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# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Darin Ranelletti  
Interim Director, DPB

**SUBJECT:** Supplemental Report Regarding  
Downtown Oakland Specific Plan  
Contract Amendment

**DATE:** January 23 2017

City Administrator Approval

Date:

1/26/17

## RECOMMENDATION

Staff recommends that the City Council consider adopting a resolution authorizing the City Administrator to:

- A. Execute a professional services contract with I-SEED Team of consultants, in an amount not to exceed \$255,000, for services related to the Downtown Oakland Specific Plan Social Equity Strategy without returning to Council; and
- B. Amend the professional services contract between the City of Oakland and Dover, Kohl & Partners in the amount of four hundred fifty three thousand four hundred forty dollars (\$453,440), plus an additional project contingency amount of forty-five thousand (\$45,000) for an overall amount not to exceed the amount of four hundred ninety eight thousand four hundred forty dollars (\$498,440), for enhanced services related to the Downtown Oakland Specific Plan and Environmental Impact Report without returning to Council; and
- C. Apply for, accept, and appropriate six hundred thousand dollars (\$600,000) from the Federal Transit Administration (FTA) Transit-Oriented Development Pilot Program Funds for enhanced transportation, economic and environmental analysis to develop a comprehensive transit-oriented development strategy for downtown Oakland that will help increase transit ridership by encouraging reverse commuting to Oakland without returning to Council; and
- D. Enter Into A Memorandum of Understanding With Bay Area Rapid Transit (BART) For The FTA Transit-Oriented, Development Pilot Program Funds to include an in-kind contribution of \$100,000 towards the project as a local match, through the provision of services by City staff, without returning to Council.

## REASON FOR SUPPLEMENTAL

On January 10, 2017, Community and Economic Development (CED) Committee requested that Staff provide City Council with information about the proposed draft scope of work for the Dover, Kohl & Partners (DKP) and I-SEED consultant teams. Staff and the consultant teams

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are currently working together to finalize the detailed scope of work; the working draft document that combines the scopes for both the DKP and I-SEED teams for Phase 3 of the Downtown Oakland Specific plan is attached (see **Attachment A**).

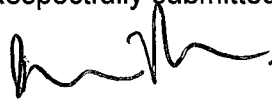
Additionally, the CED Committee requested Staff review the proposed budget to determine whether the funds proposed would be enough to fully support the work of the I-SEED Team, a local consultant that will be providing the main work on the Social Equity Strategy of the Downtown Oakland Specific Plan. Staff spoke with the I-SEED Team, reviewed the budget, and recommends that Council move \$55,000 of the \$100,000 contingency fund for the DKP contract to the I-SEED Team contract. The \$55,000 would be budgeted as dedicated funds to support the team's work on the Social Equity Strategy, particularly to complete analysis of disparity data and racial equity impacts. \$45,000 would remain as contingency.

These additional funds would also support the I-SEED Team's continued participation in the Plan Downtown process. Although the bulk of the Social Equity work will be completed during the next phase in order to help shape the Draft Downtown Oakland Specific Plan, the I-SEED Team will continue to be involved through and following the lengthy environmental review process to ensure consistency and attention to equity issues throughout the process.

If the Council wishes to make these changes to the contingency budget to meet CED Committee recommendations, Staff has prepared a resolution shifting the contingency as described above (see **Attachment B**). After the January 17 City Council meeting, it was brought to staff's attention that BART's requirement for an in-kind match of \$100,000 would need to be reflected in the resolution as well. Thus, staff prepared the attached proposed revised resolution which specifies that the City will enter into a memorandum of understanding with BART which will include an in-kind contribution of \$100,000 towards the project as a local match, through the provision of services by City staff (see **Attachment C**) Attachment D is a clean copy of the proposed revised resolution (see **Attachment D**).

For questions regarding this report, please contact Alicia Parker, Planner III, at (510) 238-3362.

