collaborative
East Oakland Community High School – KING ESTATES MIDDLE SCHOOL	Gym	BB, VB	M-T & Sat	5-10 p.m.; 9-3 p.m.	OPR permit denied on 12/07 due to conflict with school site program.	<p>OUSD can't cover weekend use due to increased staff costs. Evening programs must end by 9:00 p.m. Custodial hours are 2 p.m. to 9:30 p.m. Programs on site must end at 8:30 p.m.</p> <p>See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues.</p>
Youth Empowerment School (YES) – KING ESTATES MIDDLE SCHOOL	Gym	BB, SB	M-F	6-8 p.m.	OPR permit denied due to conflict with school site program.	<p>Civic Center to check with school site regarding programs on site. OPR has also proposed use of the gym from M-T & Sat 5-10 p.m. and 9-3 p.m. for a program in connection with the East Oakland Community High School, which has closed. OUSD can't cover weekend use at time and ½ for custodial staff.</p>
Edna Brewer Middle School	PG, CL, Gym	FF, BB, SB, VB	M-F	3-6 p.m.	School year	After school program collaborative
Elmhurst	Field and	FF, BB, SB	M-F	3-8 p.m.	School year	After school program collaborative

Community Prep at Elmhurst MS	Gym	VB				Note name change
Emerson Elementary	PG					
Explore Middle School - BURBANK ELEMENTARY SCHOOL CAMPUS	PG	FF, BB, SB, VB	M-F	3-6 p.m.	School year	After school program collaborative
Far West High School	PG	BB	M-F	3-6 p.m.	School year	After school program collaborative
Foster Middle School	Gym	BB	M-F Sat	6-8 p.m.	School year BB-Jan-Mar 10am-6pm Sat - Sun 8 a.m. - 8 p.m. BB Apr. - June Sat - Sun Four Times 8 a.m. - 8 p.m. BB June -Aug. 5 p.m. - 9 p.m.	
Franklin Elementary School	PG	BB	M-F	3-6 p.m.	School year	After school program collaborative
Fremont Federation High School	Soccer Field & Gym	FF, BB, VB	M-T & Sat	5-10 p.m., 9-3 p.m.	BB Jan - March Sat 8 a.m. to 7 p.m. BB April - June Sat - Sun Four times 8 a.m. to 8 p.m. BB June - Aug 5 p.m. to 9 p.m.	OUSD can't cover increased cost of weekend use due to staff costs at time and 1/2. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues. Evening programs must end by 9:00 p.m.
Frick Middle School	PG, Gym	FF, BB, SB, VB	M-F	3-8 p.m.	School year	After school program collaborative
Fruitvale Elementary School	CL; Auditorium	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Garfield Elementary School	PG, CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Glenview Elementary School	PG	Double Dutch & BB	M, W, F	3:30 - 5:30 p.m.	School year	After school program collaborative
Grass Valley Elementary School	PG, CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Havenscourt Middle School	Gym	BB, VB	M-F	3-8 p.m. 6 - 8p adult	School year	After school program collaborative. Evening programs must end by

(Roots International & Coliseum Prep MS)				program		9:00 p.m.
Hawthorne Elementary School (World Achieve)					School year	Charter School - OPR collaboration
Highland Elementary School	P.G. & Mull.	FF, BB, SB	M-F	3-6 p.m.		After school program collaborative
Hillcrest Elementary	PG					After school program collaborative
Howard Elementary	PG					After school program collaborative
International Elementary	PG					After school program collaborative
Jefferson Elementary	PG					
KIPP Bridge College Prep Middle School LOWELL MIDDLE SCHOOL CAMPUS	PG & Gym	BB, VB	M-F	3-8 p.m.	School year	Charter School - OPR collaboration
Lazear	PG					After school program collaborative
West Oakland Middle School LOWELL MIDDLE SCHOOL CAMPUS						
Lafayette Elementary School	PG	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Lincoln Elementary School	Portable CL	Passport program	M-F	4:40 p.m. to 6 p.m.	School year	After school program collaborative
Lockwood Elementary School	PG					
M.L. King Jr. Elementary	PG	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Madison Middle School	Gym	FF, BB, SB, VB	M-F	3-8 p.m.	School year	After school program collaborative
Mahzanita	PG					

