

**CITY OF OAKLAND**  
**SUPPLEMENTAL AGENDA REPORT**

2007 NOV -8 PM 5:22

TO: Office of the City Administrator  
ATTN: Deborah A. Edgerly  
FROM: Community & Economic Development Agency  
DATE: November 13, 2007

RE: **Supplemental Report to Add Public Comment Received After Publication of a Report and Recommendation to Conduct A Public Planning Process and Adopt a Specific Plan for the Area from 19<sup>th</sup> Avenue to 54<sup>th</sup> Avenue and between Interstate 880 and the Estuary**

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**SUMMARY**

This supplemental report provides the City Council with written public comments on the Waterfront Specific Plan draft work plan and governing mechanism. These comments were received by staff after the publication date of the original report.

**PROGRAM DESCRIPTION**

Four letters (Attachment A) were received after the publication date of the original report. Three items were submitted by the Urban Strategies Council and one item from the Alameda County Health Cares Services Agency, Public Health Department. The items submitted by the Urban Strategies Council include a recommendation from the Mayor's Task Force on CEDA/Redevelopment calling for Community Impact Studies for Large Scale Development Projects, a proposed plan for community engagement and participation for the Specific Plan effort and a memo outlining their support of a steering committee with the majority of seats allocated to stakeholder groups. The item from Alameda County Public Health is a proposal to conduct a public health report as part of the Specific Plan.

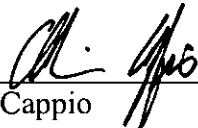
The draft work plan proposed by staff can accommodate the collection of the types of information that is recommended in these letters. Staff continues to recommend that no steering committee be formed for the Specific Plan.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends the City Council by motion:

1. Authorize proceeding with preparing and adopting a Specific Plan for the area from 19<sup>th</sup> Avenue to 54<sup>th</sup> Avenue and from Interstate 880 to the Estuary.
2. Authorize proceeding with the planning process as outlined in the draft work plan and without forming a steering committee.
3. Identify a funding source and authorize a project budget not to exceed \$2.5 million dollars with individual contracts to be awarded and approved by City Council or as otherwise allowed under the City's contracting procedures.

Respectfully submitted,

  
\_\_\_\_\_


Claudia Cappio

Development Director

Community & Economic Development Agency

Prepared by: Eric Angstadt, Community & Economic  
Development Agency

APPROVED AND FORWARDED TO THE  
COMMUNITY AND ECONOMIC  
DEVELOPMENT COMMITTEE:

  
\_\_\_\_\_

Office of the City Administrator

**Proposal Name:** Community Impact Studies for Large-Scale Development Projects

**Name of Task Force:** CEDA/Redevelopment

**Implementation Period:** medium (after 100 days, but within 6 months)

**Cost beyond budget:** modest short term costs (\$50-100k), no long term costs to City

**What is the policy proposal?**

Large-scale development projects can have both major positive and negative impacts on community stakeholders. A Community Impact Study (CIS) is a tool for the public and decision makers to assess the social and economic impacts of large development projects. The outcomes assessed are very important to community stakeholders, such as access to jobs, affordable housing, community services and schools, but are *not* required under State laws, such as environmental or redevelopment law. A CIS provides not only an estimate of things like the number and quality of jobs, it provides a comparison of community conditions *before* and *after* a project is built.

The study will be conducted early in the development approvals process so that there is time for a developer to make changes in response to public and Councilmember input. The study should be released several weeks prior to a public hearing,

A CIS report requirement would provide:

- *Comprehensive Information*  
A CIR can provide important information to decision-makers that is often absent in the existing development process. While developers may commission reports that highlight positive social and economic impacts of proposed projects, these reports rarely provide an objective assessment of *all* project costs and benefits.
- *Standardized Information*  
By collecting the same information on social and economic impacts across projects, the CIR introduces predictability to the approvals process and applies the same standard of information to all developers.
- *Public Confidence*  
A CIR can foster confidence among stakeholders that due diligence has been done to understand the full impacts of a project. It also enables developers to make a compelling case that the benefits of a project outweigh any negative impacts. In this way, CIRs can help avoid controversy and conflicts that can delay or derail proposed projects.