Respectfully submitted,



Darin Ranelletti  
Interim Director, Department of Planning &  
Building

Reviewed by:  
Edward Manasse, Strategic Planning Manager

Prepared by:  
Joanna Winter, Planner II  
Bureau of Planning

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Attachments:

- A. Downtown Oakland Specific Plan Phase 3 Draft Combined Scopes
- B. Resolution Shifting Contingency Funds to I-SEED (Track Changes)
- C. Proposed Revised Resolution Referencing In-Kind Services (Track Changes)
- D. Proposed Revised Resolution (Clean Copy)

**Plan Downtown Phase 3 (Specific Plan Report): Combined Scopes**

The following table outlines the tasks to complete Phase 3 of Plan Downtown, which will incorporate an expanded, more equitable stakeholder base; identify and analyze equity indicators; draft policies, designs and implementation measures that foster equitable outcomes in the topic areas identified in Phases 1 and 2; and result in a specific plan ready for environmental review. The table identifies the steps, tasks, and party responsible for completing each task, as well as any associated task numbers from existing draft scopes. Colored dots identify tasks that include a meeting or deliverable. The I-SEED Team is called out generally, with the expectation that the specific roles of the sub-consultants will be divided as follows:

- **Analysis and policy development:** Center for Social Inclusion, PolicyLink & Popuphood (vacant storefront activation, etc.)
- **Meeting design and facilitation:** Khepera Consulting (lead) with assistance from I-SEED
- **Creative and community-based citizen engagement:** I-SEED, Popuphood & community leaders
- **Project management:** I-SEED

- Deliverable
- Meeting(s)

**Step 1. Assessment: review strengths and weaknesses of the process, establish and analyze plan area equity indicators (including by topic area), and adjust the process to incorporate underrepresented issues and participants**

A. <u>Gather and analyze background data and design equity concepts</u>			
	Task	Responsibility	Task Number
	1. Gather data and conduct SWOT-type analysis of baseline disparity indicators (including data disaggregated by race) in the plan area.	I-SEED Team, with assistance from DKP, Strategic and Toole	DKP 3.1.1
	2. Identify and list critical stakeholder groups who have not been engaged so far.	I-SEED Team	
	3. Review existing plan and collateral documents (i.e. SPUR and PolicyLink reports and other relevant economic, transit, housing and other background documents) and summarize gaps and assets of existing process and plan publication content.	I-SEED Team	

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	4. Identify and list key community leaders who will co-facilitate future engagement.	I-SEED Team	
●	5. Provide memo summarizing disparity data analysis, collateral information, process and content gaps, and stakeholder groups and community leaders to integrate into process.	I-SEED Team	
●	6. Identify and develop presentation about urban design equity concepts and principles to integrate social equity into design work.	DKP	DKP 3.2.2 (ongoing)
<b>B. <u>Kick off new phase and incorporate social equity team and their initial assessment</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Participate in Plan Downtown team-wide kick-off meeting to review I-SEED Team's analysis of baseline disparity indicators and process to date, review design for equity principles, and develop draft equity goals and outcomes.	DKP Strategic Toole I-SEED Team	Strategic 3.2.2a Toole 1 I-SEED Phase 0
●	2. Revise draft equity goals and outcomes based on kick-off meeting.	DKP, with I-SEED review	
<b>C. <u>Conduct enhanced economic, housing and transportation analysis; incorporate equity data (Strategic and Toole) – concurrent with Step 1D</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Analyze and summarize downtown's economic role in the region, and fiscal contributions of various land uses, incorporating equity outcomes. Develop memo regarding analysis and policy considerations and tradeoffs between economic, fiscal and equity priorities.	Strategic, with assistance from I-SEED Team	Strategic 1.1&1.2
●	2. Develop existing conditions memo regarding performance metrics, including equity outcomes.	Toole	Toole 4

