



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: Dana Riley
Interim Director, Oakland
Parks and Recreation
Department

SUBJECT: Resolution Approving Oakland Parks
and Recreation Foundation
Fundraising Agreement, Ordinance
Authorizing License for Use of City
Office Space, and Resolution
Authorizing Acceptance of Grants

DATE: October 31, 2022

City Administrator Approval

Date: Nov 8, 2022

RECOMMENDATION

Staff Recommends The City Council Adopt The Following Pieces of Legislation:

A Resolution Approving An Agreement With The Oakland Parks And Recreation Foundation (OPRF) For The Cooperative Solicitation Of Private and Public Funding To Be Used For Oakland Parks, Recreation And Youth Development (OPRYD) Projects, Programs, And Services For A Term of Three-Years, With A Three-Year Option To Renew;

An Ordinance 1) Authorizing A Three-Year License Agreement, With A Three-Year Option To Renew With OPRF For The Use Of Office Space At The Lakeside Park Marsha J. Corprew Memorial Garden Center At The Below Market Rate of \$0.00; 2) Making Findings That The License For Below Fair Market Value Is In The Best Interest Of The City; and 3) Making Appropriate California Environmental Quality Act Findings;

A Resolution To 1) Authorize The City Administrator To Accept Grants, Gifts, and Donations Of Money From The OPRF In An Amount Up To \$750,000 Each Fiscal Year Through June 30, 2025 In A Total Amount Not To Exceed \$2,250,000 For The Three-Year Period; 2) Appropriate Said Funds For OPRYD; 3) Authorize The City Administrator To Create A New Fund For These Appropriations; And 4) Authorize The City Administrator To Accept Donations of Goods And In-kind Services From OPRF Valued In An Amount Of Up To \$250,000 Each Fiscal Year Through June 30, 2025 In A Total Amount Not To Exceed \$750,000 For The Three-Year Period.

Life Enrichment Committee
November 14, 2022

EXECUTIVE SUMMARY

Staff has prepared the following pieces of legislation:

1) A resolution approving an agreement between the City of Oakland (City) and Oakland Parks and Recreation Foundation (OPRF), a 501(c)(3) California nonprofit organization, for the purpose of securing private and public funding to support OPRYD recreation services, including participant fees scholarships for youth attending OPRYD programs, and for capital improvements to parks and recreation projects. Adoption of the resolution supports the City in securing much needed funding for City owned park programs, facilities and grounds.

OPRF has access to private funding sources and other entities to which the City may not have access. It is beneficial for the City and OPRF to work collaboratively and in their respective areas of expertise to improve and enhance Oakland's parks and recreation facilities and recreational programs throughout Oakland. OPRF collected the following amount of grants, gifts, and donations: FY2019-20 \$625,443; FY2020-21 \$4,351,293; FY2021-22 \$727,635. The FY2020-21 amount includes \$3.5 million collected for renovation of Mosswood Recreation Center from Kaiser Permanente Financial. OPRF is projected to grant up to \$300,000 of scholarships for youth to attend OPRYD programs during FY2022-23. OPRF also acts as a fiscal sponsor to 43 community-based organizations who raise funds to support and improve Oakland's parks system such as Friends of Joaquin Miller Park, Friends of Rockridge Temescal Greenbelt Park, and Oakland Street Stylers.

2) An Ordinance authorizing a license agreement with OPRF for use of the Lakeside Park Marsha J. Corprew Memorial Garden Center located at 666 Bellevue Avenue. City Council approval of the ordinance will authorize a three-year license agreement with a three-year option to renew with OPRF for the non-exclusive use of office space at the Lakeside Park Marsha J. Corprew Memorial Garden Center at the below market rate of \$0.00 to further OPRF fundraising efforts and support of OPRYD park and recreation programs in addition to support of various community-based organizations benefiting City park programs. Pursuant to Oakland Municipal Code ("OMC") section 2.42.110, and based on the value of the in-kind services and the social, cultural, and economic benefits of the license, staff recommends the City Council finds and determines that it is in the City's best interest to enter into the license with OPRF at the below market license fee of \$0.00 per month.

3) A resolution to authorize the City Administrator to accept grants, gifts, and donations of money from OPRF in an amount of up to \$750,000 per fiscal year through June 30, 2025. These monies are to be appropriated for the exclusive benefit of OPRYD, its clients, and facilities. The resolution would authorize the creation of a new Fund for the monetary grants received from OPRF and would appropriate said funds. The resolution would authorize the City Administrator to accept donations of goods and in-kind services from the OPRF valued in an amount up to \$250,000 each fiscal year for fiscal years 2022-2023, 2023-2024, and 2024-2025 in a total amount not to exceed \$750,000 over the three fiscal years. The resolution provides that any unused authority to accept and appropriate funds or in-kind services in each fiscal year will roll over to the next fiscal year through fiscal year 2024-2025.

