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AGENDA REPORT

TO:

Sabrina B. Landreth

City Administrator

FROM: William A. Gilchrist

Director, Planning &

Building

SUBJECT:

Healthy Development Guidelines

DATE:

November 9, 2018

City Administrator Approval

Date:

RECOMMENDATION

Staff Recommends That The City Council Receive An Informational Report On The Healthy Development Guidelines Of The Planning And Building Department

EXECUTIVE SUMMARY

In response to the September 11, 2018 meeting of the Community and Economic Development Committee (CED), the Planning and Building Department (PBD) has reviewed proposed changes to the Planning Bureau Basic Application Process that would align with the Healthy Development Guidelines presented at the September 11, 2018 meeting by the East Oakland Building Healthy Communities, Communities for a Better Environment, HOPE Collaborative, East Bay Housing Organizations, and Alameda County Public Health Department. Since the convening of that meeting, representatives of the Healthy Development Guidelines sponsors have also met with officials of PBD to discuss the Planning Bureau Basic Application Process and to advance a plan to implement the operational recommendations of the Healthy Development Guidelines.

PBD is to report at the December 4, 2018 CED meeting the status of: 1) the City of Oakland permit-application form modifications; and 2) a projected work plan, which shall require the cooperation and coordination of multiple departments and agencies whose policies, procedures, resources will need to align to ensure that the City is reviewing new development projects for possible equity impacts and developing policies that address important equity issues critical in collaboration with the community-based sponsors of the Healthy Development Guidelines, and the City of Oakland departments and agencies.

BACKGROUND / LEGISLATIVE HISTORY

As noted in the previous report for the September 11, 2018 CED meeting, the City of Oakland has already taken several steps towards promoting health and equity in Planning, such as the work that has been done to date with the East Oakland Building Healthy Communities, Communities for a Better Environment, HOPE Collaborative, East Bay Housing Organizations

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and Causa Justa: Just Cause and Alameda County Public Health Department, and provided technical assistance on the creation of the Healthy Development Guidelines.

ANALYSIS AND POLICY ALTERNATIVES

Support for Incorporating Health and Equity into Planning

The City of Oakland has already taken several steps towards promoting health equity in Planning. For example, in 2010, City Council adopted a recommendation to direct Planning Staff to work with the Alameda County Public Health Department to develop a framework for incorporating a Health Element to the General Plan. While funding could not be identified, the Interim Director partnered with East Oakland Building Healthy Communities, Communities for a Better Environment, HOPE Collaborative, East Bay Housing Organizations and Causa Justa: Just Cause and Alameda County Public Health Department and provided technical assistance on the creation of the Healthy Development Guidelines.

PBD is committed to continuing its partnership with the community stakeholders who developed the Healthy Community Guidelines. The next critical phase will be the coordination among departments to establish a schedule of specific deliverables for implementation.

Healthy Development Guidelines

The Healthy Development Guidelines were included as an exhibit on the September 11, 2018 report. These guidelines (*Attachment A*) were developed through a multi-stakeholder process with a focus on ensuring that new development in Oakland will benefit the health of new and existing residents.

FISCAL IMPACT

This item is for informational purposes only and does not have a direct fiscal impact or cost.

PUBLIC OUTREACH / INTEREST

PBD shall coordinate working sessions as part of the implementation plan between City of Oakland departments and other agencies with the East Oakland Building Healthy Communities, Causa Justa: Just Cause, Communities for a Better Environment, East Bay Housing Organizations and HOPE Collaborative and Alameda County Public Health Department. The focus of continued public outreach and departmental engagement shall be to determine and prioritize:

- 1. The most important and urgent goals among those cited in Healthy Development Guidelines;
- 2. The resources required for their implementation—both financial and personnel;
- 3. Any change in code, policy, or process that requires City Council action;
- 4. Any modification to the Healthy Development Guidelines for legal conformity; and
- 5. Further public awareness to all stakeholders in the development process to advance various initiatives.

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COORDINATION

This report was prepared in coordination with the City Administrator's Office.

SUSTAINABLE OPPORTUNITIES

Economic: The modification to the Basic Application Process will work toward the assurance that feasible opportunities to promote economic equity and minimize the impact of the housing crisis in Oakland are pursued. Legislative action by the Council may be required for allocation of City resources for development and implementation of policies that result from the work plan.

Environmental: The work plan will yield feasible opportunities to promote environmental health as an integral part of development policy. This proposal does not change existing laws regarding compliance with CEQA.

Social Equity: The modification to the Basic Application Process will work toward the assurance that impacts on the demand for housing, food, transportation, safety, environmental health and other potential impacts on neighborhoods and the overall City are equitable.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council receive an Informational Report on the Healthy Development Guidelines of PBD.

For questions regarding this report, please contact William A. Gilchrist, Director, at 510-238-2229.

Respectfully submitted,

William A. Gilchrist

Director, Department of Planning and Building

Prepared by:

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Planner

Planning Bureau

Attachments (1):

A. Healthy Development Guidelines

Item: _____ CED Committee December 4, 2018 **APPENDIX A – Healthy Development Guidelines**

OAKLAND HEALTHY DEVELOPMENT GUIDELINES

June 27, 2018

Overview of the Oakland Healthy Development Guidelines

Land use planning is an important tool that can be used to empower communities to create and achieve a vision for healthy and equitable neighborhoods. With this in mind, East Oakland Building Healthy Communities, the City of Oakland Planning and Building Department, and the Alameda County Public Health Department have partnered together to create a new and unique planning tool called the Oakland Healthy Development Guidelines.

The Healthy Development Guidelines, a collection of relevant policies (current and proposed), are a planning framework and tool for new development in Oakland that aims to advance health equity and community engagement in the City's planning and development review process. Oakland residents and leaders, architects, developers, community organizations, and other stakeholders contributed to the development of these Guidelines. The standards in the guidelines reflect the priorities of this broad group of Oakland stakeholders with a particular focus on lifting up the voice of historically underrepresented Oakland residents of color. The Guidelines address community-identified problems related to development that disproportionately affect low-income communities of color in Oakland and are based on the principles of health equity, which are grounded in the understanding that everyone in Oakland -- no matter who you are, where you live, how much money you make, or the color of your skin - deserves the opportunity to lead a healthy, fulfilling, and productive life.

Participants

The following Oakland residents and leaders that face the impacts of unequal development on a day-to-day basis, contributed their time and expertise to establish and set the priorities for the Guidelines:
Jordan Aberra, Paula Beal, Ronnesha Cato, Leon Davis, Aaron Davis Jr., Mercedes Dela Torre, Cesar Fragoso, Kim Frazier, Gilbert Gipson, Esther Goolsby, Diana Jauvegui, Redanna Johnson, Joevonte Kelly, Kelton King Jr., Timberlie Laramie, Kasandra Macias, Terrance McClellan Jr., Sandra Muniz, Marina Muñoz, Assata Olugowla, Johnnie Parker, Luis Ramirez, Demaria Shapiro, Towanda Sherry, Karen Smulevitz, Mustafah Solomon, Bernadette Tatom, Rhonda Walters, Azuri Whitlock, Princess Beverly Williams with a special dedication to the late, Bernadette Tatom, for her commitment to this project.

