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Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. 88206 C.M.S.

INTRODUCED BY COUNCILMEMBER LYNETTE GIBSON MCELHANEY, VICE
MAYOR LARRY REID, COUNCILMEMBER NOEL GALLO, AND COUNCILMEMBER
LOREN TAYLOR

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO 1) ESTABLISH A DIGITAL INCLUSION STRATEGY FOR THE PURPOSE OF IMPLEMENTING DIGITAL INCLUSION SOLUTIONS DESIGNED TO IMPROVE ECONOMIC, EDUCATIONAL, HEALTHCARE, AND EMPLOYMENT ACCESS AND OPPORTUNITIES FOR OAKLAND'S HISTORICALLY UNDERSERVED AND DISADVANTAGED COMMUNITIES AND SMALL BUSINESSES, 2) ESTABLISH A DIGITAL INCLUSION COMMITTEE COMPRISED OF CITY STAFF AND COMMUNITY LEADERS TO DEVELOP THE DIGITAL INCLUSION STRATEGY, 3) ACCEPT AND APPROPRIATE FUNDS IN THE AMOUNT OF SEVEN MILLION AND SEVEN HUNDRED THOUSAND DOLLARS (\$7,700,000) FROM THE FEDERAL CARES ACT ALLOCATION TO SEED THE DIGITAL INCLUSION STRATEGY IN SUPPORT OF PHASE I OF THE INITIATIVE AND DESIGNATE FIVE HUNDRED THOUSAND DOLLARS (\$500,000) OF THE SEED MONEY TO HIRE A CONSULTANT TO ASSIST IN DEVELOPING A DIGITAL INCLUSION STRATEGY AND 4) WAIVE THE ADVERTISING, BIDDING AND REQUESTS FOR PROPOSALS/QUALIFICATIONS PROCESSES AND AUTHORIZE THE CITY ADMINISTRATOR TO NEGOTIATE AND AWARD CONTRACTS VENDOR TO IMPLEMENT PHASE I OF THE DIGITAL INCLUSION STRATEGY AND OAKWIFI PUBLIC NETWORK EXPANSION INITIATIVE

WHEREAS, the City of Oakland urgently needs an innovative solution to address the digital inequality that currently exists in large part throughout the City; and

WHEREAS, Digital Inclusions is the active process of including the residents and organization in the technological ecosystem an Digital Equity as a critical lens used to ensure that historically underserved residents are equitably extended technological opportunity to meaningfully engage in our increasingly online dominant society; and

WHEREAS, the onset of the COVID-19 pandemic has greatly exposed the enormous inequality between those with the means, finances and capabilities to take advantage of the new basic utility called the internet or broadband; and

WHEREAS today in the Bay Area, 1.5 million residents do not have access to a computer at home, 94,000 Oakland residents are without devices or internet access – including 17,000 students. According to the American Community Survey Data (2018) 24.4% of Oakland households (40,121) are without broadband access, 13.3% (22,026 households) have no internet at all, and 8.8% (14,619) are only able to connect through cellular data plans; and

WHEREAS, expanding the Public OAKWIFI network can lessen the disparities and inequalities borne by school aged children underemployed residents or small minority owned businesses in communities of Oakland; and

WHEREAS, OMC Section 2.04.042 requires a multiple-step solicitation process for the combined purchase of products and professional services by soliciting proposals, requiring vendor demonstrations when appropriate and feasible, and evaluation and rating proposals and performance in demonstrations on the basis of uniform criteria to be determined by the City Administrator on a case-by-case basis, for the purchase of supplies, equipment, and computer software; and

WHEREAS, OMC sections 2.04.042 D permits the City Council to waive the multiple-step solicitation process upon the recommendation of the City Administrator and a finding and determination that it is in the City's best interest to do so, and

WHEREAS, due to the urgency of this matter, and strict deadline to expend federal funds (December 31, 2020), staff finds that it is in the best interest of the City to waive the competitive multiple-step solicitation process requirement based on the factors outlined in the staff report associated with implementing a Digital Inclusion Strategy and expanding OAKWIFI; now, therefore, be it

RESOLVED: That The City Council Approve A Resolution Authorizing The City Administrator To 1) Establish A Digital Inclusion Strategy For The Purpose Of Implementing Digital Inclusion Solutions Designed To Improve Economic, Educational, Healthcare, And Employment Access And Opportunities For Oakland's Historically Underserved And Disadvantaged Communities And Small Businesses, 2) Establish A Digital Inclusion Committee Comprised Of City Staff And Community Leaders To Develop The Digital Inclusion Strategy, 3) Accept And Appropriate Funds In The Amount Of Seven Million And Seven Hundred Thousand Dollars (\$7,700,000) From The Federal Cares Act Allocation To Seed The Digital Inclusion Strategy In Support Of Phase I Of The Initiative And Designate Five Hundred Thousand Dollars (\$500,000) Of The Seed Money To Hire A Consultant To Assist In Developing A Digital Inclusion Strategy, and 4) Waive The advertising, bidding and requests for proposals/qualifications processes And Authorize The City Administrator To Negotiate And Award Contracts Vendor To Implement Phase I Of The Digital Inclusion Strategy And OAK Wifi Public Network Expansion, and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to accept and appropriate future unknown grants or contributions from federal, state, county, local or other entities for the implementation of Oakland's digital inclusion solutions designed to improve economic, educational, healthcare, and employment access and opportunities for Oakland's historically underserved and disadvantaged communities and small businesses, and waive the advertising, bidding, and requests for proposals/qualifications processes and authorize the City Administrator to negotiate and award contracts to vendors; and be it

FURTHER RESOLVED: That phase I of this initiative will result in no fiscal impact to the General Fund, and be it

FURTHER RESOLVED: That the Digital Inclusion Fund will be primarily sustained through grants, philanthropic donations, public/private partnerships, and revenues from the leasing of City assets; and be it

FURTHER RESOLVED: That the City Administrator may exercise authority throughout this process to implement any modifications to permitting requirements that are allowed under existing ordinances without further Council authorization; and

FURTHER RESOLVED: That the City Administrator is hereby authorized to execute any amendments or modifications to said agreements with the exception of those related to an increase in total compensation or the allocation of additional funds, and provided that such amendments or modifications shall be reviewed by the City Attorney and filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That the agreements shall be reviewed and approved by the City Attorney and place on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUN 30 2020

PASSED BY THE FOLLOWING VOTE:

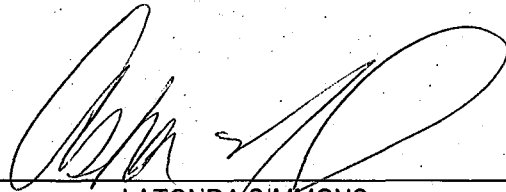
AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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