



City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO: (1) APPLY FOR AND ACCEPT NINE-HUNDRED AND NINETY-SEVEN THOUSAND SIX HUNDRED AND NINETY-FOUR DOLLARS (\$997,694) IN STATE OF CALIFORNIA PROPOSITION 64 PUBLIC HEALTH AND SAFETY GRANT PROGRAM COHORT TWO FUNDS ("PROPOSITION 64 GRANT"); AND (2) APPROPRIATE THE PROPOSITION 64 GRANT FUNDS BY: (A) ENTERING INTO AN AGREEMENT AT AN AMOUNT NOT TO EXCEED THREE-HUNDRED AND SIXTY THOUSAND DOLLARS (\$360,000) WITH THE EAST OAKLAND YOUTH DEVELOPMENT CENTER (EOYDC) TO PROVIDE PREVENTATIVE AND INTERVENTION ACTIVITIES TO YOUTH IN REGARDS TO CANNABIS CONSUMPTION; (B) ENTERING INTO AN AGREEMENT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED AND THIRTY-THREE THOUSAND THREE-HUNDRED AND SIX DOLLARS (\$133,306) WITH THE PUBLIC HEALTH INSTITUTE TO PROVIDE SUBJECT MATTER EXPERTISE, RESEARCH, EVALUATION AND PROGRAM MANAGEMENT SKILLS FOR A YOUTH PUBLIC AWARENESS CAMPAIGN REGARDING CANNABIS CONSUMPTION; (C) ENTERING INTO AN AGREEMENT WITH CITYSPAN IN AN AMOUNT NOT TO EXCEED THIRTY THOUSAND DOLLARS (\$30,000) TO PROVIDE DATA COLLECTION AND MANAGEMENT; (D) WAIVING THE REQUEST FOR PROPOSAL/QUALIFICATION REQUIRMENTS FOR THE AGREEMENTS REFERENCED ABOVE; (E) FUNDING AN AGREEMENT TO BE AWARDED AFTER A COMPETITIVE REQUEST FOR PROPOSALS PROCESS AND IN AN AMOUNT NOT TO EXCEED SEVENTY THOUSAND DOLLARS (\$70,000) FOR A PUBLIC AWARENESS CAMPAIGN FOR ADULT RESPONSIBLE USE OF CANNABIS AND SUPPORT OF EQUITY-OWNED CANNABIS BUSINESSES; (F) FUNDING THE CITY'S ADMINISTRATION OF THE PROPOSITION 64 GRANT FUNDING AND CANNABIS BUSINESS SAFETY TRAINING WORKSHOPS IN AN AMOUNT NOT TO EXCEED THREE-HUNDRED AND SEVENTY-TWO THOUSAND THREE-HUNDRED AND SEVENTY-EIGHT DOLLARS (\$372,388); AND (G) FUNDING MEETING NOTIFICATION COSTS AND MEETING

SUPPLIES TO PROJECT PARTNERS IN AN AMOUNT NOT TO EXCEED THIRTY-TWO THOUSAND (\$32,000)

WHEREAS, the voters of the State of California approved Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act (AUMA) in November 2016; and

WHEREAS, Proposition 64 legalized the recreational use of cannabis in California for people 21 and older; and

WHEREAS, part of Proposition 64 directs a portion of tax revenue generated from the cultivation and retail sale of cannabis towards a state grant program that assist in mitigating the impacts due to the legalization of recreational cannabis; and

WHEREAS, the California Revenue and Taxation Code directs the Board of State and Community Corrections (BSCC) to provide state grants to local governments to assist with law enforcement, fire protection, or other local programs addressing public health and safety associated with the implementation of the Control, Regulate and Tax Adult Use of Marijuana Act; and

WHEREAS, in December 2020 the BSCC released a Request for Proposals (RFP) for the Proposition 64 Public Health and Safety Grant Program Cohort 2 with applications due January 29, 2021; and

WHEREAS, the RFP limited eligible activities to four Project Purpose Areas (PPAs): (1) Youth Development/Youth Prevention and Intervention, (2) Public Health, (3) Public Safety, and (4) Environmental Impacts; and

WHEREAS, the RFP mandated that all applicants address PPA 1 Youth Development/Youth Prevention and Intervention with at least ten percent of requested grant funds; and

WHEREAS, in January 2021 the City of Oakland submitted a Proposition 64 Cohort 2 grant application to the BSCC in partnership with East Oakland Youth Development Center, the Public Health Institute, and Castlemont High School; and

WHEREAS, the City of Oakland's grant proposal centered around an Oakland Cannabis Awareness and Safety program, to (1) educate youth, ages 12-21, and parent(s) about the risk of cannabis to delay the onset or reduce cannabis use, (2) inform adults 21 and over about how to responsibly use cannabis and support equity-owned business, and (3) deliver a series of safety workshops for cannabis businesses; and

WHEREAS, the City of Oakland's grant proposal set forth funding allocations for the East Oakland Youth Development Center and the Public Health Institute to receive funds to conduct the youth education programs regarding cannabis use mentioned above; and

WHEREAS, the City of Oakland's grant proposal also set forth an allocation of \$30,000 to City span, a cloud-based, data management system for tracking social service programs; and

WHEREAS, Cityspan developed and operates grant management systems that support three City of Oakland initiatives: Oakland Unite, Oakland Fund for Children and Youth, and Oakland Paratransit for the Elderly and Disabled; and