Community and Manzanita Seed (same campus)						
Maxwell Park Elementary School	PG	Sports	M-F	3-6 p.m.	School year	After school program collaborative
Marshall Elementary	PG					After school program collaborative
McClymonds Community of Small Schools	Track & Gym	BB, VB, Track	M-T & Sat.	5-10 p.m. 9-3 p.m.	BB Jan - March Sat 8 a.m. to 7 p.m. BB April - June Sat - Sun Four times 8 a.m. to 8 p.m. BB Mar 24-27 3p.m. - 9 p.m. BB June - Aug 5 p.m. to 9 p.m. Track Mar - April 8 a.m. to 2 p.m.	Saturdays are time and 1/2. OUSD can't cover cost of weekend use under Joint Use Agreement. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues. Programs must end at 9:00 p.m. to coordinate with custodial coverage.
McClymonds Pool	Pool	Aquatics	Mon - Sun	9 a.m. to 8 p.m.	June 16 th to August 19 th	
Melrose Leadership Academy Middle School	PG	BB	M-F	3-6 p.m.	School year	After school program collaborative
Montera Middle School	Field & Gym	FF, BB, SB, VB	M-F	3-6 p.m.	FF Sep-Dec VB Sep-Dec BB Sep-Mar SB Apr-Jun	After school program collaborative
Oakland High School ¹	PG, Field & Gym	BB, VB, Baseball	M-T & Sat	5-10; 9-3p.m.	BB Apr-Jun Sa&Su Four Times 8 a.m. - 8 p.m. BB June - Aug. M - Th 5 p.m. - 9 p.m.	Saturdays are time and 1/2. OUSD can't cover cost of weekend use under Joint Use Agreement. Programs must end at 9:00 p.m. to coordinate with custodial coverage. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues.
Oakland Technical High School	Track, AUD, & Gym	FB, SB, BB, VB, Track & Cultural Arts.	M-T, & Sat.	5-10 p.m.; 9-3 p.m.	FB - Nov one Sunday BB Dec. Holiday Break Sat - Sun 8 a.m. - 8 p.m. BB Jan - Mar Sat. 8 a.m. 7p.m. BB Apr. -	Saturdays are time and 1/2. OUSD can't cover total cost of weekend use under Joint Use Agreement. See Section G of Joint Use Agreement regarding resolution of

¹ OPR operates basketball, volleyball, and baseball programs at this site during the summer only.

					Jun. Sat - Sun Four Times 8 a.m. - 8 p.m. BB June - Aug 5 p.m. - 9 p.m. Track - Mar 29 8 a.m. - 5 p.m. Aud - Dec 7 10 a.m. - 8 p.m.	outstanding budgetary issues. Weekday programs must end at 9:00 p.m. to coordinate with custodial coverage.
Parker Elementary School	PG	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Peralta Elementary School	PG & CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Piedmont Avenue Elementary School	PG, CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Prescott Elementary School (PLACE @)	PG & CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Redwood Heights Elementary School	PG	BB, KB	M-F	3-6 p.m.	School year	After school program collaborative
Rise Elementary School - HIGHLAND ELEMENTARY	PG & Multi	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Roosevelt Middle School	Gym	FF, BB, VB	M-F	3-8 p.m.	School year	After school program collaborative
Rudsdale Continuation	PG	BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Santa Fe Elementary School	PG & CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Sankofa Academy	PG					After school program collaborative
Sequoia Elementary	PG					After school program collaborative
Skyline High School	Gym	BB, VB	M-T & Sat	5-9 p.m.; 9-3 p.m.	BB - Dec holiday break Sat. - Sun 8 a.m. - 8 p.m. BB Apr. - June Sat. - Sun Four Times 8 a.m. - 8 p.m. BB June - Aug. 5 p.m. - 9 p.m. Track Feb-Apr.	Saturdays are time and 1/2. OUSD can't cover cost of weekend use under Joint Use Agreement due to increased staff costs. See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues.