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●	3. OPTION: evaluate opportunities for additional community benefits, such as incentive zoning.	Strategic	Strategic 2.1
D. <u>Engage key leaders of underrepresented stakeholder groups</u>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●●	1. Invite key community leaders to the process and lead capacity-building workshop with those leaders to co-design workshops to engage underrepresented stakeholders (including youth).	I-SEED Team, with assistance from DKP	
	2. Conduct new/social media and community-based campaign to announce the re-focus of the specific plan with an equity lens and promote the next round of community engagement.	I-SEED Team & DKP	
●	3. Co-facilitate and provide technical support to workshops to hear from underrepresented stakeholders regarding plan topics and prepare interested stakeholders to participate in working groups.	I-SEED Team and paid community leaders co-facilitate, DKP representatives attend	
	4. Launch Streetwyze fully	I-SEED Team	
	5. Use artist ethnographers and temporary interactive activities (Popuphood strategies) to engage and illustrate the stories and ideas of underrepresented stakeholders and artists/makers (ongoing throughout project).	I-SEED Team	
●	6. Summarize results of input gathered through stakeholder workshops, ethnography and pop-up activities.	I-SEED Team	
E. <u>Prepare for equity working group meetings</u>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Prepare presentation and discussion materials summarizing enhanced existing conditions analysis.	All	

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●	2. Develop draft affordable housing strategy concepts	Strategic	Strategic 1
●	3. Draft vision and goals for review and revision at working groups, based on existing input and stakeholder meeting input: a. Affordable housing goals ( <i>Strategic</i> ) b. Economic strategy goals ( <i>Strategic</i> ) c. Transportation goals ( <i>Toole</i> ) d. Equity goals ( <i>I-SEED Team</i> ) e. Goals for all other topics ( <i>City, with review by I-SEED &amp; DKP Teams</i> )	All	Toole 3.1
F. <u>Working group meetings – Equity</u>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Relaunch working groups by topic, refocusing with equity lens and incorporating baseline equity data and additional stakeholders a. Housing and affordability ( <i>Strategic</i> ) b. Arts and culture ( <i>City</i> ) c. Built environment ( <i>DKP</i> ) d. Open space and recreation ( <i>DKP</i> ) e. Streets and connectivity (combined TAC #1 & stakeholder #1) ( <i>Toole</i> ) f. Jobs, training and economic opportunity ( <i>Strategic</i> ) g. Sustainability, health and safety ( <i>City</i> )	Co-facilitated by I-SEED Team and appropriate consultant	DKP 3.1.1 Toole 2 (2.2, 2.3 & 2.4)
	1. Agenda for each working group will include: a. Using equity lens, review and revise vision, goals, and success indicators for each topic b. Create a “parking lot” of issues that the City should address that are outside the jurisdiction of the specific plan	See above	

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**Step 2. Solutions: study best practices, listen to the community, and develop solutions**

<b>A. <u>Prepare for technical working group meetings</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Finalize vision, goals, objective & indicators, showing how community feedback was incorporated.	DKP, Toole & I-SEED Team	Toole Task 3.1
●	2. Prepare memo summarizing stakeholder workshop and working group input.	DKP, with I-SEED Team review	
●	3. Develop racial/equity impact analysis tool (based on 12 questions and outcomes determined during kick-off meeting) to use to guide discussion at working group technical and neighborhood design meetings, and to analyze draft plan.	I-SEED Team, with DKP review	
●	4. Hold internal meeting to discuss the equity impact analysis tool, and ensure each consultant is approaching their topic area(s) using this tool.	All	
●	5. Conduct peer jurisdictional review and lessons learned analysis; identify policy and investment best practices that have shown promise in preventing displacement, maintaining community identity and advancing equity in the development process, and in each identified topic area (housing and affordability; arts and culture; built environment; open space and recreation; streets and connectivity; jobs, training and economic opportunity; and sustainability, health and safety).	I-SEED Team	
	6. Produce draft "Top 5" actions for each topic after reviewing lessons learned analysis.	City, with review from I-SEED & DKP Teams	
●	7. Work with community to develop videos on plan principles and goals.	DKP & I-SEED Team	DKP 3.4.2
●	8. Multimodal analysis (including methodology memo, using equity impact analysis tool). Coordinate with equity team regarding equity best practices.	Toole	