The process to create the Guidelines was led by a team from East Oakland Building Healthy Communities – including Causa Justa::Just Cause, Communities for a Better Environment, East Bay Housing Organizations and HOPE Collaborative – the Alameda County Public Health Department, and the City of Oakland Planning and Building Department, with assistance from Raimi + Associates and ChangeLab Solutions.

Additional organizational participants include: Councilmember Rebecca Kaplan's Office, East Bay Alliance for a Sustainable Economy, East Bay Asian Local Development Corp, East Bay Housing Organizations, East Oakland Building Healthy Communities Land Use Workgroup, Eastside Cultural Center, Habitat for Humanity – East Bay, HOPE Collaborative, Oakland Food Policy Council, Okamoto Saijo Architecture, Nautilus Group, PlaceWorks, Signature Development Group, Street Level Health and TransForm.

Health Equity and the Built Environment

Today in Oakland, residents and communities face very different opportunities and health outcomes by race, place, and income. In particular, data show that "flatland communities," or communities below the I-580 freeway, and low-income communities of color, tend to have more barriers to good health than other groups. This results in vulnerable populations experiencing higher burdens of disease, or "health inequities." A poignant example of this inequity is the difference in average life expectancy of African Americans in East and West Oakland is 71 years, which is 14 years less than the average life expectancy of Whites in the Oakland Hills.⁷

Health is shaped by much more than just our access to health care and individual behavior and choices. Substantial research has shown that the social determinants of health – including the social, physical, environmental, and economic conditions that we face throughout our lives – critically shape health and well-being. The built environment, or the places where we live, work, and play, greatly influences the availability of resources and services – such as whether communities have access to healthy food, safe streets, clean air, and living wage jobs – that are necessary to promote health and well-being. Historic land use decisions, policies, and practices like redlining and segregation have left communities like West Oakland, a historically predominantly African American neighborhood, with social and environmental conditions that have adversely impacted physical, mental, and community health outcomes over generations. Decisions about land use and development and the empowerment and involvement of those affected by these decisions are critical in shaping health outcomes and reducing health inequities.

To improve health for all of Oakland's residents, future development decisions in Oakland must advance land use policies that reduce potential adverse health impacts of new development while working to improve the current conditions faced by those with the poorest health. Perhaps most importantly, healthy development must prioritize meaningful engagement of residents whose communities are most impacted by health inequities early in design and development processes, before major decisions have been made, leading to better projects that meet the needs of new and existing residents.

⁷ Alameda County Public Health Department, Community Assessment, Planning and Evaluation Unit, with data from Alameda County Vital Statistics files, 2013-2015.

Reader's Guide

The Healthy Development Guidelines are organized by the following topics:

- Environmental Health
- Economic Opportunity
- Community, Culture and Safety
- Healthy Food
- Transportation
- Housing
- Recreation and Active Design

The Guidelines are intended to serve as a reference tool of current and potential goals and policies in Oakland that explicitly seek to further health and equity for both existing and new residents via land use planning. The standards in the Guidelines would apply to new individual development projects. It is noted where the standards would apply to specific project types. The Guidelines are divided into three categories (Existing and Administrative/ Tier 1/ Tier 2) and noted in a column to the right of every standard. Issues and policies that were discussed as part of the development of the Guidelines but that were determined to be beyond the scope of the tool are captured in the Recommendations Section in Appendix A.

The Implementation Key (at the top of PAGE 7) is a good faith effort to categorize the Guidelines based on the level of administrative or legislative action required for implementation. Every standard was assessed and assigned an implementation category to the right. The following are the implementation categories:

- Existing and Administratively Implemented Standard (GRAY COLOR): Standards that currently exist
 in the City's codes and Standard Conditions of Approval AND those that are scheduled for
 administrative implementation by the Oakland Planning and Building Department
- Requires Further Refinement and Legislative Action (GREEN COLOR): Guidelines that require
 further refinement to develop policy language and future legislative action to make changes to
 City policy to implement

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Implementation Status

Existing and Administratively Implemented standard

Requires refinement and legislative action

Environmental Health

Clean air, water, land, and buildings are an important foundation for a healthy community. Exposure to high levels of environmental pollution is associated with greater risk of disease, including cancer and asthma, and for populations with pre-existing health conditions like hypertension or asthma, additional sources of pollution and stressors have an added burden or a "cumulative impact." Many communities in Oakland, particularly low-income communities of color, have poor air quality due to their proximity to freeways and industrial sites. These communities are also on the front lines facing the challenges associated with adapting to the impacts of climate change. The Environmental Health Guidelines address concerns about: the disproportionate exposure to unnecessary pollution both from short-term construction and longer-term operations; blight and illegal dumping; and the impacts of new development on climate change.

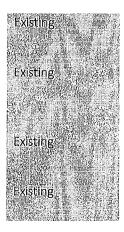
EH1. Reduce exposure to pollution.

EH1.1 Construction-related air pollution controls. Implement construction air pollution controls for all construction sites, as required in the Standard Conditions of Approval.

EH1.2 Reduced exposure to air pollution for project occupants. Incorporate measures to improve indoor air quality and reduce exposure to air pollution in new development projects, as required in the Standard Conditions of Approval.

EH1.3 Contaminant reduction during construction. Mitigate onsite contamination during construction, as required in the Standard Conditions of Approval.

EH1.4 Reduced impacts from truck loading and delivery. For new warehouses and truck-related businesses, provide contained loading docks and truck entrances into the



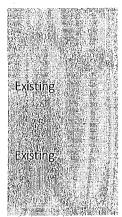
building, and locate them at least 500 feet from adjacent sensitive uses such as residential, schools, daycare centers, parks and medical facilities, consistent with the Standard Conditions of Approval and BAAQMD guidance.

EH1.5 Reduced noise pollution in project construction. Reduce the impacts of project construction noise on the surrounding area, as required by the Standard Conditions of Approval.

EH1.6 Reduced noise pollution in project operation. Reduce the impacts of project operational noise on residents and the surrounding area, as required by the Standard Conditions of Approval.

EH1.7 Project-wide no-smoking policy. Amend <u>OMC Chapter 8.30 (Smoking)</u> to include the following: for any multi-unit residential project (defined as having 2+ units), prohibit indoor smoking inside all units, indoor and outdoor common areas, patios and balconies, AND within 25 feet of project doors, windows, and air intakes, through the passage of a 100% smoke-free multi-unit housing policy.

OR: Amend <u>OMC Chapter 8.30 (Smoking)</u> to include protections from residential secondhand smoke in the form of a 100% smoke-free multi-unit housing policy.



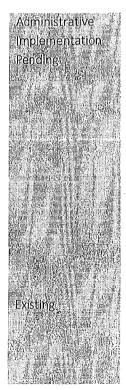
Requires refinement and legislative action

EH2. Reduce blight.

EH2.1 On-site trash and blight removal. (1) The project applicant and his/her successors shall maintain the property free of blight, as defined in chapter 8.24 of the Oakland Municipal Code. [This condition applies to all projects.]

- (2) The project applicant shall install and maintain trash receptacles near public entryways as needed to provide sufficient capacity for building users. [This condition applies to all nonresidential and multi-family residential projects.]
- (3) The project applicant shall submit plans for City review and approval that show a full trash capture device installed at all storm drain inlets or catch basins located on the property and at the public storm drain inlets in adjacent rights of way. The plans shall show the design of the device which must meet requirements of State Water Resources Control Board for full trash capture. The project applicant shall install these devices according to the approved plans. [This condition applies to all projects involving new or modified storm drain inlets.]

