



DATE: April 12, 2006

TO: Honorable Mayor and City Councilmembers

FROM: City Manager's Office

SUBJECT: **APPROVAL OF A RETROACTIVE PAYMENT OF \$25,000 TO THE OCEANSIDE BOYS & GIRLS CLUB FOR SUPPLEMENTAL MAINTENANCE SERVICES AT LIBBY LAKE PARK AND FOR THE OPERATION OF CLUB 55 FOR SENIORS FROM THE PERIOD OF TIME FROM JULY 1, 2003, TO DECEMBER 31, 2003; AND APPROVE THE TRANSFER OF \$25,000 IN UNALLOCATED GENERAL FUND RESERVES FOR THE NON-DEPARTMENTAL ACCOUNT TO FUND THE PAYMENT FOR PRIOR SERVICES**

SYNOPSIS

Staff recommends approval of a retroactive payment of \$25,000 to the Oceanside Boys & Girls Club for supplemental services at Libby Lake and for operation of Club 55 for seniors, for the period of time from July 1, 2003, to December 31, 2003. This payment is recommended for services provided during a contract transition from a fiscal year contract to a calendar year contract. This transition period inadvertently left out six months of time, as noted, during which services were continued but apparently were not reimbursed.

BACKGROUND

The City has contracted with the Oceanside Boys & Girls Club, from July of 2002 to present, to provide maintenance services at Libby Lake Park and to allow for supervised use of Club 55 by seniors. Services are contracted for annually. When the City shifted from a fiscal year contract to a calendar year contract, in 2002/2003, the period of time from July 1, 2003, to December 31, 2003, was inadvertently left out of the contract extension. However, the Boys & Girls Club has provided continued services without interruption during this time.

ANALYSIS

The Boys & Girls Club has written a letter requesting retroactive payments for the time frame of July 1, 2003, to December 31, 2003 (attached). The contract documents support this request and the City record shows that no payment was sent to the Boys & Girls Club as compensation for the requested time period. This oversight was not intentional on the part of the Boys & Girls Club or the City. The services requested by

the City were provided on a continuous basis for the noted time frame as was the intent of the City. Accordingly, the Boys & Girls Club should be compensated for this six months of service.

FISCAL IMPACT

The cost of transitioning the Boys & Girls Club contract from a fiscal year to a calendar year dropped six months of service at \$12,500 per quarter or \$ 25,000 total. Funds have not been budgeted for this retroactive payment for service provided.

Funding for this supplemental payment will require a transfer from the City's Unallocated General Fund Reserves to the Non-Departmental account to fund the payment for prior services in the FY 2005/06 budget.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The City may only provide funding for programs and/or projects serving a public purpose or public benefit. In approving prior contracts for Boys & Girls Club services the City Council has found that a public purpose is served by the expenditure and a public benefit is conferred.

RECOMMENDATION

Staff recommends approval of a retroactive payment of \$25,000 to the Oceanside Boys & Girls Club for supplemental maintenance services at Libby Lake Park and for the operation of Club 55 for seniors from the period of time from July 1, 2003, to December 31, 2003; and approve the transfer of \$25,000 in Unallocated General Fund Reserves to the Non-departmental account to fund the payment for prior services.

PREPARED AND SUBMITTED BY:



STEVEN R. JEPSEN
City Manager



**BOYS & GIRLS CLUB
OF OCEANSIDE**

Officers

Bob Henninger
President
Richland Communities, Inc.

Michael Klein
President Elect
Greenman, Lacy, Klein, O'Harra
& Heffron
Attorneys at Law

John Farrington
Treasurer
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Daniel Dreger
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Fred Williamson
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Richard Arias
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Reggie Grigsby
Oceanside Police Department

John Lusignan
Retired, Waste Management of
North County

Mark Michelson
Professional Hospital Supply

Dave Shepherd
KB Home, Coastal Inc

Ben Weseloh
Weseloh Chevrolet & Hummer

Mike Weseloh
Weseloh Chevrolet & Hummer

Emily Wichmann
Oceanside Unified School
District

Bert Woods
Wells Fargo Bank

Donal Yasukochi
Valley Heights Ranch

Chief Professional Officer
Randall B. Godinet

March 21, 2006

Mr. Steve Jepsen
City Manager
City of Oceanside
300 N. Coast Hwy
Oceanside, CA 92054

Dear Steve:

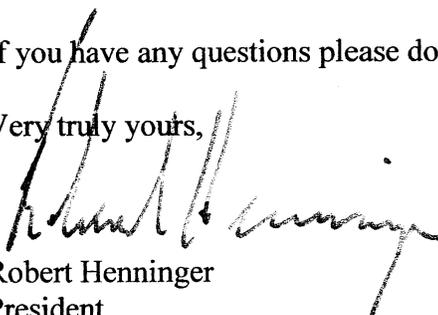
Enjoyed seeing you Thursday at the dedication of the recording studio. It was great to see the whole community pull together to do something wonderful for the youth of Oceanside. The City's long-term, continuing support of the Boys and Girls Club is very much appreciated.

As a follow up to our discussion regarding the Boys and Girls Club's services at the Libby Lake facility, let me memorialize the events that lead to a six month gap in payments for the Boys and Girls Club's services. In 2002, we signed an annual service contract with the City for the fiscal year from July 1, 2002 to June 31, 2003 (see attached contract). The next year we signed another annual service contract with the City based on the calendar year January 1, 2004 to December 31, 2004 (attached contract). At the time the second contract was signed, nobody recognized that the effect of the two contracts was to leave the six month period from July 1, 2003 to December 31, 2003 uncovered.

We believe it was everybody's intention to have continuous service at Libby Lake. In deed, the Boys and Girls Club provided continuous service as if there was no break in the contract period. I emphasize that there was never a break in the services provided by the Girls and Boys Club. During the six month gap, we were out there doing the things that were contemplated by the contract. I respectfully request that the City pay for the services performed in the amount of twenty five thousand dollars.

If you have any questions please do not hesitate to give me a call.

Very truly yours,


Robert Henninger
President

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CITY MANAGER OFFICE