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●	9. OPTION: evaluate opportunities for incentive zoning, including objectives, tools and potential ramifications. Coordinate with equity team regarding equity best practices.	Strategic	
●	10. Prepare agenda, presentation and handouts regarding best practices.	DKP & I-SEED Team	
<p><b>B. <u>Working group meetings – Technical Analysis (co-facilitated by I-SEED Team and DKP, Strategic or Toole on appropriate topics)</u></b></p>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	<p>1. Facilitate working group meetings to delve into the technical analysis and strategy recommendations for each topic:</p> <ul style="list-style-type: none"> <li>a. Housing and affordability (<i>Strategic</i>)</li> <li>b. Arts and culture (<i>City</i>)</li> <li>c. Built environment (<i>DKP</i>)</li> <li>d. Open space and recreation (<i>DKP</i>)</li> <li>e. Streets and connectivity (TAC #2 &amp; advocates &amp; community #1) (<i>Toole</i>)</li> <li>f. Jobs, training and economic opportunity (<i>Strategic</i>)</li> <li>g. Sustainability, health and safety (<i>City</i>)</li> </ul>	Co-facilitated by DKP& I-SEED Team and appropriate consultant	DKP 3.1.2 Toole 2 (2.2, 2.3 & 2.4) I-SEED 2&3
	<p>2. Agenda for each working group will include:</p> <ul style="list-style-type: none"> <li>a. Review best practices from peer jurisdictions</li> <li>b. Review stakeholder input from equity working group meetings and changes to vision &amp; goals</li> <li>c. Review existing “Top 5” policy priorities and discuss details</li> <li>d. Select policies, programs, actions, designs and other technical steps to move forward with</li> <li>e. Surface short-term items that the Planning Department can work on interim solutions to before the plan is adopted</li> <li>f. Use equity impact analysis tool to ensure that the selected strategies meet the plan’s equity goals.</li> </ul>	See above	I-SEED 3

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C. <u>Neighborhood design meetings (DKP, co-facilitated by I-SEED Team)</u>			
	Task	Responsibility	Task Number
●	1. Use community leader networks and other innovative strategies to advertise meetings.	I-SEED Team	
●	2. Lead four meetings: <ul style="list-style-type: none"> <li>a. Central business core (City Center and Lake Merritt Office District)</li> <li>b. Uptown</li> <li>c. Old Oakland &amp; Chinatown</li> <li>d. 14th Street Black Arts Movement and Business District (BAMBD)</li> </ul>	DKP & I-SEED Team, Strategic & Toole will each attend one meeting (Toole stakeholder meeting #1)	DKP Task 3.1.3 Toole Task 2.4
	3. Agenda for each neighborhood design meeting will include: <ul style="list-style-type: none"> <li>a. Focus on physical design including height, density, land use, transportation, etc.</li> <li>b. Use goals and equity checklist to assist decision-making</li> <li>c. Engage neighborhood groups in creative placemaking (including using artist ethnographers and temporary interactive activities)</li> </ul>	See above	

**Step 3. Public vetting: run the initial recommendations past stakeholders and the general public**

A. <u>Prepare for community advisory group (CAG) meeting</u>			
	Task	Responsibility	Task Number
●	1. Develop agendas and presentation summarizing analysis from equity, technical and neighborhood design meetings.	DKP, with I-SEED Team review	
●	2. Meet with Transportation Technical Advisory Committee (TAC) and incorporate their feedback (TAC #3).	DKP & Toole, with I-SEED Team co-facilitating	Toole 2.2
●	3. Provide CAG members with a summary of materials before the meeting.	DKP	

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<b>B. <u>Community Advisory Group (CAG) meeting</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Facilitate meeting of the CAG, with agenda to include: <ol style="list-style-type: none"> <li>a. Incorporate additional stakeholders representing marginalized communities (they will have been participating in working groups already)</li> <li>b. Review analysis from equity, technical and neighborhood design meetings</li> <li>c. Provide report-back(s) from working group and underrepresented stakeholder meetings</li> <li>d. Discuss equity impact analysis tool and how it is being used throughout the plan drafting process.</li> </ol>	I-SEED Team, Toole, DKP via WebEx (Toole stakeholder #2)	DKP 3.1.4 Toole 2.3/2.4 I-SEED 3
<b>C. <u>Update preliminary plan concepts memo</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Develop memo summarizing comments and meeting notes from stakeholder meetings, equity working group meetings, neighborhood design meetings, technical analysis working group meetings and CAG.	DKP, with I-SEED Team review	Toole 6
●	2. Prepare a preliminary plan concepts memo (formerly the preferred alternative) to reflect all work and community/working group input to date. Memo to be reviewed three times by City before publication.	DKP, with I-SEED Team review	DKP 3.1.5 Toole 2.3
<b>D. <u>Public workshop on preliminary plan concepts document</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Develop agenda, presentation, materials and interactive activities for public workshop.	All	
●	2. Facilitate public workshop and record community input.	DKP & I-SEED Team	