EH2.2 Control and mitigation of blight-producing businesses. Commercial businesses with a high tendency of attracting trash and litter – including recyclers, fast food restaurants, warehouses and industrial sites, vacant lots, and other businesses that may attract blight – must:



- submit a blight control plan to the Oakland Planning Department, and
- pay into the Excess Litter Fee program in accordance with <u>Ordinance 12727</u>
 <u>Excess Litter Fee Program</u>.

EH2.3 Design for graffiti reduction. Decrease opportunity for graffiti guidelines based on Crime Prevention Through Environmental Design (CPTED) standards in accordance with the Standard Conditions of Approval.



EH3. Adapt to climate change in project design and development.

EH3.1 increased tree canopy. Incorporate tree plantings on the site and adjacent street frontage as specified by *OMC Chapter 17.124*.

EH3.2 Protection of creeks and wetlands. Protect and enhance existing on-site riparian corridors and wetlands, in compliance with the Standard Conditions of Approval.

EH3.3 Restoration of creeks and wetlands. Restore on-site riparian corridors and wetlands, increasing the biodiversity on project sites and increasing access for residents to existing creeks and wetlands.

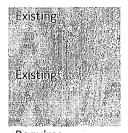
EH3.4 Stormwater management. Conserve water, protect water bodies, and mitigate the effects of large storm events by reducing stormwater runoff through such strategies as retaining and infiltrating stormwater onsite, as required by the Standard Conditions of Approval.

EH3.5 Outdoor water conservation and landscaping. (1) Revisions to existing Standard Conditions of Approval (Landscape Plan) (additions underlined):

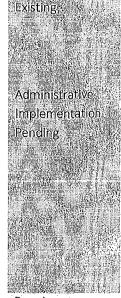
The project applicant shall submit a final Landscape Plan for City review and approval that is consistent with the previously approved preliminary Landscape Plan. The Landscape Plan shall be included with the set of drawings submitted for the construction-related permit and shall comply with the landscape requirements of chapter 17.124 of the Planning Code. <u>Proposed plants shall be predominantly drought-tolerant</u>.

EH3.6 On-site renewable energy. Incorporate on-site renewable energy infrastructure such as solar, wind, geothermal, or biomass with production capacity of at least 5% of the project's annual electrical and thermal energy cost.

EH3.7 Weatherization and improved indoor air quality. For new projects and significant rehabilitations of existing buildings, improve energy efficiency and prevent buildup of mold and mildew through design elements such as weatherization, adequate insulation



Requires refinement and legislative action



Requires refinement and legislative action



of walls and attics, sealing of windows to prevent heat loss, and use of building materials that are weatherized and resistant to water intake and moisture accumulation, consistent with *CalGreen*.



Economic Opportunity

Income, education, and occupation are strong predictors of health status. Communities with higher socioeconomic status tend to live longer and have fewer chronic and infectious health problems and mental illnesses. Education promotes social and cognitive development, opens the door to higher incomes and fulfilling life opportunities, and is associated with better health outcomes and a longer life expectancy. In Oakland, poverty is concentrated in neighborhoods that are disproportionately communities of color, and income inequality between neighborhoods has widened over time. Low-income communities are more likely to lack a strong small business economy and access to basic needs such as healthy food retail, and more likely to dedicate a higher proportion of their income to housing and transportation expenses. This results in less money for healthcare, education, food, and other health promoting essentials. Low-income communities, including groups such as the re-entry population, face additional barriers to education and employment with good wages and benefits. The following Guidelines on Economic Opportunity try to address the need to both preserve and meet the daily needs of and services for existing residents to stabilize the community and prevent displacement and build a stronger workforce and local economy through new development that could benefit both existing and new residents.

EO1. Increase equality in income and wealth through the creation of living wage jobs for local residents.

EO1.1 Worker living wage during project construction and development. Ensure that all project workers during project construction and development earn a living wage for Alameda County as defined by the <u>California Budget Project</u>, exceeding the <u>Oakland Minimum Wage Law</u>.

E01.2 Commercial building occupant living wage. Ensure that all employees of future commercial building occupants earn a living wage, as defined by the self-sufficiency standard for Alameda County as defined by the <u>California Budget Project</u>, exceeding the <u>Oakland Minimum Wage Law</u>.

Requires refinement and legislative action

Requires refinement and legislative action

EO2. Facilitate economic development and opportunity.

EO2.1 Onsite skill building and business incubation. Implement either of the following:

dedicate hours, space or resources for incubation of emerging local business efforts, such as office space, pop-up market space, workrooms or kitchens

Requires refinement and legislative action

OR

dedicate hours and/or space or make contributions to a shared space for use by local community organizations or community groups for skill building, education and training particularly for youth (between 16 and 24 years of age), boys and men of color and reentry populations.

EO2.2 Free internet access for all residents. *Ensure that free wireless internet is provided for all residents by the building owner or operator.*

Requires refinement and legislative action

EO3. Invest in capacity development and skill building of local workers and businesses.

EO3.1 Construction employment opportunities for vulnerable populations. *Ensure that at least 50% of all full-time equivalent employees (based on the total of all part-time and full-time employees) who work on construction of the project be those who face barriers to employment, such as individuals with a GED/high school diploma, formally incarcerated, immigrants, people with disabilities, low-income individuals, and/or youth.*

Requires refinement and legislative action

EO3.2 Long-term, post-construction project employment opportunities for vulnerable populations. Provide a condition in the title or lease of the completed building project that at least 50% of all full-time equivalent employees retained by future owners or tenants (based on the total of all part-time and full-time employees) be vulnerable populations who face barriers to employment, such as individuals with a GED/high school diploma, formerly incarcerated, immigrants, people with disabilities, low-income individuals, homeless individuals, seniors, and/or youth.

Requires refinement and legislative action

EO3.3 Equitable access to job opportunities for previously convicted. *Prohibit using E-Verify or other electronic verification systems to inquire about prior convictions of employees or job seekers for the project.*

Requires refinement and legislative action EO3.4 Equitable access to job opportunities for immigrants. Opt out of using E-Verify or other electronic verification systems to inquire about the immigration status of employees or job seekers for the project.

Requires refinement and legislative action

EO3.5 Establish project labor agreements. Establish project labor agreements for the following types of development projects, at minimum:

Requires refinement and legislative action

Projects with at least 100,000 square feet of new or significantly rehabilitated space

Projects with public investment of at least \$25,000

Projects with municipal proprietary interest.

EO3.6 Job protections for employees on the project. The project applicant and business owners in the project shall comply with all state and federal laws regarding employees' right to organize and bargain collectively with their employers and with the City's Minimum Wage Ordinance (chapter 5.92 of the Oakland Municipal Code).

[This condition applies to all projects involving permanent (i.e., post-construction) employees.]

EO 3.7 Job protections for future employees of the development. The project applicant and business owners in the project shall comply with all state and federal laws regarding employees' right to organize and bargain collectively with their employers and with the City's Minimum Wage Ordinance (chapter 5.92 of the Oakland Municipal Code).

[This condition applies to all projects involving permanent (i.e., post-construction) employees.]

Administrative Implementation Pending Administrative: Implementation Pending

EO4. Prevent the displacement of local businesses.