It differs from an Environmental Impact Report in that a CIR is shorter, easier to produce and focuses primarily on how a project can benefit the community. Also, the public would not be able to sue the City and hold up an approvals based on the CIS requirement.

The first step of the study is to measure key existing conditions in both the community and the region in which the project is located. For example, do residents experience unusually high unemployment? Are local workers sufficiently skilled for new jobs? Do children have places to play? Is there adequate affordable housing in the area?

The second step is to then assess how the project will impact potential stakeholders, such as residents, future workers and local businesses, relative to these conditions. Will it improve conditions? Or make them worse? It provides an opportunity for good projects to showcase their benefits as well as a chance to suggest improvements for all projects.

The list of outcomes to be assessed could include:

- Employment & Small Business Impacts
- Housing Impacts
- Community Services and Retail Needs
- Smart Growth and Sustainability
- Environmental Health
- Fiscal Analysis
- Impact on local schools

**What is the rationale (in one to two paragraphs)**

After decades of capital investment passing up Oakland, the city is experiencing a rapid pace of redevelopment. This investment promises to revitalize Oakland's economy and provide new opportunities for residents long left out of the economic prosperity of the rest of the region. However, many recent projects have created intense controversy about who will benefit from this new investment.

Except for environmental impacts, there is currently no systematic and consistent way for Council or the public to assess the social and economic outcomes of large-scale projects. The result is often lack of information for the public, exaggerations by developers and no frame of reference for decision-makers. Recent controversial project approvals, such as the Wood St. Train Station and Oak to Ninth would have greatly benefited from an early debate about the costs and benefits of those projects instead of last minute ones.

**What action (if any) do you propose that the Mayor's office take to bring about this policy recommendation?**

The Mayor should propose legislation that establishes the requirement for and purpose of the policy to City Council. After the policy is adopted, the Mayor's administration would contract with a consultant to develop an analysis template to use for all projects. Once the template is prepared, CEDA would oversee implementation.

Two precedents will be helpful in developing a template. First, CEDA and the consultant should start by looking at the "Oakland Equity Papers," a policy framework for ensuring equity benefits from contract and large-scale development that was adopted by the City in \_\_\_\_\_. Second, Alameda County and the City of Los Angeles have recently passed laws requiring economic impact analyses for new big-box supercenter development.

**Do you plan any community initiative to bring about action on this proposal?**

Yes. Residents, workers and organizations that have been involved in development debates could provide grassroots support to help the Mayor win approval by City Council.

After policy approval, the Mayor should establish a community advisory body to help the consultant develop the analysis template.

**If the proposal costs a large amount of money, how do you propose that it be funded?**

CIS reports would be funded by a developer fee, as part of the development approvals process. Initial cost estimates for specific reports are between \$10,000 and \$25,000.

**Estuary Specific Plan  
Community Engagement and Participation Proposed Plan  
Submitted by Urban Strategies Council**

**Purpose:** Enable more extensive participation and representation of lower-income residents, primarily renters, from the areas in and nearby the Estuary Specific Plan (ESP) area, in order to:

1. **Inform** these communities about the ESP, its potential impact on them and the extent of participation and influence that is available to them in the decision-making process.
2. **Gather information** about the interests, needs and aspirations of these communities as is relevant to the opportunities and challenges presented by the ESP.
3. **Facilitate meaningful participation** in the ESP public participation process.