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<b>E. <u>Community and Economic Development (CED) Committee meeting</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Prepare presentation for CED committee meeting.	City, with assistance from DKP & I-SEED Team	
●	2. Attend CED committee meeting and record committee input.	City, with assistance from DKP & I-SEED Team	

**Step 4. Implementation planning: write specific implementation strategies, prioritize actions & develop tracking mechanisms**

<b>A. <u>Prepare for implementation working group meetings</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Summarize community input from public workshop, CED committee and other public comment; review proposed changes with City prior to updating preliminary draft plan.	DKP	
●	2. Incorporate changes from public workshop and CED into preliminary draft plan.	City & DKP, with I-SEED Team review	
●	3. Co-facilitate stakeholder meetings with community leaders to refine and reflect on equity and implementation strategies with their community groups and constituents, and prepare representatives to take this input back to the working group meetings.	I-SEED Team co-facilitates with community leaders	
●	4. Meet with TAC to develop preliminary implementation measures (TAC meeting #4).	Toole	

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●	5. Draft transportation recommendations memo.	Toole	Toole 6
●	6. Draft transportation prioritization methodology, cost estimates and priorities.	Toole	Toole 7
●	7. Develop agendas for working group meetings.	DKP & I-SEED Team	
<b>B. <u>Working group meetings – Implementation &amp; Tracking</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Facilitate implementation working group meetings: <ul style="list-style-type: none"> <li>a. Housing and affordability (<i>Strategic</i>)</li> <li>b. Arts and culture (<i>City</i>)</li> <li>c. Built environment (<i>DKP</i>)</li> <li>d. Open space and recreation (<i>DKP</i>)</li> <li>e. Streets and connectivity (advocates &amp; community #2) (<i>Toole</i>)</li> <li>f. Jobs, training and economic opportunity (<i>Strategic</i>)</li> <li>g. Sustainability, health and safety (<i>City</i>)</li> </ul>	Co-facilitated by DKP & I-SEED Team and appropriate consultant	
	2. Facilitate working group meetings to develop a detailed implementation and prioritization plan, including: <ul style="list-style-type: none"> <li>a. Identify implementation steps for plan programs and actions</li> <li>b. Prioritize implementation based on equity checklist, feasibility</li> <li>c. Identify agencies, organizations and partnerships with responsibility for implementation</li> <li>d. Identify potential funding sources for implementation</li> <li>e. Identify indicators of success and mechanisms for tracking impacts on equity</li> <li>f. Develop mechanism for oversight of implementation</li> </ul>	See above	
●	3. Develop memo summarizing working group-determined implementation measures for each topic (including the transportation final recommendations memo & street design refinements, and implementation memo with phasing and funding strategies).	DKP, Toole, F&P, Strategic, with I-SEED Team review	Toole 8

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●	4. Conduct an equity impact analysis of the recommendations and process to date, including the implementation measures memo, using the tool developed in Step 2. Draft a report that will inform the administrative review draft plan and be incorporated into equity section of draft plan.	I-SEED Team	
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**Step 5. Draft plan: finalize the draft plan & review internally and externally**

A. <u>Develop administrative review draft plan</u>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Add new implementation section to existing goals, policies, programs and designs and create first full draft of plan.	DKP, Toole, F&P, Strategic, with I-SEED Team review	DKP 3.2.1 I-SEED 5
●	2. Revise draft economic goals, recommendations, and implementation actions based on implementation meetings, including option to incorporate incentive zoning.	Strategic	Strategic 2 Strategic OPTIONAL
●	3. Finalize equity impact analysis, and incorporate into administrative review draft plan.	I-SEED Team, with DKP	I-SEED 1
	4. Update plan to reflect three rounds of City review before publication of public review draft plan.		
B. <u>Publish public review draft plan</u>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Publish, distribute, publicize and seek input into public review draft plan, including a summary of the plan easily accessible by the general public.	DKP & I-SEED	
	2. Provide CAG with copies of plan and summary for individual comment.	DKP	