EO4.1 Priority occupancy for locally displaced businesses. For commercial and industrial projects, prioritize occupancy for locally displaced businesses.

Requires refinement and legislative action

EO4.2 Rent restricted units for locally owned businesses. For commercial and industrial projects, expand opportunities for rent restricted units for locally owned businesses.

Requires refinement and legislative action

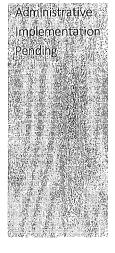
EO5. Preserve existing cultural identity of retail and commercial services.

EO5.1 Local business displacement protection. For commercial projects, protect existing local businesses (small businesses, minority-owned businesses, neighborhood serving businesses) against displacement through right of first refusal and/or below-market rate leases, and prioritize business owners residing within 1/2 mile of the project area.

EO5.2 Neighborhood residents needs assessment. Prior to the commencement of neighborhood-serving commercial activities in the proposed commercial space, the project applicant shall conduct a preference survey and market analysis within one-half mile of the project site to identify neighborhood needs and preferences for the commercial space. The City strongly encourages the project applicant to seek tenants for the proposed commercial space that meet the needs and preferences of local community members. Please refer to the City's Survey Guidelines (contained in a separate handout) for more information.

[This condition applies to all projects involving 10,000 sq. ft. or more of newly constructed or converted neighborhood-serving commercial space for which the tenants have not yet been selected.]

Requires refinement and legislative action



Community, Culture, and Safety

Having strong cultural connections and community and social support networks are critical for good health outcomes. Social relationships and support can benefit mental and physical health, increase access to resources, help increase life expectancy, and contribute towards political engagement. Positive school climates that are physically and psychologically safe environments promote learning and development. Safety is important to health as violence and crime can have a direct impact on health and life expectancy through bodily harm, economic hardship, and emotional trauma. Fear of crime indirectly impacts health through increased stress and social isolation, reducing time spent outside, limiting opportunities to socialize and exercise, and preventing social connections and access to services. The following Guidelines related to Community, Culture and Safety try to increase the engagement and access of existing residents to new development from the design phase to operations to promote social cohesion and bring benefits to both existing and new residents.

CC1. Support community empowerment, arts, and culture.

CC1.1 Community input in project design. Submittal Requirement — Community Engagement: The project applicant shall submit a written statement describing efforts undertaken to date to solicit and incorporate input from nearby community members on the proposed project. Please refer to the City's Guidelines for Privately-Sponsored Community Engagement (contained in a separate handout) for more information.

[This requirement applies to the following types of projects:

- * Large projects citywide: 100+ residential units or 10,000+ sq. ft. of nonresidential space.
- * Industrial projects located within 1,500 ft. of a residential zone.]
- CC1.2 New onsite creative spaces. Set aside affordable spaces for the creation of art, such as art studios, creative maker spaces or live/work units onsite, and prioritize local artists and community members as tenants and owners. Standards should align with current affordable housing rates and eligibility.

CC1.3 Support for Oakland artists and public art. Incorporate artwork created by Oakland-based artists to beautify and activate public spaces, consistent with the <u>OMC Chapter</u> 15.70 Public Art Requirement.

CC1.4 Space for community gatherings. Dedicate outdoor or indoor community space appropriate for hosting community events and providing services and programs. Partner with community members, including youth, in designing the space. Spaces can include, gardens, community kitchens, cultural plazas, decent playgrounds and community centers and rooms, outdoor and indoor seating areas, fountains, small stages or platforms for performance, public bulletin boards, and murals, at no cost for everyone to use that is supervised and maintained on a regular basis.



Requires refinement and legislative action



Requires refinement and legislative action

CC2. Promote healthy civic and public facilities.

CC2.1 Increased access to affordable and high quality childcare. *Do at least one of the following:*

Include a childcare facility on-site, which complies with Title 22 & Title 5 Regulations and Head Start Design Guidelines, and include at least 50% of the recommended best practices in childcare environmental design identified by <u>Bridge Housing Child Care Handbook</u> (pp.132-153);

Requires refinement and legislative action

Provide subsidized rent for a childcare facility on-site;

Subsidize a non-profit to provide childcare in a nearby facility;

Project is or includes a childcare facility that will ensure 10% of the maximum capacity of childcare facility be affordable to children of low-income households;

Pay \$1 per square foot of commercial space into the City's Head Start fund.

CC2.2 Increased access to health care. For new health/ primary care clinic projects, encourage locating within a 1/4-mile walking distance of – or conveniently accessible via public transit to – a community of need.

Requires refinement and legislative action

CC2.3 Healthy school siting. Encourage locating or designing new schools within a 1/2-mile walking distance of transit and at least 500 feet of pollution sources, such as industrial areas and freeways.

Requires refinement and legislative action

CC2.4 Green schools. Implement the City of Oakland's Green Building Ordinance in the design and construction of new or significantly rehabilitated K-12 schools.



CC3. Create spaces where people feel safe.

CC3.1 Minimized use of fences and barriers. Encourage interaction between homes and adjacent sidewalks and public space by encouraging low fences and visually permeable landscaping. Use fences and barriers only if a safety risk is apparent. If fences are necessary, include gates for pedestrian connectivity and beautify with art such as murals.

CC3.2 Crime prevention through environmental design (CPTED). Incorporate design elements from the Oakland CPTED Codes into the site and perimeter design of new development projects, with particular attention to the site lighting and building orientation components of CPTED.



Healthy Food

Access to affordable healthy food, particularly fresh produce, promotes good nutrition and health. Having access to full-service grocery stores with healthy foods in one's neighborhood promotes healthy eating, and if walkable or bikeable, encourages physical activity and reduces auto trips, which can help to reduce chronic diseases like obesity, diabetes, hypertension, and heart disease. In Oakland, many low-income communities or color do not have access to healthy food, and instead have an over-abundance of liquor stores, corner convenience stores, and fast food restaurants that make it easy to purchase unhealthy food that contributes to malnutrition, obesity and chronic disease. Liquor outlets are also often a focal point for injuries, crime, violence, and can contribute to a fear of crime, which hinders

physical activity or social connection. The Healthy Food Guidelines aim to maximize the opportunities for new development to create better access to healthy, fresh and affordable foods for both existing and new residents.

F1. Increase access to local healthy food.

F1.1 Support for edible parks program. Require or incentivize developer to provide support to an edible parks program in coordination with the Office of Parks and Recreation and Public Works Agency.

Requires refinement and legislative action

F1.2 Onsite space for healthy food retail. *Increase neighborhood access to healthy food by at least one of the following:*

Requires refinement and legislative action

Dedicate outdoor or indoor community space appropriate for hosting a California Certified farmers' market or produce stand that is open or will operate at least once weekly for at least eight months annually. A planned farmers' market must have commitments from farmers and vendors that the market will meet all of the above requirements and be in full operation by the time 50% of the project's total floor area is occupied. Or

Dedicate space within mixed-use or commercial projects for a grocery store, market, or food retailer that sells or distributes fresh produce.

F1.3 Garden space and amenities. Dedicate permanent and viable gardens and growing space or related facilities.

