



CITY OF OAKLAND

MEMORANDUM

TO: Honorable Mayor & City Council

FROM: Erin Roseman
Director of Finance

SUBJECT: FY 2021-23 Proposed Biennial Budget
Development Questions/
Responses #5

DATE: June 16, 2021

PURPOSE

The purpose of this memorandum is to transmit to the full City Council and public, responses to questions raised by City Councilmembers and the public related to the Fiscal Year (FY) 2021-23 Biennial Budget. To the extent additional information becomes available on any of the responses below, updates will be provided.

QUESTIONS AND RESPONSES

Section A. Questions From CP Bas Budget Team (Set #1)

Affordable Housing and Homelessness

1) Please provide or confirm Fund Balances for:

a. Affordable Housing Trust Fund (1870)

Fund 1870 has an estimated available beginning fund balance of \$11,265,317. They have committed \$6,184,401 of this in the Proposed Budget, leaving a FY 22-23 ending balance of \$5,080,916 for additional NOFA's that may arise.

b. Measure KK (5330, 5331, 5332)

For the FY 21-23 Proposed Biennial, the City has only budgeted for Fund 5331 which should cover administrative costs for the life of the Affordable Housing bond, leaving a FY 22-23 ending available fund balance of \$1,168,620. Fund 5330 and 5332 were not budgeted in the current biennial because all of the fund balance has already been committed to existing projects.

c. Impact Fees (Jobs and Housing, Affordable Housing, Capital Improvements and Transportation Impact Fees)

Impact Fees for Job/Housing and Affordable Housing are included in Fund 1870 fund balance (see above). Transportation Impact Fees have a estimated available beginning fund balance of \$573,888. Capital Improvements Impact Fees have a estimated available beginning fund balance of \$966,417. Neither of these two funds are budgeted in the proposed biennial.

d. Measure W, Vacant Parcel Tax (2270)

Fund 2270 has an estimated available beginning fund balance of \$2,785,221. They have committed \$2,756,444 of this in the Proposed Budget, leaving a FY 22-23 ending balance of \$28,777.

2) Please provide possible funding sources for \$2.3M in exit services for the Lake Merritt Lodge? These may be city, county, state or federal sources.

In the Budget Errata No. 1, additional funding was allocated for exit services for the Lake Merritt Lodge in the Measure W Vacant Property Tax Fund 2270. This amounts to \$2.3 million in FY 21-22.

Public Safety and Violence Prevention

1) Please provide Fund Balances for Asset Forfeiture Funds (2117, 2910, 2912).

Department of Treasury Fund 2117 is not budgeted in the FY 21-23 Proposed Budget. It's estimated available beginning fund balance is \$291,626.

Federal Asset Forfeiture Fund 2910 and Fund 2912 are also not budgeted in the FY 21-23 Proposed Budget; their estimated available beginning fund balances are \$857 and \$771,920, respectively.

Clean, Healthy, Sustainable Neighborhoods

1) What is the fund balance for Measure BB (transportation)?

Measure BB's estimated available beginning fund balance is \$3,012,838, the FY 21-23 Proposed Budget has committed \$1,762,336 of this, leaving a FY 22-23 ending balance of \$1,250,502. Measure B's estimated available beginning fund balance is

\$4,143,282, the FY 21-23 Proposed Budget has committed \$2,963,371, of this, leaving a FY 22-23 ending balance of \$1,179,911.

Section B. Questions From CM Kalb

- 1) Please outline proposed Operations and Maintenance (O&M) expenditures in the 15 largest (in terms of budget) city departments? What are the largest specific types of expenditures of O&M in those departments and across the city overall?

See Attachment A.

- 2) If those city departments whose O&M is mostly funded through the General Purpose Fund (1010) were to receive a 1.5% cut in O&M, how much would be freed up for reprogramming? What if any service impacts would be likely to occur with this potential 1.5% cut?

Departments with O&M mostly funded through GPF		FY22 GPF	FY23 GPF				
OG Exp Type	Operations & Maintenance	O&M Dept %	O&M Dept %	FY22 O&M	FY23 O&M	1.5% Y1	1.5% Y2
Animal Services	1010 - General Fund: General Purpose	100.00%	100.00%	406,101	413,012	6,092	6,092
City Attorney	1010 - General Fund: General Purpose	100.00%	100.00%	3,495,114	2,845,114	52,427	52,427
City Auditor	1010 - General Fund: General Purpose	100.00%	100.00%	95,310	95,310	1,430	1,430
City Council	1010 - General Fund: General Purpose	100.00%	100.00%	238,206	238,206	3,573	3,573
Economic & Workforce Development	1010 - General Fund: General Purpose	42.38%	40.19%	2,957,584	2,757,584	44,364	44,364
Finance	1010 - General Fund: General Purpose	45.00%	45.32%	4,915,910	4,915,910	73,739	73,739
Fire	1010 - General Fund: General Purpose	67.70%	68.44%	8,458,903	8,527,215	126,884	126,884
Mayor	1010 - General Fund: General Purpose	100.00%	100.00%	80,871	80,871	1,213	1,213
Parks, Recreation, & Youth Development	1010 - General Fund: General Purpose	48.79%	51.76%	1,637,050	1,722,998	24,556	24,556
Police	1010 - General Fund: General Purpose	69.63%	67.30%	13,487,714	12,012,688	202,316	202,316
Police Commission	1010 - General Fund: General Purpose	100.00%	100.00%	886,486	886,486	13,297	13,297
Public Ethics Commission	1010 - General Fund: General Purpose	100.00%	100.00%	69,300	69,300	1,040	1,040
Workplace & Employment Standards	1010 - General Fund: General Purpose	100.00%	100.00%	407,042	580,862	6,106	6,106
						557,484	557,484
						Projected savings at 1.5% Reduction	

These reductions would have unknown, but potentially severe impacts on these Departments ability to maintain existing service levels.

- 3) What is the proposed programmatic line-item budget for each of the following bureaus and divisions:
 - a. Emergency Management Services (OFD)
 - b. Aging & Adult Services (HSD)
 - c. Workforce Development (EWD)
 - d. Cultural Affairs (EWD)
 - e. Rent Adjustment Program (HCD)
 - f. Code Enforcement (P&B - Building Bureau)

- g. Tree Services (OPW)
- h. Keep Oakland Clean & Beautiful (OPW)
- i. Environmental Services (OPW)
- j. Safe Streets (OakDOT)

See Attachment B.

4) What are the Measure Z (Safety and Services) thresholds/minimums and how do those impact the police budget requirements as it relates to police academies and projected staffing?

Measure Z requires the city to maintain a minimum of 678 sworn officers. In addition, Measure Z prohibits layoffs when sworn staffing is less than 800 authorized positions unless some sudden, unforeseen event sharply affects the city’s financial status and the City Council adopts a resolution containing factual findings that is necessary to layoff officers.

5) How much are we spending on (and how many FTEs are in) our Neighborhood Law Corp. And how does this compare to the past five fiscal years?

Neighborhood Law Corp		
Fiscal Year	FTE Count	Budget
2023	5	\$679,547
2022	5	\$657,534
2021	5	\$682,967
2020	5	\$654,486
2019	5	\$607,878
2018	5	\$570,634
2017	5	\$384,249

6) Does the budget reflect any of the 2021 Cannabis Regulatory Commission recommendations? If so, please explain.

The Cannabis Regulatory Commission's (CRC) Supplemental Report With 2021 Budget Recommendations included recommendations to fund City staff and external projects.

With regards to City personnel, the CRC's recommendation to utilize the Administrative Assistant II position in the Special Activity Permits Division is included in the Mayor's Proposed Budget. The CRC also advocated for sufficient plan review engineers and hazardous materials inspectors in the Fire Prevention Bureau. The Mayor's proposed budget includes 4 plan check engineers, 2 plan check process coordinators, 21 fire code inspectors, and 1 hazardous material inspector. The Fire Department recommends in addition to what is currently budgeted, adding 0.5 FTE fire protection engineer and 1.0 FTE hazardous materials inspector in order to provide sufficient support for the various cannabis permit and fire code related tasks.

The CRC also encouraged the City Council to fund a cannabis job training and apprenticeship program and to infuse the cannabis equity applicant revolving loan program with new funds, neither of which are included in the Mayor's proposed budget.

The State Legislature is currently considering providing local cannabis programs with funds in the 2021-2022 state budget. The proposed state funds will likely include capital support for cannabis business owners and minimize the City's need to infuse the revolving loan program with funds; however, staff does not anticipate state funding for cannabis workforce development. Based on the experience of Workforce Development staff, an approximate investment of \$5,000 per person can support the establishment of job training that results in job placement. Accordingly, if the City Council allocates \$500,000 towards a cannabis job training and apprenticeship program, staff anticipates this would support 100 individuals. Additionally, the City's investment of funds in cannabis equity programs towards for either workforce or business ownership will likely result in more state grant funding being available for the City of Oakland's cannabis equity programs, as the Governor's Office of Business and Economic Development (GO-Biz) competitive grant processes have prioritized local jurisdictions who invest funds in their equity programs.

- 7) In year 2 of the proposed budget, how would the most recent 3rd quarter actuals report and expected commercial real estate transitions impact the revenue projections for the Real Estate Transfer Tax (RETT) revenue category? I believe that the RETT projections in Year 2 of the proposed budget could be raised by more than \$1M.**

In the proposed ERRATA 1, forecasted real estate transfer taxes are being adjusted upward by \$1.79 million in FY 21-22 to \$96.43 million and \$2.93 million in FY 22-23 to \$101.22 million of the proposed Biennial Budget. This brings the forecast in line with the rapid recovery scenario in the Five-Year Fiscal Forecast.

- 8) Provide breakdown of proposed police budget increase. How much is due to the negotiated COLA increase?**

A response will be provided in a future memo.

Section C. Questions From CP Bas Budget Team (Set #2)

OPD

- 1) **What is the total proposed budget for Ceasefire? Provide detail on: (1) staff levels (sworn and civilian, department - OPD, DVP, other), (2) services - OPD, call-ins, custom notifications, case management for Ceasefire clients, procedural justice training for OPD, and (3) what is funded by Measure Z, GPF or other sources?**

Department	Fund and Description	FY21-22	FY22-23
Police	1010 - General Purpose Funds	\$8,357,362	\$7,328,790
Police	2252 – Measure Z	\$4,576,697	\$6,286,166
Violence Prevention	1010 - General Purpose Funds	\$126,183	\$126,183
Violence Prevention	2152 - California Board of Corrections	\$500,000	\$500,000
Violence Prevention	2252 – Measure Z	\$673,817	\$673,817
	Total	\$14,234,059	\$14,914,956

The proposed budget for Ceasefire in OPD is \$12,934,059 for FY21-22 and \$13,614,956 for FY22-23. The proposed Ceasefire staffing levels for OPD both fiscal years is 42 FTE. The proposed Ceasefire staffing levels for DVP both fiscal years is 5.8 FTE. Ceasefire employees perform call-ins, custom notifications, and provide procedural justice training to all OPD employees. Case management for Ceasefire clients is handled by DVP. Funds from Measure Z are intended to fund violence prevention and intervention strategies to improve public safety in the City. Funds are to be used to pay for costs or expenses related to the reduction of homicides, burglaries and gun-related violence improving response time for police services and to provide support for at-risk youth and adults to interrupt cycle of violence.

- 2) **What is the cost to ensure future compliance with SB 1421 for Public Records Act requests regarding peace officers including adequate staffing in OPD and City Attorney’s Office as well as creation of a searchable database that allows the public to access these records?**

There are currently four (4) full-time employees assigned to the Public Records Request Unit (PRR Unit), which includes one (1) Police Records Supervisor and three (3) Police Records Specialist. Costing associated with the positions is \$488,543 for FY 21-22 and \$506,019 for FY 22-23 with a breakdown below:

Job	Position No.	FTE	FY 21-22 Amount	FY 22-23 Amount
Police Records Supervisor.PS171	34125.34125	1.0	\$161,350	\$167,097
Police Records Specialist.SS165	8542.1319	1.0	\$107,928	\$111,826

HONORABLE MAYOR AND CITY COUNCIL

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Police Records Specialist.SS165	7415.1439	1.0	\$107,928	\$111,826
Police Records Specialist.SS165	30021.1881	1.0	\$111,337	\$115,270

SB-16 (2021 successor to SB-776, sponsored by Skinner in 2020) will likely pass and will expand disclosures from the most serious uses of force to all uses of force. It will drastically increase the ongoing work AND the backlog.

Ongoing work: The Office of the City Attorney (OCA) previously projected a need for part-time Deputy City Attorney based on SB-1421. However, to keep pace with both SB-1421 and SB-16, OCA will need to add a full-time Deputy City Attorney IV. OCA will need reliable support from OPD staff to supply raw records to OCA.

Backlog: SB-16 will at least double the cost of dealing with the overall backlog from \$600K to \$1.2M. Although SB-16 actually creates a bigger backlog than SB-1421, there will be some efficiencies of scale. By law, the SB-16 backlog will have to be produced by January 1, 2023. OPD will likely need temporary support to retrieve and transmit the records to OCA in a timely fashion.

Database: Creating a user-friendly, online database for SB-1421 and SB-16 records will likely require an investment of between \$75,000 and \$100,000 for development, and \$5,000 to \$10,000 annually for ongoing technical support and web hosting. The goal is to make the interface extremely user-friendly, and to support retrieval of audio and video files (e.g. body-camera footage). There does not appear to be expertise or bandwidth to build a database in-house.

Homelessness

- 1) Please provide information on proposed allocations of Measure Q and Measure W funds for homelessness. What services and staffing will be provided and in which departments?**

Measure Q – Personnel funded for Homelessness

Allocated Fund		2244 - OPR Preservation, Litter Reduction, Homelessness Support Act Measure Q			
Department	Job	Year		Values	
		FY22	FY23	FTE	Amount
CAO	Administrative Assistant II.SS104			1	134,373
HSD	Budget & Grants Administrator.AF040			1	213,875
	Case Manager I.AP126			1	137,871
	Program Analyst II.AP293			0.5	83,797
Grand Total				3.5	569,916

Measure Q – O&M funded for Homelessness

Fund		FD_2244		
Department	OG Acct Subtype	FY22 Total	FY23 Total	
CAO	Contract Services	2,102,516	1,480,237	
OPW	Contract Services	461,617	651,784	
HSD	Services & Supplies			
	Contract Services	5,781,545	5,975,218	
	Travel & Education			
	Internal Services & Work Orders	12,591	11,748	
	Operating Transfers	67,100	67,100	
Non Dept	Contract Services	443,468	443,468	
CIP	Contract Services	1,954,000		
Grand Total		10,822,837	8,629,555	

Measure W – Personnel for Homelessness

Allocated Fund		2270 - Vacant Property Tax Act Fund				
Department	Job	Year	Values			
		FY22	FY23	FTE	Amount	FTE
CAO	Administrative Analyst II.AP106	1	181,917	1	188,502	
	Project Manager III.EM212	1	385,860	1	399,676	
OPW	Public Works Maintenance Worker.TR174	3	333,834	3	345,726	
	Street Maintenance Leader.TR180	1	141,396	1	146,430	
HSD	Program Analyst II.AP293	0.5	80,434	0.5	83,345	
Grand Total		6.5	1,123,441	6.5	1,163,679	

Measure W – O&M funded for Homelessness

Fund		FD_2270		
Department	OG Acct Subtype	FY22 Total	FY23 Total	
CAO	Internal Services & Work Orders	33,186	33,563	
OPW	Contract Services	284,931	119,511	
HSD	Contract Services	2,103,119	(196,881)	
	Internal Services & Work Orders	4,566	4,262	
Grand Total		2,425,802	(39,545)	

- 2) Please provide information on sanitation services to homeless encampments in the proposed budget, including: Porta-potties, handwashing stations, trash pick up (containers, dumpsters), shower services and any other services. Please include the number of encampments to be served, description of services and cost of service per encampment.

A response will be provided in a future memo.

Capital Improvement

- 1) Since Measure KK facilities funds have been fully allocated in the proposed budget (except for OPD and OFD), what additional funding is available for capital improvement projects that are important for maintenance and public safety?

Additional eligible funding sources for capital improvement projects are the General Purpose Fund (1010) and the Capital Improvements Impact Fee Fund (2421). There is also a set-aside for \$3.4 million in Parks Measure Q for parks enhancements that can be

used for minor capital projects. OPW has provided a menu of potential Park-related infrastructure improvement projects in a previous Q&A memo.

2) Please provide costs for the following:

- **Bella Vista Tot Lot: replace resilient surfacing under the large tot lot play area \$57,000.**
- **Athol Tennis Courts:**
 - a. **Upgrading the fencing for improved security and maintenance. \$35,000**
 - b. **Upgrading the lighting system. \$14,000**
 - c. **Digital lock for the courts. \$8,000**
- **Clinton Park Rec Center: outstanding repairs from fire**
 - This is an active insurance coverage claim. Repairs are in process.
- **San Antonio Park:**
 - a. **Restarting Volunteer Tree Planting Activities (Tree Services has informed us that no new planting can take place in San Antonio Park until the Master Plan is approved)**
 - Tree Services has not received any further updates from OPRYD that would indicate that tree planting within the park itself would occur until the Park Master Plan has been further developed, however, tree planting in the area between sidewalk and street can continue. For tree planting within the park, both Parks and Tree Services staff would need to be involved in tree planting design and this would need to coincide with the design of the Park Master Plan. Tree Services could potentially provide the trees, as well.
 - b. **New signage in four languages at the three corner entrances to the Park, as well as the road leading into the Park next to the tennis courts (which all have been broken or destroyed). All signs need to be replaced immediately so that Park Hours, Park Rules, and a map can be listed in at least four languages – English, Spanish, Chinese, Vietnamese. -\$10,000**
 - c. **Construction of gates and barriers at the entrance of surface roads into the Park interior to discourage illegal driving in the Park. - \$50,000**
 - d. **Surface road repair of the asphalt and driveways.- \$140,000**
 - e. **Resealing of roofs for the Recreation Center and Kitchen. - \$55,000**
 - f. **Repainting of the Pergola in preparation for a mural/mosaic that reflects the histories and cultures of the people of the San Antonio neighborhood.- \$25,000.**
 - g. **Replacing the cyclone fence doors to each of the four tennis courts, both on the 18th Avenue side, and the ones facing into the Park, which have been removed or damaged to the point that they cannot close. - See Below (included in re-surfacing cost below)**

- h. Resurfacing the tennis courts. - \$440,700**
- i. Installation of moveable bleachers at the soccer field. - \$32,850**
- j. Repair of concrete bleachers around the basketball courts. - \$30,000**
- k. Updating the lighting system for the basketball courts with timers and photocells (using solar lighting). - \$12,000**
- l. Removal of two large dead trees near the basketball courts on 16th Avenue, which may fall and cause injuries. –**
 - Tree Services is aware of the two trees near the basketball courts and are slated for removal. There are also additional trees in San Antonio Park that meet the criteria for removal. Pending emergency workload and other service requests, we anticipate removing these trees during Summer 2021.
- m. Evaluation of health and maintenance of grove of Oak trees near E 19th Street, close to the Recreation Center.**
 - Staff completed an inspection of the oak grove in response to the neighborhood group request to install benches under the trees. A work order is in process to remove dead branches that are 4” in diameter or greater. While the trees and branches are not an imminent hazard, staff does not recommend installing benches under them due to their large size and age.

Section D. Questions From VM Kaplan

- 1) Where in the mayor’s budget proposal is the projected special event revenues shown? Where are the projected expenditures shown?**

The move of special events out of the Police Department has not been implemented in the budget. Staff is in the process of researching how much revenue can be attributed to special events and the resources required to support this function.

- 2) Does the mayor’s proposed budget allocate funding for swimming pool(s) repair and opening?**

There are no appropriations for swimming pool repair in the OPRYD budget. The facilities fund contains a limited budget for minor capital improvements, however there is no explicit funding for swimming pool repair. The Mayor’s Proposed Budget includes all the positions needed to staff reopened pools.