**Assumptions**

1. Low-income, renter, non-English speaking populations living in and in close proximity are important stakeholders in this process.
2. Specific outreach and engagement strategies are needed to increase these populations participation.
3. Outreach to and engagement of existing official bodies such as the NCPC and PACs will be done outside of the process proposed here and as part of the overall public participation plan.
4. Ethnic media will be utilized outside of the process proposed here and as part of the overall public participation plan.
5. Interpreters and Translators for meetings and written materials described here are already included in the budget. If not, the cost will increase according to the cost of the City's language services. (Our estimate from our experience is that this would add \$10,000 to the cost.)

**Components**

1. **Informing community**
  - a. **One-to-one conversations** (using door knocking and other direct engagement efforts.)
  - b. **Small group presentations** to groups and networks such as the Merchant Groups, School-Parent Organizations, SAAN, OCO, EBAYC, APEN etc.
2. **Gathering information**
  - a. **Focus groups** of neighborhood residents.
3. **Facilitate meaningful participation**
  - a. Conduct 3 **community workshops**<sup>1</sup> with language-specific break out sessions **in advance of general public meetings** which would be intended to prepare participants for more productive engagement in the general public meetings. The series would move from general to more specific foci. The workshops would
    - i. Present the specific potential decisions, who makes them and the timeframe for making them.
    - ii. Explain how and to what degree workshop participants' input will impact the decisions.
    - iii. Describe the major interests involved, (i.e. homeowners, housing developers, industrial/commercial businesses, renters, etc.) and how each might be affected in different scenarios.
    - iv. Explain the available choices and trade-offs involved.
    - v. Garner input about the preferred decision from those present.

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<sup>1</sup> Alternatively each language group could do a separate workshop but would increase expenses

### Rough Budget Estimates

Personnel: 2 bilingual organizers 1/3 time each for 18 months <sup>2</sup>	\$60,000
3 community workshops with (4) language specific breakouts <sup>3</sup>	\$18,000
2 focus groups of randomly selected low –income residents	\$4,000
Materials and other expenses	\$2,500
Overhead and indirect expenses @12% <sup>4</sup>	\$10,140
<b>Total</b>	<b>\$94,640</b>

(Assuming interpretation/translation is included in the overall budget)

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<sup>2</sup> Alternatively could directly approach organizing groups (OCO, EBAYC, APEN, ACORN, CBE) to do this. Less expensive but politically may not be viable.

<sup>3</sup> This cost is consistent with City's costs per public workshop in their Scope of Work. Assumes facilities and sound system rental, security and janitorial expenses, refreshments and child care expenses. Does not include interpretation and translation. We would recommend that the inclusion of refreshments, child care and interpretation/translation be prioritized in costing out this item.

<sup>4</sup> These expenses are based on a standard formula used by many non-profits. The City may use other formulas.

The following table suggests a timeline and sequencing that allows for an integration of staff's Approximate timeline from the Draft Scope of Work, the HDMT process and the Community Engagement and Participation process proposed here.

Timeline comparison: City Staff Scope of Work, DPH's Proposed HDMT Process and the Community Engagement and Participation Plan							
	3 months	6 months	9 months	12 months	15 months	18 months	24 months
<b>City Staff Scope of Work</b>	Project Initiation and Existing Conditions Analysis		1. Plan Preparation and Production 2. Public Outreach and Participation Public meetings to be held after the Community Workshops 3. Draft and Final EIR Preparation				Planning commission, Council Approval, EIR Certification
<b>HDMT Process</b>	Visioning	Screening	Prioritizing	Evaluation:	Selecting Preferred Alternatives	Recommendations	
<b>Community Engagement and Participation</b>	Concentrated	Community Workshop 1 (FA)	Focus Groups (GI)	Community Workshop 2 (FA)		Community Workshop 3 (FA)	
One to ones and small group presentations (IN)							
<i>KEY: IN=Inform, GI=Gather information, FA=Facilitate meaningful participation</i>							

# Memo

**Date:** October 30, 2007

**To:** Eric Angstadt,

**From:** Junious Williams and Andy Nelsen

**RE:** Steering Committee Options for Estuary Specific Plan

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Thank you for your presentation and information last Thursday at the community meeting on the Estuary Specific Plan at Lazear Elementary School. We were especially interested in responding to you to provide our input on the alternatives for structuring the Steering Committee. You presented three options including:

1. A traditional Steering Committee composed of representatives appointed by the Mayor, City Council and other elected officials; or
2. A Steering Committee as described in item #1 above, but supplemented by the designation of community organizations representing various segments of the community that would appoint a representative; or
3. No Steering Committee, but have the Planning Department staff members interact directly with the community through meetings and other means of communication and for the Planning Department staff to weigh the input and make recommendations to City Council.