WHEREAS, on April 8, 2021, the BSCC approved funding for all the proposed uses and projects identified in the City of Oakland Proposition 64 grant proposal; and

WHEREAS, the BSCC's approval of the City of Oakland's grant proposal includes funds specifically for the education and/or information campaigns to be undertaken by the East Oakland Youth Development Center and the Public Health Institute, and

WHEREAS, Oakland Municipal Code (OMC) Section 2.04.40.B requires a Request for Proposals/Qualifications process for all professional services contracts of more than \$50,000 and

WHEREAS, Pursuant to OMC Section 2.04.051.B, the City Council may waive the Request for Proposals/Qualifications requirements for contracts and contract increases upon a finding that it is in the best interest of the City to do so; and

WHEREAS, that City staff recommends that the City Council waive the Request for Proposals/Qualifications process for the proposed agreements with the East Oakland Youth Development Center, the Public Health Institute, and Cityspan because the BSCC has approved the City's grant proposal setting aside funding for these organizations to carry out the above mentioned education campaigns; and

WHEREAS, the City Administrator has determined that any professional services agreement authorized by this resolution would be 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

WHEREAS, the Proposition 64 grant terms require that the City include the following standard grant provisions to this resolution and/or the grant agreement:

- That the City of Oakland desires to participate in the Proposition 64 Public Health and Safety Grant Program funded through the California State and

Local Government Law Enforcement Account and administered by the BSCC;

- That the City Administrator be authorized on behalf of the City of Oakland to submit the grant proposal for this funding and sign the Grant Agreement with the BSCC, including any amendments thereof;
- That grant funds received hereunder shall not be used to supplant expenditures controlled by this body; and
- That the City of Oakland agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC; now, therefore be it

RESOLVED: That the City of Oakland desires to participate in the Proposition 64 Public Health and Safety Grant Program funded through the California State and Local Government Law Enforcement Account and administered by the BSCC; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to apply for and accept nine hundred and ninety-seven thousand six hundred and ninety-four dollars (\$997,694) in "Proposition 64" Public Health and Safety Grant Program Cohort 2 funds; and be it

FURTHER RESOLVED: That the City Administrator or designee, is authorized to execute on behalf of the City of Oakland, by electronic signature or other method required by the BSCC, to sign the Proposition 64 Grant Agreement with the BSCC, including any amendments thereof; and be it

FURTHER RESOLVED: That grant funds received hereunder shall not be used to supplant expenditures controlled by this body, the Oakland City Council; and be it

FURTHER RESOLVED: That the City of Oakland agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC; and be it

FURTHER RESOLVED: That the nine hundred and ninety-seven thousand six hundred and ninety-four dollars (\$997,694) in "Proposition 64" funding from the BSCC shall be deposited in the following funds: State of California Fund (2159), Special Activities Organization (TBD), Project (TBD), Program (TBD), State Grant Miscellaneous Revenue Account (46229); and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to appropriate said grant funds; and be it

FURTHER RESOLVED: That City Administrator or designee is authorized to enter into an agreement using Proposition 64 grant funds in an amount up to three-hundred and sixty thousand dollars (\$360,000) over a three-year period, with the East Oakland Youth Development Center (EOYDC) to provide services, to youth 12 to 21 years of age with intensive case management, preventative and intervention activities for fifty youth per year, to meet the education campaign for youth purpose of the City of Oakland's grant proposal ; and be it

FURTHER RESOLVED: That City Administrator or designee is authorized to enter into an agreement using Proposition 64 grant funds in an amount up to one-hundred and thirty-three thousand three-hundred and six dollars (\$133,306) over a three-year period, with the Public Health Institute to provide subject matter expertise, research, evaluation, and program management skills for the public awareness campaigns and curriculum development and implementation in conjunction with Oakland Unified School District's Castlemont Health Equity Academy; and be it

FURTHER RESOLVED: That the City Administrator is authorized to use up to thirty thousand dollars (\$30,000) over a three-year period of the Proposition 64 grant funds to enter into an agreement with Cityspan to provide data management for the City of Oakland's Proposition 64 grant programs; and be it

FURTHER RESOLVED: That pursuant to OMC 2.04.051(B) for the reasons provided above and in the City Administrator's report accompanying this resolution, that the City Council finds it is the best interest of the City to waive the Request for Proposals/Qualifications Process for the proposed agreements with the East Oakland Youth Development Center, the Public Health Institute, and Cityspan, and so waives those requirements; and be it

FURTHER RESOLVED: That City Administrator or designee is authorized to use BSCC grant funds in an amount up to seventy thousand dollars (\$70,000) over a three-year period to enter into an agreement with a local firm to be determined through a competitive request for proposals process to design and implement a comprehensive marketing strategy to promote adults' responsible use of cannabis and support of Oakland equity-owned cannabis businesses; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to use up to three-hundred and seventy-two thousand three hundred and eighty-eight dollars (\$372,388) of the Proposition 64 grant funds Funding to support the City of Oakland's administration of the Proposition 64 grant programs and provide cannabis businesses with safety training workshops; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to use up to thirty-two thousand (\$32,000) over a three-year period of the Proposition 64 grant funds to provide EOYDC, the Public Health Institute, and the Castlemont Health Equity Academy with meeting supplies, office supplies, postage, printing and food for meetings; and be it

FURTHER RESOLVED: That the City Administrator or designee is authorized to take any other action necessary consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - GALLO, FIFE, 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

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