Section E. Questions From CP Bas Budget Team (Set #3)

- 1) Lead Settlement Resources: What funding is available for the City of Oakland, to address the lead-based paint contamination in soil, which remains one of the great sources of lead poisoning exposure for children, especially in the flatland neighborhoods of Oakland? Which department is responsible for recovering these funds? What are the time constraints? What are the eligible uses of the funding?**

The Lead Settlement funds are specifically for the abatement of lead based paint poisoning and the dollars are restricted to those uses. This targets mitigation and/or abatement of residential properties and units with lead based paint. The current negotiations are focused on the City obtaining the proportionate share of funding based on the City's equity requirements. These conversations are ongoing that include both County and City legal to ensure proposed uses of the funds are in alignment with the lawsuit and settlement conditions. The total funding available is \$24 million but it is not all solely designated to the City of Oakland though the units/properties of the lawsuit are in great proportion Oakland units. This effort is being coordinated by the City Administrator's Office, Housing & Community Development, and Planning & Building.

- 2) Department focused on children and families: We are interested in restructuring existing resources to create a new department dedicated solely to youth and families with existing funding. Please provide information on the costs, descriptions for moving youth-focused funding primarily from OPD and HSD, but also including DVP, OPRYD, the Youth Advisory Commission, as well as SSBT and other funding sources.**

This is a significant change to the city structure and would require substantial planning and study over the next 2 years to implement.

- 3) Restructuring Police Department to Increase Capacity by Creating Civilianized Positions: We are interested in increasing capacity to investigate and solve crimes as well as respond to calls for service in the Police Department by transitioning sworn officers and replacing them with civilian positions. Please provide information on civilianizing the following units/positions, including what positions are already civilian within these departments and what positions (sworn/civilian) are vacant:**

- a. Evidence Unit
- b. Sex Registrants and ID Section
- c. Patrol Desk in the Police Administration Building
- d. Patrol Desk at the Eastmont Substation
- e. Supervision of the Homeless Outreach Unit
- f. Internal Affairs Division
- g. Transportation Lot

A response will be provided in a future memo.

Section F. Questions From CM Taylor

Confirm costing in the attached table. (Attachment C)

- 1) Which of Oakland's pools are funded in the existing budget? For what duration of the 12-month calendar year? What funding gap exists to operate the pools year-round?**

A response will be provided in a future memo.

- 2) How much coverage is the proposed funding for MACRO expected to have in year 1 and in year 2? Please provide the underlying assumptions for these estimates including hours of coverage, geographic coverage, salaries of proposed staff, etc.**

The proposed funding of \$2.6M over two years provides the following coverage:

- Geographic coverage: East Oakland
- Hours of coverage: 8 hours/day, 5 days/week (Tue-Sat)
- Length of coverage: 6 months in Y1 (Jan-June), 12 months in Y2 (July-June)
- Staffing: 1 team of 4 members and 1 Program Manager
- Salary assumptions:
 - Emergency Medical Technician (EMT): \$31/hr. (top step), \$116,000/yr. This is a preliminary estimate since job specifications, fringe rates, and special pay (certification, etc.) are still being finalized.
 - Community Intervention Specialist (CIS): \$31/hr. (top step), \$116,000/yr. This is a preliminary estimate since job specifications, fringe rates, and special pay (certification, etc.) are still being finalized.
 - Program Manager: roughly \$260,000/yr.
- Equipment/contracts: transportation and communication equipment (vans, mobiles, radios, modems, etc.), contracts, training, office supplies would be roughly \$500,000.

- 3) What is the anticipated end-of-year fund balance in Measure Q fund at the end of the year? How are any remaining fund balance being spent this upcoming year? What amount of the fund balance is dedicated/restricted to one purpose? Are there any specific projects/initiatives/expense categories for which the fund balance is allocated, or is it absorbed into the general operations?**

The estimated fund balance at Fiscal Year End 2020-21 is anticipated to be \$4,000,450. Of the \$4,000,450 in fund balance, \$3,157,308 is included in the revised proposed budget, leaving an estimated \$843,142 in fund balance at the end of FY 22-23. The \$3,157,308 in use of fund balance is required to be allocated via the Parks Measure Q allocation language (1% Audit & Evaluation, 5% Water Quality & Litter Reduction, etc.) therefore, the use of fund balance is restricted to use within that respective category.

- 4) Please provide non-reimbursed police overtime budget per year for the past 5 years compared to what is budgeted for non-reimbursed police overtime for the upcoming 2-year cycle.**

A response will be provided in a future memo.

- 5) Which of the third party grants identified are new compared with what was allocated via 3rd party grants last year? Why was this addition made?**

There are no new third party grant agreements from the last biennial budget. FY 19-21 did not list Centro Legal de la Raza specifically in the FY 19-21 adopted policy budget, but was allocated in Non-departmental budget. It was left off the list due to staff error in preparing the budget documents.

- 6) Residents in East Oakland are skeptical of the transfer of traffic enforcement to DOT because of the perceived lack of effectiveness of DOT to conduct parking enforcement in East Oakland. What is the funding that is needed to truly support the transfer of these responsibilities? What is the Service level Agreement that DOT is committing to for serving East Oakland residents equitably when it comes to traffic enforcement?**

The proposed budget does not move traffic enforcement for moving violations from OPD to OakDOT. Currently there is no enabling state legislation that will allow for a transfer of traffic enforcement duties to DOT. OakDOT's primary focus has been to incorporate Automated Speed Enforcement strategies into the OakDOT portfolio. AB-550 would have allowed for a 5-year Speed Safety Pilot program which would have allowed for automated enforcement deployment at 18 critical locations within the City. The bill would have required the development of a Speed Safety System Use Policy before implementing the program. This Policy would have a framework which incorporates equity as a key component. However, AB-550 is not advancing in the legislature this year. Beyond Automated Speed Enforcement (AB-550), additional legislation would need to be developed/enacted before any discussions on the transfer of traffic enforcement responsibilities can be discussed internally. The council could look at the budget tools developed by the Finance Department for the OPD Budget to better understand the level of funding needs for traditional traffic enforcement.

The proposed budget does re-organize OPD's team that tows Abandoned Autos to OakDOT. However, this reorganization is proposed to go into effect in the second year of the proposed FY21-23 budget, specifically July 1, 2022. If the council adopts this proposal, OakDOT will begin to work with the City Council, community stakeholders, labor partners, OPD and the City Administrator's Office to understand the issues and develop a framework and recommendations to effectuate the reorganization in a way

that improves outcomes and that accomplishes our goals of equity, safety, sustainability and trust.

7) What is the total balance of allocated funds for the Arroyo Viejo Renovation CIP Project, how much will be consumed in the planning phase?

We are providing \$2.5M of the allocated \$3M to DOT. The RFQ to solicit consultant team has not been advertised. It is anticipated that \$1M will be required to get the internal/consultant team through the planning phase.

a. How soon will the planning phase be complete?

Including the RFQ solicitation/award/contracting process, it is estimated that the Planning Phase (defined as outreach/master plan through 35% design) could be completed by Summer 2023.

8) Please explain the OFD elimination of 29 FTEs for Fire Department and why we are not simply freezing the positions to demonstrate to our Firemen and Firewomen our commitment to filling those roles even if not reasonable to do so immediately?

Per the Errata, the 29 FTEs are proposed for freezing rather than elimination.

9) CIP Projects... open fund balance for projects, and not just the new allocation being directed toward the projects.

A response will be provided in a future memo.

10) Tool lending Library - Has the tool lending library refreshed its inventory of leaf blowers and string cutters, replacing them with electric leaf blowers and string cutters? If not, how much will that replacement cost? It is important that since we implemented a policy banning use of gas-powered equipment that we ensure an adequate supply at our Tool Lending library.

The Tool Lending Library has never stocked any gas-powered tools, and has a robust inventory of electric leaf blowers and string cutters. The Tool Lending Library has a budget of \$30,500 in FY 2022 and FY 2023. We would like to expand our collection, and will require some larger high-demand items once our new Tool Lending Library outdoor facility is built.

11) How are Measure W Tax revenues attributed to each district? How are Measure W proposed revenues allocated by district?

Revenues from Measure W Vacant Property Tax are pooled and programmed a citywide basis. However, the proposed budget includes a one-time \$2.3 million to fund the Lake Merritt Lodge which is located in District 3.

12) What is needed to make the Crime lab a revenue generating business for the city versus a cost-recovery operation?

A response will be provided in a future memo.

13) How much will it cost to reopen Tomas Melero Park?

Cosmetic repairs and cleaning are underway. There is approximately \$25,000 in unfunded work remaining.

a. 85th Avenue Mini Park?

The benches and tables at 85th and 88th were painted and/or replaced. Both slides were also replaced at 85th last summer. OPW will be installing (2) new BBQs' and (2) new trash containers at 88th and 85th mini parks. There is approximately \$20,000 in unfunded work remaining.

b. Can that be paid for through the CIP Program Budget?

The nature of the work remaining is more suited to be funded by non-CIP funding as capital projects are considered to have a minimum cost of \$50,000.

14) How much will it cost to purchase 12 high quality cameras for the Eastmont Business Corridor and Seminary Point & Foothill/ Bancroft Business Corridors to support their local business & merchants association in improving safety and security along the commercial corridor?

It would cost about \$45,000 for installation of 12 security cameras. It should be noted concerns were raised by the Oakland Privacy Advisory Commission when a similar item was brought to council, a grant agreement with the Oakland Chinatown Chamber of Commerce in the amount of \$75,000 for 20 security cameras and lighting.

Section G. Questions From Shelter Oak

1) Do all the expenditures meet the requirements as detailed in measures W and Q?

Measure W

Fund	FD_2270		
Department	OG Acct Subtype	FY22 Total	FY23 Total
CAO	Civilian Salaries	316,298	316,298
	Civilian Retirement	144,548	149,292
	Civilian Fringe Benefits	102,731	118,388
	Allowances & Premiums	4,200	4,200
	Internal Services & Work Orders	33,186	33,563
Finance	Civilian Salaries	293,168	293,168
	Civilian Retirement	133,977	138,376
	Civilian Fringe Benefits	95,223	109,738
	Contract Services	250,000	250,000
	Internal Services & Work Orders	34,905	34,834
OPW	Civilian Salaries	2,113,336	2,113,336
	Civilian Retirement	992,839	1,025,357
	Civilian Fringe Benefits	686,372	790,986
	Allowances & Premiums	61,346	61,227
	Services & Supplies	15,183	26,857
	Contract Services	1,306,882	1,141,462
	Internal Services & Work Orders	615,655	598,222
	Capital Acquisitions	50,000	50,000
HSD	Civilian Salaries	45,142	45,142
	Civilian Retirement	20,630	21,307
	Civilian Fringe Benefits	14,662	16,896
	Misc. Personnel Adjustments	86,223	86,223
	Contract Services	2,103,119	(196,881)
	Internal Services & Work Orders	4,566	4,262
Grand Total		9,524,191	7,232,253

For so long as the parcel tax is in effect, no more than fifteen percent (15%) of the revenue deposited into the Vacant Parcel Tax Act fund in any single year may be used to pay for administrative costs (excluding costs of the Homelessness Commission). The Fiscal Year (FY) 2021-23 Proposed Policy Budget shall allocate no more than \$1,050,000 towards administrative costs. The proposed budget allocates \$0.7M in FY22 and \$0.8M in FY23.

In addition, no less than twenty-five percent (25%) of the revenue deposited into the Vacant Parcel Tax Act fund in any single year shall be used to pay for code enforcement and clean-up of blighted vacant properties, blight elimination, remedying illegal dumping,

and legal action to address any of the foregoing, as necessary. The FY 2021-23 Proposed Policy Budget shall allocate no less than \$1,750,000 towards this maintenance of effort. The proposed budget allocates \$5.7M in FY22 and \$5.6M in FY23.

For Parks Measure Q, please see Attachment D.

- 2) Including the increase in collected funds and the carry-over and fund-balance amounts, please require a chart be provided showing the uses of funds and demonstrating that the percentages required by the measures are maintained.**

Please see Attachment D.

Section H. Questions From The Oakland Lawn Bowling Club (BH)

- 1) Unanswered questions for a volleyball court include:**

- a. How is the understaffed park maintenance staff going to keep the site clean and safe for players?**

With the addition of Measure Q funding (2244), park staff will be able to groom and maintain the volleyball court. In addition, Volleyball user groups will assist in grooming the court in between games.

- b. What sources of funds will be used to replace sand?**

Funding sources will include Landscape and Lighting Assessment District (LLAD 2310) and Measure Q (2244).

- c. How will it be weeded?**

Grooming of the field will be done by both manual and mechanical equipment.

- d. Who will be dissuading dog owners from running their dogs on the site?**

There is no enforcement in the City's Parks outside of OPD.

- e. Would it be better to sign an MOU with a school or college for volleyball court use rather than build one?**

Yes, it would save the City the upfront cost of building the court and resolve any issues of maintenance and security.

Section I. Questions From CM Thao

1) Please provide the costing for the following:

a. Department Director of DCYF

A Department Director would cost \$386,225 in Y1 and \$400,206 in Y2.

b. Assistant to the Department Director to DCYF

Costing An Assistant to the Department Director would cost \$262,032 in Y1 and \$271,518 in Y2.

c. Total funds needed to put the Joaquin Miller Park restrooms back into use, please list the costing for each of the restrooms located in JMP.

Listed below are four restrooms at JMP, along with the current condition and need. Note that all of the restrooms are in need of basic painting and maintenance. The total cost for the work outlined below include maintenance and improvements with an estimated cost of \$200K:

- Big Trees – There is a septic tank that requires regular pumping by either Sewers or an outside vendor, staff is coordinating to have this work done currently. There were also issues with trees, which prevented service vehicles from accessing the restrooms to service the septic tank. A gate is being installed to allow access and is expected to be completed in the next two weeks.
- Sequoyah Arena – There are electrical issues due to vandalism and theft. The plan is to eliminate lights and electric hand dryers and install sky lights.
- Lower Meadow - There is a natural spring that flows directly into the restroom that prematurely fills the septic tank. A retaining wall needs to be constructed to divert the water away from the restroom.
- Fire Circle - The existing retaining wall is eroded and requires replacement.

d. How many FTE's make up a Tree Removal Team and cost for another tree removal team.

OPW does not have a dedicated tree removal team, per se, rather the Tree Services staff complete all functions related to tree services including removal, trimming, inspections, etc. To add a dedicated tree removal team, the following table identifies the position, FTE count, cost of the positions, and additional equipment needed to support this team. Please note that this costing does not include the Equipment ISF costs which cannot be calculated until the Fleet server is restored.

Job Class / Equipment	FTE	FY 2021-22	FY 2022-23
Tree High Climber.TR188	1.00	\$189,990.00	\$174,920.00
Tree Trimmer.TR189	1.00	\$176,790.00	\$182,261.00
Tree Trimmer.TR189	1.00	\$176,790.00	\$182,261.00
Tree Worker Driver.TR190	1.00	\$135,158.00	\$139,826.00
Tower Truck (one-time cost)	-	\$225,000	\$0.00
Chipper Truck (one-time cost)	-	\$125,000	\$0.00
Chipper (one-time cost)	-	\$40,000	\$0.00
Minor Tools & Equipment (on-going)	-	\$30,000	\$30,000
Total Cost		\$1,098,728.00	\$709,268.00

e. A single roundabout

It ranges from \$60k to \$100k, so \$80k on average and \$100k on the high end.

f. A single concrete speed bump

Speed bumps are asphalt and cost about \$6k each if done by in-house crew. It may cost more if done by a contractor.

g. A tiny home on wheels, including ongoing services. Please include a breakdown of the costs.

The City currently has the HomeBase site which uses trailers as emergency housing. The approximate one-time cost for the trailer is \$12,000/unit and on-going services (food, electricity, water, sewer, etc.) is about \$13,000/person yearly. If the trailer is to be used as transitional housing, the yearly cost increases to about \$20,000/person because of the exit costs and additional resources to assist with permanent housing.

h. A permanent “caged” trash receptacle to be installed in a park. Does the cost vary by park?

Vandal proof litter receptacles cost \$2,000 each and installed in a park.

i. Returfing the playground at Montclair Park

A response will be provided in a future memo.

j. A Program Analyst II under the Homelessness Administrator

The position cost of a Program Analyst II is \$203,560 in FY 21-22 and \$209,383 in FY 22-23.

- k. In high wildfire risk areas, how is tree removal costing calculated (e.g. by acre, by tree, etc.)? Please provide a per unit cost of tree removal in high wildfire risk areas**

Tree removal costing is calculated based upon a flat fee of \$4,500 per tree removal.

- l. How are temporary traffic calming measures quantified in terms of cost (e.g. by improvement, by block, etc.)? Please provide a costing of temporary traffic measures including bollards, restriping, etc.**

It's difficult to put a price tag on this because the temporary measure could be anything. But if we're looking only at temporary devices like paint and post, \$20,000 per block of residential street is a good, ballpark estimate.

- 2) What areas of the City do Foot Patrol Unit 1 and 2 service, respectively? Do the geographic deployments of these units change, and if so how frequently and for what reason?**

The areas that Foot patrol units serve have varied historically. Foot patrol units have been eliminated in the current year and are not included in the Mayor's proposed budget.

- 3) The Mayor's proposed budget freezes 10 sworn officers in Crime Reduction Teams and 6 Community Resource Officers until September 2022. Has the SSOC been consulted on these freezes? Are they allowed under Measure Z?**

This proposal has not been consulted with SSOC. It is compliant with Measure Z as the freezes reflect reductions in GPF services. Measure Z does not provide sufficient funding to support the totality of the City's CRT and CRO teams.

- 4) The Mayor's proposed OPD budget includes adding 44 sworn officers in May 2023, one month before the FY 23-25 budget. Why are the sworn officers only added one month before a new budget?**

These positions were added at the time additional sworn officers are expected to graduate from the proposed academies. Prior to this time, OPD lacks sufficient staffing to provide these services.

- 5) The Mayor's proposed budget moves the Senior Companion/Foster Grandparent (SC/FG) from .53 FTE Supervisor to a full-time 1.0 FTE position, but freezes 2 part-time ASSETS program staff for FY 21-22. It further states "This temporary reduction ASSETS program means a loss of employment training for seniors in**

**the community as well a reduction in available programming at the Centers”.
What will be the service impact of the part-time ASSETS program freezes?**

The ASSETS staff are seniors who are getting employment training. They support City of Oakland staff at the Senior Centers in providing various programming. Without these two staff, HSD will have less support in running programs at Senior Centers that involve care management, jobs, training, volunteering, recreation and transportation assistance, and food insecurity.

6) How does the City prevent the sale and use of illegal fireworks? Is this service funded in the Mayor’s budget proposal?

A response will be provided in a future memo.

7) What is the current funding in the Mayor’s proposed budget for vegetation management? How does this compare to what was budgeted in the FY 19-21 budget?

Below is a table with Vegetation Management’s funding from FY19-23.

Budget (All Funds)	FY20	FY21	FY22	FY23
Contractual Services	\$1,105,888	\$1,205,775	\$1,152,005	\$1,152,005
All Other Expenses	\$2,932,347	\$1,978,400	\$2,998,027	\$2,349,673
Total	\$4,038,235	\$3,184,175	\$3,150,032	\$3,501,678

8) What is the current funding allocation for goat grazing specifically? How is goat grazing capacity quantified (i.e. per acre, or per hour)?

Per the current contract, goat grazing services shall not exceed \$475,000 (\$100,000 in Area 1 and \$375,000 in Areas 2, 3, and 4). Goat grazing capacity is quantified by acre.

9) Can you expand the list of OPD OT services to include per hour FTE and dollar requirements for those services?

We do not have the data at this time and this would take substantial analysis. As a management tool, following budget adoption, finance and police will work collaboratively to provide a weekly overtime budget to OPD unit commanders to improve monitoring and control of overtime use.

10) What areas and/or libraries will be impacted by the proposed 6 FTE reduction to Oakland Library Department?

In order to achieve balancing targets, the Library Department froze 5.46 FTE in Library Measure Q (Fund 2241) and 3.20 FTE in Library Measure D (Fund 2243). These positions represent a combination of Temporary (TPT) and Permanent Part-time (PPT) vacancies. While there is no negative operational impact to the public, freezing these positions will delay hiring from the pool of existing temporary part-time candidates who work for the library now and would be eligible to apply for a permanent position.

11) What is the allocation for illegal dumping enforcement and clean up? How does that compare to what was budgeted in the FY19-21 budget?

The current allocation for illegal dumping enforcement and clean-up is \$10,596,584 in Y1 and \$10,824,931 in Y2. This is almost a 16% increase from FY 19-20's adopted budget of \$9,003,187 and FY 20-21's adopted budget of \$9,480,555.

In prior budgets, encampment clean-up was included in the budget for illegal dumping. The FY 21-23 Proposed Budget supplements the funding for illegal dumping by setting aside funding specifically for encampment clean-up.