While option #3 is attractive in some ways, it has several drawbacks as well that are of particular concern. First, it requires that staff be given the latitude to exercise independent professional judgment without interference from elected officials. While we are confident of your ability to exercise professional judgment we remain concerned about the recent history of political interference by elected officials and others in staff processes. We are hopeful that this pattern is changing, but we feel this process is too important to undertake without a definite structure for ensuring staff independence from interference.

Second, the approach privileges the input of those who attend the public meetings without an explicit recognition of their interests and without a requirement that they disclose those interests. Obviously, there is both a policy and a political component to this process. We expect organizations to represent their interests at the table but we think we also need a process which allows for and strongly encourages organizations to clearly identify the interests they represent and to demarcate when organizations are speaking from their interests or in the interests of good policy or both. We have a long way to go to rebuild trust in this process but we think that an



atmosphere of full disclosure and acceptance of the validity of representing interests would go a long way towards rebuilding that trust.

We recommend that you develop the second option of a Steering Committee with majority of seats designated for business, labor, environmental and community organizations widely recognized to represent those interests. A minority of the seats would then be appointed by the Mayor and City Council members. We offer the following, by no means conclusive, list of community organizations include the following:

1. Oakland Community Organizations
2. League of Women Voters
3. Oakland Chamber of Commerce
4. ACORN
5. Oakland Commerce Corporation
6. Asian Pacific Environmental Network (APEN)
7. East Bay Asian Youth Center (EBAYC)
8. An Organization representing housing developers
9. An Organization Representing Homeowners in the area
10. An Oakland School Board Member
11. East Bay Housing Organization
12. Alameda County Labor Council
13. Coliseum Community Advisory Committee
14. A representative of NCPCs in the area
15. Waterfront Action Coalition

While this composition may be criticized as a formula for deadlock since it may result in a polarized Steering Committee, we feel that if we openly recognize that various representatives come to the table with organizational interests, the group can work on breaking out of organizational interests to discuss what will benefit the community.

A final point regarding the Steering Committee pertains to facilitation. As you indicated last week, and we agree, this process requires a skilled facilitator to design and manage the public meetings. This has the benefits of embedding neutrality into the facilitation and relieves you and Planning Department staff of having to perform the facilitation role so that you can concentrate on providing professional advice and technical support to the process. We do think that those skills needed to facilitate such a process are not common and we would like to suggest that City staff develop the facilitator selection criteria in close consultation with the many non-profit organizations in the Bay Area who have experience facilitating contentious processes.



ALAMEDA COUNTY HEALTH CARE SERVICES AGENCY  
Director  
PUBLIC HEALTH DEPARTMENT  
Officer

David J. Kears,

Anthony Iton, Director & Health

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8000  
Oakland, CA 94607

(510) 267-

(510) 267-3212

Dear Ms. Parker,

Thank you for soliciting comments on the Draft "Proposal for a Specific Plan Estuary to Tidewater Area Scope of Work." We would like to propose an addition to this scope of work: an Alameda County Public Health Department and the City of Oakland Community and Economic Development Agency collaboration to assess the health and socioeconomic impacts of the plan. We suggest that we collaboratively apply the Healthy Development Measurement Tool, both because it has been proven effective in demonstrating the extent to which development plans impact health and because the information it generates can be used to create truly meaningful public participation. What follows is a description of the impetus for this proposal, a description of the tool we propose to use to facilitate collaboration, and an outline of how we propose to apply this tool.

