



CITY OF OAKLAND

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

15 FEB 26 AM 9:07

# AGENDA REPORT

**TO:** JOHN A. FLORES  
INTERIM CITY ADMINISTRATOR

**FROM:** Sara Bedford

**SUBJECT:** 2014-2017 Alameda County Community  
Food Bank (ACCFB)

**DATE:** February 19, 2015

City Administrator  
Approval

Date

**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Staff recommends that the City Council adopt a resolution waiving the advertising and bidding process and authorizing the City Administrator to 1) enter into contracts with the Alameda County Community Food Bank (the "Food Bank") for the procurement of bulk foods for the City's Hunger Program in the amount of \$100,000 each year for the Fiscal Years 2014-2015, 2015-2016, and 2016-2017; and 2) accept and appropriate funds that may be donated to the Hunger Program in Fiscal Years 2014-2015, 2015-2016, and 2016-2017 and amend the Contracts with the Alameda County Community Food Bank for additional funds.

## OUTCOME

Adoption of this resolution will authorize the City Administrator to enter into contracts with the Food Bank for the procurement of food for the City's Hunger Program in the amount of \$100,000 each year for Fiscal Years 2014-2015, 2015-2016, and 2016-2017 pending available funding. The resolution also authorizes the City Administrator to accept any funds that may be donated to the Hunger Program in Fiscal Years 2014-2015, 2015-2016, and 2016-2017 and amend the contracts with the Food Bank for these additional funds. Such actions would ensure level, if not greater, service to Oakland programs serving the homeless and near homeless individual.

Item: \_\_\_\_\_  
Life Enrichment Committee  
March 10, 2015

Performance During the 2013-2014 program/fiscal years:

- Oakland's Hunger Program provides brown-bag food distributions up to nine times per year to the City's most needy residents. In addition, the program sponsors special events each year to bring homeless and low-income individuals and families a holiday meal with all the trimmings.
- **31,500** food bags distributed annually; each bag contains food for **10** meals.
- **1,500** lbs. of food for hot meal programs provided annually through the holiday meal program.

### **BACKGROUND/LEGISLATIVE HISTORY**

The City of Oakland's Hunger Program was established in 1985 in response to the growing evidence of pervasive hunger among Oaklanders living in poverty. Convinced that hunger and poverty can be eradicated, the City called upon church and community groups throughout Oakland to volunteer their time and efforts to distribute brown bags of groceries to needy families. Beginning in 2001, the City of Oakland Hunger Program has contracted with the Food Bank to purchase bulk food products as the major source of bulk food goods for the scheduled food distributions.

A resolution has been prepared authorizing the City Administrator to waive the competitive process and enter into a contract with the Food Bank. Oakland Municipal Code (OMC) section 2.04.050.A requires the City Administrator to conduct advertising and bidding and award to the lowest responsible, responsive bidder for the purchase of products or goods, and OMC section 2.04.050.I.5 allows Council to waive the advertising and bidding requirements upon a finding by the Council that it is in the best interest of the City to do so. A waiver of the competitive process is requested due to the unique position of the Food Bank within the food supply system as a non-profit, the Food Bank is legally entitled to accept bulk food donations from farmers, producers and food distributors. The Food Bank also acts as a non-profit broker in the procurement of protein items (i.e. poultry and certain dry goods) that can be passed out to the public without markups associated with for-profit vendors. Therefore, pursuant to the Oakland Municipal Code Section 2.04.050.I.5, staff requests that Council waive the competitive process for the purchase of food from the Food Bank.

### **ANALYSIS**

Oakland City Council authorization of staff recommendations included in this Council report and resolution supports objectives of the Oakland Hunger Program, to provide the finest fresh fruits, vegetables, whole grains and protein items. Each brown bag contains a well-rounded nutritious variety of foods, designed to provide a nourishing dietary model for needy households.

Item: \_\_\_\_\_  
Life Enrichment Committee  
March 10, 2015

The City Council's authorization to enter into the contracts with the Food Bank for the procurement of food will benefit the City's needy individuals and families through the provision of bulk foods to the City's Hunger Program.

**PUBLIC OUTREACH/INTEREST**

This report did not require public outreach other than the required posting on the City's website.

**COORDINATION**

Coordination has occurred between the Human Services Department (HSD), the City Attorney's Office, and Budget Office in the preparation of this report and resolution.

**COST SUMMARY/IMPLICATIONS**

Recommendation of this report re-affirms the application, acceptance, appropriation, and expenditure of funds up to the following amounts to the agencies listed below for the City's Hunger Program.

*Source of Funding*

Funding to support the programs and activities presented in this report will come from the following sources:

<b>Hunger Program Procurement</b>			
<b>PROJECT</b>	<b>AMOUNT</b>	<b>FUND PROJECT</b>	<b>CONTRACTOR</b>
Hunger Program Bulk Foods Procurement	\$100,000	1010.78411.54912.G463220.SC22	Alameda County Community Food Bank
<b>TOTAL Hunger Program Contract</b>	<b>\$100,000</b>		

**PAST PERFORMANCE, EVALUATION AND FOLLOW-UP**

For the review period of July 1, 2013 through June 30, 2014, the Alameda County Community Food Bank (ACCFB) (Contractor) recommended for City Hunger Program funding under this report met, and in some cases exceeded expected outcomes and performance measures.

