

  
Brian Mulry (May 12, 2022 16:15 PDT)  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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### RESOLUTION:

**1. AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE, AWARD AND EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH INTERWEST CONSULTING GROUP IN AN AMOUNT NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000) FOR ON-CALL PLANNING PERMIT SUPPORT SERVICES ON AN AS-NEEDED BASIS, FOR A PERIOD OF THREE YEARS, WAIVING THE CITY'S LOCAL/SMALL LOCAL BUSINESS (L/SLBE) PROGRAM REQUIREMENTS; AND**

**2. APPROPRIATING TWO MILLION DOLLARS (\$2,000,000) FROM THE DEVELOPMENT SERVICES FUND (FUND 2415) BALANCE TO FINANCE THE CONTRACT AWARDED TO INTERWEST CONSULTING GROUP TO PROVIDE ON-CALL PLANNING PERMIT SUPPORT SERVICES ON AN AS-NEEDED BASIS; AND**

**3. MAKING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS.**

**WHEREAS**, the Planning and Building Department (PBD) assists builders, property owners, architects, engineers, and realtors in understanding requirements of the Oakland Planning Code and processing planning-related development applications; and

**WHEREAS**, PBD is responsible for approving development plan submittals, performing technical reviews of Planning entitlement applications (including but not limited to design review, variance, tentative maps and conditional use permits) under the Oakland Planning Code; and for performing administration and review of the California Environmental Quality Act (CEQA); and

**WHEREAS**, the review and processing of a planning application for code compliance is a critical component and a required step to ensure that all development is consistent with regulations of the Oakland Planning Code; and

**WHEREAS**, permit review and processing duties must be completed within a timely manner; and

**WHEREAS**, PBD is experiencing high volume of planning applications of all types including residential development applications; and

**WHEREAS**, PBD is facing a staff shortage that makes it difficult to intake and process the increased number of development applications within a desired reasonable timeline; and

**WHEREAS**, Oakland is experiencing a housing shortage, and especially affordable housing shortage; and

**WHEREAS**, any delay in housing permitting review and approvals delays the production and exacerbates the shortage of housing, including much-needed affordable housing; and

**WHEREAS**, professional on-call permit processing support services are necessary to facilitate the timely completion of both existing projects, and increased new development application activity; and

**WHEREAS**, PBD anticipates that permit applications for private development projects of all sizes may benefit from on-call permit processing and support services agreements; and

**WHEREAS**, on-call permit processing services will be fully funded by applicants requesting these services; and

**WHEREAS**, permit processing and support services will be later repaid by permit fees paid by requesting applicants; and

**WHEREAS**, on May 6, 2022, the City received one (1) responsive and qualified proposals submitted by Interwest Consulting Group, in response to a competitive Request For Proposal (RFP) process pursuant to the Oakland Municipal Code Section 2.04.051 for professional consulting services for as-needed on call permit support services for the period of up to three years, specifically entitlement applications review and administration and CEQA review; and

**WHEREAS**, PBD recognizes the need for augmented staffing capacity, which is in part the result of Building Bureau currently being in professional services agreements with on-call consultants for Building-related plan review and permits approval; and

**WHEREAS**, the City Council finds that the services provided pursuant to the agreements authorized hereunder are of a professional, scientific or technical nature and are temporary in nature; and

**WHEREAS**, PBD requests that the City Council waive the City's L/SLBE program requirements in order to execute the contract with Interwest Consulting Services because the Department of Workplace and Employment Standards has confirmed that the Consultant did not meet either the LBE or SLBE requirement; and

**WHEREAS**, the City Council finds that it is in the best interests of the City to waive the City's L/SLBE program requirements to award the contract to Interwest Consulting Services for as needed on-call permit support services pursuant to OMC Section 2.04.051; and

**WHEREAS**, PBD requests that the City Council appropriate Two Million Dollars (\$2,000,000) from the Development Service Fund (2415) balance to finance the contract awarded for the provision of as-needed on-call permit support services; and

**WHEREAS**, the decision to enter into these agreements is exempt from CEQA pursuant to CEQA Guidelines Sections 15301 and 15061(b)(3); and

**WHEREAS**, the City Council finds that the agreements 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 the City Council authorizes the City Administrator to negotiate, award and execute a Professional Services Agreement with Interwest Consulting Group in an amount not to exceed Two Million Dollars (\$2,000,000) for on-call planning permit support services on an as-needed basis for up to three years; and be it

**FURTHER RESOLVED:** That the City Council authorizes appropriating Two Million Dollars (\$2,000,000) from the Development Services Fund Balance (Fund 2415) to finance the contract awarded to Interwest Consulting Group to provide on-call planning permit support services on an as-needed basis for up to three years; and be it

**FURTHER RESOLVED:** That the City Administrator is hereby authorized to execute any amendments or modifications to said contracts 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 City Council finds that this action is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) (common sense exemption and 15306 (information collection)).

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