

*Macaulay*  
City Attorney's Office

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2020 JAN 30 PM 5:48

# OAKLAND CITY COUNCIL

RESOLUTION NO. 88047 C.M.S.

**RESOLUTION TO: 1) ACCEPT AND APPROPRIATE OUT-OF-SCHOOL TIME GRANT FUNDS FROM THE CALIFORNIA STATE LIBRARY IN AN AMOUNT NOT TO EXCEED \$250,000 THROUGH JUNE 30, 2022; AND 2) WAIVE THE REQUEST FOR PROPOSALS/QUALIFICATIONS REQUIREMENTS; AND 3) AWARD A CONTRACT TO THE MUSEUM OF CHILDREN'S ARTS (MOCHA) IN AN AMOUNT NOT TO EXCEED \$200,000 TO PROVIDE WEEKLY OUT-OF-SCHOOL TIME ART PROGRAMS AT OAKLAND PUBLIC LIBRARY SITES THROUGH THE TWO-YEAR GRANT PERIOD ENDING JUNE 30, 2022**

**WHEREAS**, the California State Library provides grants to California public libraries for out-of-school time programs that support and expand the critical role that public libraries play for children and teens during the time they are not in school; and

**WHEREAS**, art has a proven benefit to children's emotional and intellectual development and art programs in libraries can provide exposure to arts curriculum to children who may not have such access at school; and

**WHEREAS**, the Oakland Public Library seeks a \$250,000 grant from the California State Library in order to fund weekly out-of-school time art programs at approximately seven Oakland Public Library locations for a two-year period; and

**WHEREAS**, the City Administrator wishes to enter into an agreement with the Museum of Children's Arts (MOCHA) in an amount not to exceed \$200,000 to provide the art programs at the Library sites; and

**WHEREAS**, the remaining \$50,000 of grant funds will be utilized for expenses related to the workshops, such as furniture and supplies, as well as an evaluation component; and

**WHEREAS**, MOCHA has provided high quality and reliable art programs at Oakland Public Library locations in the past; and

**WHEREAS**, Oakland Municipal Code (OMC) Section 2.04.051 requires a competitive Request For Proposals/Qualifications (RFP/Q) process for award of professional service contracts; and

**WHEREAS**, OMC Section 2.04.051.B permits the City Council to waive the RFP/Q requirements upon finding that it is in the City's best interest to do so; and

**WHEREAS**, staff recommends that it is in the best interests of the City to waive the RFP/Q process for the proposed contract with MOCHA because the California State Library invited Oakland Public Library to apply for the grant funds based on its successful past collaboration with MOCHA; and

**WHEREAS**, MOCHA is the named partner in the grant application; and

**WHEREAS**, the City Administrator has determined that services under this contract are of a professional, technical and temporary nature and that performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and, now, therefore, be it

**RESOLVED:** That the Council hereby accepts the funds in the amount not to exceed \$250,000 and appropriates said funds into the California Library Services Fund (2148); and, be it

**FURTHER RESOLVED:** That the Council finds that pursuant to OMC section 2.04.051.B, for the reasons stated above and in the City Administrator's report accompanying this resolution, that it is in the best interests of the City to waive the RFP/Q requirements for the services to be purchased under the proposed contract with MOCHA, and so waives the requirements; and be it

**FURTHER RESOLVED:** That the City Council hereby awards a contract to the Museum of Children's Arts (MOCHA) in an amount not to exceed \$200,000 to provide weekly out-of-school time art programs at Oakland Public Library sites through the two-year grant period ending June 30, 2022; and be it

**FURTHER RESOLVED:** That based on the information provided by the City Administrator, the Council finds that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

**FURTHER RESOLVED:** That the contract will be approved for form and legality by the Office of the City Attorney and will be placed on file in the City Clerk's Office.

IN COUNCIL, OAKLAND, CALIFORNIA,

**FEB 18 2020**

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, ~~THAO~~ THAO AND PRESIDENT KAPLAN -7

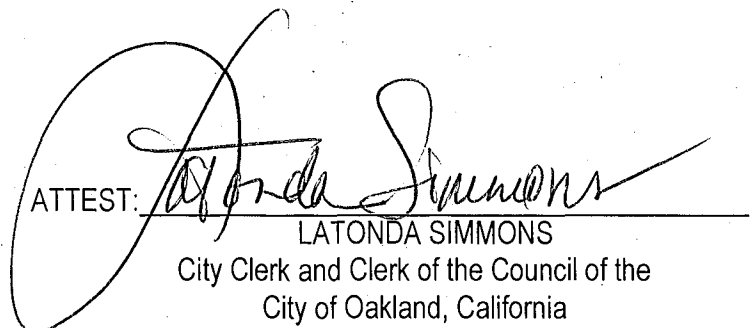
NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Taylor

ATTEST:

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