The City Council's action would facilitate the timely use of grants, gifts, and donations from OPRF to supplement the City of Oakland's adopted budget. The action will also allow for streamlined

acceptance from donors who often are working within a compressed timeline. As a result, parks and recreation facility visitors will receive increased benefits and services it would not otherwise receive.

BACKGROUND / LEGISLATIVE HISTORY

As municipal finances tighten, cities must explore new partnerships to achieve their goals - whether it is to build libraries, recreation centers, art galleries, boathouses, or any number of other facilities. These efforts are critical and must involve a combination of public and private funds. With the shrinking dollars in Capital Improvement over the next few years, the timing is perfect to engage City management and staff in the development of fundraising efforts with private citizens, businesses, foundations, and State and Federal grants to seek opportunities to continue to complete and develop projects throughout the City. The proposed agreement between the City of Oakland and OPRF meets these needs and spells out the responsibilities of each party.

OPRF is a nonprofit organization dedicated to providing financial and volunteer resources and advocacy for recreation programs and parks in Oakland and improving the quality of life for all Oakland residents and other who utilize these facilities. The City and OPRF has had a longstanding relationship, which supports and funds park improvement projects and the services and activities of OPRYD. OPRF has a proven track record of actively soliciting funds for parks and recreation programs within the City from private and public sources.

OPRF has a volunteer board of directors whose over 40-year mission has been to improve the quality of life for all Oakland citizens by generating funding and support for projects and programs which enhance and supplement recreational, environmental, educational, beautification, and leisure activities offered through Oakland parks and recreation centers. This is accomplished by providing grants that foster environmental education, enhance recreation experiences, expose children and youth to traditional and non-traditional sports programs and encourages beautification projects at Oakland parks; promotes community gardens; or rehabilitates or maintains parks and recreation facilities.

Over the last 40 years OPRF has retrofitted over 55 playgrounds and ball fields throughout Oakland and provided over 150 grants to worthy programs. In 2022 alone, OPRF funded 14 grants providing scholarships for camps, funded boating and swim lessons, and supplemented sporting programs such as Pee-Wee basketball and softball, to name a few. OPRF is committed to serving Oakland's diverse community and works with like-minded partners, to address facilities and programs most in need.

OPRF is committed to working cooperatively with private entities, endowments, foundations, various public agencies, and other entities to foster public/private partnerships essential to realizing the vision of Oakland as a model city and ensuring accessibility to parks and recreational opportunities for all. OPRF is dedicated to working cooperatively with the City of Oakland and its departments including but not limited to, the OPRYD.

On projects for which OPRF has raised private funding or had a part in securing State or Federal funding on City approved applications, OPRF retains a portion of the funding to cover its administrative expenses.

ANALYSIS AND POLICY ALTERNATIVES

It is beneficial for the City and OPRF to work collaboratively and in their respective areas of expertise to improve and enhance Oakland's parks and recreation facilities and recreational programs throughout Oakland. OPRF has the qualifications, philanthropic expertise and nonprofit 501(c)(3) corporation status to encourage private donations.

Using the Council Priorities as a guiding principle, OPRF seeks funds from private and public sources for projects that are consistent with the City's adopted policies and priorities including City Council's adopted equity-based Capital Improvement Prioritization and scorecard process.

Under Oakland Municipal Code section 2.04.160 (Acceptance, appropriation and expenditures from restricted gift proceeds) the City Administrator is delegated limited authority to accept gifts and donations to the City up to \$50,000 without City Council action provided that: (1) the gift/donation does not create unbudgeted costs for the City, (2) the gift/donation is for a program or project that has been approved by the Council in the biennial or mid-cycle operating or Capital Improvement Program (CIP) budget, or by City Council legislation during the fiscal year, and (3) the gift/donation or proceeds therefrom are used in accord with restrictions and/or special conditions of the donor. Given the volume of OPRF donations, the City Administration seeks a solution to streamline and simplify the acceptance of gifts and donations from OPRF. Staff is therefore seeking authority to accept gifts and donations from OPRF that are valued over the \$50,000 threshold, or do not otherwise meet the criteria in section 2.04.160. The resolution would authorize the City Administrator to accept donations of money in a cumulative amount not to exceed \$750,000 per year for fiscal years 2022-2023, 2023-2024, and 2024-2025 in an amount not to exceed \$2,250,000 for the three-year period. The resolution would also authorize the City Administrator to accept goods and in-kind services from OPRF valued in an amount up to \$250,000 each fiscal year through June 30, 2025 in an amount not to exceed \$750,000 for the three-year period. The resolution would also allow any unused authority to accept and appropriate money funds or in-kind services in each fiscal year will roll over to the next fiscal year through fiscal year 2024-2025.