Thank you in advance for your consideration of our suggestions. Please contact me with any questions or concerns at (510) 267-8018.

Regards,  
Sandra Witt

**Context of Proposal:**

Health inequities are pervasive in Alameda County, particularly in Oakland. Communities of color and low income communities fare poorest on most key health indicators tracked longitudinally by our department, including diabetes, coronary heart disease, stroke, and asthma. However, the extent of these inequities is most striking when understood at the place-based level. In Oakland, those living in the most affluent neighborhoods of the Oakland Hills can expect to live more than ten years longer than those living in the impoverished neighborhoods of the Oakland Flats. In fact, the Center for Disease Control has concluded that, "across the country, health problems are highly

concentrated in a small share of all neighborhoods,” typically those neighborhoods the poor and people of color call home.

Historically, the presence of health inequities was attributed to individual access to and utilization of health care, as well as risk behaviors. However, as the place-based nature of these inequities has gained recognition, studies have revealed that disparities in health outcomes are predominantly explained by community-level access to social goods such as affordable housing and transportation, safe parks, healthy food, and good paying jobs, among others. As current research continues to clarify the nexus between planning policies, the built environment and health outcomes, community stakeholders and planning professionals are increasingly requesting that the Alameda County Public Health Department participate in planning processes. Additionally, Mayor Dellums’ Land Use Task Force recommended the use of health and social assessments to evaluate major planning projects. We are heeding these prompts.

As described below, this proposal for collaboration not only serves as an opportunity for public health and planning professionals to create a model for partnership in the effort to build healthy communities, but also aims to increase community participation in the planning process. Our focus on community participation is rooted in research demonstrating that historical exclusion from decision-making venues has resulted in communities of color and low income communities that are disproportionately burdened by environmental hazards and deprived of social goods. As such, we are dedicated to increasing marginalized communities’ meaningful participation in the planning processes that are inextricably linked to their health trajectory. Our focus on meaningful community participation in the planning process is also aligned with Mayor Dellums’ Land Use Task Forces’ recommendations.

### **Overview of the Health Development Measurement Tool:**

We propose that the Alameda County Public Health Department (ACPHD) and the City of Oakland’s Community and Economic Development Agency jointly apply the Healthy Development Measurement Tool (HDMT) to the Estuary to Tidewater Specific Plan (ETSP). Before describing the collaboration specifically, an explanation of this tool is necessary.

The HDMT is an evidence-based set of metrics that facilitates assessment of the extent to which development projects, plans and policies impact health. The tool utilizes extensive public health research to explicitly connect physical and environmental planning to a wider set of social interests. While the HDMT is recently released for public use, it is already being used in Public Health-Planning Department collaborations in San Francisco, as well as in other Californian cities.

The HDMT is organized into the six elements that comprise a healthy city (Environmental Stewardship; Sustainable and Safe Transportation, Social Cohesion, Public Infrastructure/Access to Goods and Services, Adequate and Health Housing, and Healthy Economy). Each of the six elements is comprised of measurable objectives,

which are further delineated into indicators. There are a total of 27 measurable objectives and over 100 indicators. Indicators are usually represented by baseline data that will be impacted by the plan/project/policy under consideration and in some cases include a qualitative assessment of the proposal.

HDMT use is strictly voluntary, as is the achievement of development targets. Rather than being a regulatory tool, the HDMT is intended to generate the data necessary for facilitating both meaningful public participation, as well as healthy land use decisions.

For more information on the HDMT, including specific objectives and indicators, suggestions for application, and other background information, please see [www.thehdmt.org](http://www.thehdmt.org).