Requires refinement and legislative action

Transportation

Affordable, accessible, reliable, and safe transportation options are essential for healthy communities. In neighborhoods that lack amenities and necessities like grocery stores or access to cars, public transit is a lifeline required to access high-quality jobs, schools, medical clinics, and other basic needs. Bicycling and walking are important modes of transportation that promote physical activity, which reduces the risk of obesity, diabetes, and hypertension, and helps improve safety by keeping "eyes on the street." In Oakland, transportation access varies greatly by neighborhood, race, and income. Low-income communities of color are disproportionately dependent on public transit and constantly struggle with rising fares and reliability issues. Many of Oakland's low-income communities of color do not promote safe biking and walking, due to poor street design decisions, lack of bicycle infrastructure, and higher rates of violent crime. Such unsafe conditions discourage physical activity, exacerbating adverse health outcomes. The Transportation Guidelines

for new development support increasing opportunities to active modes of transportation for building occupants, visitors, and existing residents, including vulnerable populations.

T1. Increase opportunities for active transportation by supporting walking, bicycling, and transit.

T1.1 Reduced Parking Ratios. For transit-rich projects (development located within a ¼-mile distance to transit that runs every 15 minutes or for 24 hours), developers will be offered reduced parking ratio requirements for:

- Offering a bulk discounted rate transit passes from AC Transit for all occupants including residents and workers.
- Contribution of funds to be used to build transit demand strategies improvements (i.e. car share, bike racks) that must remain functional for at least 25 years or go into additional community benefits fund.

T1.2 Safe, comfortable pedestrian, bicycle and ADA compliant access to the project. Provide improvements to street and sidewalk infrastructure that enhance safety and accessibility for all users (including bicyclists, pedestrians, children, older adults, and disabled people) to access and/or by pass the project in accordance with <u>OMC Chapter 12 Sidewalks, streets and public places</u> and the <u>City's Complete Streets Policy</u>

- T1.3 Prioritize transit access and enhancement in project design. (1) No revisions necessary regarding building design; existing design guidelines promote pedestrian and transit-access orientation.
- 2) Requirements for transit stop enhancements are being developed concurrently by the Department of Transportation in conjunction with revisions to the Transportation Demand Management (TDM) program.
- T1.4 Bicycle storage and facilities. Provide long-term enclosed and short-term bicycle parking and shower and locker facilities in accordance with <u>OMC Chapter 17.117 Bicycle Parking Requirements</u>. Developers will be offered reduced parking ratio requirements in accordance with <u>OMC Chapter 17. 117.150 Location and Design of required bicycle parking</u>.



Housing

Housing quality, affordability, stability, and access are all critical determinants of both individual and community health. Without adequate maintenance to prevent mold, mildew, allergen, and lead exposure, residents may be impacted by asthma and other respiratory problems, as well as headaches, fever, nausea, and skin diseases. When housing is unaffordable, tenants are more likely to endure substandard or overcrowded housing conditions that can promote the spread of respiratory infections and cause stress. Severe housing cost burden can force residents to make unhealthy budget trade-offs between paying for health promoting necessities such as housing, food, or healthcare, and increases the risk of eviction, displacement, and homelessness. Without strong affordable housing policies and tenant protections, new development in historically disinvested neighborhoods can lead to rising rents and drive displacement of residents and community-serving businesses. Displacement can negatively affect health and well-being through stress, poor housing conditions, pressure on limited household budgets, longer commute times, concentrated poverty, and reduced social cohesion. In Oakland, low-income communities of color are rent burdened and more likely to endure substandard housing conditions and stress related to the inability to pay for basic necessities. In recent years rising housing costs and rates of eviction have led to significant increases in displacement. Inequity in housing cost burden combined with high levels of renter ship make communities of color and low-income residents particularly vulnerable to displacement and homelessness. The Housing Guidelines address the gaps in existing housing policies to promote housing affordability and limit displacement of existing residents, including vulnerable populations.

H1. Enhance access to affordable housing, particularly for vulnerable populations.

H1.1 Housing Impact Fees. For all applicable projects, support affordable housing by paying the Jobs/Housing Impact Fee and the Affordable Housing Impact Fee.

H1.2 Housing for existing residents. For city-assisted affordable housing projects include a preference for people who already live or work in Oakland, including those who have been displaced.

H1.3 Affordable homeownership opportunities for existing residents. Adopt an inclusionary zoning policy for for-sale residential development housing/ projects to support local residents in building assets via homeownership in Oakland either by requiring building affordable units on-site or paying in-lieu fees or contributing land to a community land trust (CLT) or limited equity housing co-op (LEHC) to support long-term affordable homeownership opportunities for local residents.

City Council: Adopted 2016 City Council: Adopted 2016

Requires refinement and legislative action

H1.4 Prioritization of housing units for vulnerable populations. Grant funding preference

Requires

for city-assisted affordable housing projects that include at least 20% of units for vulnerable populations, including but not limited to homeless individuals and families living at or below 20% of Area Median Income.

H1.5 Homeless rapid rehousing. For projects with a residential component contribute funds to rapid rehousing programs for homeless persons.

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Requires refinement and legislative action

H2. Preserve existing affordable housing and protect residents from involuntary displacement.

H2.1 Disclosure and reporting of rental unit loss, eviction, and relocation compensation. The project applicant shall submit a report for City review and approval documenting compliance with all local and State laws and requirements related to residential rental unit evictions, including, but not limited to, the Oakland Just Cause for Eviction Ordinance, the Oakland Residential Rent Adjustment Program, and the Ellis Act. Refer to the City of Oakland Housing Assistance Center for more information.

[This condition applies to projects that may result in the eviction of existing tenants from residential rental units (or in cases where evictions occurred within the past year) due to, for example, demolitions, conversions to other uses, or substantial rehabilitations.]

H2.2 No net loss of affordable housing. For all projects that result in the demolition, conversion, or loss of existing residential units that are affordable to households earning at or below 120% of AMI, ensure all of the following:

Replace units at a 1:1 ratio at the same or greater level of affordability

For City-assisted affordable housing projects, offer new units to existing tenants at prior rent levels and ensure right of return

Administrative Implementation Pending

Requires refinement and legislative action

- H2.3 Displacement impact mitigation. For all development types displacing existing residents and/ or businesses, mitigate the effects of displacement, including but not be limited to land set asides, relocation compensation (including first and last month's rent, security deposit and moving costs), and business loan assistance.
- H2.4 Support for tenant outreach and education. For all new residential development projects that involve market-rate units, contribute to a city fund or non-profit resource center for tenant outreach and education.
- H2.5 Support for maintenance of existing affordable housing. For all new residential development projects that include market rate units, provide funding to support the

Requires refinement and legislative action

Requires refinement and legislative action

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legislative action

Recreation and Active Design

Access to recreation and opportunities for physical activity helps to reduce obesity and chronic diseases such as diabetes and improves both mental health and social connection. People are more likely to be active in their neighborhoods when there is greater access to spaces that are safe and attractive. Active design, including well-designed parks and playgrounds, appealing and accessible sidewalks, and multi-use trails, promote recreational and physical activity. In Oakland, issues of safety, quality and availability limit access to parks, playgrounds, and local spaces to exercise for many of the city's low-income residents, contributing to adverse health outcomes. The Recreation and Active Design Guidelines promote increased access to spaces and opportunities for recreation and physical activity for existing and new residents.

OS1. Expand access to high-quality open space and increase opportunities for physical activity and recreation.