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●	3. Present public review draft plan to TAC at meeting (TAC meeting #4).	DKP, Toole w/co-facilitation from I-SEED Team	
●	1. Present public review draft plan at community workshop.	DKP, Toole, I-SEED Team	DKP 3.3.2 Toole 2.4
●	2. Present public review draft plan at public hearings: BPAC, LPAB, ZUC.	City with assistance from DKP, I-SEED Team	DKP 3.3.2
●	3. Summarize feedback from TAC, CAG, public hearings and community workshop.	All	

**Step 6. Final plan: finalize the plan in preparation for environmental review**

<b>A. <u>Update plan to reflect comments on public review draft</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Publish final pre-environmental review draft of downtown specific plan, reflecting commission, CAG, TAC, community workshop and public comments.	DKP	DKP 3.3.3
<b>B. <u>Present at public hearings: Planning Commission, CED (DKP, I-SEED Team)</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Present plan to Planning Commission.	DKP, I-SEED Team	
●	2. Present plan to CED Committee.	DKP, I-SEED Team	
<b>C. <u>Conduct listening tour and coach community members to engage in proposed implementation structure (I-SEED Team)</u></b>			
	<b>Task</b>	<b>Responsibility</b>	<b>Task Number</b>
●	1. Optional task?	I-SEED Team	I-SEED 5

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City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:

- A. EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH I-SEED TEAM OF CONSULTANTS, IN AN AMOUNT NOT TO EXCEED \$255,000, \$200,000, FOR SERVICES RELATED TO THE DOWNTOWN OAKLAND SPECIFIC PLAN SOCIAL EQUITY STRATEGY WITHOUT RETURNING TO COUNCIL; AND
- B. AMEND THE PROFESSIONAL SERVICES CONTRACT BETWEEN THE CITY OF OAKLAND AND DOVER, KOHL & PARTNERS IN THE AMOUNT OF FOUR HUNDRED FIFTY THREE THOUSAND FOUR HUNDRED FORTY DOLLARS (\$453,440), PLUS AN ADDITIONAL PROJECT CONTINGENCY AMOUNT OF FORTY-FIVE ONE HUNDRED THOUSAND DOLLARS (\$45,000) ~~(\$100,000)~~ FOR AN OVERALL AMOUNT NOT TO EXCEED THE AMOUNT OF FOUR HUNDRED NINETY EIGHT THOUSAND FOUR HUNDRED FORTY (\$498,440), ~~FIVE HUNDRED FIFTY THREE THOUSAND FOUR HUNDRED FORTY DOLLARS (\$553,440)~~, FOR ENHANCED SERVICES RELATED TO THE DOWNTOWN OAKLAND SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT WITHOUT RETURNING TO COUNCIL; AND
- C. APPLY FOR, ACCEPT, AND APPROPRIATE SIX HUNDRED THOUSAND DOLLARS (\$600,000) FROM THE FEDERAL TRANSIT ADMINISTRATION (FTA) TRANSIT-ORIENTED DEVELOPMENT PILOT PROGRAM FUNDS FOR ENHANCED TRANSPORTATION, ECONOMIC AND ENVIRONMENTAL ANALYSIS TO DEVELOP A COMPREHENSIVE TRANSIT-ORIENTED DEVELOPMENT STRATEGY FOR DOWNTOWN OAKLAND THAT WILL HELP INCREASE TRANSIT RIDERSHIP BY ENCOURAGING REVERSE COMMUTING TO OAKLAND WITHOUT RETURNING TO COUNCIL; AND
- D. ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH BAY AREA RAPID TRANSIT (BART) FOR THE FTA TRANSIT-ORIENTED DEVELOPMENT PILOT PROGRAM FUNDS WITHOUT RETURNING TO COUNCIL.

