

Sugar Sweetened Beverage Community
Advisory Board
Special Meeting Notice

150 Frank H. Ogawa Plaza
Oakland, CA 94612
Human Services Department
Conference Room 1, 4th floor
September 17, 2018 • 6:30pm-8:30pm

FINAL AGENDA

1. **Welcome and Call to Order (2 minutes)**
 - Modifications to the Agenda
2. **Open Forum**
3. **Adoption of Meeting Minutes from the Regular Meetings – *April 9, 2018* and *June 11, 2018*** *Action*
4. **Discussion of By-Laws** *Discussion*
5. **Update on Board Seats** *Discussion*
6. **Update on RFP Timeline** *Discussion*
7. **Update on Hydration Station SSB Labels/Branding** *Discussion*
8. **Schedule Change and Agenda Items for the October 2018 Board Meeting** *Discussion*
9. **Adjournment**

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DRAFT MINUTES
Sugar Sweetened Beverage Community Advisory Board
Oakland City Hall,
1 Frank H. Ogawa Plaza
Oakland, CA 94612
Hearing Room 1, 1st floor
April 09, 2018 • 6:30pm-8:30pm

Board Members present: Jared Fine, Esperanza Pallana, Tonya Love, Donna Carey, Julia Liou, Renia Webb

Board Members absent: Kim Carter Martinez

City Staff Members present: Sandra Taylor, Sachel Heavens, Sara Bedford, Diveena Cooppan

1. Welcome and Call to Order

• **Call to Order**

The meeting was called to order at 6:37 pm. The Board and staff introduced themselves. There were no modifications to the agenda.

2. Open Forum

Two speakers made public comments.

1. **Jen Schilling:** with H.E.A.L (Healthy Eating, Active Living). Looks forward to expanding the program, hopefully with support from the tax.
2. **Diana Garrett:** Oakland resident and Center for Elders Independence.

3. Adoption of Prior Meeting Minutes *February 27, 2018, *March 12, 2018

Sandra Taylor explained that the minutes are action minutes. A transcript is available and a video and/or audio is available online. The March 03, 2018 minutes will be available at the next meeting. Julia Liou made a motion to approve the minutes. Jared Fine seconded. Donna requested an amendment to the March 12, 2018 minutes to state that Kim Carter Martinez, abstained from the vote on water hydration stations. The Board unanimously voted to adopt the minutes with the amendment from Donna.

4. Presentation by Human Services Department Director Sara Bedford on City Food Systems

Sara Bedford presented on the Human Services Department programs noting Early Childhood Development (Head Start), Homelessness, Hunger Programs, Violence Prevention (Oakland Unite), Community Action Partnerships, Children and Youth through the OFCY grant program, and now the Sugar Sweetened Beverage Initiative.

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Sara explained that the Parks and Rec. and Library sites are currently not able to provide any dinners or snacks because the vendor who sponsored the meals can no longer provide these meals. The vendor received the state funding to provide the meals but the amount provided by the state was insufficient to sustain the program.

The request is for the board to support a one time, one-year funding of these meals – approximately 200,000 meals based on 26 sites for 30 children per site which costs around \$3.87 per meal. This one-time infusion would allow the City to then set up the systems to continue running the program independently and by applying for the State funding for these meals the next year.

The funding of staff will allow the City to create the infrastructure to manage this program. The food monitor staff is a State requirement to receive the funding and the Program Analyst would run the program throughout the year.

This is a joint proposal with Parks and Recreation, Library and Human Services Departments. We would also recommend \$1 per meal for Head Start to improve the quality of meals provided in the Early Childhood program. The amount requested is \$897,915 for the meals, \$188,042 for snacks, \$262,640 for staffing the program and \$400,000 to improve the quality of the Head Start food program.

The staff and quality improvement of food would be an ongoing request for SSB funding. The numbers presented are revised from the last meeting based on updated feedback from the Oakland Parks and Rec. department.

Board members questioned whether City departments can apply to the RFP process and discussed the equity of City department presentations over other organizations. Sara clarified that this was a joint presentation, that the departments would not be opposed to applying to an RFP process but that City Programs have an extensive reach and infrastructure that could be beneficial in helping the Board reach the objectives they've outlined.