OS1.1 Increased access to open and recreational spaces. In areas without open space and recreational spaces within a ½-mile (800-meter) walking distance, design the development project to include publicly accessible open space or recreation spaces at least 1 acre in area, or a publicly accessible indoor recreational facility of at least 25,000 square feet that meets community needs. Consider cultural preferences of local residents and community needs in the design. Open space and recreational spaces can include: community gardens, pocket parks, play spaces, and other uses that promote outdoor recreation, which may include "tot lots," swimming pools, and sports fields, such as baseball diamonds.

Requires refinement and legislative action

OS1.2 Pedestrian and bicycle amenities around recreational and open space areas. The project applicant shall submit a plan for City review and approval to enhance bicycle and pedestrian access from the project site and adjacent areas to [INSERT NAME OF EXISTING OPEN SPACE]. Examples of enhancements may include, but are not limited to, new or improved bikeways, bike parking, traffic control devices, sidewalks, pathways, bulb-outs, and signage. The project sponsor shall install the approved enhancements during construction and prior to completion of the project.



[This condition applies to projects involving new construction adjacent to an existing open space such as a park, lake, or shoreline.]

OS1.3 Safe open spaces and recreational spaces. Apply the principles of Crime Prevention Through Environmental Design (CPTED) when designing open space and recreational spaces for a project.



OS2. Protect, maintain and reuse existing community spaces.

OS2.1 Preservation of existing community spaces. If the project site has a recognized existing use as community space (e.g., play field, skate park, community center, community garden, etc.), designate space equivalent to at least 80 percent of the existing use for the purposes of continuing said use, and maintain public accessibility to space. Design project to provide improvements and rehabilitation to existing community space and connect it physically and programmatically to the project.

Requires refinement and legislative action

OS3. Promote physical activity of building occupants.

OS3.1 Active design features. *Incorporate active design features, including elements of the Center for Active Design Building Design Checklist, within the site and building.*

Requires refinement and legislative action

Appendix B - Recommended Policy Priorities from the Healthy Development Guidelines

The following are recommended policy priorities from the Healthy Development Guidelines. These would need to be further researched and developed with City Staff and brought back to City Council as legislation for consideration:

- **H2.3 Displacement impact mitigation.** For all development types displacing existing residents and/ or businesses, mitigate the effects of displacement, including but not be limited to land set asides, relocation compensation (including first and last month's rent, security deposit and moving costs), and business loan assistance.
- **H2.5 Support for maintenance of existing affordable housing.** For all new residential development projects that include market rate units, provide funding to support the rehabilitation and repair of existing affordable housing.
- EH3.6 On-site renewable energy. Incorporate on-site renewable energy infrastructure such as solar, wind, geothermal, or biomass with production capacity of at least 5% of the project's annual electrical and thermal energy cost.
- **E01.2 Commercial building occupant living wage.** Ensure that all employees of future commercial building occupants earn a living wage, as defined by the self-sufficiency standard for Alameda County as defined by the <u>California Budget Project</u>, exceeding the <u>Oakland Minimum Wage Law</u>.
- F1.2 Onsite space for healthy food retail. Increase neighborhood access to healthy food by at least one of the following:
 - O Dedicate outdoor or indoor community space appropriate for hosting a California Certified farmers' market or produce stand that is open or will operate at least once weekly for at least eight months annually. A planned farmers' market must have commitments from farmers and vendors that the market will meet all of the above requirements and be in full operation by the time 50% of the project's total floor area is occupied. Or
 - Dedicate space within mixed-use or commercial projects for a grocery store, market, or food retailer that sells or distributes fresh produce.

Appendix C - Oakland's Health Status

Oakland has inequities in health outcomes that differ by race/ethnicity, income, and neighborhood. Poor health outcomes are concentrated in low-income communicates of color in Oakland. These communities would benefit from improved social and environmental conditions that promote health for all. The following are highlighted areas of concern for Oakland's health status and health data and is meant to be illustrative, not exhaustive:

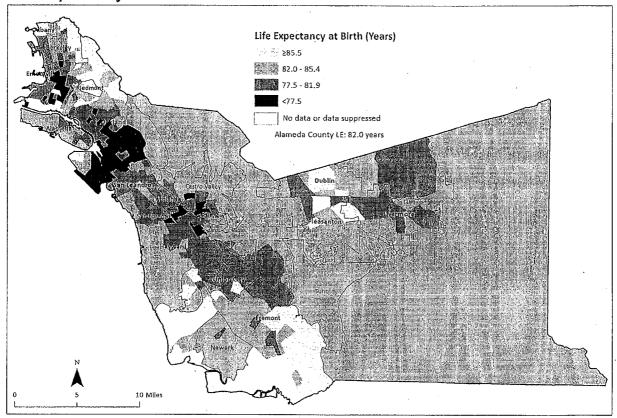
- Low-income communities of color in the flatlands tend to have a lower average life expectancy than higher income, White communities in the Oakland Hills.
- The overall rate of asthma hospitalizations for East and West Oakland exceed the rates for the City and Alameda County, and children under five years of age in East and West Oakland are hospitalized for asthma at a rate twice that in the County. Asthma hospitalizations could result in missed school and work days.⁸
- More than 42% of Oakland adolescents are overweight or obese, which puts them at risk of developing diabetes and other chronic diseases.⁹ This health burden is not distributed equally amongst all adolescents in Oakland, and disproportionately affects low-income communities and communities of color. The cost of poor health is also costly; for example, an estimated \$650 million was spent on diabetes-related healthcare in Alameda County in 2010.
- Being physically active is protective against chronic health conditions such as diabetes.
 Neighborhood characteristics such as access to space and safety influence how physically active people in a community are. Low-income Oakland residents face more barriers, such as access to places to walk/ exercise and not feeling safe, to being physically active than high-income residents.
- Low-income neighborhoods in Oakland have an overabundance of unhealthy food outlets, too few grocery stores, and a high concentration of liquor stores—conditions that contribute to harms to health.
- Pedestrian injuries are more concentrated in areas of high traffic density and occur at an especially high rate in the Downtown and Chinatown areas. African American and Latino

⁸ For East Oakland zip codes 94601, 94603, 94605 and 94621, the asthma inpatient hospitalization rate is 265.0 per 100,000 residents; for West Oakland 94607, 94608, 94609, and 94612 the asthma inpatient hospitalization is 206.8 per 100,000 residents; the County rate is 120.6 per 100,000. The childhood (0-4 year-olds) asthma hospitalization rate for East Oakland is 899.4 per 100,000; the West Oakland rate is 752.3 per 100,000; the county rate is 421.9 per 100,000. Source: CAPE Unit, Alameda County Public Health Department/ Health Care Services Agency with data from California Office of Statewide Health Planning and Development (OSHPD), 2011-2013.