Category	FY 2020-21 Midcycle Budget	FY 2021-22	FY 2022-23
Illegal Dumping	\$9,480,555.00	\$10,596,584.00	\$10,824,931.00
Encampment Clean-up	\$0.00	\$461,617.00	\$651,784.00
Total Cost	\$9,480,555.00	\$11,058,201.00	\$11,476,715.00

12) What is the cost to facilitate a local market on a privately-owned land zoned for commercial use?

Council has established grants for Indigenous Red Market, Unity Council, and Black Cultural Zone for Akoma Market, but each has a community organization supporting the market. The scope, size, and cost for the management organization may vary. Past Council-authorized interventions such as Akoma Market and the Lake Merritt street vendor program point to a cost of around \$200K/yr., but it should be noted that these were both on City land or Right of Way. The costs would go up, potentially significantly, for a lease of private property, as factors such as insurance, additional permitting, etc. would need to be evaluated and are not known at this time.

13) Are the TPT positions unfrozen by the Council budget action on 4/12 funded in the Mayor's proposed budget? This includes Parks & Rec and Library staff including

Lions Pool in Dimond Park, Aquatics, All Recreation Centers, and Libraries. If not, what is the costing to unfreeze these TPT positions for the FY 21-23 budget?

There are 6.81 FTE TPT positions for OPRYD that are frozen in FY 21-22 and funded in FY 22-23, costed at \$455,938. There are no Library TPT positions that were unfrozen by Council budget action on 4/12 that are being frozen in the FY 21-23 budget.

14) What is the total amount of funding for the Ceasefire program under the Mayor’s proposed budget? What was the total amount allocated in the FY 19-21 budget?

Department	Fund and Description	FY21-22	FY22-23
Police	1010 - General Purpose Funds	\$8,357,362	\$7,328,790
Police	2252 – Measure Z	\$4,576,697	\$6,286,166
Violence Prevention	1010 - General Purpose Funds	\$126,183	\$126,183
Violence Prevention	2152 - California Board of Corrections	\$500,000	\$500,000
Violence Prevention	2252 – Measure Z	\$673,817	\$673,817
	Total	\$14,234,059	\$14,914,956

The total Ceasefire budget for OPD was \$11,559,617 in FY 19-20 and \$12,138,394 in FY 20-21.

15) Does the budget allocation for vegetation management in the Mayor’s proposed budget include roadside clearance? If so, is the clearance of 30 feet on each side, or only 10? What was spent on clearance contracts in the FY19-21 budget cycle?

Funds are allocated for roadside clearance annually. The clearance size varies depending on the distance to the adjacent private property line. Since August 2019, \$839,037 has been spent on roadside clearance contracts.

Section J. Questions From CM Reid

1) How much would it cost to install a traffic light at 101st Ave & International Blvd?

This could cost up to \$600,000 for design (high cost), and construction (high cost).

2) How much would it cost to install a roundabout at 96th Ave & Sunnyside St?

It ranges from \$60,000 to \$100,000, so \$80,000 on average and \$100,000 on the high end.

3) How much would it cost to expand shot spotter throughout district 7 and citywide?

ShotSpotter has one-time start-up costs of \$10,000 per sq mi and on-going subscription costs of \$70,000 per sq mi. In order to cover the remaining (55.91-15.36) sq mi of the City of Oakland, the one-time start-up costs would be \$405,500. One-time costs might possibly be waived if the City enters into a minimum two-year agreement with the vendor. The on-going subscription costs for this remaining area would be \$2,838,500 yearly. The total costs of the annual subscription for citywide ShotSpotter coverage would be roughly \$3,913,700 annually.

4) Is there funding to support SOS Meals on Wheels, if so how much and from which fund?

The proposed budget provides \$150,000 in each year in the GPF. The Third Party Grants Agreements Resolution will need to be updated to include this grant.

5) In the Mayor's Budget there is funding for the Oakland Youth Advisory Commission members to receive educational scholarships. How much is each scholarship?

The proposed budget provides \$900 in scholarships (a total of \$22,500 each year).

For questions, please contact Lisa Agustin, Budget Administrator, at (510) 238-2989.

Respectfully submitted,

/s/

ERIN ROSEMAN
Director of Finance

Attachments:

- Attachment A – O&M by department
- Attachment B - Line Item Budget Detail
- Attachment C – CM Taylor Costing
- Attachment D – Measure Q Detail
- Attachment E – Response to Measure Q Advocates

OG Expense Type	Operations & Maintenance	
Row Labels	Sum of FY21-22 Biennial Working Total	Sum of FY22-23 Biennial Working Total
DP040 - City Attorney	3,495,114	2,845,114
Contract Services	3,110,614	2,460,614
Services & Supplies	319,500	319,500
Travel & Education	65,000	65,000
DP080 - Finance Department	11,411,272	11,239,972
Contract Services	10,331,795	10,166,096
Services & Supplies	938,577	932,976
Travel & Education	140,900	140,900
DP1000 - Police Department	19,370,173	17,850,529
Contract Services	7,194,377	5,690,214
Services & Supplies	10,907,796	10,892,315
Travel & Education	1,268,000	1,268,000
DP200 - Fire Department	12,652,501	12,466,198
Contract Services	6,977,957	6,908,510
Services & Supplies	4,752,773	4,621,006
Travel & Education	921,771	936,682
DP300 - Oakland Public Works Department	50,510,386	51,252,221
Contract Services	23,151,169	23,835,892
Services & Supplies	26,988,842	27,045,654
Travel & Education	370,375	370,675
DP350 - Department of Transportation	17,754,298	17,590,180
Contract Services	8,910,384	8,502,606
Services & Supplies	7,972,684	8,222,934
Travel & Education	871,230	864,640
DP460 - Information Technology Department	15,154,843	16,207,290
Contract Services	9,882,717	10,911,450
Services & Supplies	4,854,822	4,872,807
Travel & Education	417,304	423,033
DP5000 - Oakland Parks and Recreation Department	3,355,190	3,329,025
Contract Services	1,152,570	1,153,273
Services & Supplies	1,918,371	1,891,503
Travel & Education	284,249	284,249
DP610 - Oakland Public Library Department	7,593,200	7,347,158
Contract Services	996,465	890,791
Services & Supplies	5,180,292	5,039,924
Travel & Education	1,416,443	1,416,443
DP750 - Human Services Department	69,299,916	59,987,615
Contract Services	66,756,424	57,438,727
Services & Supplies	2,296,848	2,302,244
Travel & Education	246,644	246,644
DP840 - Planning and Building Department	3,228,290	2,712,747
Contract Services	2,408,345	1,880,802
Services & Supplies	533,092	535,092
Travel & Education	286,853	296,853
DP850 - Economic and Workforce Development Department	7,008,430	6,891,372
Contract Services	5,003,287	4,770,852
Services & Supplies	1,840,236	1,955,613
Travel & Education	164,907	164,907
DP890 - Housing and Community Development Department	27,031,015	4,596,677
Contract Services	26,313,883	3,879,545
Services & Supplies	693,808	693,808
Travel & Education	23,324	23,324
DP900 - Non Departmental and Port	67,200,672	63,715,762
Contract Services	22,649,510	29,164,599
Services & Supplies	44,165,538	34,165,539
Travel & Education	385,624	385,624
DP940 - Capital Improvement Projects	44,243,648	66,390,560
Contract Services	44,243,648	66,390,560
Services & Supplies		
Grand Total	359,308,948	344,422,420
Contract Services Total	239,083,145	234,044,531
Percentage of O&M	0.67	0.68

7. What is the proposed programmatic line-item budget for each of the following bureaus and divisions:

A. Emergency Management Services (OFD)

Emergency Management Services – Personnel

Org		20711 - Emergency Services Program						
				Yes	Values			
Dep	Allocated Fund	Job	FTE	FY22 Amount	FY23 FTE	FY23 Amount		
Fire Department	1010 - General Fund: General Purpose	Administrative Assistant II.SS104	1.00	123,622	1.00	128,098		
		Emergency Planning Coordinator.SC138	1.00	168,902	1.00	175,015		
		Manager, Emergency Services.EM181	0.75	238,870	0.75	247,517		
	1010 - General Fund: General Purpose Total			2.75	531,394	2.75	550,630	
	2123 - US Dept of Homeland Security	Emer Serv Manager, Assistant.MA120	1.00	243,285	1.00	251,478		
		Emergency Planning Coordinator, Sr.SC140	3.00	630,459	3.00	651,696		
		Program Analyst I.AP292	1.00	149,352	1.00	154,383		
	2123 - US Dept of Homeland Security Total			5.00	1,023,096	5.00	1,057,557	
	2160 - County of Alameda: Grants	Management Intern, PT.MA133	0.68	57,677	0.68	58,856		
		Manager, Emergency Services.EM181	0.25	85,585	0.25	88,468		
2160 - County of Alameda: Grants Total			0.93	143,262	0.93	147,324		
Fire Department Total			8.68	1,697,752	8.68	1,755,511		
Grand Total			8.68	1,697,752	8.68	1,755,511		

Emergency Management Services – O&M

Org and Desc		20711 - Emergency Services Program				
Department	Fund	OG Acct Subtype	FY22 Total	FY23 Total		
DP200 - Fire	FD_1010*	Services & Supplies	91,300.00	92,095.00		
		Contract Services	3,014,290.00	3,013,105.00		
		Travel & Education	18,930.00	19,320.00		
		Internal Services & Work Orders	150,989.00	146,982.00		
	FD_1010* Total			3,275,509.00	3,271,502.00	
	FD_2123	Project Offsets & Carryforwards	(69,188.00)	(69,188.00)		
		Internal Services & Work Orders				
	FD_2123 Total			(69,188.00)	(69,188.00)	
	FD_2160	Project Offsets & Carryforwards	(11,898.00)	(11,898.00)		
		Internal Services & Work Orders				
FD_2160 Total			(11,898.00)	(11,898.00)		
FD_4200	Contract Services	50,463.00	6,639.00			
	Internal Services & Work Orders					
FD_4200 Total			50,463.00	6,639.00		
Grand Total			3,244,886.00	3,197,055.00		

*\$3.00M is dedicated to EOC-related contingency, including overtime and non-personnel expenditure, in Fund 1010

B. Aging & Adult Services (HSD)

Aging & Adult Services – Personnel

HSD’s Aging & Adult Services comprises of multiple subunits that have their own “ORG.” These orgs are:

- 75231 - Multipurpose Senior Service Program
- 75241 - Senior Companion Program
- 75251 - Outreach Program
- 75621 - Oakland Paratransit for Elderly and Disabled
- 75631 - Senior Center
- 75651 - Senior Aide Program

Org		(Multiple Items)					
Department	Allocated Fund	Job	Year	Values		FY23	
			FY22	FTE	Amount	FTE	Amount
HSD	1010 - General Fund: General Purp	Administrative Assistant I.SS102		4	455,116	4	470,764
		Outreach Developer.PP165		1	159,583	1	165,128
		Program Analyst II, PPT.AP358		1	169,241	1	175,064
		Senior Aide, PT.PP142		9.4	293,926	10.4	330,821
		Senior Center Director.PP143		4	551,192	4	570,340
		Senior Services Supervisor.SC220		1.96	368,187	1.96	380,981
	2120 - Federal Action Agency	Senior Services Prgm Assistant.PP144		1	159,494	1	164,057
	2128 - Department of Health and Hi	Case Manager I.AP126		4	671,549	4	690,727
		Case Manager II.AP127		2	392,781	2	403,922
		Case Manager, Supervising.SC113		1.8	386,262	1.8	397,278
		Nurse Case Manager.AP263		3	583,204	3	599,856
		Senior Services Prgm Assistant.PP144		1	159,494	1	164,057
		Senior Services Supervisor.SC220		0.04	9,545	0.04	9,817
		Administrative Assistant I, PT.SS100		0.5	49,957	0.5	50,711
	2159 - State of California Other	Accountant II.AF021		0.18	35,615	0.18	36,634
	2160 - County of Alameda: Grants	Outreach Worker, PT.PP130		1.06	57,698	1.06	58,620
	2213 - Measure B: Paratransit - ACT	Office Assistant I, PT.SS152		1.09	83,404	1.09	84,640
		Senior Aide, PT.PP142		0.5	20,892	0.5	21,222
		Senior Services Prgm Assistant.PP144		1	159,494	1	164,057
	2220 - Measure BB Paratransit	Accountant II.AF021		0.82	162,244	0.82	166,885
		Administrative Assistant I.SS102		1	136,127	1	140,022
		Office Assistant I, PT.SS152		0.53	40,555	0.53	41,156
		Senior Services Prgm Assistant.PP144		1	159,494	1	164,057
		Senior Services Supervisor.SC220		1	228,377	1	234,911
	4400 - City Facilities	Custodian Supervisor.SC132		1	144,568	1	148,705
		Custodian, PT.TR122		1.48	130,900	1.48	132,852
		Custodian.TR120		3	353,325	3	363,438
Grand Total				48.36	6,122,224	49.36	6,330,722

Aging & Adult Services – O&M

Org and Desc	(Multiple Items)			
Department	Fund	OG Acct Subtype	FY22 Total	FY23 Total
DP750 - Human Services Department	FD_1010*	Services & Supplies	479,930	479,930
		Contract Services	285,090	285,090
		Travel & Education	6,720	6,720
		Internal Services & Work Orders	328,814	329,025
	FD_1030	Contract Services	428,286	428,286
	FD_2120	Services & Supplies	214,449	214,449
		Contract Services	200	200
		Travel & Education	13,668	13,668
		Internal Services & Work Orders	30,323	31,266
	FD_2128	Services & Supplies	94,088	94,088
		Contract Services	256,023	209,678
		Travel & Education	4,306	4,306
		Internal Services & Work Orders	15,456	14,088
	FD_2160	Services & Supplies	17,082	17,972
	FD_2213	Services & Supplies	16,470	16,470
		Contract Services	741,650	1,193,250
	FD_2216	Internal Services & Work Orders		
	FD_2220	Contract Services	837,714	573,874
		Internal Services & Work Orders	7,849	7,849
	FD_4400	Internal Services & Work Orders	37,442	37,469
Grand Total			3,857,373	3,999,491

C. Workforce Development (EWD)

Workforce Development - Personnel

Org			85311 - Workforce Development					
			Year	Values				
			FY22	FY23				
				Sum of Allocated	Sum of Allocated			
Department	Allocated Fund	Job	Sum of Amount	Sum of Amount				
Economic and Workforce Development	1010 - General Fund: General Purpose	Program Analyst II.AP293	1.76	283,124.00	1.76	293,374.00		
		Program Analyst III.SC204	1.00	186,190.00	1.00	192,930.00		
	1010 - General Fund: General Purpose Total			2.76	469,314.00	2.76	486,304.00	
	2195 - Workforce Investment Act	Program Analyst II.AP293	1.02	202,611.00	1.02	208,551.00		
		Program Analyst III.SC204	0.50	114,953.00	0.50	118,322.00		
		Project Manager III.EM212	1.00	437,780.00	1.00	450,487.00		
	2195 - Workforce Investment Act Total			2.52	755,344.00	2.52	777,360.00	
	5671 - OBRA: Leasing & Utility	Program Analyst II.AP293	0.22	43,701.00	0.22	44,982.00		
		Program Analyst III.SC204	0.50	114,956.00	0.50	118,326.00		
	5671 - OBRA: Leasing & Utility Total			0.72	158,657.00	0.72	163,308.00	
	Grand Total			6.00	1,383,315.00	6.00	1,426,972.00	

Workforce Development – O&M

Org and Desc		85311 - Workforce Development			Rev orExp		Values	
					Expense			
					Sum of FY21-		Sum of FY22-	
Department	Fund and Desc	Category	OG Acct SubType	22 Total	23 Total			
Economic & Workforce Development	1010 - General Fund: General Purpose	ISF	Internal Services & Work Orders	123,443	125,164			
		O&M	Contract Services	220,000	220,000			
	1010 - General Fund: General Purpose Total			343,443	345,164			
	1030 - Measure HH (SSBDT)	O&M	Contract Services	400,000	400,000			
	1030 - Measure HH (SSBDT) Total			400,000	400,000			
	2195 - Workforce Investment Act	O&M	Contract Services	2,405,393	2,378,774			
			Services & Supplies	0	0			
	2195 - Workforce Investment Act Total			2,405,393	2,378,774			
5671 - OBRA: Leasing & Utility	O&M	Contract Services	345,615	345,615				
5671 - OBRA: Leasing & Utility Total			345,615	345,615				
Grand Total				3,494,451	3,469,553			

D. Cultural Affairs (EWD)

Cultural Affairs – Personnel

Department		Economic and Workforce Development Department					
Org	Allocated Fund	Job	Year	Values		Sum of	Sum of
				FY22	FY23		
				Sum of	Amount	Sum of	Amount
85511 - Cultural Arts and Marketing	1010 - General Fund: General Purpose	Program Analyst I.AP292	1.00	138,949.00	1.00	143,980.00	
		Program Analyst III.SC204	1.00	186,190.00	1.00	192,930.00	
		Special Events Coordinator.AP330	1.00	186,190.00	1.00	192,930.00	
	1010 - General Fund: General Purpose Total		3.00	511,329.00	3.00	529,840.00	
	2419 - Measure C: Transient Occupancy Tax (TOT) Surcharge	Program Analyst II, PPT.AP358	0.50	99,321.00	0.50	102,232.00	
	2419 - Measure C: Transient Occupancy Tax (TOT) Surcharge Total		0.50	99,321.00	0.50	102,232.00	
85521 - Public Art	1010 - General Fund: General Purpose	Manager, Cultural Affairs.EM179	1.00	262,034.00	1.00	271,518.00	
		Program Analyst III.SC204	0.25	46,548.00	0.25	48,233.00	
	1010 - General Fund: General Purpose Total		1.25	308,582.00	1.25	319,751.00	
	2415 - Development Service Fund	Program Analyst III.SC204	0.75	172,434.00	0.75	177,489.00	
	2415 - Development Service Fund Total		0.75	172,434.00	0.75	177,489.00	
Grand Total			5.50	1,091,666.00	5.50	1,129,312.00	

Cultural Affairs – O&M*

Department		DP850 - Economic and Workforce Development Department			Rev or Exp Values	
Org and Desc		Fund and Desc	Category	OG Acct Subtype	Expense	
					FY22 Total	FY23 Total
85511 - Cultural Arts and Marketing		1010 - General Fund: General Purpose	ISF	Internal Services & Work Orders	60,559.00	61,401.00
			O&M	Services & Supplies	738,470.00	738,470.00
				Contract Services		
				Travel & Education	8,200.00	8,200.00
			Utilities	Services & Supplies	3,450.00	3,450.00
		2419 - Measure C: Transient Occupancy Tax (TOT) Surcharge	ISF	Internal Services & Work Orders	8,234.00	8,347.00
			O&M	Services & Supplies	53,206.00	168,583.00
				Contract Services	400,568.00	410,395.00
85511 - Cultural Arts and Marketing Total					1,272,687.00	1,398,846.00
85521 - Public Art		1010 - General Fund: General Purpose	ISF	Internal Services & Work Orders	31,583.00	32,025.00
			O&M	Contract Services	25,000.00	25,000.00
		2415 - Development Service Fund	ISF	Internal Services & Work Orders	14,279.00	14,430.00
		2419 - Measure C: Transient Occupancy Tax (TOT) Surcharge	ISF	Internal Services & Work Orders	17.00	64.00
			O&M	Contract Services	-	-
				Travel & Education	12,000.00	12,000.00
		5321 - Measure DD: 2009B Clean Water, Safe Parks & Open Space Trust Fund	ISF	Internal Services & Work Orders	-	-
			O&M	Contract Services		
		5505 - Municipal Capital Improvement: Public Arts	ISF	Internal Services & Work Orders	-	-
85521 - Public Art					82,879.00	83,519.00
Grand Total					1,355,566.00	1,482,365.00
					\$738,470 dedicated to Cultural Arts Grants	
					\$400,568 dedicated to Cultural Arts Grants	

*Measure C: TOT (Fund 2419) appropriations shall not be appropriated for any purpose other than specifically set forth in the O.M.C., Section 4.24.031.A.

