


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AWARDING A PROFESSIONAL SERVICES AGREEMENT TO URBAN STRATEGIES COUNCIL AS THE CONTRACTING ENTITY FOR THE DEEPLY ROOTED IN OAKLAND CONSULTING TEAM IN AN AMOUNT NOT-TO-EXCEED TWO MILLION SEVEN HUNDRED ONE THOUSAND NINE HUNDRED FIFTY-TWO DOLLARS (\$2,701,952), INCLUDING TWO HUNDRED FORTY-FIVE THOUSAND SIX HUNDRED THIRTY TWO DOLLARS (\$245,632) RESERVED AS CONTINGENCY, TO PROVIDE COMMUNITY CONSULTANT SERVICES RELATED TO THE GENERAL PLAN UPDATE, ASSOCIATED ZONING CODE AND MAP AMENDMENTS, COMMUNITY ENGAGEMENT, AND CALIFORNIA ENVIRONMENTAL QUALITY ACT ASSESSMENT, FOR A TERM OF SIX (6) YEARS.

WHEREAS, California Government Code Section 65300 requires each city and county to adopt a general plan; and

WHEREAS, general plans benefit local communities by promoting better projects, streamlined processes, integrated planning, and improved access and use of available resources, serving as a tool to advance State and local goals and policies; and

WHEREAS, the General Plan of the City of Oakland (City) must include the following elements or topics, per California Government Code Section 65302: Housing, Safety, Environmental Justice, Land Use, Circulation, Open Space, Conservation, Air Quality and Noise; and

WHEREAS, per California Government Code Section 65303, a general plan may also include other topics or elements of local interest related to a jurisdiction's physical development, such as an Infrastructure and Facilities Element to serve as a long-term capital improvement plan; and

WHEREAS, California Government Code Section 65302 requires general plans to be updated "periodically", which, according to the California Office of Planning Research's General Plan Guidelines, has traditionally been at least every 15 to 20 years, and many portions of the City's General Plan were adopted over 23 years ago; and

WHEREAS, the State Housing Element law, California Government Code Section 65580 *et seq.*, requires that each city in the State of California prepare regular updates to the Housing Element of their General Plan to address the housing needs of residents in all income levels; and

WHEREAS, the next update to the City's Housing Element is due at the end of the current eight-year planning period, January 31, 2023; and

WHEREAS, per Senate Bill 1035 (2018), cities are required to review and update their Safety Element concurrent with each revision of the Housing Element; and

WHEREAS, per Senate Bill 1000 (2016), cities are required to adopt an Environmental Justice Element and/or integrate environmental justice goals, policies and objectives in other General Plan elements, upon the adoption or next concurrent revision of two or more elements on or after January 1, 2018; and

WHEREAS, compliance with Housing Element Law is a critical precondition for securing funds from numerous Federal, State, and local programs, such as the Home Investment Partnerships (HOME) Program, Community Development Block Grant (CDBG) Program, and Local Housing Trust Fund (LHTF) Program; and

WHEREAS, compliance with Safety Element Law is a critical precondition for securing funds from numerous Federal, State and regional disaster preparedness and relief programs; and

WHEREAS, preparation and adoption of the 2023-2031 Housing Element of the General Plan, in addition to satisfying a regulatory requirement and making housing development within the City more competitive for State and Federal funds, will facilitate compliance with California Regional Housing Needs Allocation (RHNA) requirements, and will provide an opportunity for the City to conduct an updated needs assessment, create measurable outcomes to assess housing policies and strategies and ensure those align with updated City goals including racial equity goals; and

WHEREAS, preparation and adoption of updated General Plan Elements (General Plan Update), along with associated zoning code and map amendments, community engagement and California Environmental Quality Act assessment, will allow the City to meet State-mandated General Plan requirements, while promoting safe, decent and equitable opportunities for all residents, with particular attention to promoting civic engagement in the public decision-making process, and identifying objectives and policies that prioritize improvements and programs that address the needs of frontline communities; and

WHEREAS, review fees for building permits and public/private infrastructure permits include a General Plan surcharge in order to adequately fund the beneficial and legally required implementation and update of the City's General Plan, and the dollar amounts associated with that surcharge are captured in the City's Development Services Fund (2415); and

WHEREAS, the General Plan Update Community Consultant Professional Services Agreement will be funded by a portion of the carry forward amount in the Development Services Fund (2415), multiple Planning and Building Organizations, multiple Accounts, General Plan Update Project (1001475), multiple Programs in the amount of \$2,701,952; and

WHEREAS, during the fall of 2020, Planning staff held a series of listening sessions with: staff from City departments and other local government agencies, each of the eight City Councilmembers (in some instances comments were given through Council staff on behalf of the Councilmember), the City Administrator, the Mayor, and representatives from 41 community-based organizations (CBOs), which sought to identify key issues that need to be addressed in the General Plan Update and to develop strategies for equitable, meaningful participation; and

WHEREAS, the City issued and advertised two competitive Requests for Proposals (RFP) related to the General Plan Update – one RFP for a Technical Consultant to serve as technical lead and overall project manager and another RFP for a Community Consultant to coordinate community engagement in conjunction with local non-profits and/or community-based organizations; and

WHEREAS, four (4) teams responded to the Community Consultant RFP; and

WHEREAS, the City formed a selection committee for the Community Consultant RFP – consisting of representatives from the Alameda County Public Health Department, the City’s Planning and Building Department, Public Works, Department of Transportation, Public Information Office, including representatives from Departmental Race and Equity Teams and the Inter-Departmental Inclusive Community Engagement Group; and

WHEREAS, after reviewing the proposals and conducting an evaluation process including presentation and interview, the selection committee identified Deeply Rooted in Oakland (with Urban Strategies Council as the contracting entity), led by Just Cities, Eastside Arts Alliance and Urban Strategies Council, as the most qualified team to serve as the Community Consultant; and

WHEREAS, notwithstanding any potential subsequent obligation to conduct environmental review under the California Environmental Quality Act ("CEQA"), the preliminary actions of accepting and appropriating grant funding, appropriating City funds and awarding professional service agreements, are not decisions that commit the City to a definite course of action with respect to implementation of developed proposals and therefore are not subject to CEQA; and

WHEREAS, the City Council finds and determines that the performance of these contracts shall not result in the loss of employment or salary by any person having permanent status in the competitive service; now, therefore be it

RESOLVED: That a professional services agreement is awarded to the Community Consultant, Urban Strategies Council as the contracting entity for the Deeply Rooted in Oakland consulting team, led by Just Cities, Eastside Arts Alliance and Urban Strategies Council, related to the community engagement for the General Plan Update, associated zoning code and map amendments, and California Environmental Quality Act assessment, in an amount not to exceed \$2,701,952, including \$245,632 reserved as contingency, for a term of six (6) years; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, and payment requests, and to perform related actions as necessary to carry out the basic purpose of this resolution; and be it

FURTHER RESOLVED: That prior to execution, all agreements shall be reviewed and approved by the City Attorney for form and legality and executed copies of each agreement shall be placed on file in the Office of the City Clerk.

3109002v2

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California