						Weekday programs must end at 9:00 p.m. to coordinate with custodial coverage.
Sobranite Park Elementary School	PG & CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Stonehurst Elementary School	PG & CL	FF, BB, SB	M-F	3-6 p.m.	School year	After school program collaborative
Think College Now (CESAR CHAVEZ EDUCATION CENTER)	PG, Gym	FF, BB	M,W,F, Sat	3-6 p.m. (After school program) ; Sat 10-2 p.m. (Community Program)	School year BB-Jan-Mar 10am-6pm	After school program collaborative for period after school from 3 p.m. to 6 p.m. Saturdays are time and 1/2. OUSD can't cover weekend use under Joint Use Agreement See Section G of Joint Use Agreement regarding resolution of outstanding budgetary issues.
Urban Promise Academy Middle School	PG	BB, SB	M-F	3-6 p.m.	School year	
Webster Elementary (East Oakland Pride @)	PG					
Westlake Middle School	PG, Gym	FF, BB, VB	M-F	3-8 p.m.	School year	After school program collaborative

Key - FACILITIES
 PG = Playground
 CL = Classroom
 LIB = Library
 AUD = Auditorium
 MULTI = Multipurpose Room

Key - SPORTS
 BB = Basketball
 FF = Flag Football
 SB = Softball
 SC = Soccer
 VB = Volleyball

**EXHIBIT C
OUSD SCHEDULED USE OF OPR FACILITIES**

NAME OF FACILITY	TYPE OF FACILITY USED	SPORTS	DAYS	TIMES	SPORT SEASON/TIME AND DATE OF USE	COMMENTS
Laney	Courts	Tennis	Various	3:30pm	Fall/Spring	See schedules attached
McConnell	Field	Baseball	Various	3:30pm	Spring	"
Mosswood	Field	Softball	Various	3:30pm	Spring	"
DeFremery	Field	Softball	Various	3:30pm	Spring	"
Brookdale	Field	Softball	Various	3:30pm	Spring	"
Burckhalter	Field	Softball	Various	3:30pm	Spring	"
Raimondi	Field	Baseball	Various	3:30pm	Spring	"
Curt Flood	Field	Baseball	Various	3:30pm	Spring	"
Carter	Field	Baseball	Various	3:30pm	Spring	"
Bushrod	Field	Baseball	Various	3:30pm	Spring	Tech's Field
Jones	Field	Baseball/Softball	Various	3:30pm	Spring	Skyline's Field
Allendale Recreation Center	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Brookdale Recreation Center	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Bushrod Recreation Center	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Carmen Flores Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
DeFremery Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Diamond Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
FM Smith Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Franklin Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Golden Gate Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Ira Jenkins Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Lake Merritt Boating Center	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Lincoln Square Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator

**EXHIBIT C
OUSD SCHEDULED USE OF OPR FACILITIES**

NAME OF FACILITY	TYPE OF FACILITY USED	SPORTS	DAYS	TIMES	SPORT SEASON/TIME AND DATE OF USE	COMMENTS
Manzanita Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Montclair Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Mosswood Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Rainbow Recreation Center	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Redwood Heights Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Rotary Nature Center	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
San Antonio Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Sheffield Village Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Tassafaronga Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Willie Keyes (Popular) Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Leona Lodge	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Sequoia Lodge	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Lake Merritt Sailboat House	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Joaquin Miller Community Center	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Morcom Rose Garden Center	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Garden Center	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator
Verdese Carter Recreation	Recreation Room	N/A	TBD	TBD	As needed	Site will be primarily used for meetings at the request of an Administrator

OAKLAND UNIFIED SCHOOL DISTRICT
 Division of Instructional Services
 Office of Commissioner of Oakland Athletic League

OAL BASEBALL SCHEDULE -- 2009

Wednesday, March 18	Castlemont	vs	Fremont	@	Curt Flood
	Technical	vs	Oakland	@	Oakland
	McClymonds	vs	Skyline	@	Skyline
Friday, March 20	McClymonds	vs	Castlemont	@	McConnell
	Fremont	vs	Technical	@	Carter
	Skyline	vs	Oakland	@	Oakland
Wednesday, March 25	Oakland	vs	Castlemont	@	McConnell
	McClymonds	vs	Fremont	@	Curt Flood
	Technical	vs	Skyline	@	Skyline
Friday, March 27	Technical	vs	McClymonds	@	Raimondi
	Fremont	vs	Oakland	@	Oakland
	Skyline	vs	Castlemont	@	McConnell
Wednesday, April 1	Castlemont	vs	Technical	@	Carter
	Oakland	vs	McClymonds	@	Raimondi
	Fremont	vs	Skyline	@	Skyline
Friday, April 3	Fremont	vs	Castlemont	@	McConnell
	Oakland	vs	Technical	@	Carter
	Skyline	vs	McClymonds	@	Raimondi
Wednesday, April 15	Castlemont	vs	McClymonds	@	Raimondi
	Technical	vs	Fremont	@	Curt Flood
	Oakland	vs	Skyline	@	Skyline
Friday, April 17	Castlemont	vs	Oakland	@	Oakland
	Fremont	vs	McClymonds	@	Raimondi
	Skyline	vs	Technical	@	Carter
Wednesday, April 22	McClymonds	vs	Technical	@	Carter
	Oakland	vs	Fremont	@	Curt Flood
	Castlemont	vs	Skyline	@	Skyline
Friday, April 24	Technical	vs	Castlemont	@	McConnell
	McClymonds	vs	Oakland	@	Oakland
	Skyline	vs	Fremont	@	Curt Flood
Wednesday, April 29	Castlemont	vs	Fremont	@	Curt Flood
	Technical	vs	Oakland	@	Oakland
	McClymonds	vs	Skyline	@	Skyline