E. Rent Adjustment Program (HCD)

HCD portion of Rent Adjustment Program – Personnel

Allocated Fund		2413 - Rent Adjustment Program Fund							
Department	Org	Job	Year		Values				
			FY22	FY23	FTE	Amount	FTE	Amount	
HCD	89919 - Admin: Housing and Community Development	Accountant II.AF021	0.11		19,499	0.11	20,121		
		Administrative Services Manager II.EM100	0.15		44,559	0.15	45,982		
		Assistant to the Director.EM118	0.25		74,265	0.25	76,636		
		Business Analyst III.AP118	0.7		171,059	0.7	176,521		
		Deputy Director, Housing.EM140	0.5		189,570	0.5	195,622		
		Director of Housing & Comm Dev.EM154	0.25		110,514	0.25	114,010		
		Exec Asst to the Director.SS124	0.15		26,049	0.15	26,880		
		Management Assistant.AP235	0.25		53,826	0.25	55,544		
		89969 - Residential Rent Arbitration	Administrative Analyst I.AP103	3		493,365	3	509,085	
			Administrative Assistant I.SS102	4		487,828	4	503,408	
	Administrative Assistant II.SS104		1		140,149	1	144,625		
	Hearing Officer.AP396		6		1,616,490	6	1,668,090		
	Home Management Specialist II.AP197		2		315,050	2	325,112		
	Manager, Rent Adjustment Pgm.EM256		1		343,874	1	354,855		
	Program Analyst II.AP293		4		734,595	4	757,940		
	Program Analyst III.SC204		2		422,162	2	435,642		
	Project Manager.EM216		2		445,594	2	613,096		
	Senior Hearing Officer.SC248		1		296,945	1	306,426		
		Rent Adjustment Program Manager, Asst.AP458	1		297,062	1	306,548		

HCD portion of Rent Adjustment Program – O&M

Fund		FD_2413					
Department	Org and Desc	OG Acct Subtype	FY22 Total	FY23 Total			
HCD	89919 - Admin: Housing and Community Development	Internal Services & Work Orders	27,789	27,421			
		Internal Services & Work Orders					
	89939 - Municipal Lending	Project Offsets & Carryforwards	(896,462)				
		Services & Supplies	598,300	598,300			
	89969 - Residential Rent Arbitration	Contract Services	1,180,305	503,246			
		Travel & Education	23,324	23,324			
		Internal Services & Work Orders	263,010	259,256			

Entire Rent Adjustment Program – Personnel

Allocated Fund		2413 - Rent Adjustment Program Fund								
Department	Org	Job	Year	Values						
			FY22	FTE	Amount	FY23	FTE	Amount		
CAO	02112 - Communications & Media	Public Information Officer II.AP299	0.25		46,548	0.25		48,233		
City Attorney	04111 - City Attorney: Administration	Legal Administrative Assistant.SS133	2		291,146	2		301,684		
		Paralegal.AP212	1		153,178	1		158,723		
	04311 - Advisory	Deputy City Attorney II.AL021	1		263,682	1		273,168		
		Deputy City Attorney III.AL030	1		288,888	1		299,347		
		Deputy City Attorney V.EM136	0.9		319,794	0.9		331,235		
	04511 - Labor/Employment	Deputy City Attorney III.AL030	1		290,538	1		300,997		
Finance		08111 - Finance and Management: Administration	Director of Finance.EM103	0.23		103,985	0.23		107,714	
	Accountant III.AF031		0.35		64,431	0.35		66,763		
	Revenue & Tax Administrator.EM204		0.1		37,301	0.1		38,636		
	Revenue Assistant.AP321		2		241,326	2		250,010		
	08811 - Budget Unit	Tax Enforcement Officer II.AF050	1		156,359	1		162,021		
		Budget & Management Analyst.AF063	0.35		71,845	0.35		74,446		
HCD	89919 - Admin: Housing and Community Development	Accountant II.AF021	0.11		19,499	0.11		20,121		
		Administrative Services Manager II.EM100	0.15		44,559	0.15		45,982		
		Assistant to the Director.EM118	0.25		74,265	0.25		76,636		
		Business Analyst III.AP118	0.7		171,059	0.7		176,521		
		Deputy Director, Housing.EM140	0.5		189,570	0.5		195,622		
		Director of Housing & Comm Dev.EM154	0.25		110,514	0.25		114,010		
		Exec Asst to the Director.SS124	0.15		26,049	0.15		26,880		
		Management Assistant.AP235	0.25		53,826	0.25		55,544		
		89969 - Residential Rent Arbitration	Administrative Analyst I.AP103	3		493,365	3		509,085	
			Administrative Assistant I.SS102	4		487,828	4		503,408	
			Administrative Assistant II.SS104	1		140,149	1		144,625	
			Hearing Officer.AP396	6		1,616,490	6		1,668,090	
			Home Management Specialist II.AP197	2		315,050	2		325,112	
			Manager, Rent Adjustment Pgm.EM256	1		343,874	1		354,855	
		Program Analyst II.AP293	4		734,595	4		757,940		
		Program Analyst III.SC204	2		422,162	2		435,642		
		Project Manager.EM216	2		445,594	2		613,096		
		Senior Hearing Officer.SC248	1		296,945	1		306,426		
		Rent Adjustment Program Manager, Asst.AP458	1		297,062	1		306,548		
Grand Total			40.54		8,611,476	40.54		9,049,120		

Entire Rent Adjustment Program – O&M

Fund	FD_2413			
Department	Org and Desc	OG Acct Subtype	FY22 Total	FY23 Total
☒ CAO	☒ 02112 - Communications & Media	Internal Services & Work Orders	4,402	4,453
☒ City Attorney	☒ 04111 - City Attorney: Administration	Internal Services & Work Orders	35,549	35,766
	☒ 04311 - Advisory	Internal Services & Work Orders	69,358	69,770
	☒ 04511 - Labor/Employment	Internal Services & Work Orders	23,113	23,251
☒ Finance	☒ 08111 - Finance and Management: Adm	Internal Services & Work Orders	6,885	6,872
	☒ 08222 - General Ledger	Internal Services & Work Orders	4,307	4,298
	☒ 08411 - Revenue: Administration	Internal Services & Work Orders	2,467	2,462
	☒ 08421 - Revenue: Audit	Services & Supplies	10,240	10,240
	☒ 08441 - Revenue: Mandatory Garbage	Internal Services & Work Orders	26,475	26,424
	☒ 08811 - Budget Unit	Internal Services & Work Orders	4,803	4,793
☒ HCD	☒ 89919 - Admin: Housing and Communit	Internal Services & Work Orders	27,789	27,421
	☒ 89939 - Municipal Lending	Internal Services & Work Orders		
	☒ 89969 - Residential Rent Arbitration	Project Offsets & Carryforwards	(896,462)	
		Services & Supplies	598,300	598,300
		Contract Services	1,180,305	503,246
		Travel & Education	23,324	23,324
		Internal Services & Work Orders	263,010	259,256
☒ Non Departmental	☒ 90311 - Insurance Premiums	Operating Transfers	463,501	475,378
Grand Total			1,847,366	2,075,254

F. Code Enforcement (P&B - Building Bureau)

Code Enforcement - Personnel

Department		DP_840				
Org	Allocated Fund	Job	Year	Values		
			FY22	FY23	Sum of Allocated	Sum of Allocated
			Sum of Allocated FTE	Amount	Sum of Allocated FTE	Amount
84454 - Inspections: Neighborhood						
[-] Preservation	[-] 2415 - Development Service Fund	Planning Investigator.AP282	1.00	181,762.00	1.00	187,747.00
		Principal Inspection Supv.IS122	2.00	497,314.00	2.00	513,690.00
		Program Analyst III.SC204	1.00	204,644.00	1.00	211,384.00
		Specialty Combination Insp, Senior.IS120	2.00	461,789.00	2.00	476,919.00
		Specialty Combination Inspector.IS119	17.00	3,508,325.00	17.00	3,623,035.00
	2415 - Development Service Fund Total		23.00	4,853,834.00	23.00	5,012,775.00
Grand Total			23.00	4,853,834.00	23.00	5,012,775.00

Code Enforcement – O&M

Department		DP840 - Planning and Building Department				
Org and Desc	Fund and Desc	Category	OG Acct Subtype	Rev orExp	Values	
				Expense	FY22 Total	FY23 Total
84454 - Inspections: Neighborhood						
[-] Preservation	[-] 2415 - Development Service Fund	[-] ISF	Internal Services & Work Orders		247,057.00	244,463.00
		[-] O&M	Project Offsets & Carryforwards		(635,262.00)	(635,262.00)
			Services & Supplies		20,000.00	20,000.00
			Contract Services		250,000.00	250,000.00
			Travel & Education		87,200.00	87,200.00
			Debt Payments		12,000.00	12,000.00
			Other Expenditures and Disbursements		25,000.00	25,000.00
		[-] Overtime	Civilian Overtime			
84454 - Inspections: Neighborhood Preservation Total					5,995.00	3,401.00
Grand Total					5,995.00	3,401.00

G. Tree Services (OPW)

Tree Services – Personnel

Org 30654 - Tree Services			Year Values			
			FY22		FY23	
Dept Full Nar	Allocated Fund	Job	Sum of Allocated FTE	Sum of Allocated Amount	Sum of Allocated FTE	Sum of Allocated Amount
Public Works	1720 - Comprehensive Clean-up	Administrative Analyst II.AP106	0.50	\$ 106,193.00	1.00	\$ 219,037.00
		Tree High Climber.TR188	2.00	\$ 379,980.00	1.00	\$ 195,867.00
		Tree Supervisor I.SC229	1.00	\$ 225,018.00	1.00	\$ 231,837.00
		Tree Supervisor II.SC230	1.00	\$ 262,140.00	1.00	\$ 270,034.00
		Tree Trimmer.TR189	5.00	\$ 883,950.00	5.00	\$ 911,305.00
	2159 - State of California Other	Administrative Analyst II.AP106	0.50	\$ 106,193.00		
	2218 - Measure BB Local Streets and Roads	Tree Supervisor I.SC229	1.00	\$ 218,115.00	1.00	\$ 224,863.00
		Tree Trimmer.TR189	3.00	\$ 530,370.00	3.00	\$ 546,783.00
	2244 - OPR Preservation, Litter Reduction, Homelessness Support Act	Administrative Assistant II.SS104	1.00	\$ 139,267.00	1.00	\$ 144,181.00
		Tree Trimmer.TR189	5.00	\$ 786,490.00	5.00	\$ 813,807.00
		Tree Worker Driver.TR190	1.00	\$ 135,158.00	1.00	\$ 139,826.00
	2310 - Lighting and Landscape Assessment District	Arboricultural Inspector.AP100	2.00	\$ 422,032.00	2.00	\$ 436,354.00
		Tree High Climber.TR188			1.00	\$ 174,920.00
Public Works Total			23.00	\$ 4,194,906.00	23.00	\$ 4,308,814.00
Grand Total			23.00	\$ 4,194,906.00	23.00	\$ 4,308,814.00

Tree Services – O&M

Org and Desc 30654 - Tree Services		Rev orExp Expense			
Department	Fund	Category	OG Acct Subtype	Sum of FY22-23 Total	Sum of FY21-22 Total
DP300 - Oakland Public Works					
Department	FD_1010	ISF	Internal Services & Work Orders	\$ 12,416.00	\$ 12,447.00
	FD_1720	ISF	Internal Services & Work Orders	\$ 1,240,272.00	\$ 1,346,401.00
		O&M	Contract Services	\$ 52,600.00	\$ 52,600.00
			Services & Supplies	\$ 131,046.00	\$ 131,046.00
			Travel & Education	\$ 1,920.00	\$ 1,920.00
		Utilities	Services & Supplies	\$ 12,000.00	\$ 12,000.00
	FD_2218	ISF	Internal Services & Work Orders	\$ 42,972.00	\$ 43,080.00
		O&M	Contract Services	\$ 75,000.00	\$ 75,000.00
	FD_2244	ISF	Internal Services & Work Orders	\$ 61,176.00	\$ 64,512.00
	FD_2310	ISF	Internal Services & Work Orders	\$ 3,090.00	\$ 824.00
		O&M	Contract Services	\$ -	\$ -
			Services & Supplies	\$ -	\$ -
			Travel & Education		
		Overtime	Civilian Overtime	\$ 180,250.00	\$ 180,250.00
		Utilities	Services & Supplies		
DP300 - Oakland Public Works Department Total				\$ 1,812,742.00	\$ 1,920,080.00
Grand Total				\$ 1,812,742.00	\$ 1,920,080.00

H. Keep Oakland Clean & Beautiful (OPW)

Keep Oakland Clean & Beautiful (KOCB) comprises of multiple organizations within the Public Works Department. These orgs include:

- 30611 - Facilities Environment: Asst Director's Office
- 30671 - Street Cleaning Graffiti Abatement: Administration
- 30672 – Street Cleaning
- 30673 – Graffiti Abatement Rapid Response
- 30674 – Illegal Dumping
- 30675 – Clean Oakland Program
- 30676 – Litter Enforcement

KOCB Personnel

Org (Multiple Items)			Year	Values			
			FY22	FY23			
Dept Full Nar	Allocated Fund	Job	Sum of Allocated FTE	Sum of Allocated Amount	Sum of Allocated FTE	Sum of Allocated Amount	
Public Works	1720 - Comprehensive Clean-up	Administrative Analyst I.AP103	1.00	\$ 183,447.00	1.00	\$ 189,192.00	
		Administrative Analyst II.AP106	1.00	\$ 212,386.00	1.00	\$ 219,037.00	
		Environmental Enforcement Officer.PP158	3.70	\$ 666,110.00	3.70	\$ 686,678.00	
		Heavy Equipment Operator.IR146	1.00	\$ 186,549.00	1.00	\$ 192,322.00	
		Painter.IR159	2.00	\$ 396,012.00	2.00	\$ 408,266.00	
		Public Works Maintenance Worker.TR174	21.10	\$ 2,960,959.00	21.10	\$ 3,052,674.00	
		Public Works Operations Manager.MA137	1.00	\$ 389,118.00	1.00	\$ 401,172.00	
		Public Works Supervisor I.SC206	4.00	\$ 898,644.00	4.00	\$ 926,176.00	
		Public Works Supervisor II.SC207	2.00	\$ 519,292.00	2.00	\$ 535,230.00	
		Street Maintenance Leader.IR180	12.70	\$ 2,269,701.00	12.70	\$ 2,339,862.00	
		Street Sweeper Operator.TR181	20.00	\$ 3,388,020.00	20.00	\$ 3,492,200.00	
		2270 - Vacant Property Tax Act Fund	Clean Community Supervisor.SC116	1.00	\$ 190,383.00	1.00	\$ 197,163.00
			Environmental Enforcement Officer.PP158	0.30	\$ 42,646.00	0.30	\$ 44,166.00
Public Works Maintenance Worker.IR174	23.00		\$ 2,559,394.00	23.00	\$ 2,650,476.00		
Public Works Supervisor I.SC206	2.00		\$ 354,490.00	2.00	\$ 366,989.00		
3100 - Sewer Service Fund	Street Maintenance Leader.IR180	5.00	\$ 706,980.00	5.00	\$ 732,112.00		
	Public Works Maintenance Worker.IR174	0.90	\$ 124,563.00	0.90	\$ 128,460.00		
7760 - Grant Clearing	Street Maintenance Leader.IR180	0.30	\$ 52,759.00	0.30	\$ 54,408.00		
	Administrative Assistant II.SS104	1.00	\$ 142,677.00	1.00	\$ 147,625.00		
	Administrative Services Manager I.MA103	1.00	\$ 256,634.00	1.00	\$ 265,627.00		
	Assist Director, Pub Works Agency.LM110	1.00	\$ 399,878.00	1.00	\$ 413,834.00		
	Facility Security Assistant, PT.PS122	0.50	\$ 43,585.00	0.50	\$ 44,550.00		
Public Works Total			105.50	\$ 16,944,227.00	105.50	\$ 17,488,219.00	
Grand Total			105.50	\$ 16,944,227.00	105.50	\$ 17,488,219.00	

KOCB Financials

Org and Desc	(Multiple Items)				
Rev orExp	Expense				
Department	Fund	Category	OG Acct Subtype	Sum of FY22-23 Total	Sum of FY21-22 Total
DP300 - Oakland Public Works					
[-] Department	[-] FD_1010	[-] ISF	Internal Services & Work Orders	\$ 26,592.00	\$ 29,232.00
	[-] FD_1720	[-] ISF	Internal Services & Work Orders	\$ 6,724,196.00	\$ 7,318,959.00
		[-] O&M	Capital Acquisitions	\$ -	\$ -
			Contract Services	\$ 121,324.00	\$ 230,023.00
			Services & Supplies	\$ 700,319.00	\$ 576,807.00
			Travel & Education	\$ 2,280.00	\$ 2,280.00
		[-] Overtime	Civilian Overtime	\$ 280,160.00	\$ 280,160.00
		[-] Utilities	Services & Supplies	\$ 151,240.00	\$ 151,240.00
	[-] FD_2244	[-] O&M	Contract Services	\$ 651,784.00	\$ 461,617.00
	[-] FD_2270	[-] ISF	Internal Services & Work Orders	\$ 598,222.00	\$ 615,655.00
		[-] O&M	Capital Acquisitions	\$ 50,000.00	\$ 50,000.00
			Contract Services	\$ 1,141,462.00	\$ 1,306,882.00
			Services & Supplies	\$ 26,857.00	\$ 15,183.00
	[-] FD_2415	[-] ISF	Internal Services & Work Orders	\$ -	\$ -
	[-] FD_3100	[-] ISF	Internal Services & Work Orders	\$ 10,345.00	\$ 10,370.00
	[-] FD_7760	[-] ISF	Internal Services & Work Orders	\$ 63,131.00	\$ 63,960.00
		[-] O&M	Contract Services	\$ 17,400.00	\$ 14,900.00
			Services & Supplies	\$ 19,640.00	\$ 21,440.00
			Travel & Education	\$ 2,200.00	\$ 1,900.00
		[-] Utilities	Services & Supplies	\$ 3,000.00	\$ 4,000.00
DP300 - Oakland Public Works Department Total				\$ 10,590,152.00	\$ 11,154,608.00
Grand Total				\$ 10,590,152.00	\$ 11,154,608.00

I. Environmental Services (OPW)

Environmental Services comprises of multiple organizations within the Public Works Department. These orgs include:

- 30681 - Environmental Services: Administration
- 30682 - Environmental Services: Recycling Solid Waste
- 30683 - Environmental Services: Environmental Remediation
- 30684 - Environmental Services: Sustainability
- 30685 - Environmental Services: Watershed Program
- 30689 - Environmental Services: Energy Group

Environmental Services – Personnel

Org		(Multiple Items)					
			Year	Values			
			FY22	FY23			
Dept Full Nar	Allocated Fund	Job	FTE	Sum of Allocated Amount	Sum of Allocated Amount	Sum of Allocated FTE	Sum of Allocated Amount
Public Works	1710 - Recycling Program	Administrative Analyst II.AP106	1.00	\$ 212,386.00		1.00	\$ 219,037.00
		Environment Svcs Analyst, Asst.AP447	1.00	\$ 176,326.00		1.00	\$ 181,848.00
		Environmental Program Specialist.PP122	0.66	\$ 146,054.00		0.66	\$ 150,630.00
		Environmental Program Supervisor.SC144	0.40	\$ 130,749.00		0.40	\$ 134,758.00
		Management Intern.SS142	1.00	\$ 159,948.00		1.00	\$ 164,956.00
		Manager, Environmental Services.EM182	1.00	\$ 389,118.00		1.00	\$ 401,172.00
		Manager, Sustainability Pgm.EM253	1.00	\$ 332,518.00		1.00	\$ 342,931.00
		Program Analyst I.AP292	1.00	\$ 176,326.00		1.00	\$ 181,848.00
		Program Analyst II.AP293	1.66	\$ 338,869.00		1.66	\$ 349,480.00
		Program Analyst III.SC204	1.00	\$ 236,275.00		1.00	\$ 243,673.00
		Recycling Specialist, Senior.PP141	2.00	\$ 480,898.00		2.00	\$ 495,774.00
		Recycling Specialist.PP140	3.00	\$ 618,991.00		3.00	\$ 638,235.00
		Solid Waste/Recycling Prog Sup.PP146	1.00	\$ 301,569.00		1.00	\$ 311,011.00
		Student Trainee, PT.SS195	1.00	\$ 87,215.00		1.00	\$ 88,955.00
	1720 - Comprehensive Clean-up	Environmental Program Specialist.PP122	0.33	\$ 73,027.00		0.33	\$ 75,315.00
	2990 - Public Works Grants	Program Analyst II.AP293	0.34	\$ 69,409.00		0.34	\$ 71,583.00
	3100 - Sewer Service Fund	Environmental Program Specialist.PP122	1.02	\$ 225,732.00		1.02	\$ 232,800.00
		Environmental Program Supervisor.SC144	0.40	\$ 130,749.00		0.40	\$ 134,758.00
	4400 - City Facilities	Electrical Engineer II.TR125	0.75	\$ 207,109.00		0.75	\$ 213,594.00
		Program Analyst I.AP292	1.00	\$ 176,326.00		1.00	\$ 181,848.00
		Program Analyst III.SC204	0.85	\$ 200,836.00		0.85	\$ 207,124.00
	4450 - City Facilities Energy	Program Analyst III.SC204	1.00	\$ 236,275.00		1.00	\$ 243,673.00
	Conservation Projects	Electrical Engineer II.TR125	1.25	\$ 345,183.00		1.25	\$ 355,993.00
	7760 - Grant Clearing	Environmental Program Specialist.PP122	0.99	\$ 219,081.00		0.99	\$ 225,945.00
		Environmental Program Supervisor.SC144	0.20	\$ 65,373.00		0.20	\$ 67,376.00
		Program Analyst III.SC204	0.15	\$ 35,440.00		0.15	\$ 36,551.00
Public Works Total			25.00	\$ 5,771,782.00		25.00	\$ 5,950,868.00
Grand Total			25.00	\$ 5,771,782.00		25.00	\$ 5,950,868.00