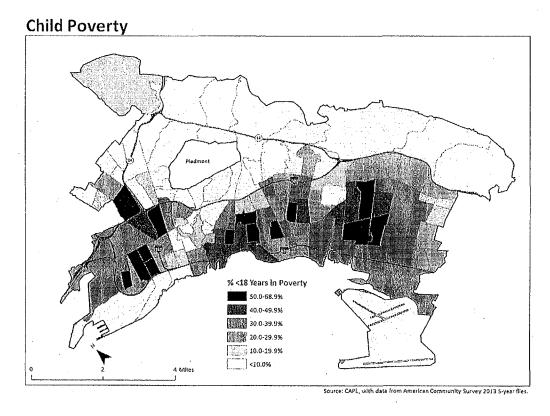
⁹ CAPE Unit, Alameda County Public Health Department/ Health Care Services Agency with data from California Department of Education. California Physical Fitness Report for Oakland Unified School District, 2015-2016. cde.ca.gov/dataguest/

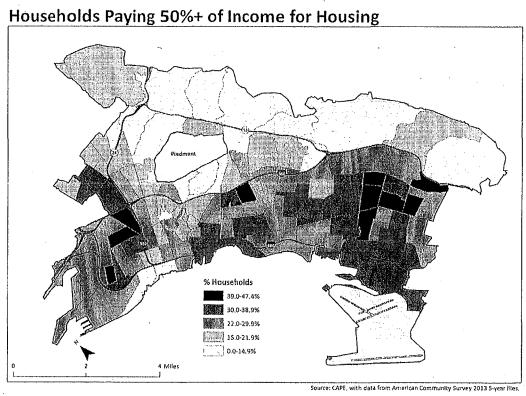
- pedestrians are at the greatest risk of pedestrian injury from collision with a vehicle. Unsafe conditions can discourage physical activity, leading to adverse health outcomes.
- Low-income communities of color in Oakland are disproportionately exposed to harmful environmental pollutants, placing them at risk of negative health outcomes, and to the impacts of climate change. In Oakland, low-income communities of color tend to live in close proximity (within 500 feet) of the 880 freeway, where diesel trucks and industrial lands are located, leading to higher health risks and exposures. West Oakland residents breathe air with at least three times more diesel particulates than the rest of the Bay Area translating into a 2.5 greater lifetime risk of cancer compared to that of the Bay Area average. Additionally, seven of ten schools in the county situated in close proximity of a freeway are in the Oakland Unified School District, exposing children to unacceptably high levels of air pollution and increasing their likelihood of asthma symptoms.
- Low-income residents face social stressors in addition to environmental stressors, such as rent cost burden, that have a cumulative effect on health outcomes

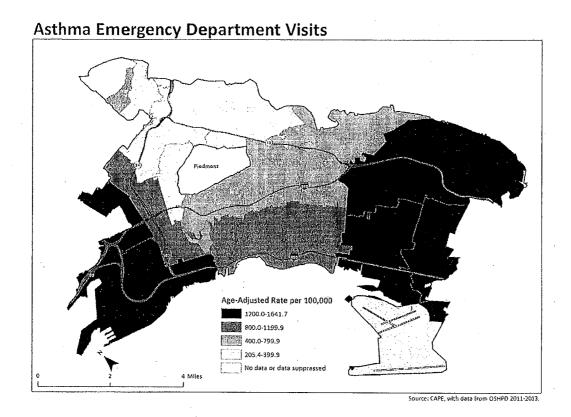
Life Expectancy at Birth

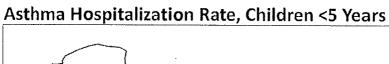


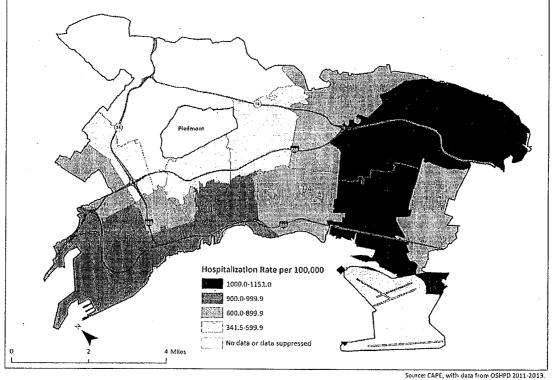
Source: CAPE, with data from Alameda County vital statistics files, 2011-2015.

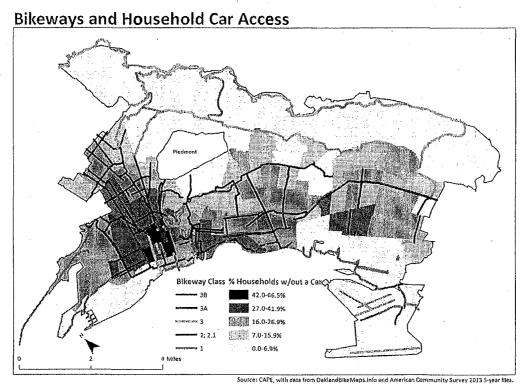






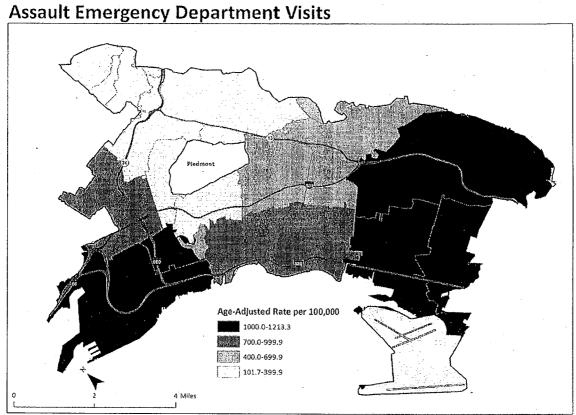






Pollution Vulnerability Index The pollution vulnerability index includes estimates of increased morbidity and mortality due to PM2.5 and ozone as well as increased cancer risk due to toxic air contaminants. The index ranges from 0.1 to 96.3 in the bay area. **Pollution Vulnerabilty Index** 70.0-79.9 57.1-69.9

Source: CAPE, with data from BAAQMD CARE 2014.



APPENDIX D – Land Use Impact on Health. The following table identifies key risk factors that affect people's health, highlights some associated health outcomes, and examples of how they relate to the built environment. This table is meant to be illustrative and not exhaustive.

RISK FACTORS	NEGATIVE HEALTH OUTCOMES	RELATION TO BUILT ENVIRONMENT
Unsafe neighborhoods	Lack of outdoor or physical activity, social isolation, stress, violence and fatalities	 Concentration of alcohol and tobacco retailers Limited access to essential services Spatially and racially segregated housing Lack of safe places to play
Unsafe streets	Injuries and fatalities, inactivity and obesity, stress	Focus on auto use yields fewer lanes for bicycles, high traffic speeds and congestion, noise pollution, and inadequate sidewalks Absence of buffers separating cars from pedestrians
Alcohol and tobacco use	Alcoholism, cancer, communicable diseases, heart disease, liver disease, mental health problems, teen pregnancy, violence	 Concentration of liquor stores, convenience stores, and bars Proliferation of alcohol and tobacco advertising
Poor or inadequate nutrition	Cancer, diabetes, hunger, heart disease, learning difficulties, obesity, stroke	 Limited access to grocery stores, farmers markets, and community gardens, concentration of fast food, liquor, and convenience stores Proliferation of unhealthy advertising
Lack of physical activity	Attention deficit disorder, cancer, depression, diabetes, heart disease, obesity, stress, stroke	 Limited or no open space or parks or poorly maintained parks Outdoor activity limited by air pollution and safety concerns
Polluted air, soil, and water	Asthma, birth defects, low birth weight, cancer, heart disease, lung disease, neurological disorders, reproductive disorders	 Proximity of "sensitive sites" to sources of pollution Lack of green space or trees to buffer or filter pollution Auto-oriented housing development Proximity of "sensitive sites" to Brownfield development Presence of contaminated sites
Poor housing conditions	Asthma, communicable disease, lead poisoning, respiratory illness, stress, mental health issues	 Lack of quality affordable housing Poor or lacking maintenance practices Insufficient air ventilation
Social isolation	Acute and chronic stress, mental illness substance abuse, violence, vulnerability to natural disasters and epidemics	 Neighborhood design (long commutes, few public gathering places, lack of access to daily goods and services) Lack of access to affordable public transit