MEN'S DIVISION BASEBALL SCHEDULE 2009 - page 2

Friday, May 1	McClymonds	vs	Castlemont	@	McConnell
	Fremont	vs	Technical	@	Carter
	Skyline	vs	Oakland	@	Oakland
Wednesday, May 6	Oakland	vs	Castlemont	@	McConnell
	McClymonds	vs	Fremont	@	Curt Flood
	Technical	vs	Skyline	@	Skyline
Friday, May 8	Technical	vs	McClymonds	@	Raimondi
	Fremont	vs	Oakland	@	Oakland
	Skyline	vs	Castlemont	@	McConnell
Wednesday, May 13	Castlemont	vs	Technical	@	Carter
	Oakland	vs	McClymonds	@	Raimondi
	Fremont	vs	Skyline	@	Skyline

TBA

OAL Champion vs AAA Champion

2 games in San Francisco - 1 game in Oakland

1. *Baseball practice may start no earlier than Monday, January 26, 2009.*
2. *All games will begin at 3:30 p.m.*
3. *Games will have seven innings (ten run rule is in effect, team ahead by ten runs in the fifth inning).*
4. *Each team is allowed five minutes fielding practice. There is to be no batting practice.*
5. *Age. No student whose nineteenth (19th) birthday is attained prior to June 15 shall participate or practice with any team in the following school year. A student whose nineteenth birthday is on June 14, or before, is ineligible.*
6. *Students playing on any OAL baseball team may not play on any outside baseball team until the OAL schedule is completed. This schedule period includes the practice period. A student who is in outside competition when practice begins, must receive the approval of the Director of the Oakland Athletic League to complete his outside competition.*
7. *See OAL Rules and Regulations or National Federation Baseball Rules for all other playing rules, including games postponed because of inclement weather.*

OAKLAND UNIFIED SCHOOL DISTRICT
 Division of Instructional Services
 Office of Commissioner of Oakland Athletic League

WOMEN'S DIVISION SOFTBALL SCHEDULE - 2009

<u>Tuesday, March 17</u>	Fremont Castlemont Oakland	vs vs vs	McClymonds Skyline Technical	@ @ @	deFremery Jones Mosswood
<u>Thursday, March 19</u>	Castlemont Oakland Technical	vs vs vs	Fremont McClymonds Skyline	@ @ @	Brookdale deFremery Jones
<u>Tuesday, March 24</u>	Oakland Skyline Technical	vs vs vs	Fremont McClymonds Castlemont	@ @ @	Brookdale deFremery Bruckhalter
<u>Thursday, March 26</u>	Fremont Skyline McClymonds	vs vs vs	Technical Oakland Castlemont	@ @ @	Mosswood Allendale Burckhalter
<u>Tuesday, March 31</u>	Fremont McClymonds Castlemont	vs vs vs	Skyline Technical Oakland	@ @ @	Jones Mosswood Allendale
<u>Thursday, April 2</u>	McClymonds Skyline Technical	vs vs vs	Fremont Castlemont Oakland	@ @ @	Brookdale Burckhalter Allendale
<u>Tuesday, April 14</u>	Fremont McClymonds Skyline	vs vs vs	Castlemont Oakland Technical	@ @ @	Burckhalter Allendale Mosswood
<u>Thursday, April 16</u>	Fremont McClymonds Castlemont	vs vs vs	Oakland Skyline Technical	@ @ @	Allendale Jones Mosswood
<u>Tuesday, April 21</u>	Technical Oakland Castlemont	vs vs vs	Fremont Skyline McClymonds	@ @ @	Brookdale Jones deFremery
<u>Thursday, April 23</u>	Skyline Technical Oakland	vs vs vs	Fremont McClymonds Castlemont	@ @ @	Brookdale deFremery Burckhalter
<u>Tuesday, April 28</u>	Fremont Castlemont Oakland	vs vs vs	McClymonds Skyline Technical	@ @ @	deFremery Jones Mosswood
<u>Thursday, April 30</u>	Castlemont Oakland Technical	vs vs vs	Fremont McClymonds Skyline	@ @ @	Brookdale deFremery Jones