Environmental Services – O&M

Org and Desc	(Multiple Items)				
Rev orExp	Expense				
Department	Fund	Category	OG Acct Subtype	Sum of FY22-23 Total	Sum of FY21-22 Total
DP300 - Oakland Public Works					
☒ Department	☒ FD_1710	☒ ISF	Internal Services & Work Orders	\$ 232,043.00	\$ 233,506.00
		☒ O&M	Contract Services	\$ 582,491.00	\$ 582,615.00
			Services & Supplies	\$ 173,713.00	\$ 182,508.00
			Travel & Education	\$ 52,120.00	\$ 52,120.00
		☒ Utilities	Services & Supplies	\$ 5,670.00	\$ 5,670.00
		☒ Work Orders	Internal Services & Work Orders	\$ 20,161.00	\$ 20,161.00
	☒ FD_1720	☒ ISF	Internal Services & Work Orders	\$ 4,271.00	\$ 4,282.00
	☒ FD_2217	☒ Work Orders	Internal Services & Work Orders		
	☒ FD_2990	☒ ISF	Internal Services & Work Orders		
	☒ FD_3100	☒ ISF	Internal Services & Work Orders	\$ 24,659.00	\$ 24,723.00
		☒ O&M	Contract Services	\$ 175,000.00	\$ 175,000.00
	☒ FD_4400	☒ ISF	Internal Services & Work Orders	\$ 34,152.00	\$ 34,237.00
		☒ O&M	Contract Services	\$ 494,870.00	\$ 494,870.00
			Services & Supplies	\$ 6,430.00	\$ 6,430.00
			Travel & Education	\$ 3,700.00	\$ 3,700.00
		☒ Utilities	Services & Supplies	\$ -	\$ -
	☒ FD_4450	☒ ISF	Internal Services & Work Orders	\$ 13,811.00	\$ 13,848.00
		☒ O&M	Contract Services	\$ 272,648.00	\$ 273,051.00
			Services & Supplies	\$ 20,000.00	\$ 20,000.00
	☒ FD_7760	☒ ISF	Internal Services & Work Orders	\$ 38,757.00	\$ 38,855.00
DP300 - Oakland Public Works Department Total				\$ 2,154,496.00	\$ 2,165,576.00
Grand Total				\$ 2,154,496.00	\$ 2,165,576.00

J. Safe Streets (OakDOT)

Safe Streets – Personnel

Org				35241 - Safe Streets Admin			
Dep	Allocated Fund	Job	FTE	Year		Values	
				FY22	FY23	Sum of Allocated	Sum of Allocated
		Concrete Finisher.TR116		1	223,190	1	229,099
		Public Works Maintenance Worker.TR174		1	164,470	1	168,825
		Traffic Painter.TR185		2	463,436	2	475,702
	7760 - Grant Clearing	Manager, Transportation.MA164		1	412,820	1	424,959
Grand Total				5	1,263,916	5	1,298,585

Safe Streets – O&M

Org and Desc				35241 - Safe Streets Admin			
Department	Fund	Category	OG Acct Subtype	Values		Rev or Exp	
				Sum of FY21-22 Biennial Working Total Expense	Sum of FY22-23 Biennial Working Total Expense		
DP350 - Department of Transportation	FD_1750	O&M	Contract Services	-	-	-	-
	FD_2211	O&M	Services & Supplies	-	-	-	-
			Travel & Education	-	-	-	-
		Utilities	Services & Supplies	-	-	-	-
	FD_2212	ISF	Internal Services & Work Orders	5,000	5,000	5,000	5,000
		O&M	Services & Supplies	8,283	8,283	91,229	91,229
			Contract Services	20,000	20,000	20,000	20,000
	FD_2215	O&M	Services & Supplies	-	-	-	-
			Travel & Education	13,500	13,500	13,500	13,500
	FD_2216	ISF	Internal Services & Work Orders	-	-	-	-
	FD_2218	ISF	Internal Services & Work Orders	30,085	30,085	30,085	30,085
		O&M	Contract Services	-	-	-	-
	FD_2219	O&M	Services & Supplies	22,150	22,150	25,700	25,700
			Travel & Education	50,850	50,850	50,850	50,850
		Utilities	Services & Supplies	7,500	7,500	7,700	7,700
	FD_2230	ISF	Internal Services & Work Orders	3,327	3,327	3,327	3,327
		O&M	Services & Supplies	64,878	64,878	8,771	8,771
			Contract Services	18,222	18,222	100,000	100,000
	FD_2232	O&M	Services & Supplies	-	-	79,417	79,417
			Contract Services	81,778	81,778	-	-
	FD_2415	O&M	Services & Supplies	-	-	-	-
			Travel & Education	-	-	-	-
		Utilities	Services & Supplies	-	-	-	-
	FD_3100	O&M	Services & Supplies	65,622	65,622	65,622	65,622
	FD_7760	ISF	Internal Services & Work Orders	12,920	12,920	12,545	12,545
		O&M	Services & Supplies	-	-	-	-
			Contract Services	-	-	-	-
			Travel & Education	-	-	-	-
		Utilities	Services & Supplies	-	-	-	-
Grand Total				404,115	404,115	513,746	513,746

COSTING FOR COUNCILMEMBER TAYLOR

	Title	Description	Dept	FY 21-22	FY 22-23	Explanation of Cost Estimate	Possible Fund
1	BID Formation Fund	Business Improvement Districts (BID) – Establish a funding mechanism for conducting feasibility and planning for prospective Business Improvement Districts across Oakland with a focus on Commercial corridors that have been historically under-invested, and for which a catalyst investment will significantly revitalize the surrounding community. (Grants to cover costs of feasibility study and to fund formation/ other necessary startup costs after feasibility study is completed)	EWD	\$500,000		<p>-\$25k grant per each of 4 potential BID locations for feasibility study</p> <p>-\$100k loan per each of 4 BID locations for other start up costs including (1) Eastmont/ Havenscourt; and (2) Seminary Point/Seminary & MacArthur</p> <p>Funding for BID grants/loans is in the ballpark; however, budgeting for staff support to administer grants and assist with BID formation is not addressed. Staffing to support BID program and 4 BID formations will need to be included with package. Either additional City staffing or consulting funding should be provided. If City staff utilizes estimate costing for UEA II, it could be limited appointment position given BID formations are not an annual activity.</p>	GPF (1010)
2	City Hall East	Establishing a City Hall East which includes a Small Business Assistance Center to provide relevant services and resources that are provided to residents and businesses in Downtown Oakland. Cost would include facilities and rent along a developing East	City Admin	\$125,000	\$105,000	<p>Rent and Utilities for 3,000sf Office location in emerging Central East Oakland Commercial Corridor</p> <p>* RENT@ \$30/sf/year for 2 years</p> <ol style="list-style-type: none"> 1. * Utilities @ \$5/sf/year for 2 years 2. * Initial Furnishings/ tenant Improvements @ \$20k <p>The budget proposal covers the facility potential costs, but does not include the programming and services offered as a remote City Hall function. The</p>	GPF (1010)

	Title	Description	Dept	FY 21-22	FY 22-23	Explanation of Cost Estimate	Possible Fund
		Oakland business corridor (District 6)				Downtown Business Assistance Center was disbanded last year and services are being provided remotely via phone calls and emails. A remote City Hall will require programmed staff support services with regular hours. This proposal does not address the other costs associated with operations. Additional services other than business support should be evaluated given the sunk cost for real estate operations to create a City Hall East model. Potential pilots of services at existing City facilities could be initiated prior to commitments to facility costs and infrastructure. Since it is proving public service, the location will require ADA access, signage, parking, access to transit, high speed internet, furnishings, office equipment and staff to run it.	
3	Vacant Parcel Activation Loan Fund	Vacant Parcel Activation Fund – Establish a small-site pre-development loan fund to support small local property owners in activating their vacant parcels in opportunity zones and by doing so eliminate neighborhood blight. (The loans should be paid back upon project completion at a minimal interest rate) (Fund 2415)	Building & Planning (Fund 2415)	\$1,500,000		Up to \$150k for up to 10 projects. 0% Interest Predevelopment loan to be repaid upon project completion. The City Attorney will need to confirm that this is an eligible use of Fund 2415.	Development Services (2415)

	Title	Description	Dept	FY 21-22	FY 22-23	Explanation of Cost Estimate	Possible Fund
4	Increased Certification Processing and Compliance Monitoring for Contract & Compliance Dept	Increase investments into certification processing and compliance/monitoring activities of DWES to ensure more efficient and effective processing/monitoring of the Local/Small Local Business Enterprise (L/SLBE) Program to reduce disparities facing Black and Women-owned businesses that were documented in the recently released 2017 Race and Gender Disparity Study.	DWES	\$288,787 1 Compliance Officer: \$182,676 1 Admin Analyst: \$144,561 Total: \$327,237	\$288,787 1 Compliance Officer: \$189,291 1 Admin Analyst: \$149,795 Total: \$339,086	1 Compliance Officer (\$172,208.83) and 1 Administrative Analyst (\$116,578.05) Updated costs provided in red.	GPF (1010)
5	Contractor Development Program	Funding for contractor development program which includes bonding, financing, and/or technical assistance for small Oakland contractors. (Resolution 88483).	EWD/ Public Works (possibly grant funded)	\$500k		Estimated Program Costs to be verified with EWD/ Public Works. Team is awaiting notice of a grant award that could cover these costs. The grant that the City is pursuing has neither been authorized, nor accepted, and would not be considered General Fund 1010. If awarded, the funds would be restricted for specific purpose and require RFP process and grant-reportables. We recommend clarification language if the Council member is proposing an additional \$500K in GPF 1010 support the Contractor Development Program on top of potential funding from other resources. If a grant	GPF (1010)

	Title	Description	Dept	FY 21-22	FY 22-23	Explanation of Cost Estimate	Possible Fund
						award is received by the City of Oakland, Council legislation will be required for acceptance and budget allocation through a separate action likely outside of the biennial budget given an award has not been received.	
7	Up-Front Facade Improvement Funding (Loan Fund)	To address barriers to participation in facade improvement program, revolving loan fund to be established to cover the up-front payment requirement of Facade Improvement Program.	EWD	\$675,000		<p>Up to \$45k per project for up to 15 projects. To be reimbursed to city by Redevelopment Successor Agency upon project completion.</p> <p>The Oakland Redevelopment Successor Agency does not reimburse the City for new programs. But the City has excess redevelopment bond funds remaining in the Facade Programs in four redevelopment areas - Broadway/MacArthur/San Pablo, Central District, Central City East, and Coliseum - and with modifications to the programs these funds could be used as proposed.</p> <p>In the past the City has paid the contractor directly for work. But if these are small projects and the businesses may want to do the work themselves, they may need funds to buy materials. The City could just turn the programs into loans for small projects and the loans could convert to grants when projects are completed. EWD Staff is willing to meet with CM Taylor to discuss details. The City will need to take program modifications to Council at a later date to accommodate any changes.</p>	GPF (1010)

	Title	Description	Dept	FY 21-22	FY 22-23	Explanation of Cost Estimate	Possible Fund
8	Performance Management System	Implement Performance Management System – Stand up a city-wide performance management system with a single-page dashboard for each department to report on City-wide and department specific priority metrics on a quarterly basis. (Resolution 87688)	City Admin	\$600,000	\$150,000	Funding for IT system upgrades and ongoing maintenance to accommodate improved monitoring and reporting of key performance indicators, as well as any required consultants to guide the process. \$450k for system upgrades... \$150k ongoing for City Admin staff to monitor and execute The proposal covers potential IT system upgrades but not enough staff to monitor and execute project. Staff estimates at least 3 senior/high level positions are needed to manage project. OpenGov, new budget platform, offers a performance management system, which could potentially be utilized.	GPF (1010)
9	Economic Development & Area Specific Planning	\$1M was allocated for this from the FY19-21 budget and very little if any has been spent. Please confirm that this is existing as part of the budget baseline	Building & Planning	N/A		Please confirm that the \$1M allocated to establishing an East Oakland Area Specific Plan in the FY 19-21 budget is still available and incorporated into the proposed FY21-23 budget. \$500k from year 1 of the FY19-21 budget is still available and will be carried forward into the FY21-23 biennial budget. O&M in FY20-21 was reduced and the remaining \$500k was not budgeted.	Development Services (2415)
10	Dangerous Tree Removal	Removal of the dead/dying Monterey Pine Trees that are threatening to fall and/or add fuel to a possible forest fire threatening life and safety of Oakland	DPW	160k \$180,000		Will allow for removal of 40 trees at \$4k per tree Estimates cost of 40 trees at \$4,500 per tree	GPF

	Title	Description	Dept	FY 21-22	FY 22-23	Explanation of Cost Estimate	Possible Fund
		Residents along Skyline Blvd between Redwood Road and Keller Ave?					
11	Beautification and Environment	Cost of 15 concrete cut-outs for tree wells in neighborhoods in East Oakland Flatlands to increase tree canopy and improve the health and beauty of the neighborhood environment	DOT	\$50k	25k	15 concrete cutouts at \$5k per cut-out. Confirmed	GPF
12	Beautification and Environment	Contracting with consultant to conduct a city-wide street sweeping survey/ study to inform improvements to street sweeping program		\$400k \$500,000 - \$1 million		\$400k for consultant - 1600 hours at \$250/hr	GPF
13	Youth Programming	Activation of Programming for Commercial Kitchens and Recording Studios at Rainbow Recreation center and Arroyo Viejo Park	OPRYD	\$250k \$230,604	\$250k \$239,012	4 programs @ \$125k each These 4 programs will require 2.0 FTE Recreation Program Directors (PP135), updated cost provided in red.	

Fund 2244 Parks Measure Q
The 2020 Oakland Parks and Recreation Preservation, Litter Reduction, and Homelessness Support Act

		FY 2021-22 Proposed Budget	FY 2022-23 Proposed Budget
Revenue		\$29,079,584.00	\$29,705,298.00
County Administration Fees & Local Measure Contract		\$451,968.00	\$451,968.00
Baseline Revenue Subject to Allocation		\$28,627,616.00	\$29,253,330.00
1% - Auditing and Evaluation of Programs, Strategies and Services Undertaken Pursuant to this Measure	1%	\$286,276.16	\$292,533.30
5% - Water Quality and Litter Reduction: Including Maintaining and Cleaning Stormwater Trash Collection Systems	5%	\$1,431,380.80	\$1,462,666.50
30% - Homelessness: Access to Temporary Shelter, Transitional and Supportive Housing, and Permanent Housing	30%	\$8,588,284.80	\$8,775,999.00
64% - Parks, Landscape Maintenance, and Recreational Services*	64%	\$18,321,674.24	\$18,722,131.20
Total Allocation	100%	\$28,627,616.00	\$29,253,330.00
*Restrictions: No more than 55% of revenue allocated to Parks, Landscape Maintenance, and Recreation Services may be used to preserve Current parks Operational Services.			
64% - Parks, Landscape Maintenance, and Recreational Services Allocation Break Down			
64% - Parks, Landscape Maintenance, and Recreational Services*	64%	\$18,321,674.24	\$18,722,131.20
Amount Available for Old Services	55%	\$10,076,920.83	\$10,297,172.16
Amount Available for New Services	45%	\$8,244,753.41	\$8,424,959.04

Fund 2244 Parks Measure Q
The 2020 Oakland Parks and Recreation Preservation, Litter Reduction, and Homelessness Support Act

<u>Revenues</u>	FY 2021-22 Proposed Budget			FY 2022-23 Proposed Budget		
	On-Going	One-Time	Total	On-Going	One-Time	Total
Baseline Revenue	\$ 27,500,930	\$ -	\$ 27,500,930	\$ 28,126,644	\$ -	\$ 28,126,644
Use of Fund Balance	\$ -	\$ 1,578,654	\$ 1,578,654	\$ -	\$ 1,578,654	\$ 1,578,654
Total Revenues	\$ 27,500,930	\$ 1,578,654	\$ 29,079,584	\$ 28,126,644	\$ 1,578,654	\$ 29,705,298

Fund 2244 Parks Measure Q						
The 2020 Oakland Parks and Recreation Preservation, Litter Reduction, and Homelessness Support Act						
Expenditures	FY 2021-22 Proposed Budget			FY 2022-23 Proposed Budget		
	On-Going	One-Time	Total	On-Going	One-Time	Total
Local Measure Contract	\$ 8,500	\$ -	\$ 8,500	\$ 8,500	\$ -	\$ 8,500
County Administration Fees	\$ 443,468	\$ -	\$ 443,468	\$ 443,468	\$ -	\$ 443,468
BASELINE REVENUE SUBJECT TO MEASURE ALLOCATION	\$ 28,627,616			\$ 29,253,330		
PERSONNEL						
1.00 FTE Business Analyst II (OPW - Existing)	\$ 199,802	\$ -	\$ 199,802	\$ 206,850	\$ -	\$ 206,850
O&M						
Auditing & Evaluation General O&M	\$ 86,475	\$ -	\$ 86,475	\$ 85,683	\$ -	\$ 85,683
1% - Auditing and Evaluation of Programs, Strategies and Services Undertaken Pursuant to this Measure	\$ 286,277	\$ -	\$ 286,277	\$ 292,533	\$ -	\$ 292,533
PERSONNEL						
1.00 FTE Engineer, Assistant I (Office) (OPW - Existing)	\$ 179,474	\$ -	\$ 179,474	\$ 185,804	\$ -	\$ 185,804
O&M						
Water Quality and Litter Reduction General O&M	\$ 1,015,408	\$ (538,502)	\$ 476,906	\$ 1,046,481	\$ 230,381	\$ 1,276,862
Capital Improvement: Storm Drainage Master Plan	\$ -	\$ 775,000	\$ 775,000	\$ -	\$ -	\$ -
5% - Water Quality and Litter Reduction: Including Maintaining and Cleaning Stormwater Trash Collection Systems	\$ 1,194,882	\$ 236,498	\$ 1,431,380	\$ 1,232,285	\$ 230,381	\$ 1,462,666
PERSONNEL						
1.00 FTE Budget & Grants Administrator (HSD - Existing)	\$ 213,875	\$ -	\$ 213,875	\$ 221,305	\$ -	\$ 221,305
1.00 FTE Case Manager I (HSD - Existing)	\$ 137,871	\$ -	\$ 137,871	\$ 142,661	\$ -	\$ 142,661
1.00 FTE Administrative Assistant II (CAO - Existing)	\$ 134,373	\$ -	\$ 134,373	\$ 139,238	\$ -	\$ 139,238
0.50 FTE Program Analyst II (HSD - New)	\$ 83,797	\$ -	\$ 83,797	\$ 86,708	\$ -	\$ 86,708
O&M						
CAO - Homelessness General O&M	\$ 905,562	\$ -	\$ 905,562	\$ 1,154,478	\$ -	\$ 1,154,478
CAO - One-Time Additional Homelessness O&M	\$ -	\$ 946,954	\$ 946,954	\$ -	\$ 325,759	\$ 325,759
CAO - Homelessness Pilot Program - RV Repair	\$ -	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ -
OPW - Encampment Clean-up - O&M and Overtime	\$ -	\$ 461,617	\$ 461,617	\$ -	\$ 651,784	\$ 651,784
HSD - Encampment Abatement	\$ 39,600	\$ -	\$ 39,600	\$ 39,600	\$ -	\$ 39,600
HSD - Hunger Program	\$ 100,000	\$ -	\$ 100,000	\$ 100,000	\$ -	\$ 100,000
HSD - Parcel Prop Interventions	\$ -	\$ 1,174,177	\$ 1,174,177	\$ -	\$ 1,367,850	\$ 1,367,850
HSD - Homelessness General O&M	\$ 79,691	\$ -	\$ 79,691	\$ 78,848	\$ -	\$ 78,848
HSD - Homelessness Contract Services for Permanent and Transitional Housing, Emergency Food Programs, and interim interventions	\$ 4,467,768	\$ -	\$ 4,467,768	\$ 4,467,768	\$ -	\$ 4,467,768
HSD - Personnel Carryforward	\$ -	\$ (407,000)	\$ (407,000)	\$ -	\$ -	\$ -
30% - Homelessness: Access to Temporary Shelter, Transitional and Supportive Housing, and Permanent Housing	\$ 6,162,537	\$ 2,425,748	\$ 8,588,285	\$ 6,430,606	\$ 2,345,393	\$ 8,775,999