WHEREAS, on November 18, 2014, the City Council adopted Resolution No. 85272 authorizing the City of Oakland (herein referred to as "City") to apply for, accept and appropriate \$750,000 in Metropolitan Transportation Commission ("MTC") funding under the Priority Development Area (PDA) Planning grant program and enter into a funding agreement with MTC for the PDA Planning grant funds, and appropriate \$750,000 in community benefit funds from the Jack London Redevelopment Project, and allocate \$100,000 of the Jack London Redevelopment Project community benefit funds to fund the local match requirement to receive

**WHEREAS**, the City and MTC entered into a Funding Agreement for the "Downtown Oakland Specific Plan" on March 16, 2015, which required the City to engage a consultant to perform the project tasks as specified in the Funding Agreement's Scope of Work; and

**WHEREAS**, Oakland City Council Resolution NO. 85584, filed on April 30, 2015, authorized the City Administrator to negotiate and execute a Professional Services Agreement with Dover Kohl & Partners for development of the Downtown Oakland Specific Plan and EIR in an amount not to exceed One Million Dollars (\$1,000,000); and

**WHEREAS**, the City and Dover Kohl & Partners entered into a Professional Service Agreement on July 1, 2015 for the provision of services related to preparation of the Downtown Oakland Specific Plan and Environmental Impact Report (EIR), as set forth in the Agreement, for an amount not to exceed \$1,000,000; and

**WHEREAS**, the City and the Bay Area Rapid Transit District (BART) were awarded a \$600,000 grant from the Federal Transit Administration (FTA) through the Federal Pilot Program for Transit-Oriented Development Planning Projects to conduct more in-depth circulation, economic and environmental analysis than was originally funded for Downtown Oakland Specific Plan. This work will bolster regional efforts to develop a comprehensive Transit-Oriented Development (TOD) strategy that accounts for transit capacity constraints in the Transbay Corridor. The grant activities are intended to help increase transit ridership by encouraging reverse commuting to Oakland. This set of activities will be complementary to the FTA Core Capacity funded improvements. The TOD strategy will be incorporated into the Downtown Oakland Specific Plan; and

**WHEREAS**, the majority of community feedback received to date during the community engagement process for the Downtown Specific Plan process has centered around issues of affordability, gentrification, displacement, and the perception that the Specific Plan outcomes will negatively affect historically marginalized communities of color. The City seeks to address these concerns by engaging in more community dialogue about these issues and developing social equity policy recommendations as part of the discussion. These conversations and the resulting policy recommendations will inform a social equity strategy for the Downtown Oakland Specific Plan; and

**WHEREAS**, the development of a social equity strategy for the Downtown Oakland Specific Plan will involve engaging a broad spectrum of the community to identify equitable outcomes and related policy recommendations, implementation priorities, accountability systems, and evaluation tools that address disparities related to race, ethnicity and socioeconomic status, and build capacity for positive social change. This will take the framework of short-term and long-term solutions to advance overall equitable development in the Downtown area; and

**WHEREAS**, the City issued and advertised a competitive Request for Proposals (RFP) for contracting services for the social equity strategy for the Downtown Oakland Specific Plan in January 2016, with a deadline for submission of February 25, 2016 and the City received one proposal and a letter of qualifications; and

**WHEREAS**, because of the low number of initial responses to the January 2016 Request for Proposals, the City re-issued and advertised a new RFP for contracting services for the social equity strategy in June 2016, with a deadline for submission of July 27, 2016; and

**WHEREAS**, four consultant teams responded by the deadline to the June 2016 RFP; and

**WHEREAS**, City staff from the Planning & Building Department, Economic Development, Project Implementation, and the Mayor's Office, interviewed three of the responding consultant teams; and

**WHEREAS**, the interview panel identified the I-SEEED team of consultants as the firm best suited and qualified to serve as the prime contractor to prepare the social equity strategy for the Downtown Oakland Specific Plan; and

**WHEREAS**, an additional ~~\$255,000~~ ~~\$200,000~~ is needed, above the original not-to-exceed amount of \$1,000,000, to enter into a contract with the I-SEEED team of consultants to prepare a social equity strategy for the Downtown Oakland Specific Plan to address the issues of displacement, affordability, and loss of vulnerable communities of color and immigrants with limited English proficiency expressed during the first phase of community engagement; and