Sandra Taylor stating that in speaking with the City Attorney, it should be clarified that the SSB ordinance states that the Board will make recommendations as to how and to what extent, General Fund money will be spent. The ordinance does not exclude City departments, which can normally access general fund money, from being allocated these funds. Each legislation specifies to some extent the expectations e.g. OFCY ordinance specifically states that the funding will be through an RFP competitive process. Under Sugar-Sweetened Beverage legislation

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it says, the board will make recommendations to the City and not specifically an RFP process.

5. Presentation by Office of Parks, Recreation, and Youth Development Director Nicholas Williams

Dana Riley, Assistant Director for Oakland Parks, Rec, and Youth Development presented as Director Williams was ill and could not attend. OPR is a direct service provider. Dana confirmed that OPR is in alignment with the Food program presentation made by Sara Bedford. OPR is uniquely positioned to help meet the objectives of the SSB initiative. They are the largest provider of out of school services in the City. The request is for the provision of 2 hydration stations at each of the 25 parks that contain a recreation center. These sites have been selected because they are heavily utilized. Dana presented a document with a list of the proposed sites. One hydration station would be inside the facility and one would be contained outside, adjacent to the courts.

An additional recommendation is to fund a health and wellness fitness supervisor who would develop a comprehensive wellness program with the long-term goal of teaching children healthy habits that would last a lifetime. OPR would capitalize on the existing cooking and gardening curriculums that are offered in the after school and summer programs. The overall program would be modeled on the Wellness in the School program – this a nationwide non-profit program. This program would take place at the 24 centers across the City.

The final recommendation is the installation of Fitness Courts. The Courts use your own body mass so it's ideal for teenage youth upwards. They propose one site in East Oakland and one site in West Oakland. The criteria would be based on a community park that has limited access to open space and amenities without driving. The installation is done by a non-profit.

6. Further Recommendations on Use of Sugar-Sweetened Beverage Funds
Esperanza proposed that the Board consider funding The Grocery Store co-operative in West Oakland. Board members indicated that this proposal should be considered in the RFP process. The Board inquired about how many hydration stations would be needed to cover all park sites. Dana Riley stated that she would need to assess and give feedback.

Public Comments: 1 speaker made public comments

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1. Gayle Meyers – Freedom Farmers Market/ Mandela Food Co-operative.

Esperanza made a motion to approve the funding of the HSD/OPR/Libraries food program and the additional hydration stations to OPR as presented minus the \$400,000 for the food systems improvement for Head Start(Ongoing food quality improvement for FY 2019-2020) and to approve the cost of the increase to the hydration stations for OPR as presented. Tonya Love seconded the motion. The Board unanimously approved the motion.

7. **Draft of Board By-laws**

Tonya Love presented a draft section for the SSB of the by-laws which are guidelines and rules for how the Board will function.

The Board discussed the key points and asked for a review of their draft by the City Attorney. Sandra Taylor stated that the attorney requested that the Board work with staff and to submit questions through staff. If questions are to be discussed during a Board meeting, then the attorney could be requested to attend to provide guidance.

The Board requested that the attorney attend the next meeting in May. Sandra Taylor requested that questions for staff to submit to the attorney be very specific. Esperanza recommended that further discussion be tabled for the May meeting.

8. **Background Information on Grants and the RFP Process**

Sandra Taylor asked if the Board would like to Table this item for the next meeting. She stated key references within the procurement ordinance that the Board could review: Section 2.04 (processes for procurement), Section 2.07 (grant awards), Section 2.06 (specific definition for grant agreements).

Esperanza Pallana requested that the item be tabled for the next meeting.

9. **Selection of Agenda Items for Next Regular Meeting of May 14, 2018**

Esperanza Pallana requested the Board to email in the next two weeks on agenda items for the next meeting. Julia Liou requested that if possible, an e-version of the presentations be given to the Board a week before the meeting.

10. **Adjournment**

The meeting was adjourned at 9:05 pm.

Sugar Sweetened Beverage Community
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Regular Meeting Notice

Oakland City Hall
Hearing Room 1, 1st Floor
Oakland, CA 94612
June 11, 2018 □6:30pm – 8:30pm

AGENDA

Board Members present: Jared Fine, Esperanza Pallana, Tonya Love, Donna Carey, Julia Liou

Board Members absent: Kim Carter Martinez, Renia Webb, Gabriela Regalado

City Staff Members present: Sandra Taylor, Sachelle Heavens, Sara Bedford, Diveena Cooppan, Nachele Jackson

1. Welcome and Call to Order

The meeting was called to order at 6:39 pm. The Board introduced themselves. Open forum was added to the agenda.