<u>Tuesday, May 5</u>	Oakland	vs	Fremont	@	Brookdale
	Skyline	vs	McClymonds	@	deFremery
	Technical	vs	Castlemont	@	Burckhalter

<u>Thursday, May 7</u>	Fremont	vs	Technical	@	Mosswood
	Skyline	vs	Oakland	@	Allendale
	McClymonds	vs	Castlemont	@	Burckhalter

<u>Tuesday, May 12</u>	Fremont	vs	Skyline	@	Jones
	McClymonds	vs	Technical	@	Mosswood
	Castlemont	vs	Oakland	@	Allendale

TBA

OAL Champion vs AAA Champion
2 games in Oakland – 1 game in San Francisco

1. Softball practice may start no earlier than Monday, February 2, 2009.
2. All games are scheduled to begin at 3:45 p.m.
3. Each team will be allowed ten minutes fielding practice when time allows.
4. The home team (second column of schedule) is responsible for providing and installing the bases. The home team provides the official scorebook.
5. Buses are scheduled to pick up teams at 2:30 p.m. Teams must be ready to board buses promptly. Buses will be shared by teams where the schedule allows.
6. Games will have seven innings (ten run rule is in effect, team ahead by ten runs in the fifth inning).
7. Age. No student whose nineteenth (19th) birthday is attained prior to June 15 shall participate or practice with any team in the following school year. A student whose nineteenth birthday is on June 14, or before, is ineligible.
8. Students playing on any OAL softball team may not play on any outside softball team until the OAL schedule is completed. This schedule period includes the practice period. A student who is in outside competition when practice begins, must receive the approval of the Director of the Oakland Athletic League to complete outside competition.
9. See OAL Rules and Regulations or National Federation Baseball Rules for all other playing rules, including games postponed because of inclement weather.

OAKLAND UNIFIED SCHOOL DISTRICT
 Division of Instructional Services
 Office of Commissioner of Oakland Athletic League

MEN'S DIVISION TENNIS SCHEDULE - 2009

<u>Thursday, March 19</u>	Jamboree		Clinic		Laney
<u>Tuesday, March 24</u>	Fremont	vs	Oakland	@	Laney
	McClymonds	vs	Technical	@	Laney
	Skyline	vs	Castlemont	@	Laney
<u>Thursday, March 26</u>	Castlemont	vs	Oakland	@	Laney
	McClymonds	vs	Fremont	@	Laney
	Skyline	vs	Technical	@	Laney
<u>Tuesday, March 31</u>	Skyline	vs	McClymonds	@	Laney
	Castlemont	vs	Fremont	@	Laney
	Oakland	vs	Technical	@	Laney
<u>Thursday, April 2</u>	Oakland	vs	McClymonds	@	Laney
	Castlemont	vs	Technical	@	Laney
	Skyline	vs	Fremont	@	Laney
<u>Tuesday, April 14</u>	Castlemont	vs	McClymonds	@	Laney
	Skyline	vs	Oakland	@	Laney
	Technical	vs	Fremont	@	Laney
<u>Thursday, April 16</u>	Oakland	vs	Fremont	@	Laney
	Technical	vs	McClymonds	@	Laney
	Castlemont	vs	Skyline	@	Laney
<u>Tuesday, April 21</u>	Oakland	vs	Castlemont	@	Laney
	Fremont	vs	McClymonds	@	Laney
	Technical	vs	Skyline	@	Laney
<u>Thursday, April 23</u>	McClymonds	vs	Skyline	@	Laney
	Fremont	vs	Castlemont	@	Laney
	Technical	vs	Oakland	@	Laney
<u>Tuesday, April 28</u>	McClymonds	Vs	Oakland	@	Laney
	Technical	vs	Castlemont	@	Laney
	Fremont	vs	Skyline	@	Laney

