



AGENDA REPORT

TO: Honorable Mayor & City Council

FROM: Councilmember Carroll Fife,
District 3

SUBJECT: Establishing Malonga Arts Collective As
Anchor Tenants Of The Malonga Arts
Center

DATE: February 16, 2023

RECOMMENDATION

Councilmember Fife Recommends That The City Council Adopt An Ordinance (1) Authorizing The City Administrator To Negotiate And Execute Lease Agreements Between The City Of Oakland And Certain Arts And Educational Organizations, Including Individual Members Of The Malonga Arts Collective (MAC), A Nonprofit Organization, For 10-Year Terms Each With One 5-Year Option To Renew, At Below Market Rates For Use Of Office Spaces And Reduced Fees For Studio Spaces And Theater Use At The Malonga Casquelourd Center For The Arts (MCCA) At 1428 Alice Street; (2) Making Findings That The Office Leases For Below Market Value Are In The Best Interests Of The City; (3) Directing The City Administrator To Return With An Ordinance To Amend The Master Fee Schedule To Provide For Reduced Fees For Studio Spaces And Theater Use Pursuant To Negotiated Agreements With Tenants Of The MCCA; And (4) Adopting California Environmental Quality Act Findings

EXECUTIVE SUMMARY

Approval of this legislation would allow the various arts and educational organizations, including those in the Malonga Arts Collective (MAC), a nonprofit corporation that comprises a coalition of 10 arts organizations and individual teaching artists with operations in the Malonga Casquelourd Center for the Arts (MCCA), to be anchor tenants of the MCCA. To this end, this Ordinance would authorize the City Administrator to negotiate and execute lease agreements between the City of Oakland and the longstanding tenant organizations, including individual members of MAC, for 10-year terms each with one 5-year option to renew. Additionally, the legislation provides direction to the City Administration to return to Council on or before July 1, 2023 with an Ordinance to amend the Master Fee Schedule to provide for reduced fees for studio spaces and theater use within the MCCA. The tenant organizations of the MCCA provide many artistic and cultural benefits to our community through a variety of classes, programming, and events. To ensure these entities are able to keep doing the work that further contributes to the vitality of our City, the Council must take action as put forth in this legislation to maintain their access to the facility and provide much needed stability through long-term lease agreements at below market rates.

BACKGROUND / LEGISLATIVE HISTORY

The Malonga Casquelourd Center for the Arts (MCCA), located at 1428 Alice Street, is a City designated landmark and one of the nation's premiere Black Indigenous and People of Color (BIPOC) led cultural arts center. This iconic cultural space is managed by the City's Parks, Recreation & Youth Development

Department (OPR). The MCCA has offices, storage space, teaching studios, rehearsal spaces, performance spaces, and single-room-occupancy (SRO) units and has been an affordable place for Oakland's arts organizations and artists to live and work for a long time. However, the building has also been in desperate need of renovations and upgrades. To begin this work, the City Council approved Capital investments in the Black Arts Movement and Business District (BAMBD), including \$500,000 for a feasibility study for renovations of the MCCA in the Fiscal Year 2021-2023 Biennial Budget. The City is in the process of moving forward with the study for capital improvements to the facility.

The MCCA is home to many incredible organizations and individuals, including the 10 members of the Malonga Arts Collective (MAC): Fua Dia Congo, Dimensions Dance Theater, Diamano Coura West African Dance Company, Omulu Capoeira Group, Bantaba Dance Ensemble, Samba Funk!, African Queens, Dance-A-Vision Entertainment, LIKHA Pilipino Folk Ensemble, and Rara Tou Limen. These individuals and organizations have been dedicated to sustaining the MCCA as a vital part of the Oakland arts ecosystem through regular low-cost and free classes, workshops, rehearsals, conferences, cultural events, showcases, shows, concerts etc. However, these entities are currently operating without lease agreements and may lose the opportunity to utilize the spaces within the building, particularly at rates that are affordable. Along with upgrading and renovating the MCCA facility, it is in the City's interest to support the individuals and organizations working in the MCCA by entering into long-term lease agreements at below market rates to help maintain and expand cultural institutions and spaces in Oakland.

