

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2021 APR 21 PM 2:05

Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 88613 C.M.S.

RESOLUTION: (1) AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO: (A) NEGOTIATE AND AWARD A NEW PROFESSIONAL SERVICES AGREEMENT WITH "4FRONT PARTNERS" TO ADMINISTER THE LOAN AND GRANT PROGRAMS FOR CANNABIS EQUITY APPLICANTS AND LICENSEES IN AN AMOUNT NOT TO EXCEED ONE-HUNDRED AND SIXTY THOUSAND DOLLARS (\$160,000); (B) NEGOTIATE AND AWARD A NEW PROFESSIONAL SERVICES AGREEMENT WITH "KNOX AND ROSS" TO PROVIDE LEGAL SERVICES TO CANNABIS EQUITY APPLICANTS LICENSEES IN AN AMOUNT NOT TO EXCEED ONE HUNDRED AND TWENTY-ONE THOUSAND AND FIVE-HUNDRED DOLLARS (\$121,500); (C) NEGOTIATE AND AWARD A NEW PROFESSIONAL SERVICES AGREEMENT WITH "MAKE GREEN GO" TO PROVIDE TECHNICAL ASSISTANCE TO CANNABIS EQUITY APPLICANTS AND LICENSEES IN AN AMOUNT NOT TO EXCEED ONE-HUNDRED AND TWENTY-ONE THOUSAND AND FIVE HUNDRED DOLLARS (\$121,500); AND (2) WAIVING THE REQUEST FOR PROPOSALS/QUALIFICATIONS PROCESS FOR THE THREE PROFESSIONAL SERVICES AGREEMENTS REFERENCED ABOVE

WHEREAS, the City of Oakland (City) conducted the nation's first race and equity analysis of the cannabis industry and adopted the nation's first Equity Program in the Spring of 2017 with the goal of promoting equitable ownership and employment opportunities in the cannabis industry to address the disproportionate impacts of the war on drugs in marginalized communities of color; and

WHEREAS, the City has identified the following key strategies to assist equity applicants and licensees: (a) grants and loans to support business start-up and ongoing costs, (b) technical assistance to understand how to operate a compliant cannabis business, and (c) legal assistance to navigate legal issues that arise; and

WHEREAS, the City Administration previously selected Make Green Go and its subcontractor Knox and Ross to provide technical and legal assistance to equity applicants and licensees after competitive Request for Qualifications processes in 2017, 2018, and 2019; and

WHEREAS, the City's Equity Program includes no-interest loan and grant programs for Equity Applicants administered by 4Front Partners, dba Elevate Impact Oakland; and

WHEREAS, the City Administration previously selected 4Front Partners after competitive Request for Qualifications processes in 2018 and 2019; and

WHEREAS, 4Front Partners' current agreement with the City of Oakland to the loan and grant programs for cannabis equity applicants and licensees may not exceed \$350,000 for two years of services and the Make Green Go's current agreement to provide technical assistance to cannabis equity applicants and licensees may not exceed (\$250,000) for two years of services; 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, Make Green Go, 4Front Partners, and Knox and Ross have collectively undergone five (5) Request for Proposals/Qualifications processes, as recently as the Summer of 2019; and

WHEREAS, the City Administration recommends waiving the Request for Proposals/Qualifications processes for initiating new professional services agreements with Knox and Ross, 4Front Partners, and Make Green Go to ensure there is no delay or discontinuity in the provision of critical technical and legal assistance as well as capital through loan and grant programs to equity applicants and licensees; and

WHEREAS, upon termination of the existing professional services agreement with 4Front Partners, the City Administration recommends entering into a new professional services agreement with 4Front Partners for \$160,000 for a one-year period to continue administering the no-interest loan program as well as grant and business coaching programs for equity applicants and licensees; and

WHEREAS, upon termination of the existing professional services agreement with Make Green Go, the City Administration recommends entering into a new professional services agreement with Make Green Go for \$121,500 for a one-year period to continue providing technical assistance to equity applicants and licensees; and

WHEREAS, upon termination of the existing professional services agreement with Knox and Ross, the City Administration recommends entering into a new professional services agreement with Knox and Ross for \$121,500 for a one-year period to provide legal assistance to equity applicants and licensees; now therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to, upon terminating the existing agreement with 4Front Partners, to enter into a new professional services agreement with 4Front Partners in an amount not to exceed \$160,000; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to, upon terminating the existing agreement with Make Green Go, to enter into a new professional services agreement with Make Green Go in an amount not to exceed \$121,500; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to, upon terminating the existing agreement with Knox and Ross, to enter into a new professional services agreement with Knox and Ross in an amount not to exceed \$121,500; 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 award of professional services contracts referenced above so that equity applicants and licensees can continue to receive technical and legal assistance as well as capital through loan and grant programs without delay or interruption; and be it

FURTHER RESOLVED: That funds are available to pay for these professional services agreements from the \$2,434,712.51 grant from the Governor's Office of Business and Economic Development (Go-Biz); and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

MAY 04 2021

PASSED BY THE FOLLOWING VOTE:

AYES - PRESIDENT FORTUNATO BAS, GALLO, FIFE, KALB, REID, TAYLOR, THAO AND KAPLAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REED

City Clerk and Clerk of the Council of the
City of Oakland, California