OAL 2009 MEN'S DIVISION TENNIS SCHEDULE - page 2

<u>Thursday, April 30</u>	McClymonds	vs	Castlemont	@	Elmhurst Plaza
	Oakland	vs	Skyline	@	Chabot
	Fremont	vs	Technical	@	Laney
<u>Week of May 4</u>	OAL Singles & Doubles Meets			@	Laney College
<u>NORCAL</u> <u>CHAMPIONSHIPS</u>	May 22-23			@	TBD

1. Tennis practice may start no earlier than Monday, February 2, 2009.
2. All Dual meets will start at 3:30 p.m.
3. A tennis player must play in four (4) league matches to be eligible for medals play.
4. No student whose nineteenth (19th) birthday is attained prior to June 15 shall participate or practice with any team in the following school year. A student whose nineteenth birthday is on June 14, or before, is ineligible.
5. For other rules, see RULES AND REGULATIONS - OAL TENNIS.

OAKLAND UNIFIED SCHOOL DISTRICT
 Division of Instructional Services
 Office of Commissioner of Oakland Athletic League
WOMEN'S DIVISION TENNIS SCHEDULE - 2008

<u>Thursday, Sept 25</u>	Jamboree	Clinic	@ Laney
<u>Tuesday, Sept. 30</u>	Fremont	vs Oakland	@ Davies
	McClymonds	vs Technical	@ Chabot
	Skyline	vs Castlemont	@ Elmhurst Plaza
<u>Thursday, October 2</u>	Castlemont	vs Oakland	@ Davies
	McClymonds	vs Fremont	@ Laney
	Skyline	vs Technical	@ Chabot
<u>Tuesday, October 7</u>	Skyline	vs McClymonds	@ deFremery
	Castlemont	vs Fremont	@ Laney
	Oakland	vs Technical	@ Chabot
<u>Thursday, October 9</u>	Oakland	vs McClymonds	@ deFremery
	Castlemont	vs Technical	@ Chabot
	Skyline	vs Fremont	@ Laney
<u>Tuesday, October 14</u>	Castlemont	vs McClymonds	@ deFremery
	Skyline	vs Oakland	@ Davies
	Technical	vs Fremont	@ Laney
<u>Thursday, October 16</u>	Oakland	vs Fremont	@ Laney
	Technical	vs McClymonds	@ deFremery
	Castlemont	vs Skyline	@ Chabot
<u>Tuesday, October 21</u>	Oakland	vs Castlemont	@ Elmhurst Plaza
	Fremont	vs McClymonds	@ deFremery
	Technical	vs Skyline	@ Chabot
<u>Thursday, October 23</u>	McClymonds	vs Skyline	@ Chabot
	Fremont	vs Castlemont	@ Elmhurst Plaza
	Technical	vs Oakland	@ Davies
<u>Tuesday, October 28</u>	McClymonds	vs Oakland	@ Davies
	Technical	vs Castlemont	@ Elmhurst Plaza
	Fremont	vs Skyline	@ Chabot
<u>Thursday, October 30</u>	McClymonds	vs Castlemont	@ Elmhurst
	Oakland	vs Skyline	@ Chabot
	Fremont	vs Technical	@ Laney
<u>Mon, Tues, Wed, Thurs, November 3,4,5,6</u>	OAL Singles & Doubles Meets		@ Laney College
<u>Friday & Saturday November 21 & 22, 2008</u>	NORCAL Championship		@ TBA

The school listed in the second column is the home school and provides the game balls. The first eight (8) matches are scheduled to begin at 3:45 p.m. The last two (2) matches will start at 3:00 p.m.

EXHIBIT D
OUSD Properties Leased and Maintained by City

PROPERTY NAME	PROPERTY ADDRESS	Expiration
Allendale Recreation Center	3711 Suter Street	11/1/2023
Golden Gate Field (limited section)	1075 62nd Street	
King Estates Lower Field	8251 Fontaine St	
Marston Campbell Park	1700 Market Street (17th & West)	8/31/1996
Live Oak Pool	1055 MacArthur Boulevard	12/31/2033
Lowell Park	1098 12th St (12th & Filbert)	10/1/1993
Manzanita/Garfield Recreation Center	E. 17th Street & 22nd Avenue	12/19/1990
McConnell Field	7701 Krause Avenue	10/16/2046
Belle Vista Park	1025 East 28th Street	6/30/2027
Sobranite Park-Recreation Center	470 El Paseo Drive	
Stonehurst Park	10315 E Street	9/25/2013

** New lease agreements for King Estates Lower Field, a section of Golden Gate Field, and a section of Sobranite Park are currently under negotiation (March 2008)*