Item: \_\_\_\_\_  
Life Enrichment Committee  
March 10, 2015

**SUSTAINABLE OPPORTUNITIES**

**Economic:** Assistance with emergency food helps to minimize food insecurity and provides an economic safety net for low income households.

**Environmental:** Better access to fresh and wholesome foods in low income communities improves neighborhood environment that are “food deserts” with little or no access to health foods.

**Social Equity:** The expenditure of City funds upon the most needy in the community provides for the most basic of human needs and equalizes access to healthy foods for persons of color.

For questions regarding this report, please contact Susan Shelton, Community Housing Services Manager, at 238-6186.

Respectfully submitted,

  
\_\_\_\_\_  
SARA BEDFORD, Director  
Human Services Department

COMMUNITY HOUSING SERVICES DIVISION

Reviewed by: Susan Shelton, Manager

Prepared by: Stevan Alvarado

Item: \_\_\_\_\_  
Life Enrichment Committee  
March 10, 2015

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

15 FEB 26 AM 9:07

**OAKLAND CITY COUNCIL**  
RESOLUTION No. \_\_\_\_\_ C.M.S.

Approved as to Form and Legality

  
City Attorney

Introduced by Councilmember \_\_\_\_\_

---

**RESOLUTION WAIVING THE ADVERTISING AND BIDDING PROCESS AND AUTHORIZING THE CITY ADMINISTRATOR TO 1) ENTER INTO CONTRACTS WITH THE ALAMEDA COUNTY COMMUNITY FOOD BANK FOR THE PROCUREMENT OF BULK FOODS FOR THE CITY'S HUNGER PROGRAM IN THE AMOUNT OF \$100,000 EACH YEAR FOR FISCAL YEARS 2014-2015, 2015-2016, AND 2016-2017; AND 2) ACCEPT AND APPROPRIATE FUNDS THAT MAY BE DONATED TO THE HUNGER PROGRAM IN FISCAL YEARS 2014-2015, 2015-2016, AND 2016-2017 AND AMEND THE CONTRACTS WITH THE ALAMEDA COUNTY COMMUNITY FOOD BANK FOR ADDITIONAL FUNDS**

**WHEREAS**, the City of Oakland Hunger Program was established in 1985 to provide brown bags of groceries to needy families throughout Oakland using churches and community groups to distribute the food; and

**WHEREAS**; the City of Oakland purchases bulk food products from the Alameda County Community Food Bank (the "Food Bank") in an amount up to \$100,000 per year to distribute to the homeless as part of the Hunger Program; and

**WHEREAS**, due to the non-profit status of the Food Bank it is legally entitled to receive bulk food donations from producers and manufacturers and provide these food donations to the City of Oakland Hunger Program free of charge; and

**WHEREAS**, due to the non-profit status of the Food Bank and its ability to donate some foods free of charge, other for-profit providers of bulk food are unable to compete to provide an equal amount of food; and

**WHEREAS**, Oakland Municipal Code (OMC) section 2.04.050.A requires the City Administrator to conduct advertising and bidding and award to the lowest responsible, responsive bidder for the purchase of products or goods, and OMC section 2.04.050.I.5 allows Council to waive advertising and bidding requirements upon a finding by the Council that it is in the best interest of the City to do so; and

**WHEREAS**, City staff recommends waiving the advertising and bidding requirements for this contract for the reasons discussed above and in the City Administrator's report accompanying this resolution; and

**WHEREAS**, the City of Oakland Hunger Program received base line renewal of its Hunger Program in the General Purpose Fund in the amount of \$100,000 for FY 2014-2015 and staff expects that the Program will receive \$100,000 for FY 2015-2016 and FY 2016-2017 as it has every year since 2001; and

**WHEREAS**, the City desires to execute contracts with the Food Bank for the procurement of bulk food for the City's Hunger Program in the amount of \$100,000 each year for Fiscal Years 2014-2015, 2015-2016, and 2016-2017; and

**WHEREAS**, the City may receive donations to the Hunger program and staff is seeking authorization to accept these donations in Fiscal Years 2014-2015, 2015-2016, and 2016-2017 and amend the contracts with the Food Bank to increase the funds and amount of food without returning to Council; now, therefore, be it

**RESOLVED:** That the City Administrator or his designee is hereby authorized to enter into contracts with the Food Bank for procurement of bulk food for the City's Hunger Program in the amount of \$100,000 each year for Fiscal Years 2014-2015, 2015-2016, and 2016-2017; and be it

**FURTHER RESOLVED:** That pursuant to OMC 2.04.050.I.5 and for the reasons stated above and in the City Administrator's report accompanying this item, the City Council finds that it is in the best interest of the City to waive advertising and bidding requirements for this contract and so waives the requirements; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to accept and appropriate funds that may be donated to the Hunger Program in Fiscal Years 2014-2015, 2015-2016, and 2016-2017 without returning to Council; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to amend the contracts with the Food Bank to increase the funds available to purchase food without returning to Council; and be it

**FURTHER RESOLVED:** That the City Administrator or his designee is hereby authorized to negotiate, submit and execute all documents, including, but not limited to, applications, contracts, grant agreements, amendments, payment requests, reports, and related actions for the completion of the Hunger Programs for Fiscal Years 2014-2015 – 2016-2017 without returning to Council; and be it

**FURTHER RESOLVED:** That the contracts shall be reviewed and approved by the Office of the City Attorney for form and legality and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND  
PRESIDENT GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

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