Fund 2244 Parks Measure Q
The 2020 Oakland Parks and Recreation Preservation, Litter Reduction, and Homelessness Support Act

Expenditures	FY 2021-22 Proposed Budget			FY 2022-23 Proposed Budget		
	On-Going	One-Time	Total	On-Going	One-Time	Total
PERSONNEL						
1.00 FTE Administrative Assistant II (OPW - Exisiting)	\$ 139,267	\$ -	\$ 139,267	\$ 144,181	\$ -	\$ 144,181
0.26 FTE Manager, Parks Services (OPW - Exisiting)	\$ 93,163	\$ -	\$ 93,163	\$ 96,329	\$ -	\$ 96,329
19.25 FTE Gardener Crew Leader (OPW - Exisiting)	\$ 2,882,703	\$ -	\$ 2,882,703	\$ 2,983,039	\$ -	\$ 2,983,039
16.00 FTE Gardener II (OPW - Exisiting)	\$ 2,015,174	\$ -	\$ 2,015,174	\$ 2,085,303	\$ -	\$ 2,085,303
4.00 FTE Irrigation Repair Specialist (OPW - Exisiting)	\$ 645,008	\$ -	\$ 645,008	\$ 667,440	\$ -	\$ 667,440
3.70 FTE Park Attendant, PPT (OPW - Exisiting)	\$ 362,800	\$ -	\$ 362,800	\$ 375,460	\$ -	\$ 375,460
13.89 FTE Park Attendant, PT (OPW - Exisiting)	\$ 962,140	\$ -	\$ 962,140	\$ 983,046	\$ -	\$ 983,046
4.00 FTE Park Equipment Operator (One additional FTE funded in Year 2. - Year 2 total 5.00 FTE) (OPW - Exisiting)	\$ 614,188	\$ -	\$ 614,188	\$ 794,435	\$ -	\$ 794,435
4.00 FTE Park Supervisor I (OPW - Exisiting)	\$ 776,264	\$ -	\$ 776,264	\$ 803,256	\$ -	\$ 803,256
1.00 FTE Parks Supervisor II (OPW - Exisiting)	\$ 232,650	\$ -	\$ 232,650	\$ 240,544	\$ -	\$ 240,544
4.00 FTE Tree Trimmer (OPW - Exisiting)	\$ 629,192	\$ -	\$ 629,192	\$ 651,076	\$ -	\$ 651,076
O&M						
OPW - Park Building Maintenance General O&M	\$ 15,060	\$ -	\$ 15,060	\$ 15,022	\$ -	\$ 15,022
OPW - Landscape Maintenance General O&M	\$ 529,877	\$ 179,435	\$ 709,312	\$ 528,536	\$ (70,494)	\$ 458,042
Subtotal: Old Parks Services	\$ 9,897,486	\$ 179,435	\$ 10,076,921	\$ 10,367,667	\$ (70,494)	\$ 10,297,173
PERSONNEL						
2.00 FTE Construction & Maintenance Mechanic (OPW - Exisiting)	\$ 352,432	\$ -	\$ 352,432	\$ 364,600	\$ -	\$ 364,600
2.00 FTE Custodian (OPW - Exisiting)	\$ 213,964	\$ -	\$ 213,964	\$ 221,360	\$ -	\$ 221,360
2.00 FTE Painter (OPW - Exisiting)	\$ 352,348	\$ -	\$ 352,348	\$ 364,516	\$ -	\$ 364,516
7.00 FTE Gardener Crew Leader (OPW - Exisiting)	\$ 1,049,419	\$ -	\$ 1,049,419	\$ 1,085,665	\$ -	\$ 1,085,665
15.00 FTE Gardener II (OPW - Exisiting)	\$ 1,895,295	\$ -	\$ 1,895,295	\$ 1,960,725	\$ -	\$ 1,960,725
2.00 FTE Park Equipment Operator (OPW - Exisiting)	\$ 307,094	\$ -	\$ 307,094	\$ 317,700	\$ -	\$ 317,700
2.00 FTE Parks Supervisor I (OPW - Exisiting)	\$ 388,132	\$ -	\$ 388,132	\$ 401,534	\$ -	\$ 401,534
1.00 FTE Park Supervisor II (OPW - Exisiting)	\$ 224,659	\$ -	\$ 224,659	\$ 232,416	\$ -	\$ 232,416
1.00 FTE Administrative Assistant II (OPW - Exisiting)	\$ 139,267	\$ -	\$ 139,267	\$ 144,181	\$ -	\$ 144,181
1.00 FTE Tree Trimmer (OPW - Exisiting)	\$ 157,298	\$ -	\$ 157,298	\$ 162,731	\$ -	\$ 162,731
1.00 FTE Tree Worker Driver (OPW - Exisiting)	\$ 135,158	\$ -	\$ 135,158	\$ 139,826	\$ -	\$ 139,826
O&M						
OPW - Carryforward of Enhanced Parks Services	\$ -	\$ (3,500,000)	\$ (3,500,000)	\$ -	\$ -	\$ -
OPW - Landscape Maintenance General O&M	\$ 340,018	\$ -	\$ 340,018	\$ 452,940	\$ -	\$ 452,940
OPW - Additional Park Equipment and Supplies	\$ -	\$ 650,030	\$ 650,030	\$ -	\$ 369,823	\$ 369,823
OPW - Facilities General O&M	\$ 724,433	\$ -	\$ 724,433	\$ 544,106	\$ -	\$ 544,106
OPW - Tree Services General O&M	\$ 64,512	\$ -	\$ 64,512	\$ 61,176	\$ -	\$ 61,176
OPW - Overtime	\$ 30,000	\$ 350,000	\$ 380,000	\$ 21,000	\$ 350,000	\$ 371,000
Capital Improvement - Union Point Park Project	\$ -	\$ 1,179,000	\$ 1,179,000	\$ -	\$ -	\$ -
Council President's Proposed Budget						
Parks Minor CIP & Emergency Repair	\$ 400,000	\$ -	\$ 400,000	\$ 400,000	\$ -	\$ 400,000
San Antonio Park - Update lighting system for basketball courts with timers and photocells (using solar lighting), install moveable bleachers at soccer field, surface road repairs.	\$ -	\$ 250,000	\$ 250,000	\$ -	\$ -	\$ -
San Antonio Park Recreation Center - Equipment	\$ -	\$ 10,000	\$ 10,000	\$ -	\$ -	\$ -
Bella Vista Park - Resurface Tot Lot	\$ -	\$ 57,000	\$ 57,000	\$ -	\$ -	\$ -
Parks - Add Signage with Park Hours, Park Rules, and Maps (in at least four languages – English, Spanish, Chinese, and Vietnamese)	\$ -	\$ 100,000	\$ 100,000	\$ -	\$ -	\$ -
Arroyo Viejo Park - Irrigation, Plant, and Turf Restoration	\$ -	\$ 90,000	\$ 90,000	\$ -	\$ -	\$ -
Ball Fields - Irrigation, Plant, and Turf Restoration (Ricky Henderson, McConnel, Carter Gilmore, Poplar, Lowell, Ira Jenkins, and Bushrod Fields)	\$ -	\$ 200,000	\$ 200,000	\$ -	\$ -	\$ -
Caldecott Park - Water Restorations	\$ -	\$ 200,000	\$ 200,000	\$ -	\$ -	\$ -
Increase Park Attendant from 0.5 FTE to 1.0 FTE (Rose Garden - Oct. 1. Start Date)	\$ 72,407	\$ -	\$ 72,407	\$ 99,948	\$ -	\$ 99,948
Add 3.0 FTE Custodians for organized blitzes of Parks restrooms	\$ 263,908	\$ -	\$ 263,908	\$ 268,816	\$ -	\$ 268,816
Lake Merritt Bowling Green Restroom	\$ -	\$ 350,000	\$ 350,000	\$ -	\$ -	\$ -
Lake Merritt Restroom Trail Repair	\$ -	\$ 300,000	\$ 300,000	\$ -	\$ -	\$ -
Litter Receptacles	\$ -	\$ 40,000	\$ 40,000	\$ -	\$ -	\$ -
Restroom Paint Abatement	\$ -	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -
Remaining General O&M - To Be Allocated	\$ -	\$ 808,379	\$ 808,379	\$ -	\$ 461,896	\$ 461,896
Subtotal: New Parks Services	\$ 7,110,344	\$ 1,134,409	\$ 8,244,753	\$ 7,243,240	\$ 1,181,719	\$ 8,424,959
64% - Parks, Landscape Maintenance, and Recreational Services	\$ 17,007,830	\$ 1,313,844	\$ 18,321,674	\$ 17,610,907	\$ 1,111,225	\$ 18,722,132
Total Expenditures (from Revenue Allocations)			\$ 28,627,616			\$ 29,253,330
Total Expenditures	\$ 25,103,494	\$ 3,976,090	\$ 29,079,584	\$ 26,018,299	\$ 3,686,999	\$ 29,705,298

Fund 2244 Parks Measure Q		
The 2020 Oakland Parks and Recreation Preservation, Litter Reduction, and Homelessness Support Act		
Total FTE By Category	FY 2021-22 Proposed Budget	FY 2022-23 Proposed Budget
1% - Auditing and Evaluation	1.00	1.00
5% - Water Quality and Litter Reduction	1.00	1.00
30% - Homelessness	3.50	3.50
64% - Parks, Landscape Maintenance, and Recreational Services (See parks old and new allocations below)	107.10	108.10
55% - Old Parks	71.10	72.10
45% - New Parks	36.00	36.00
Total FTE	112.60	113.60

**Measure Q Budget Questions and Comments
FY 2021-23
Submitted by Measure Q Co-Chairs
John Bliss and Brooke Levin
June 6, 2021**

The voters approved Measure Q with an expectation that new services would be added to Parks, Homelessness and Clean Water operations and programs.

We appreciate the continued work by City staff and elected officials to ensure that the implementation of Measure Q is consistent with the direction of Oakland voters as manifested in the 2021-23 budget.

The comments/requests below are partially in response to the FY 2021-23 Proposed Biennial Budget Development Questions/Responses #2 May 24, 2021, and the FY 2021-23 Proposed Biennial Budget Development Questions/Responses #3 June 3, 2021.

1. Ensuring Correct Spending of Much Higher than Expected Revenue

With consideration to the much higher projected revenue (including some “one-time” revenue), a comprehensive approach to service improvements may need further development. There are still outstanding questions and the need for clarification for the entire spending plan under Measure Q. A comprehensive, descriptive document is needed to define the spending in terms of service deliverables under all of the Measure Q allocation categories.

Below is a summary of our understanding of the much higher than expected revenue:

Projected ongoing Parcel Tax Revenue FY 2021-22: \$27,500,930

While it is positive news that the revenue projections are higher than estimated, it is imperative we understand the effect and ensure that the additional revenue is spent consistent with Measure Q requirements. We need to carefully plan for and allocate “one time” versus “ongoing” revenue.

Also, it appears that there will be approximately \$4,150,930 more revenue in 2021-22 than the projected revenue in FY 2020-21. This amount is from the COLA and under projection of revenue.

Of this additional revenue, the projected “**Carry Forward**” (un-spent but allocated in FY 20-21) is \$3,155,000. It is important to understand that this “one-time” revenue, not re-occurring.

Also, there seems to be some “Fund Balance” revenue (un-spent and un-allocated in FY 20-21). Special care needs to be taken on this revenue to ensure this un-allocated revenue is spent consistent with Measure Q requirements in the approved allocations. It is important to understand that this is also “one-time” revenue, not ongoing.

Action Requested: Please provide the follow numbers:

Total 2020-21 Measure Q Revenue (projected) = \$27,355,083

Total 2021-22 Measure Q Revenue (projected)* = \$27,500,930 (a)

Total 2020-21 Measure Q (as Carry Forward) = \$3,907,000 (b)

Total 2020-21 Measure Q (as Fund Balance) = \$4,000,450 (c)

Total Other Revenue to Measure Q= \$0.00 (d)

Total 2021-22 Measure Q Budget (projected)= \$** (a+b+c+d)

*(This number should be consistent with the 2020-21 Measure Q revenue plus COLA and plus new development.)

Our review indicates that for the FY 2021-22 Budget, there is a minimum of \$4,150,930 in new on-going revenue and \$3,155,000 in one-time revenue, for perhaps a total of \$7,305,930, but we need your help clarifying it above!?!?

** The Budget Bureau does not agree with the formula provided above.

In order to calculate the anticipated available revenues (fund balance) at the end FY 2020-21 for use in the FY 2021-22 Proposed Budget, it should be as follows:

Fiscal Year	Projected Revenue	Projected Expenditures	Projected Available Fund Balance
2020-21	27,355,083	23,354,633	4,400,450*

Of the \$4,400,450 in projected available fund balance, \$3,157,308 is proposed to be used in the FY 2021-23 Proposed Budget.

This \$3,157,308 is divided equally over the two years and is added to the projected baseline revenue.

The use of unspent prior year resources (carryforward) should not be considered a revenue. In budgeting, carryforward is included on the expenditure side as a negative expenditure.

See Attachment D.

2. More information on Carry Forward and Fund Balance

More information is needed to clarify Attachment A (spreadsheet) in Q&A #2 and #3 responses. The detail on what is being funded with one-time revenue and what is funded with ongoing revenue is unclear.

Action Requested: Please indicate one time, ongoing, Carry forward, Fund Balance and/or Surplus and define each category in the Attachment A. Also, please add the 2020-21 Mid-cycle Budget allocation to the chart. This is important to track the MOE

that is part of Measure Q. Neither the first or second chart define the program deliverables.

Please see Attachment D.

3. Possible supplanting of funds

The 2021-23 Budget proposes to transfer positions and O&M costs in both OPW and Human Services that were funded from other funds into Measure Q for a total \$1,245,113.

This appears to be just a shift/supplanting of funds. It includes Tree Trimmers (4-FTE) \$610,864 (21-22), \$632,100 (FY 22-23), Accountants \$371,249 (21-22) \$411,395 (22-23), O&M \$163,000 each year, 211 contract \$100,000 each year. Total transfers in FY 21-22 \$1,245,113

Action Requested: Please remove the funding from Measure Q for these costs or give an explanation why it is allowable.

The transfer of positions and funding to the Parks Measure Q fund is allowable so long as it meets the maintenance of effort language. For full details for the breakdown of the categorical expenditures, please see the Attachment D

4. Possible incorrect assignment to Parks Allocation:

Encampment Clean-up and O&M for Overtime equipment (\$461,617 FY 21-22 and \$651,784 FY 22-23) does not seem eligible to be funded from the Parks allocation. (The City Q&A #2 response states its coming from the Parks allocation.) This type of work is not included in the Measure Q Ballot as a use, program or service under the Parks, Landscape Maintenance, and Recreational Services Section 3.B. 1.. It is an allowable use under Services to address Homelessness section 3. B. 2.b..

Action Requested: Please remove this funding from Measure Q Parks Allocation and perhaps move it to the Homelessness Services allocation. (It looks like this item needs to be assigned to Section 3.C.1 - the 30% of Measure Q for Homeless Services.)

The encampment clean-up funding of \$461,617 in FY 2021-22 and \$651,784 in FY 2022-23 has been recategorized within the homelessness portion of Parks Measure Q included in the Errata.

5. Correct funding source for the Park Supervisor II “Grant Writer”

A Park Supervisor II position is proposed to support grant writing, Q&A #2 describes this. It is not within the Measure Q “Uses” and will be in addition to a Parks Supervisor II added in the FY 20-21 Mid-Cycle (still not hired). (*Of course, we strongly support additional grant writing but it should be funded from another source.*) The Parks Supervisor II job classification does not include the function of applying for and administering grants. Also the description states that the position will “hire a full crew”, however, no crew members are included in the proposed budget.

Action Requested: This Park Supervisor II position needs to be a different, appropriate classification and funded from funds that provide for applying and administering

grants.

The Park Supervisor II position has been moved to the Landscaping and Lighting Assessment District Fund (2310) in the Errata.

6. Correct use of the \$2,250,000 in one-time carry forward funds.

Q & A #2 had a detailed proposal for this funding that seemed to be spread out across the City and focused on Park upgrades and minor facility improvements. Q & A #3 revised this list and is now proposing \$1,179,000 be spent on a Major Capital Improvement to Union Point Park due to a legal mandate.

The Measure Q Ballot Measure does not provide for Major CIP to be funded, it was intended and expressly written with specific lists of “uses” in each of the funding categories. The Parks, landscape maintenance, and recreational services section does not list major CIPs as an allowable use for this funding. (This also presents an equity issue with more than 50% of the funding going to one location in the City.)

Section 3. B. 1. (j):

“Purchasing equipment, such as vehicles and computers, supplies, facility improvements, minor additions, and building modifications”

Action Requested: Please inform us to the agency issued that issued Legal Mandate, and a copy so we better understand it. Also, it is recommended that funding for this Legal Mandate come from another source in the City CIP Budget (such as Measure KK that has an allocation for Parks, Recreation and Youth Development.).

The agency that issued the legal mandate was the San Francisco Bay Conservation and Development Commission. Please see the cease and desist attachment for additional information.

7. Budgeted costs may exceed 1% Administrative maximum:

It is our position that Accountant II's being “transferred” into Measure Q are administrative and not direct delivery. The mid-cycle already added positions to handle these functions, now additional positions are being proposed to shift funds out of the 2108 Fund to Measure Q (2244), far exceeding the 1% administrative allocation in the Measure Q.

Action Requested: Please modify the funding for these Human Services administrative costs to be funded from another fund.

The Parks Measure Q language does not have an administrative maximum of 1%, rather a 1% allocation for audit & evaluation purposes. The Parks Measure Q Attachment details the items categorized in the 1% audit & evaluation category. Regarding the Accountant II position, this position has been moved out of Parks Measure Q.

8. More clarification on equipment purchases

Action Requested: Please the define types of items the additional O & M would include for “additional Park Equipment” (\$650,030 FY 21-22 and \$369,833 FY 22-23). OPW

has requested to use this allocation primarily in the Facilities Unit for on-going O&M.

Equipment purchases can include a variety of items such as gardening tools, park equipment, landscaping supplies, and other general operation and maintenance equipment as needed to ensure that staff have the proper tools to maintain our City parks.

9. More clarification on \$1.7 million for parks, bathrooms and sanitation

The Q&R #2 document and the Q & A #3 do not have a proposed use for the \$1 million dollars in FY 2021-22. The proposed use of the funds in Q & A #3 seems reasonable and much needed to address restroom and sanitation issues throughout the City as well as health and safety issues with the “trail” repair at Lake Merritt. There was no proposal for FY 2022-23 in the response.

Action Requested: Clarification on the FY 2022-23 \$700,000 million dollars for parks, bathrooms and sanitation.

Per OPW's recommendation, the \$700,000 will remain in the budget as overtime (\$350,000 in each year).

10. More Clarification on Dedicated Staffing

Measure Q provided for dedicated staff at Parks through the City as defined in the Open Space and Recreation Element (OSCAR) of the General Plan (Section 3.B. 1. (m)). The list below are the parks that will have dedicated staffing once the hiring process is completed. This deliverable was committed to in the FY 2020-21 Mid-cycle Budget and positions and equipment were approved at that time.