2. Open Forum

Two speakers made public comments:

1. Francis Calpotura – Sugar Freedom Project
2. Charles Reed – ROOTS Inc.

The Board requested a copy of the results of the most recent research conducted by the Sugar Freedom Project which Charles Reed agreed to provide.

3. Adoption of Meeting Minutes from the Regular Meetings of March 12, April 9, and May 14, 2018

The Board voted to approve the 12 March 2018 and 14 May 2018 minutes, with Donna Carey abstaining from the vote on the May 14 meeting minutes. The April 9 minutes will be resubmitted at the next board meeting. Staff will examine an issue raised by Julia Lou, who stated that the April 9 minutes needed to be corrected to reflect in the motion that remaining funds should go to the RFP process.

4. Fiscal Update from Human Services Department Related to Sugar Sweetened Beverage Funds

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Sandra Taylor presented tables with information about Sugar Sweetened Beverage Fund revenues to date and expenditures to date through the Human Services Department.

5. Discussion with Finance Director Katano Kasaine

Margaret O'Brien, Revenue and Katano Kasaine answered questions from the Board.

1. *What is the Finance Department doing in regards to communication or education about the soda tax to business?*

Prior to the tax being implemented notices were sent out to businesses from a list that municipal services received from the City. The notices contained a packet of FAQ's, ordinances, and registration forms; two taxpayer advisory education meetings were held, so that information could be relayed. Going forward, there has been a notification inserted into the business tax packets that go out to the appropriate businesses in their database. They also deal with complaints when received.

2. *How are complaints about the collection taken?*

To date they received about four complaints; usually from consumers who are taxed when they are not supposed to be because this is a tax on the distributors, not the consumer. If there is a question about how the tax works, they walk through the process of the FAQ's which is up on the website. They are in frequent contact with Muni Services on any problems. Council Members and others forward complaints.

3. *How is the revenue collected and tracked?*

Remittance forms are mailed to the Oakland addresses. They are then processed and deposited into the City of Oakland's bank account through a direct deposit. To date, there is about 8.8 million dollars. May's remittances will start rolling in the month of June, and in July Finance will receive June's remittances.

4. *Can analysis of revenues by geographic areas by name or type of business be provided?*

Finance does not have that data. 50% of the revenue is remitted by three major bottling companies and one large bay area wholesaler distributor. Individual taxpayer information is confidential and therefore cannot be provided.

5. *How frequently should the actual revenue collected be reported to the board?*

The information is in Oracle and can be pulled monthly or as often as you need. Sandra Taylor advised that the HSD Fiscal Department has access.

Additional Questions Asked:

- How many businesses attended the meetings vs. how many were affected?
Finance does not have that information but can email once they find out.

- Is there demographic information and was the information distributed equitably? They do not have demographic information.
- Was any of the material translated? Katano Kasaine confirmed that if the information was not translated, they will make sure that it will be translated.
- What is the referral process if someone is being charged the tax on water and so forth? Margaret O'Brien stated that complaints can be sent to her.
- Is the education targeted businesses or also consumers? Education was targeted to distributors because they remit the tax.
- Do retailers provide accounting or documentation and if so to whom? If a restaurant goes to Costco and buys soda, that is the first distribution in Oakland and that restaurant owes the tax, but if Coca-Cola delivers it to the restaurant, Coca-Cola is responsible for remitting the tax.
- How do they track that? They identify everyone in their database who they feel may be responsible for remitting. Katano Kasaine added that if there are some questions that they need to add to the website that would be helpful.
- Is there is continuing education? They mailed a notice with the business license renewal. This is done for new business as well as through the business tax database. Margaret O'Brien will confirm whether the notices are translated.
- How do they know how much the distributors sold in Oakland? Businesses put it on a tax return and they remit it. There is also a municipal code to audit. It's self-reporting not automatic.
- Where is the other 50% coming from? Margaret O'Brien answered that she does not have that information in a breakdown.