### **Proposal for Agency Collaboration:**

We propose that a collaboration between ACPHD and CEDA on the application of the HDMT be added to the "Proposal for a Specific Plan Estuary to Tidewater Area Scope of Work." The purpose of this collaboration is to assess the healthiness of living and working conditions in Industrial Zones 4, 11, and 11A, as well as in the adjacent neighborhoods (Eastlake, Lower San Antonio, Jinglestown, Fruitvale, and east to 50<sup>th</sup> Avenue), and to analyze how various ETSP scenarios may advance health-enabling conditions. We propose the HDMT application include three distinct steps, as described below. All of the proposed steps would fall under "Part I" of the Draft "Proposal for a Specific Plan Estuary to Tidewater Area Scope of Work."

#### HDMT Application:

1. **Screening:** Collect and review the HDMT primary indicator data to assess baseline community health conditions in Industrial Zones 4, 11, 11A, and the adjacent neighborhoods.
2. **Evaluation:** Evaluate various proposals for the ESP to assess the extent to which HDMT objectives are met. A Plan could meet HDMT objective by meeting HDMT development targets and/or by improving upon baseline community health conditions. Community stakeholder input would be utilized both to inform the plans, as well as in the evaluation process.
3. **Recommendations:** Provide recommendations for changes or additions to the ESP to more specifically meet the HDMT objectives and achieve unmet community health needs.

#### Budget:

- a. .75 FTE researcher/data analyst for 6 months - \$37,000
- b. ACPHD proposes to absorb indirect costs related to this project

### **Meaningful Community Participation:**

The utility of the HDMT extends beyond informing agency collaboration on health enabling land use plans to increasing community members' meaningful participation in

the planning process. The HDMT will arm stakeholders with the data necessary for formulating informed proposals and recommendations that will ensure that the Final Tidewater to Estuary Specific Plan reflects all community members' development priorities.

The steps described below place the HDMT application within a community participation process. However, we are not proposing to be the leads on this part of the process. We have the capacity and expertise in house for research, data analysis, and proposing recommendations based on stakeholder feedback. Additionally, we would be able to present to the community (through meetings and/or focus groups) any information generated by the HDMT so that it is easily understood by various stakeholders. However, we believe that there are other organizations better suited to drive the community engagement activities as a result of their organizing expertise, particularly those who work with low-income and renting communities, and communities of color. We have reviewed Urban Strategies Council's recommendations for regarding essential components of a meaningful and inclusive public process and we support their suggestions. We see our recommendations as complimentary to theirs, as the use of the HDMT would provide community members with the data necessary for informed feedback on the ETSP.

#### HDMT Application with Community Participation:

1. **Visioning:** Hold neighborhood and language specific community meetings and workshops to collect information on community vision for the Estuary to Tidewater Area. These meetings would provide a venue to inform community members on the scope of the Plan, describe the major interests involved, and explain the scope of their influence on the planning process.
  2. **Screening:** Collect and review the HDMT primary indicator data to assess baseline community health conditions in Industrial Zones 4, 11, 11A, and the adjacent neighborhoods. This step could be incorporated into "Part I" of the Draft "Proposal for a Specific Plan Estuary to Tidewater Area Scope of Work."
  3. **Prioritizing:** Present and ground truth information generated in "Part I" to community stakeholders through one-on-one's, community meetings, and/or focus groups and solicit feedback. At these meetings, community stakeholders would use the data generated under each of the HDMT indicators to help articulate their priorities when trade-offs are made and alternatives are weighed.
  4. **Evaluation:** Evaluate various proposals for the ESP to assess the extent to which HDMT objectives are met. A Plan could meet HDMT objective by meeting HDMT development targets and/or by improving upon baseline community health conditions. Community stakeholder input would be utilized both to inform the plans, as well as in the evaluation process.
  5. **Selecting Preferred Alternatives:** Using the information generated during the evaluation of the plans, community stakeholders would select their preferred alternatives. Their input would be gathered at public meetings.
  6. **Recommendations:** Provide recommendations for changes or additions to the ESP to more specifically meet the HDMT objectives and achieve unmet community health needs.
-

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