The language in Measure Q :

“Providing staff at major parks. “Major Parks” means City operated Community Parks, Region-serving parks, and Resource Conservation Areas, as those are terms used in the Open Space Conservation & Recreation(OCSAR) Element of the Oakland General Plan.” Section (2 (B) (m)

Community Serving Parks:

- Mosswood
- Bushrod
- DeFremery
- San Antonio
- Brookdale
- Brookfield
- Arroyo Viejo
- Montclair
- Dimond

Region Serving:

- Lakeside
- Joaquin Miller (part)

Resource Conservation Areas:

- Glen Daniel/King Estates

- Dimond Canyon
- Garber
- Beaconsfield
- Claremont Canyon
- Joaquin Miller (part)
- Leona Heights/Open Space

Action Requested: Please define when that staff will be in place and what allocation or schedule they will have at the locations defined in Measure Q. With the large increase in ongoing revenue, this would be a good starting point for adding additional Park staff to assure that the “dedicated” staffing is adequate at these major locations.

Awaiting response from OPW.

11. Thank You!!!!

Working together, we will make sure the implementation of Measure Q is a huge success for significantly improved parks maintenance, homelessness services and water quality for all Oaklanders!

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600 fax 888 348 5190

State of California | Gavin Newsom – Governor | info@bcdc.ca.gov | www.bcdc.ca.gov

Via Electronic Mail

Issued BCDC

October 21, 2020

Commission Cease and Desist Order: CCD2020.001.00
Effective Date: October 21, 2020
Respondent: City of Oakland
1 Frank Ogawa Plaza, 11th Floor
Oakland, CA 94612
Attn: Joe Devries, Assistant to the City Administrator

To City of Oakland:

- I. Cease and Desist Order.** Pursuant to California Government Code Section 66638, the City of Oakland (“City”) is hereby ordered to:
- A. Cease and desist from violating the McAteer-Petris Act (“MPA”).
 - B. Carry out the measures described in the City’s Encampment Closure and Park Restoration Plan (“Plan”), attached as Exhibit 01, in accordance with the revised deadlines set forth in the letter from the City (“Letter”), attached as Exhibit 02.
 - C. Fully comply with the Requirements of Sections III, IV, and V of this Cease and Desist Order (“Order”).

II. Findings

This Order is based on the findings set forth below. The administrative record in support of these findings includes all documents cited herein and all documents cited in the Index of Administrative Record attached hereto.

- A. The violations subject to this Cease and Desist Order occurred at three adjacent locations in Oakland within the Commission’s Shoreline Band jurisdiction and public access areas required pursuant to BCDC Permit No. M2003.028.01 and BCDC Permit No. M2008.030.00 (“Permits”). The areas are depicted on Exhibit 03, attached, and include:
 1. Union Point Park, subject to Permit No. M2003.028.01, for which the permittees are the City and The Unity Council.
 2. Cryer Site Park, subject to Permit No. M2008.030.00, for which the permittees are the City and the Port of Oakland (“Port”).



3. A small beach area located between Cryer Site Park and Coast Guard Island Bridge (“Beach Area”), which is in the Commission’s Shoreline Band jurisdiction and subject to the City’s control.
- B. According to City staff, Cryer Site Park is considered part of the larger Union Point Park, and the two sites are treated as a single contiguous park, although they were constructed pursuant to separate BCDC authorizations. Except where noted otherwise, for purposes of this Order, and consistent with City practice, references to “Park” or “Union Point Park” refer to the collective area encompassing both sites.

Factual Findings

- C. On March 13, 2018, BCDC staff (“Staff” or “BCDC staff”) received a report of a violent attack in an unauthorized homeless encampment at Union Point Park. The report was substantiated by a March 10, 2018, news article in the East Bay Times, entitled “Man hurt in apparent hatchet attack at Oakland homeless camp; 1 arrested.” The report followed a phone call in January 2018 between Staff and a member of the public regarding the presence of homeless encampments in the Park.
- D. On June 5, 2018, Staff received a report that the City had conducted a cleanup operation and declared a closure area in the southeastern portion of the Park on May 15, 2018. According to the report, an arson fire had occurred on May 24, 2018, in the restroom of Union Point Marina, which is immediately adjacent to the Park’s public restroom. The report stated the arson followed numerous instances of break-ins and vandalism at the same restroom.
- E. On June 12, 2018, Staff received several photos from a member of the public, dated June 7, 2018, depicting unauthorized encampments in the northwestern portion of the Park. The photos also indicated the presence of numerous tents and debris in the adjacent Beach Area in BCDC’s 100-foot shoreline band jurisdiction, located outside the boundaries of the Park.
- F. On June 18, 2018, Staff received a report that the City had conducted another cleanup operation and declared a formal closure in the central portion of the Park on June 13 and 14, 2018. According to the report, within days, the Park was repopulated with encampments.
- G. On June 30, 2018, Staff received additional photos of the newly re-established encampments, along with reports of two instances of crime that had occurred nearby.
- H. On July 28, 2018, Staff spoke by phone with City staff members who reported that the City had cleaned up the Park approximately 18 or 19 times. The City staff stated that during those cleanup operations, individuals living in encampments had been asked to leave the Park but had usually returned after each operation. The City staff reported the City was unable to conduct maintenance work in the Park, due to individuals threatening City workers. They also reported the City once had rangers operating in the Park who provided needed services and security, but that the rangers had ceased operations in the Park approximately five or six years prior to 2018.



- I. On August 4, 2018, Staff received a report that many encampments previously located in the central or southeastern parts of the Park had relocated to the northwestern portion of the Park. The report also stated that Oakland Police reported that a member of the public had recently been severely beaten with a baseball bat in the Park and that there were repeated instances of threats, intimidation, and theft, making the area undesirable for the public.
- J. On November 2, 2018, Staff received a complaint from a member of the public, who described a lack of law enforcement occurring at Park, and reported he had been physically assaulted once, threatened several times, and robbed three times in the Park.
- K. On January 25, 2019, Staff received a report that the unauthorized encampments in the park were ongoing, and that a fire had occurred on January 23, 2019, in the northwestern portion of the Park.
- L. On February 1, 2019, Staff, along with the State Coastal Conservancy and the Association of Bay Area Governments, sent a joint letter to the City, the Unity Council, and the Port, formally expressing their concerns with the lack of maintenance and safe management of the Park.
- M. On February 4, 2019, City staff responded by email to the joint letter, stating that the City's Encampment Management Team was aware of the concerns and had addressed issues at the Park on a regular basis. The email stated that the City received similar complaints about access to the Park and would continue to provide regular clean-up operations.
- N. On February 7, 2019, Staff received a report of a new encampment of Recreational Vehicles ("RVs") at the Park's southeastern parking lot.
- O. On January 14, 2019, the Oakland Parks and Recreation Foundation released their "2018 Report on the State of Maintenance in Oakland Parks", which stated that Union Point Park was "completely unusable" and gave it a score of "F" – the lowest possible score in the report, and the only park in Oakland to receive that score.
- P. On March 19, 2019, Staff received a complaint from a member of the public, alleging a dramatic increase in the instances of crime in the Park's parking lots.
- Q. On March 21, 2019, Staff received an email stating the City had aborted an attempted cleanup operation at the Park on March 19 after a group of homeless individuals, with the help of advocates, sought a Temporary Restraining Order in Federal Court against the City.
- R. On April 5, 2019, Staff visited the Park to assess its current condition and found numerous tents and piles of debris throughout the Park.
- S. On April 23, 2019, Judge Charles Breyer of the United States District Court for the Northern District of California issued an order in the *Le Van Hung v. Schaff* matter enjoining the City from cleaning the Park in a manner that violates the City's stated policies. The Court referred the parties to a magistrate judge for further negotiations



regarding: (1) the City's voicemail policies and practices and Vacate Notices for addressing issues relating to personal belonging; and (2) the City's policies regarding shelter availability. The Order stated that after the parties reached resolution on the listed issues, the City could clean and clear the Park in compliance with its stated policies.

- T. Over the next several months, BCDC staff continued to receive multiple complaints about the state of the Park and its parking lots from members of the public, some of whom had previously contacted Staff. These include communications on April 23, May 17, May 24 (in which the reporter stated they would not bring their children to the area), June 24 (in which it was reported that a child had been shot in the Park), July 11 (when it was reported that conditions had deteriorated and rats were prevalent), July 23, and August 7.
- U. On August 20, 2019, BCDC staff were notified by the Oakland City Attorney's office that the federal injunction had been lifted on August 12 and that the City would conduct a clean and clear operation on August 20.
- V. On October 1, 2019, BCDC staff met with representatives from the City and The Unity Council, who informed Staff that on August 20, the City had conducted a clean and clear operation in the Park and its parking lots, including removing several tons of debris. The parking lots were declared formal closure areas, while the remaining portions of the Park were not. The City stated that many people and tents remained in the Park after the operation, and that upon Staff's request, the City would consider a formal closure operation in the inhabited areas of the Park. Also, on that day, Staff visited the site and visually confirmed the presence of numerous tents in the Park.
- W. On October 2, 2019, Staff visited the site again and found that, while the parking lots had been cleared, there remained numerous tents and facilities in need of maintenance throughout the Park.
- X. On October 22, 2019, BCDC staff again met with representatives from the City and the Unity Council. In that meeting, City staff shared a draft Encampment Closure and Park Restoration Plan, and BCDC staff provided feedback on that plan.
- Y. In October and November of 2019, Staff received additional complaints about the Park from members of the public, including the lack of enforcement of parking rules, and other complaints about multiple issues at the Park.
- Z. On November 6, 2019, BCDC staff again met with City staff and provided additional feedback on their draft Encampment Closure and Park Restoration Plan. In particular, BCDC staff requested additional details about the timeline for fully restoring the Park after the encampments were removed.
- AA. On November 8, 2019, BCDC staff again visited the Park to examine its condition. Staff found numerous tents, vehicles, and other evidence of people living in various areas throughout the Park; substantial amounts of dead or overgrown vegetation; numerous piles of debris; substantial graffiti; poorly maintained restrooms, barbecues, and



benches; multiple picnic tables that had been burned to the ground; and other instances of poor maintenance. Furthermore, Staff found that numerous public access amenities required under the Permits were missing entirely, including one bicycle rack, four required public shore and/or Bay Trail signs, and several picnic tables. Staff was not able to fully assess the specific number of missing amenities and improvements, due to the presence of encampments which prohibited access to many portions of the Park. Staff observed that the Park was unavailable to the public for safe walking, picnicking, or related purposes.

- BB. Also, during the site visit on November 8, 2019, Staff observed numerous tents and debris in the Beach Area, which is located adjacent to and outside the boundaries of the areas required as public access under the Permits.
- CC. On November 13, 2019, the City submitted an updated Encampment Closure and Park Restoration plan. City staff then presented this plan to the BCDC Enforcement Committee on November 20, 2019. At that meeting, the Enforcement Committee concurred with BCDC staff's plan to issue two Violation Reports, one for each Permit that had been violated, and to begin work on a proposed Cease and Desist order that would require the City to implement the Encampment Closure and Park Restoration Plan.
- DD. On December 2, 2019, BCDC staff mailed two Violation Reports. One was issued for BCDC Permit No. M2003.028.01 and named the City and the Unity Council as co-respondents, while the other was issued for BCDC Permit No. M2008.030.00 and named the City and the Port as co-respondents. The specific violations subject to this Cease and Desist Order are outlined in those two reports.
- EE. On January 6, 2020, the Port submitted a Statement of Defense in response to the Violation Report issued for Permit No. M2008.030.00, requesting that the Violation Report against it be dismissed by BCDC. The Port attached a copy of its lease with the City for lands on which the Violations occurred and pointed out provisions in the lease requiring the City to maintain the Park and associated public access improvements. The Statement of Defense asserted various legal defenses, including failure to state a claim against the Port and that the issuance of injunctive relief against the Port constitutes an improper demand of a gift of public funds. BCDC disputes the validity of the defenses asserted. However, the Port is not included in this Order. The injunctive measures in this Order require action by the City to bring the Park into compliance with the terms of the permits issued by BCDC.
- FF. On January 14, 2020, BCDC staff met with City staff to discuss the two Violation Reports and the City's Encampment Closure and Park Restoration Plan. Staff again requested several changes to the Encampment Closure and Park Restoration Plan. In particular, Staff requested additional information regarding the City's plans to fully restore the Park after removing the encampments.

- GG. Between January 28 and February 26, BCDC staff and City staff negotiated the provisions of the Encampment Closure and Park Restoration Plan and the requirements of the Cease and Desist Order, including deadlines for full restoration of the Park after removing the encampments. The City explained its concerns with committing to a fixed deadline, as full Park restoration will require new City funding, City Council approval, and a formal procurement process. Ultimately, BCDC staff and City staff agreed on a plan that includes a series of milestones as specified in greater detail in Section III below, including: removing all encampments from the Park and offering alternative housing options to the individuals affected; implementing near-term restoration and encampment enforcement measures; developing and implementing long term plans for park restoration, maintenance, and enforcement; and fully restoring the Park and its amenities. The Order also allows the Executive Director, upon request by the City, to grant time extensions of deadlines for appropriate reasons.
- HH. On February 4, 2020, City staff reported to BCDC that they had successfully closed encampments in the majority of the Park, established a temporary reprieve zone, and relocated remaining Park residents to that zone, as required under Condition III.A below. The operation included: removing remaining debris from the former encampment sites in the Park and Beach Area; installing mesh fencing, wash stations, and portable toilets in the reprieve zone; and community engagement and assistance offering by Operation Dignity, a partner organization. The photos in the report indicated that three abandoned vessels remained on the beach, which the City has committed to removing by September 1, 2020.
- II. On February 21, 2020, the City submitted a Statement of Defense in response to the Violation Report issued for BCDC Permit No. M2003.028.01. The City admitted that it had inadequately maintained the public access improvements required in the Permit and admitted that the violations had persisted since at least March of 2018. The City also noted that certain required amenities were still in place, although some were missing. In addition, the City noted that third parties had placed many of the unauthorized structures and materials in the Park.
- JJ. Also, on February 21, 2020, the City submitted a second Statement of Defense in response to the Violation Report issued for BCDC Permit No. M2008.030.00. The City admitted that it had inadequately maintained the public access area and improvements required in the Permit, and that the violations admitted to had persisted since at least June of 2018. The City also that certain required amenities were still in place, although some were missing. In addition, the City noted that third parties had placed many of the unauthorized structures and materials in the Park.
- KK. In both Statements of Defense, the City stated they are undertaking a needs evaluation to determine the extent of park maintenance needs, and included evidence regarding their efforts to address a significant increase in unsheltered people and the challenges the City faces regarding funding for parks and park maintenance. While BCDC staff

disputes some assertions in the Statements of Defense, BCDC acknowledges the challenges the City faces regarding homeless encampments in City parks.

- LL. On March 12, 2020, at BCDC's Enforcement Committee meeting, the Committee voted to adopt the proposed Order as written at that time. The proposed Order was tentatively scheduled for Commission consideration on April 2, 2020.
- MM. On March 16, 2020 in response to the COVID-19 emergency, six Bay Area Counties, including Alameda County and the City and County of San Francisco, issued a public health shelter-in-place order. BCDC cancelled the April 2, 2020 Commission meeting, and the proposed Order was not presented to, or adopted by, the full Commission at that time.
- NN. Also, on March 16, 2020, the City emailed BCDC staff a request to extend certain deadlines in the proposed Order by 30 days, explaining that the City had to re-deploy resources to emergency response efforts. Staff replied with an email granting the requested extension.
- OO. On April 9, the City sent a letter to BCDC staff (Exhibit 02, "Letter"), requesting further extensions of between 60 and 120 days, depending on the measure, to the deadlines in the proposed Order. In the letter, the City stated that many of the Order's requirements would contravene the local shelter-in-place order and endanger public health, and that the City's encampment priorities were currently focused on following Center for Disease Control guidance and preventing the spread of the disease.
- PP. On April 22, 2020, at a noticed Enforcement Committee meeting, the Enforcement Committee voted to adopt revisions to the proposed Order incorporating the revised deadlines requested by the City in the April 2, 2020 Letter. The conditions set forth in Section III below incorporate the revised deadlines as requested in the Letter.
- QQ. On May 21, 2020, the Commission considered the Enforcement Committee's recommended decision, including a proposed Cease and Desist Order with the revised deadlines, and the arguments and comments presented by BCDC staff and the City. The Commission remanded the matter to the Enforcement Committee, directing that the Committee consider changes to the Extension of Time provisions of the Cease and Desist Order to recognize the impact of the coronavirus pandemic and the potential need for extensions to the deadlines related to the extension. In approving the remand, the Commission also requested that the Enforcement Committee Chair and the Commission be informed regarding extension requests and the actions taken on them.
- RR. On August 13, 2020, at a noticed Enforcement Committee meeting, the Enforcement Committee voted to adopt revisions to the proposed Order to integrate language to recognize the changed circumstances related to the COVID-19 emergency. In the revisions adopted by the Enforcement Committee, the deadlines for clearing the encampments from the Park were tied to a defined "Triggering Event," which would include the adoption by the Oakland City Council of a resolution ending the previously

declared local emergency or the lifting of the mandatory shelter in place order by the Alameda County Health Department.

- SS. After the Enforcement Committee meeting, BCDC received a number of comments from residents of the adjacent Union Point Marina and the Union Point Marina Harbormaster expressing concern about the deteriorating Union Point Park situation and increasing threats to marina residents. The comments described several violent events, as well as threats and acts of vandalism.
- TT. On September 17, 2020, the Commission considered the Enforcement Committee's recommended decision, including the proposed Cease and Desist Order with the revised deadlines for clearing the encampments, and the arguments presented by BCDC staff and comments presented by the City and the public, particularly the residents of the neighboring marina. The Commission expressed concern about the violent incidents that the marina residents described and remanded the matter to the Enforcement Committee, directing that the Committee consider adopting an order with defined deadlines ensuring that the encampments would be removed from the Park.
- UU. On October 1, 2020, at a noticed Enforcement Committee meeting, the Enforcement Committee voted to adopt revisions to the proposed Order incorporating the revised deadlines.
- VV. On October 15, 2020, the Commission considered the Enforcement Committee's recommended decision, including a proposed Cease and Desist Order with revised deadlines to undertake a partial and full closure and clearing of the encampments, and the comments from the City and the public. The Commission adopted the Enforcement Committee's recommended decision, including the Cease and Desist Order, without any changes.

Legal findings

- A. The encampments and unauthorized activities in Union Point Park interfere with the use of the Park by the public for public purposes including walking, viewing, picnicking, and related purposes, in violation of Special Condition II.C.1 of Permit No. M2003.028.01 and Special Condition II.B.1 of Permit No. M2008.030.00.
- B. Park amenities, including benches, picnic tables, bicycle racks, and signs, are either missing from Union Point Park or substantially degraded, in violation of Special Condition II.C.2 of Permit No. M2003.028.01 and Special Condition II.B.2 of Permit No. M2008.030.00.
- C. The numerous maintenance issues detailed above, including accumulated trash, degraded landscaping, and damaged park amenities violate Special Condition II.C.3 of Permit No. M2003.028.01 and Special Condition II.B.4 of Permit No. M2008.030.00.
- D. The encampments and unauthorized materials in the Beach Area adjacent to Union Point Park constitute unauthorized fill in violation of Section 66632 of the McAtteer-Petris Act and the encampments could not be authorized consistent with San Francisco



Bay Plan Recreation Policy 3.g “Beaches”, which states that “Sandy beaches should be preserved, enhanced, or restored for recreational use, such as swimming, consistent with wildlife protection”, among other relevant Bay Plan policies.

III. Conditions

- A. **Partial Encampment Closure and Re-establishment of Secondary Priority Area.** In January of 2020, consistent with the first draft Encampment Closure and Park Restoration Plan that the City developed, the City created a Secondary Priority Area at the northwest end of the park and temporarily relocated all individuals residing in the Park, including those residing in the Beach Area, to the Secondary Priority Area. The City then began providing services to the individuals residing in the Secondary Priority Area as described in the first draft Plan, including but not limited to portable toilets, wash stations, and weekly garbage pickup. Since that time, some encampments have emerged outside of the Secondary Priority Area.