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Oakland Healthy Development Guidelines



July 17th, 2018 Community and Economic Development Committee City of Oakland





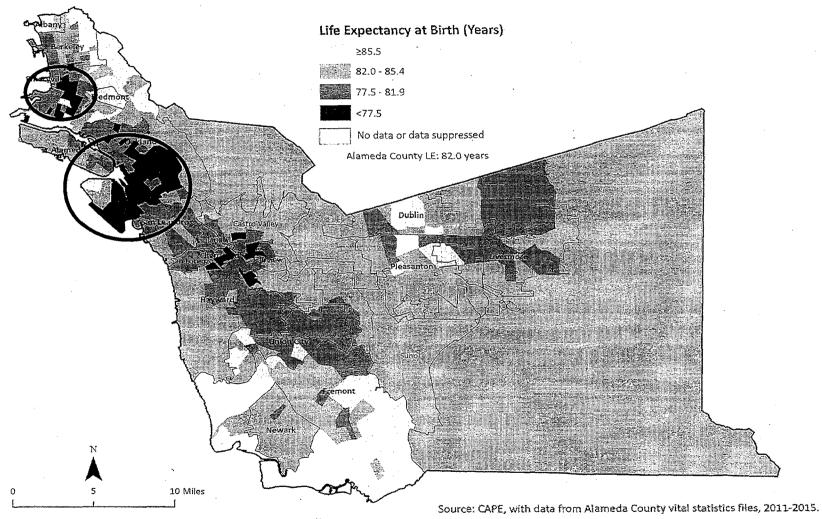








Health Inequities by Place Life Expectancy by Census Tract

















Background on the Healthy Development Guidelines

- 2010 Oakland City Council directed City Planning to partner with Alameda County Public Health Department to work towards a Health Element for the General Plan
- 2011 CBE Started the Community campaign against the crematorium in East Oakland
- Mid-2014 Healthy **Development Guidelines** process launched







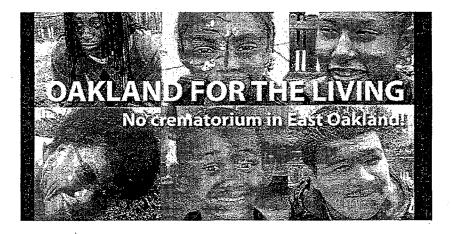


Photo Credit: Communities for a Better Environment









Healthy Development Guidelines Core Principles

- Build an innovative partnership
- Model a process of community inclusion in planning process
- Create policy and guidelines to support healthy and equitable development for new development





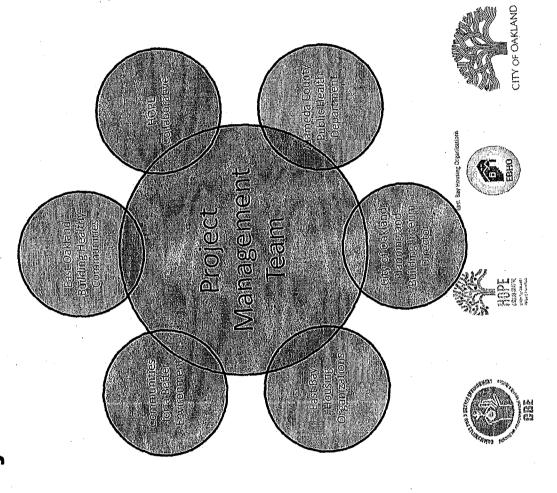






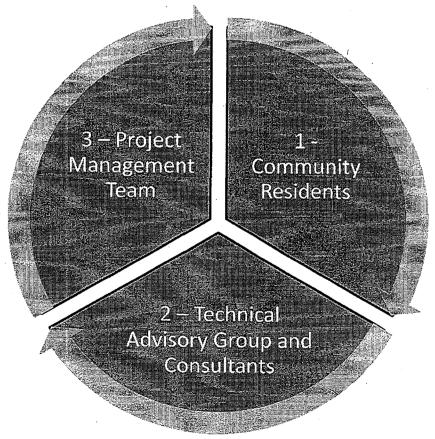


Healthy Development Guidelines Project Management Team





Healthy Development Guidelines **Engagement process**

















HDG: Communitydriven process

- 2014 EOBHC Leaders conducted a Resident Survey
- Over 550 Oakland residents were interviewed in multiple languages
- The priorities informed the issues in the Healthy Development Guidelines













Oakland Speaks for Healthy Development Resident Survey



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Fund: Objidantic BHC pieme to just at the doctor's office. T and the hearth of our neight's jobs, impacts the health of a

Our broad definition of head generated by accessible an transportation.

Six of 10 residents say the health of their family reignbors and community has been "greatly" impacted by jobs, housing, transportation, and food across issues.

regular care from a doctor for chronic health boxed























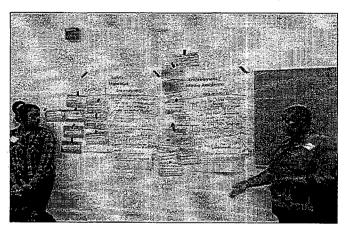








Healthy Development Guidelines Community-driven planning process



Above from left to right: Sandra Muniz and Esther Goolsby



Community Town Hall at Allen Temple Arms







"[This has been] an opportunity to be true partners. I can see how these [guidelines] could have been made without residents at all. We have partnered because we have something to say. We have a lens that should always be there. We know how [development] will affect the people who live here."

- Kim Frazier from the East Oakland Building Healthy Communities









Healthy Development Guidelines Stakeholder Engagement

- Technical Advisory group process
- TA providers: ChangeLab Solutions and Raimi and Associates
- Issue-Based Workgroups
- Non-profit and for-profit developer focus groups
- Focus group for Oakland City planners
- Former Assistant City
 Administrator and Directors of Planning, Housing, Economic Development and Race and Equity









CITY OF OAKLAND

Healthy Development Guidelines Potential Policies and Standards

- Community, Culture and Safety
- Economic Opportunity
- Environmental Health
- Healthy Food
- Housing and Antidisplacement
- Recreation and Active Design
- Transportation Access



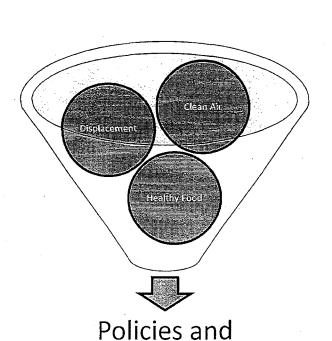












Guidelines

Healthy Development Guidelines Implementation Strategy

- Existing policies, codes and standards
- Administrative implementation by Planning and Building Department
- 5 Priority Policy Recommendations



Above from left to right: Cesar Fragoso, Mercedes De La Torre, Marina Munoz, Ang Hadwin, Paula Beale













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