The process for accessing grant funds from OPRF is via invoicing—the requesting of reimbursement of expenditures, in arrears. The proposed resolution would appropriate funds for OPRYD. The ensuing expenditures will be incurred and transacted in compliance with O.M.C. 2.04 (Purchasing System) with oversight by the City's Finance Department. OPRYD will then invoice OPRF for the reimbursement of these expenditures incurred.

OPRYD will forward to OPRF an invoice with information and documentation to satisfy OPRF that the expenditure(s) incurred qualify for their reimbursement. Each invoice would be corroborated with the following: 1) a description of goods and/or services received by OPRYD or its clients; 2) a copy of the invoice(s) corroborating the expenditure; and 3) any other corroborating documentation.

Adoption of the proposed legislation advances the Citywide priority of vibrant, sustainable infrastructure by providing grants, gifts, and donations to improve parks, improve the experiences of its visitors, and the creation of equitable access to recreation programs through scholarships.

FISCAL IMPACT

The proposed agreement memorializes the long, established relationship between City and OPRF and outlines the fundraising priorities to align with City Council and Department of Race and Equity goals, and the required reporting.

Pursuant to O.M.C. 2.42.110, and based on the value of the in-kind services and the social, cultural, and economic benefits of the license described herein, staff recommends that the City Council finds and determines that it is in the City's best interest to enter into the license with OPRF at the below market license fee of \$0.00 per month.

Based on recent trends it is estimated that OPRF will grant to the City annual gifts, donations, and grants of approximately \$750,000 each fiscal year. The vast majority of these monies are non-recurring with no commitment to be funded for multiple fiscal years. The monies are stipulated by the donors and/or grantors to be used specifically to benefit Oakland parks, recreation programs, and/or its patrons. OPRYD is committed to expend these funds in accordance with donor and/or grantor stipulations.

The proposed resolution authorizes the City Administrator to accept grants, gifts and donations of money from OPRF in an amount not to exceed \$750,000 each year for fiscal years FY22-23, FY23-24, and FY24-25 and appropriates said funds in a new Fund (TBD). The proposed resolution also authorizes the City Administrator to accept goods and in-kind services from OPRF valued in an amount up to \$250,000 each fiscal year through June 30, 2025 in a total amount not to exceed \$750,000 for the three-year period. OPRYD will comply with the City's Purchasing Ordinance and all other applicable City laws and policies when expending the grant funding from OPRF. Such expenditures will be invoiced to OPRF for reimbursement in arrears. These reimbursements will be deposited in the same Fund (TBD) as where the expenditures are incurred. As a result, the Fund's (TBD) revenues will equal its expenditures.

PUBLIC OUTREACH / INTEREST

There was no outreach deemed necessary for this report other than posting on the City's website.

COORDINATION

This report has been reviewed by the Office of the City Attorney and the Finance Department, Budget Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: Access to gifts, donations, and grants that would not be available otherwise.

Environmental: Gifts, donations, and grants can be used to repair and improve parks and parks facilities.

Race & Equity: Gifts, donations, and grants can be used to subsidize the enrollment costs of recreational programs, mitigating enrollment cost as a barrier to entry. Approximately \$300,000 per year will be used to subsidize enrollment costs for Oakland families.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends The City Council Adopt The Following Pieces of Legislation:

A resolution approving an agreement with OPRF for the cooperative solicitation of private and public funding to be used for OPRYD projects, programs, and services for a term of three fiscal years ending June 30, 2025, with a three-year option to renew;

An ordinance 1) Authorizing a three-year license agreement with a three-year option to renew with OPRF for the use of office space at the Lakeside Park Marsha J. Coprew Memorial Garden Center at the below market rate of \$0.00; 2) Making findings that the license for below fair market value is in the best interest of the City; and 3) making appropriate California Environmental Quality Act findings;

A resolution to 1) Authorize the City Administrator to accept grants, gifts, and donations of money from the OPRF in an amount up to \$750,000 each fiscal year through June 30, 2025 in a total amount not to exceed \$2,250,000 for the three-year period; 2) Appropriate said funds for OPRYD; 3) Authorize the City Administrator to create a new fund for these appropriations; and 4) Authorize the City Administrator to accept donations of goods and in-kind services from OPRF valued in an amount up to \$250,000 each fiscal year through June 30, 2025 in a total amount not to exceed \$2,250,000 for the three-year period.

For questions regarding this report, please contact Neil Valle, Administrative Services Manager II, at (510) 238-3926.

Respectfully submitted,



E. Harith Aleem (Nov 4, 2022 12:35 PDT)

(Signing on behalf of)

Dana Riley
Interim Director, Oakland Parks, Recreation
and Youth Development

Prepared by: Neil Valle
Administrative Services Manager II