6. Update on Board Recommendations and Response from Council

Sandra Taylor presented an update on the Board Recommendations approved by the Council on May 1 after LEC presentation April 24.. The recommendations that were presented verbally by the Chair but were not part of the resolution approved by Council will now be considered during the budget process and in communications between the Council and the Board. Esperanza requested clarification regarding the verbal request for funding of the food program. Sara Bedford, HSD Director explained that Human Services could need to go back to Council with an additional report and seek a resolution for the program. In addition on 6/19/18 the City Council will deliberate the City budget again.

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Julia Liou asked about moving forward with the RFP process. Sara Bedford stated that the Council provided the Board with very specific feedback that they were concerned at the size and scope of the RFP funding proposal. She also confirmed that Katano Kasaine, the Finance Director advised that they would be able to roll these one-time funds into the mid-cycle, as an additional report. Katano Kasaine stated that the City Council is aware of the memo of recommendations and they will consider these during the midcycle budget process. If they have questions they will come back to the Board. She confirmed that the FY 18-19 budget funds are not up for discussion and that the board needs to bring that to Council. Council will meet on Tuesday, 19 June 2018 to discuss the budget.

Sara Bedford stated that each Board member is appointed by a Council Member and that would be a good vehicle to discuss Board recommendations. The Budget meetings are public meetings and that would be another venue to present Board opinion.

Sara also explained that the Life Enrichment Committee members stated that they see the Board as an opportunity to set a vision for the City around this initiative for the health of young people. They wanted to see this as a holistic vision that could be achieved in a number of ways but to set very clear goals and direction on how we embrace that. She explained that this is an opportunity to set the Agenda for the City to be fulfilled in a number of ways.

Katano Kasaine stated that there is a focus on Parks and Recreation, she is not certain what the Council will adopt regarding these 17/18 one time funds. Esperanza Pallana suggested that they draft a statement/letter to City Council requesting that use of funds stay within the spirit of the legislature as the Board is responsible for an annual report explaining the use of funds.

7. Report Out from Community Planning Ad-Hoc Committee

The Community Planning Ad-Hoc committee recommended that the Board develop an RFP process for one-year funding using fiscal year 17-18 allocation. In fiscal year 18-19 the intention would be that the criteria for the multi-year RFP would be informed by the outcomes of the one-year RFP.

Also, the committee recommends initiating an RFQ process for the equitable community planning process that would inform the ongoing RFP process. The committee also recommended that a third-party consultant be hired to help facilitate that process with expertise in equity and racial equity analysis. The Board would also help with developing draft criteria for the FY17-18 RFP.

8. Draft By-laws Discussion

Tonya reviewed the process of by-laws development to date. Sandra Taylor stated that the assigned City Attorney would like to see a full draft but did make specific edits to reflect specific issues. She recommended that the Board follow the City Attorney's guidance which is to meet with staff as an ad-hoc committee and review the by-laws as a whole. Sandra Taylor agreed to forward any questions the board has, to be answered by the City Attorney.

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Julia Liou queried when they would finalize the by-laws. Esperanza Pallana stated that it would likely be before the next meeting.

9. Discussion of Work Plan: Priority Areas and Time Frame

Esperanza Pallana spoke about the Regional Strategy Meetings (Communications). They plan to bring together the different boards to work on a regional campaign with a focus on water first. The group recommended looking at existing campaigns to be cost effective. The Board briefly discussed work areas presented in a document presented as a starting point for the work plan discussion. The work on the by-laws will be added to the document.

In terms of the RFP, in July and August we would develop the detail. Human Services Department will maintain the responsibility for the RFQ and RFP process. Grant awards will have go to City Council for approval. Sandra Taylor recommended that a retreat take place in September for the Board to develop the focus of their work for the next year.

The Board agreed that there will be an August recess during which time the ad-hoc committees will meet. Esperanza Pallana will follow up with board members, Kim, Renia and Gabriela, for the ad-hoc committee membership and will inform staff.

The following members volunteered for the following areas:

Tonya Love – Communications (tentative), Community Planning; RFP (tentative)
Esperanza Pallana – Community Planning, Communication (tentative), RFP (tentative)
Donna Carey – RFP (tentative)
Julia Liou – Community Planning and Communications
Jared Fine – RFP
Tonya Love and Kim Carter Martinez - By-laws Ad-Hoc Committee
Renia Webb – Community Planning Ad-Hoc Committee

10. Selection of Agenda Items for July 9, 2018 Board Meeting

No items were added by the Board. Esperanza Pallana will work with staff on the next Agenda.

11. Adjournment

Adjourned at 8:37pm.