**WHEREAS**, an additional \$453,440 is needed, above the original not-to-exceed amount of \$1,000,000 for Dover Kohl & Partners to account for the additional community engagement required to develop the Downtown Oakland Specific Plan, coordinate among consultants preparing the technical analysis funded through the new BART FTA grant and the social equity strategy work, and for additional design work to develop the zoning development standards and design guidance to create a vibrant Downtown where Oakland's authenticity and varied cultural identities are reflected in the built environment; and

**WHEREAS**, the additional tasks for the BART FTA funded work (\$600,000), the social equity strategy work with the I-SEEED team of consultants (~~\$200,000~~ ~~\$255,000~~) and the enhanced contract with Dover Kohl & Partners (\$453,440) would increase the Professional Services Agreement contract amount by \$1,253,440, plus a contingency of ~~\$100,000~~ ~~\$45,000~~ for an overall increase of \$1,353,440; and

**WHEREAS**, funds to cover the increase of \$1,353,440 to the original contract amount are available from the following sources: the BART FTA grant (\$600,000), and the Planning & Building Department fund 2415: (\$453,440) for the enhanced contract with Dover Kohl & Partners; ~~(\$255,000)~~ ~~(\$200,000)~~ for the Social Equity Strategy; and ~~(\$45,000)~~ ~~(\$100,000)~~ for project contingency; and

**WHEREAS**, Planning and feasibility studies are exempt from CEQA (CEQA Guidelines Section 15262 (feasibility and planning studies), Section 15306 (information collection), Section 15061(b)(3) (general rule) and Section 15183 ("Projects consistent with a General Plan or Zoning")); and

**WHEREAS**, the City Council finds and determines that the performance of these contracts 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 Administrator, or her designee, is hereby authorized to award, negotiate, and enter into a professional services agreement with the I-SEEED team of consultants, as needed, for the preparation of a social equity strategy for the Downtown Oakland Specific Plan, for an amount not to exceed ~~\$255,000~~ ~~\$200,000~~, and to execute any amendments or modifications of said professional services agreement within the limitations of the Project budget, without returning to the City Council; and be it

**FURTHER RESOLVED**, That the City Administrator, or her designee, is hereby authorized to amend the professional services agreement with Dover Kohl & Partners and sub-consultants, for

\$453,440, plus a project contingency of \$45,000 ~~\$100,000~~ for an overall project amendment of ~~\$498,440~~ ~~\$553,440~~ without returning to City Council; and

**FURTHER RESOLVED**, that the City Administrator, or her designee, is hereby authorized to enter into a memorandum of understanding (MOU) with BART for the FTA Transit-Oriented Development Pilot Program Funds, and to execute any modifications of said MOU within the limitations of the Project budget, without returning to City Council; and be it

**FURTHER RESOLVED**, request to apply for, accept and appropriate BART FTA grant in the amount of \$600,000 will be deposited and appropriated into Miscellaneous Grant Fund (2999), Planning Organization (84211), Other Grant: From Other Agencies Account (46419), and Contract Contingencies Account (54011), in a project to be determined, General Plan, Zoning Update & Strategic Analysis Program (SC09); and be it

**FURTHER RESOLVED**, that the Planning and Building Department funds have been identified totaling \$753,440 available in Development Services Fund (2415) unrestricted fund balance, to be appropriated into Development Services Fund (2415), Planning Organization (84211), Contract Contingencies Account (54011), in a projected to be determined, General Plan, Zoning Update & Strategic Analysis Program (SC09); and be it

**FURTHER RESOLVED**, that the total project not to exceed amount is \$2,353,440 which is an aggregate of funds described above without returning to City Council; and be it

**FURTHER RESOLVED**, that the City Council has independently reviewed and considered the environmental determination, and the Council finds and determines that this action complies with CEQA because this action on the part of the City is exempt from CEQA pursuant to the following CEQA Guidelines (each on a separate and independent basis): Section 15262 (feasibility and planning studies), Section 15306 (information collection), Section 15061(b)(3) (general rule) and Section 15183 ("Projects consistent with a General Plan or Zoning"); and be it

**FURTHER RESOLVED**, that the professional services agreement shall be reviewed and approved by the City Attorney for form and legality, and placed on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California