

Article XIII: Kids First! Oakland Children's Fund

Fund Revenue

Section 1300. Notwithstanding any other provision of law, effective July 1, 2009 and continuing through June 30, 2021, the KIDS First! The Oakland Fund for Children and Youth ("Fund") shall receive revenues in an amount equal to three percent (3.0%) of the City of Oakland's annual actual unrestricted General Purpose Fund (Fund 1010) revenues and appropriated as specified in this Act each year, together with any interest earned on the Fund and any amounts unspent or uncommitted by the Fund at the end of any fiscal year. The actual funds deposited in the Fund pursuant to this Act shall only come from actual unrestricted General Purpose Fund (Fund 1010) revenues of the City of Oakland. For purposes of this Act, Fund shall mean the fund established pursuant to Measure K which was approved by the voters of Oakland in 1996 and which shall continue in existence.

The annual amount of actual unrestricted General Purpose Fund (Fund 1010) revenues shall be estimated by the City Administrator and verified by the City Auditor. Errors in calculation for a fiscal year shall be corrected by an adjustment in the set aside depending upon whether the actual, unrestricted General Purpose Fund (Fund 1010) revenues are greater or less than the estimate. Actual unrestricted General Purpose Fund (Fund 1010) revenues shall not include funds granted to the City by private agencies or by other public agencies and accepted and appropriated by the City.

No less than 90% of the monies in the Fund shall be used to pay for eligible services for children and youth. No more than 10% of the monies in the Fund may be used for independent third-party evaluation, strategic planning, grant-making, grants management, training and technical assistance, and communications and outreach to ensure effective public participation.

Eligible Services

Section 1301. Monies in the Fund shall be used exclusively to:

1. support the healthy development of young children through pre-school education, school-readiness programs, physical and behavioral health services, parent education, and case management;
2. help children and youth succeed in school and graduate high school through after-school academic support and college readiness programs, arts, music, sports, outdoor education, internships, work experience, parent education, and leadership development, including civic engagement, service-learning, and arts expression;
3. prevent and reduce violence, crime, and gang involvement among children and youth through case management, physical and behavioral health services, internships, work experience, outdoor education, and leadership development, including civic engagement, service-learning, and arts expression;

4. help youth transition to productive adulthood through case management, physical and behavioral health services, hard-skills training and job placement in high-demand industries, internships, work experience, and leadership development, including civic engagement, service-learning, and arts expression.

Excluded Services

Section 1302. Monies in the Fund shall not be appropriated or expended for:

1. any service which merely benefits children and youth incidentally;
2. acquisition of any capital item or real property not for primary and direct use by children and youth;
3. maintenance, utilities or any similar operating cost of any facility not used primarily and directly by children and youth;
4. any service for which a fixed or minimum level of expenditure is mandated by state or federal law, to the extent of the fixed or minimum level of expenditure.

Strategic Investment Plan

Section 1303. Appropriations from the Fund shall be made pursuant to a Three-Year Strategic Investment Plan, with the first Plan beginning July 1, 2010.

Grants made by the Fund for fiscal year 2008-2009 shall be carried forward to fiscal year 2009-2010 subject to modifications recommended by the Planning & Oversight Committee, pursuant to performance review, and adjusted as needed to conform with the actual amount of the set-aside in fiscal year 2009-2010 based on the 3.0% of actual unrestricted General Purpose Fund (Fund 1010) formula set forth in this Act.

Each Three-Year Strategic Investment Plan shall be developed with the involvement of young people, parents, and service providers throughout the city, and the Oakland Unified School District, the County of Alameda, and the City of Oakland. Each Three-Year Strategic Investment Plan shall take into consideration the results and findings of the independent third-party evaluation.

Each Three-Year Strategic Investment Plan shall:

1. identify current service needs and gaps relative to addressing this measure's four outcome goals:
 - a. support the healthy development of young children;
 - b. help children and youth succeed in school and graduate high school;
 - c. prevent and reduce violence, crime, and gang involvement among young people;

- d. prepare young people for healthy and productive adulthood.
2. describe specific three-year program initiatives that address the needs and gaps relative to each outcome goal, including:
 - a. target population
 - b. performance and impact objectives
 - c. intervention strategy
 - d. evaluation plan
 - e. funding allocations
3. describe how each three-year program initiative is aligned and coordinated with other public and private resources to achieve maximum service performance and youth impacts.

Each Three-Year Strategic Investment Plan shall be evaluated for its service performance and youth impact results by an independent third-party evaluator.

Open and Fair Application Process

Section 1304. All monies in the Fund shall be appropriated, pursuant to a Three-Year Strategic Investment Plan, to private non-profit and public agencies through an open and fair application process.

Planning & Oversight Committee

Section 1305. The Children's Fund Planning and Oversight Committee ("Planning and Oversight Committee") established pursuant to Measure K which was approved by the voters of Oakland in 1996 shall continue to operate. Each City Councilmember shall appoint two Oakland residents, one of whom shall be a resident not older than 21 years, to serve as members of the Planning & Oversight Committee. The appointees shall demonstrate a strong interest in children and youth issues: and possess sound knowledge of, and expertise in children and youth policy development and program implementation. Effective July 1, 2009, the Mayor shall only be permitted to appoint one (1) Oakland resident and shall therefore remove two of his previous appointments no later than June 30, 2009.

The Planning & Oversight Committee shall be responsible for:

1. preparing Three-Year Strategic Investment Plans;
2. soliciting funding applications from private non-profit and public agencies through an open and fair application process;

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3. submitting to the Oakland City Council for its adoption Three-Year Strategic Investment Plans and funding recommendations;
4. submitting to the Oakland City Council for its adoption annual independent evaluation reports;
5. receiving City Auditor annual reports on the Fund's Financial Statement and the Base Spending Requirement.

Base Spending Requirement

Section 1306. The City of Oakland shall not reduce the amount of expenditures for eligible services in any fiscal year paid from sources other than the Fund below the Base Spending Requirement.

The Base Spending Requirement is the amount required based on the application of the base year percentage to the total audited actual City unrestricted General Purpose Fund (Fund 1010) expenditures in a fiscal year.

The Base Year Percentage is defined as the ratio of actual unrestricted General Purpose Fund (Fund 1010) appropriations for eligible services for children and youth paid from sources other than the Fund to total City actual unrestricted General Purpose Fund (Fund 1010) appropriations in fiscal year 1995-1996.

If the City Auditor finds that in any fiscal year the amount of funds expended for eligible services is less than the Base Percentage Requirement, the City of Oakland shall increase expenditures for eligible services within the following two years so that the correct amount of funds is expended.

Monies from the Fund shall not be appropriated for services that substitute for or replace services included in the City Auditor's Base Spending Requirement, except to the extent that the City of Oakland ceases to receive federal, state, county, or private foundation funds that the funding agency required to be spent only on those services.

Within 180 days following the completion of each fiscal year's external audit through 2020-2021 the City Auditor shall calculate and publish the actual amount of City of Oakland spending for children and youth services (exclusive of expenditures mandated by state or federal law).

Reauthorization

Section 1307. This section may be extended for an additional twelve years beginning July 1 2021 by a simple majority vote of the City Council. If the City Council does not itself extend this section, then the City Council shall place the question of whether to extend this section on the November 2020 ballot for a vote of the electorate. This process will be repeated every twelve years or until reauthorization is rejected by a vote of the electorate.