ANALYSIS AND POLICY ALTERNATIVES

As stated above, this Ordinance would authorize the City Administrator to negotiate and execute lease agreements with longstanding arts and educational entities for MCCA office spaces at below fair market value and studio spaces and theater use at reduced fees for an initial 10-year term with one 5-year option to extend. OMC Section 2.42.110 provides that the social and cultural benefits to the community by lessees may be considered by the Council in making a finding that the license for use of the property for less than its fair market rental value is in the best interests of the City. MAC member organizations have provided and desire to further provide cultural and social benefits to the City and the community at large by delivering invaluable training and community enrichment through regular low-cost and free classes, including free classes to youth in Oakland schools, workshops, rehearsals, conferences, cultural events, showcases, shows, and concerts. Over the years, these programs, classes, and events have benefited thousands of children, teens, adults and elders at MCCA. Therefore, it is in the City's best interest that the MCCA tenants continue providing these services, which will require approval of this Ordinance authorizing lease agreements for office spaces at MCCA at below market rates. Specifically, the rent to be paid by each tenant for office spaces at the MCCA would be negotiated by the City Administrator but shall not exceed the current rents paid by each tenant.

Moreover, the City's Master Fee Schedule for Parks, Recreation & Youth Development (OPR) authorizes fees for rental facilities such as the MCCA to be negotiated based on services provided by non-profit groups with OPR Partnership Agreements and reduced fees for studio spaces and theater use requires an ordinance amending the Master Fee Schedule. This legislation directs the City Administrator to return to Council with an Ordinance amending the Master Fee Schedule, on or before July 1, 2023, to provide for reduced rates for the studio spaces and theater performance space, pursuant to negotiated agreements with tenants of the MCCA.

To ensure these Council directives are implemented and the Council has as much information as possible about the MCCA and its various operations, this legislation includes direction to City Administration to return to Council on or before May 30, 2023 with (1) an informational report and recommendations on the status of lease agreements with MAC member organizations and how the City currently coordinates and can further collaborate with MAC and its members; (2) a proposed scope and budget for a master plan for cultural arts programming at MCCA to increase Oakland residents' ability to take advantage of the center's unique resources; and (3) a status update on the City's feasibility study and building assessment underway at the MCCA.

FISCAL IMPACT

The proposed action does not entail a General Purpose Fund (GPF) expenditure but may result in reduced revenue being deposited into the GPF due to the rent rates being below market. However, as noted above, the MAC members have been and will continue to provide in-kind social and cultural contributions to the community.

PUBLIC OUTREACH / INTEREST

There was no specific public outreach required beyond the posting and noticing of this agenda item. However, the District 3 office is in communication with various individuals and organizations within the MCCA.

COORDINATION

This legislation was drafted in collaboration with the Office of the City Attorney. Additionally, relevant staff from various departments, including Parks, Recreation & Youth Development and Economic and Workforce Development's Real Estate Division have been consulted.

SUSTAINABLE OPPORTUNITIES

Economic: Approval of this Ordinance will have significant positive economic impacts for the longstanding tenants of the MCCA. It would give them the stability needed to continue providing invaluable cultural and arts related services to members of our community as well as allow them to reach more people.

Environmental: This item has no direct environmental impacts.

Race & Equity: Providing affordable spaces for Oakland's arts organizations and artists is critical to preventing cultural displacement. These individuals and organizations are longstanding tenants that strive to make the space a thriving and vibrant cultural hub at the intersections of arts, culture, community belonging, and seek to sustain, grow, and ensure the public's access to world-class arts programming.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

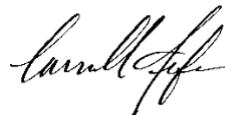
The leases will not result in a significant impact under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15061(b)(3) and 15301 since it provides for the ongoing use of an existing facility within the City.

ACTION REQUESTED OF THE CITY COUNCIL

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For questions regarding this report, please contact Rediat Bayeh, Policy Director for Councilmember Fife, at RBayeh@oaklandca.gov.

Respectfully submitted,



Councilmember Carroll Fife
District 3