To address the reemergence of encampments outside of the Secondary Priority Area, no later than November 15, 2020, the City shall conduct a second encampment closure intervention in the areas of the Park south of the Western parking lot, in the Beach Area, and all other areas outside the Secondary Priority Area and ensure that people residing in the Park outside of the established Secondary Priority Area are relocated to housing arrangements outside of the Park or are relocated to the established Secondary Priority Area. The City shall then clean up and remove any debris, abandoned vessels, or other unauthorized structures remaining in the other areas of the Park and the Beach Area outside of the Secondary Priority Area.

1. Within one week of removing all people residing in the Park outside of the Secondary Priority Area, the City shall submit documentation to BCDC, including photographic evidence, that the only remaining encampments are within the Secondary Priority Area. Thereafter, on or before the 10th day of the month, the City shall submit monthly updates, with photographic evidence, setting forth the conditions in the Park and the number of individuals and vehicles that have appeared in the Park and efforts to remove them.
2. Consistent with the attached Encampment Closure and Park Restoration Plan (“Plan”), the City shall continue to provide services to the individuals residing in the Secondary Priority Area as described in the Plan, including but not limited to portable toilets, wash stations, and weekly garbage pickup.

B. **Full Encampment Closure.**

Not later than February 12, 2021, consistent with the attached Plan, the City shall conduct an encampment closure intervention in the entirety of the Park and relocate all remaining individuals to a location outside the Park and Beach Area. Upon conducting the full encampment closure, the City shall remove all temporary amenities including fencing, portable toilets, and wash stations, and clean up and remove any remaining debris.



1. Within one week of the full encampment closure, the City shall submit documentation of the action to BCDC, including photographic evidence.
- C. **Subsequent Closures and Encampment Prevention.** Starting immediately after the Full Encampment Closure, the City shall regularly monitor the Park and Beach Area to prevent the establishment of new encampments.
1. Regular monitoring shall be conducted throughout the Park, and starting upon full closure of all encampments in the Park, this regular monitoring shall extend to the area formerly enclosed by the Reprieve Zone.
 2. No later than January 15, 2021, the City shall develop and submit for review and approval by BCDC staff a formal long-term encampment enforcement plan. The plan shall include: (1) regular monitoring of the Park and Beach Area; (2) protocols for identifying and responding to any persons or vehicles remaining in the Park overnight; (3) establishing and posting at the Park, in a clearly visible location, a reporting telephone number for area residents and stakeholders to report any incidents to the City, and regularly ensuring that posting is maintained and clearly visible; (4) a protocol for responding to reports of vehicles or tents in the Park within 48 hours; (5) a protocol for conducting subsequent encampment closures at the Park; and (6) any other measures as deemed necessary and appropriate by the City.
 3. The City shall make changes to the plan as requested by Staff and resubmit that plan in a timely manner.
- D. **Park Activation.** No later than January 1, 2021, the City shall submit information to BCDC on its plans to activate the Parks and promote their use by area residents, businesses, and other stakeholders. The information provided shall be sufficient to allow Staff to evaluate the planned measures and inform the City of any BCDC approvals required for such park activities. The City shall respond to requests from Staff for further information in a timely manner.
- E. **Park Restoration, Maintenance, and Enforcement.** Consistent with the attached Plan and Letter, the City shall take the actions specified below to ensure that the Park and associated amenities remain well-maintained, fully accessible to the public, free of unauthorized encampments, and in full compliance with the Permits, in accordance with the following timeline:
1. **Near-term Restoration Measures.**
 - a. No later than April 15, 2020, the City shall install and maintain temporary safety lighting in the northwestern parking lot area to promote safe use of this area and deter unauthorized activity.
 - b. No later than November 1, 2020, the City shall install the missing bicycle rack required under Permit No. M2003.028.01 in accordance with the currently approved plans.

- c. No later than January 1, 2021, the City shall submit to BCDC staff for review and approval its plans for installing missing public access signage as required under the Permits, including the proposed locations, specifications, and dimensions. The signage plans shall comply with BCDC's latest signage guidelines and signage graphics, found on the BCDC website.¹ The City shall make any changes to the plans requested by BCDC and resubmit the plans in a timely manner.
 - d. The City shall install the required public access signage within 60 days of receiving plan approval by BCDC.
 2. **Needs Assessment.** No later than March 1, 2021, the City staff shall complete a needs assessment for the full restoration of the Park, for inclusion in a proposal during the City's mid-cycle budget process. At the same time, the City shall submit the needs assessment to BCDC staff.
 3. **Long-term Maintenance Plan.** No later than September 1, 2021, the City shall develop and submit for review and approval by BCDC staff a long-term Maintenance Plan to ensure the City complies with Special Condition II.C.3 (Maintenance) of Permit No. M2003.028.01 and Special Condition II.B.4 (Maintenance) of M2008.030.00. The City shall make changes to the Maintenance Plan as requested by BCDC and resubmit the plan in a timely manner.
 4. **Restoration Plan and Permit Amendment Request.** No later than September 1, 2021, the City shall develop and submit for review and approval by BCDC staff a comprehensive Restoration Plan for restoring the Park and associated amenities to a condition compliant with the requirements of the Permits. The Restoration Plan shall address all existing amenities required in the Permits, including bicycle racks, benches and seating areas, landscaping, pathways, picnic tables, the playground and pergola, public access and/or Bay Trail signage, restrooms, and trash containers. In the event that the City wishes to add new permanent safety lighting or retain and repair the existing lighting in the Park, the Plan shall also include a long-term plan for permanent lighting. The Restoration Plan shall include an assessment of the total cost required, a Scope of Work, and an implementation schedule with deadlines for completion of individual tasks. In the event that the Restoration Plan proposes changes to the Park's design, layouts, and/or amenities as set forth in the Permits and accompanying approved plans, the City shall also submit a formal request to amend one or both of the Permits, or, as appropriate, a request for plan review and approval by BCDC, in advance of commencing related work. Should the City question whether a permit amendment and/or plan approval is required, the City shall contact BCDC staff to receive guidance sufficiently in advance of the November 1, 2020, deadline. The City shall make changes to the Restoration Plan as requested by BCDC and resubmit the plan in a timely manner.

¹ For BCDC's Public Access Signage Guidelines, see: <https://www.bcdc.ca.gov/planning/SSSG.pdf>
For BCDC's Public Access Signage Graphics, see: <https://www.bcdc.ca.gov/publications/signage/getSigns.html>

5. **Progress Reports.** No later than 10 days after completing each task specified in the Restoration Plan, the City shall submit to the Enforcement Program Manager a written statement certifying that the task has been completed in accordance with the Restoration Plan. The statement shall be signed by the Oakland City Administrator or his/her designee and shall be accompanied by photographs or other evidence to document the completion of the task.
6. **Completion of Park Restoration.** No later than April 1, 2022, the City shall fully restore the Park to a condition compliant with all requirements of the Permits, as they may be amended. The City shall continue to maintain the Park and all associated amenities in accordance with the requirements of the Permits and shall prevent the establishment of new encampments in the Park and Beach Area in accordance with the Maintenance Plan and Encampment Enforcement Plan. Notwithstanding Section III.F.1 below, if the City determines that additional time is required to fully restore the Park, the City shall submit a written request for time extension no later than January 2, 2022. The request shall include: 1) an explanation of why additional time is required, and 2) a description of restoration actions that can be completed prior to April 1, 2022, and those that will require additional time. The Executive Director may grant an appropriate extension of time, for demonstrated good cause, based on the submitted request.

F. Extension of time.

1. If the City encounters any unforeseeable event arising from a cause or causes beyond its control, including an unforeseen limitation or restriction related to the COVID-19 emergency beyond what is anticipated in the Plans, that will delay timely compliance with the provisions of paragraphs III.A through III.E above, the City shall notify BCDC's Enforcement Program Manager by writing within five (5) business days of when the City first knows of the event. The written notice must describe the cause(s) of the delay, the anticipated length of time the delay may persist, the measures taken or to be taken by the City to prevent or minimize the delay, the schedule by which the measures may be implemented, and the additional time requested to comply.
2. The Executive Director may grant an appropriate extension of time, for demonstrated good cause, to comply with any provision of paragraphs III.A through III.E above. The Executive Director shall inform the Enforcement Committee Chair and the Commissioners of any extensions that are granted pursuant to section III.F.1. above, and the duration of the delay, within 20 days of granting the extension.

IV. Terms.

- A. Under Government Code Section 66641, any person who intentionally or negligently violates any cease and desist order issued by the Commission may be liable civilly in the sum of up to \$6,000 for each day in which such violations persist. In addition, upon the failure of any person to comply with any cease and desist order issued by the



Commission and upon the request of the Commission, the Attorney General of the State of California may petition the superior court for the issuance of a preliminary or permanent injunction, or both, restraining the person or persons from continuing any activity in violation of the cease and desist order.

B. This Order does not affect any duties, right, or obligations established under private agreements or by the laws and regulations of other public bodies.

C. The City must conform strictly conform to the express terms of this Order.

D. This Order does not constitute a recognition of property rights.

E. This Order is effective upon issuance thereof.

V. Opportunity for Judicial Review. Under Government Code Sections 66639 and 66641.7(a), within thirty days after service of a copy of a cease and desist order and civil penalty order issued by the Commission, an aggrieved party may file with the superior court a petition of writ of mandate for review of the order pursuant to Section 1094.5 of the Code of Civil Procedure.

For the San Francisco Bay Conservation and Development Commission

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LAWRENCE J. GOLDZBAND
Executive Director



Exhibit 01

Union Point Park Encampment Closure and Park Restoration Plan September 2020

Re: Enforcement Investigation Nos. ER2018.028
Permits M2003.028.01 and M2008.030.00

I. Background

Union Point Park is a nine-acre waterfront park located near Coast Guard Island and along the Embarcadero shoreline in the City of Oakland. The park was dedicated in 2005 and is subject to BCDC Permit Nos. M2003.028.01 and M2008.030.00. Encampments began to appear in the central area of the park around 2015 as the homelessness crisis increased in Oakland. Over time this population grew to include the hill area, the area above the Western parking lot, and the Eastern parking lot.

II. Actions Taken Prior to COVID-19 Outbreak

In June 2018, the City's Encampment Management Team reduced the encampments in the park through clean-up and enforcement action. This effort was successful at removing encampments from the Eastern parking lot, the hill area, and most of the central portion of the park. A small group remained under the berm along Embarcadero and in the westernmost section of the park.

In March 2019, in response to a new group of people living in RVs that moved into the Eastern parking lot, the City planned a closure/enforcement action but a Temporary Restraining Order was granted in Federal Court halting the City's efforts. Although the City eventually prevailed in this case, the settlement conference extended over several months and the City was prevented by court order from enforcing the closure until August. In August 2019, the City performed a major operation resulting in the removal of vehicles from the parking lots.

On December 2, 2019, BCDC issued two violation reports relating to Union Point Park.

In January 2020, the City conducted cleanup and enforcement operations that required any individuals in encampments south of the Western parking lot to relocate, the area prioritized for public access. Legal closure notices were posted in the park January 24, 2020. Individuals located on the beach area adjacent to the Cryer Building were also required to relocate. In addition, portable toilets and wash stations were installed on the northwestern end of the park. Temporary mesh construction fencing was installed to demarcate an area outside of which would be prioritized for the maintenance of general public access to the park.

Since January 2020, Human Services has provided regular outreach and Housing Navigation efforts with individuals in encampments at the park. These outreach efforts are intended to provide housing options to unhoused residents, which would result in the reduction in the

number of individuals in encampments at the park. The nearby Miller Community Cabins are being prioritized for encampment residents as those cabins become available.

The Public Works Department has additionally continued to provide weekly garbage service and the City has continued to provide portable toilet and hygiene stations near the northwest end of the park. More recently, through a newly approved program, the Public Works Department has placed at the park a trash dumpster, which is picked up every two to three days.

In February 2020, the City of Oakland Public Works Department conducted temporary repairs to restore power to lights within the Western parking lot.

After conducting the January 2020 cleanup and enforcement operations, the City intended to conduct a follow-up operation in September 2020 to relocate any individuals who were continuing to reside in the park.

III. Responding to the COVID-19 Pandemic

While subsequent studies and analysis have shown that SARS-CoV-2, which causes COVID-19, may have been present in the Bay Area as early as January 2020, public health concern began to grow toward the beginning of March 2020. On March 7, 2020, the Oakland City Administrator declared a local emergency due to the COVID-19 pandemic. The City Council confirmed the existence of a local emergency by Resolution No. 88075 on March 12, 2020. On March 16, 2020, the Alameda County Public Health Department issued a mandatory shelter in place order. On March 17, 2020, the City Administrator suspended towing of vehicles, including oversized vehicles like RVs, unless the vehicles are blocking access, causing an immediate hazard, or are deemed a public safety concern.

On March 18, 2020, the Governor of California issued Executive Order N-32-20, an order suspending certain provisions of the State Health and Safety Code and State Public Resources Code to allow for expenditures and shelter interventions related to homelessness.

On March 23, 2020, the Oakland City Administrator issued an Emergency Order that, among other things, suspended all City of Oakland policies and procedures related to homelessness encampments for the duration of the local emergency or until such time as the order is rescinded or the City Council terminates the emergency, whichever is the earliest. This included suspension of the City's Encampment Management Policy ("EMP") and its Public Works Standard Operating Procedure for Removal of Homeless Encampments ("SOP"). The City Administrator additionally authorized the adoption of interim temporary policies and procedures that are consistent with State and Alameda County orders, policies and procedures issued in response to the COVID-19 emergency as they relate to homeless encampments.

The City subsequently adopted a Temporary Encampment Management Policy ("TEMP") which currently serves as the interim temporary policy the City of Oakland will use for the duration of the local emergency, unless and until it is amended or superseded by any subsequent policies so promulgated.

Additionally, on March 27, 2020, the Oakland City Council adopted Resolution No. 88077 C.M.S. requesting that the City Administrator follow the Center for Disease Control's Interim Guidance regarding homelessness encampments.¹ The Interim Guidance states

Lack of housing contributes to poor physical and mental health outcomes, and linkages to permanent housing for people experiencing homelessness should continue to be a priority. In the context of COVID-19 spread and transmission, the risks associated with sleeping outdoors or in an encampment setting are different than from staying indoors in a congregate setting such as an emergency shelter or other congregate living facility. Outdoor settings may allow people to increase physical distance between themselves and others. However, sleeping outdoors often does not provide protection from the environment, adequate access to hygiene and sanitation facilities, or connection to services and healthcare. The balance of risks should be considered for each individual experiencing unsheltered homelessness.

Among other things, the CDC Guidance recommends the following:

- Unless individual housing options are available, local governments should not clear encampments during community spread of COVID-19. Clearing encampments can cause people to disperse throughout the community and break connections with service providers. This increases the potential for infectious disease spread.
- Local governments should encourage people staying in encampments to set up sleeping quarters with at least 12 feet by 12 feet of space per individual.
- Local governments should ensure nearby restroom facilities have functional water taps, are stocked with hand hygiene materials, and remain open to people experiencing homelessness 24 hours per day. If toilets or handwashing stations are not available, local governments should provide access to portable latrines with handwashing stations for encampments of more than 10 people.

In accordance with the CDC Guidance, the City's TEMP places emphasis on providing interventions focused on garbage/debris pickup, public health material provision, including the provision of hygiene facilities and supplies, and public health communications. Public health clean and clear interventions are to occur only where there are presumptive positive and/or confirmed cases of or exposure to COVID-19, confirmed cases of or exposure to other infectious diseases, excessive animal or vermin vector hazards, uncontrolled presence of biological hazards, a notice of public health emergency or need for encampment decompression as declared by a county, state, or federal public health entity, or where the location of the encampment is needed to provide services needed to address the COVID-19 health crisis. Similarly, factors to consider prior to conducting a public safety clear and clear intervention are provided in the TEMP. A partial or full closure is to occur only upon finding that, due to the presence of one or more of the

¹ https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fneed-extra-precautions%2Funsheltered-homelessness.html

factors mentioned above, intervention is necessary to protect public health or safety. The TEMP additionally provides notice procedures regarding any of the above interventions.

On March 28, 2020, in hotels leased by the state and/or the county, Alameda County began offering hotel-based shelter interventions to individuals needing shelter due to COVID-19 exposure or risk.

IV. Restoration of Encampment Management After the COVID-19 Pandemic

For the remainder of the public health emergency, the City of Oakland's efforts will be focused on ensuring compliance with the TEMP and CDC Guidelines while continuing to provide sanitation services, weekly garbage pickup, and outreach to individuals remaining in encampments. BCDC has requested that the City review whether the public health and safety factors identified in the TEMP are present in Union Point Park and whether, due to their presence, necessitate an encampment intervention.

In accordance with the BCDC cease and desist order, the City will be required to recommence efforts to maintain the park free of encampments.

Timeline:

No later than February 12, 2021: The City will undertake an encampment closure, complying with the procedural requirements of the TEMP or any subsequently adopted Encampment Management Plan, and will remove temporary mesh fencing, portable toilets, wash stations, and any remaining debris. In the event of litigation challenging the City's efforts to close the encampment, the City agrees to diligently defend and take the actions necessary to carry forward the commitment to close the encampment. In the event that a court order prevents the City from conducting the intervention within the timeline, the City will notify BCDC staff of the order and will meet and confer with BCDC staff to establish the earliest possible date to undertake an intervention that complies with legal requirements.

The City will submit to BCDC a long-term Encampment Enforcement Plan outlining the City's presence within the park, protocols for when an individual sets up a new encampment, the City's 311 telephone service for reporting incidents, and any other measures deemed necessary and appropriate by the City.

V. Park Restoration Efforts

Union Point Park has sustained damage to landscaping and park improvements due to resource strain, deferred maintenance, and the unique challenges imposed by the present of persons experience homelessness. Long-term improvements to the park will continue to be impeded until an encampment intervention is able to occur.

In 2019, the City conducted a preliminary assessment of the damaged lighting that indicated a repair cost of up to \$500,000. City staff are additionally examining the cost of additional repairs to the bathrooms, landscaping, benches, and other amenities, with the latest estimate totaling \$1.2 million. These efforts were halted as the City was forced to prioritize emergency response

to the COVID-19 pandemic, followed by a robust discussion surrounding significant citywide budget cuts that had to be adopted by June 2020. The mid-cycle budget amendments did not include a line item for long-term capital improvements to Union Point Park or for commencing a bid process to develop a needs assessment.

Due to the extent of the property damage a project of this scope and magnitude will exceed existing contract capacities and existing vendor/contractor capabilities. These large repair projects will need to be addressed through a standalone Capital Improvement Program (CIP) public project with corresponding formal procurement timelines, which will require City Council approval. Due to the extent of restoration to be addressed, any CIP public project may include additional discussion about broader improvements and modifications at the park, which could require an amendment to the existing BCDC permits for the park.

In the interim, staff will continue to seek temporary maintenance solution. As previously mentioned, in February 2020, the City of Oakland Public Works Department conducted temporary repairs to restore power to lights within the western parking lot area that impacts marina residents on a nightly basis. Although the park is closed from dusk to dawn, this lot serves as residential parking for the marina residents.

Timeline:

Upon Adoption of the CDO: The City will recommence engagement with community partners to discuss future activation of the park.

January 1, 2021: The City will provide BCDC staff with information in writing on proposed efforts for future park activation, with a request that BCDC inform the City of any approval necessary from BCDC for such park activation.

January 1, 2021: The City will submit a plan to BCDC for reinstalling missing public access signage.

November 1, 2020: The City will install any missing bicycle racks required under the Permits in accordance with the currently approved plans (three bike racks total).

March 1, 2021: City staff will conduct a needs assessment that would be included in a proposal during the two-year budget process for restoration of the park. A subsequent needs assessment by an outside contractor may be required after the City budget adoption.

June 30, 2021: City deadline for adoption of two-year budget.

September 1, 2021: The City will submit a comprehensive restoration plan and long-term maintenance plan and as necessary an application for amendments to BCDC permits to reflect modifications to the park, based on any park improvements approved by City Council. Timelines for implementation would be included in the plan or any submitted application for permit amendment. In the event that BCDC denies a requested application for amendments to the BCDC permits, the City will request to meet and confer with BCDC staff to discuss a revised application for amendment to the BCDC permits. The

City would then submit to BCDC a revised application within a reasonable amount of time after the BCDC decision to deny the City's first application for amendment and after any conferral with BCDC staff.

Secondary Priority Area:

On the following page, the secondary priority area is outlined in red and blue and allows for access to the pathway from the westernmost end of the park to the rest of the park. The goal is to prioritize public access to the portion of the park south of the western parking lot. Efforts to keep the walkway open will be in place by using temporary mesh construction fencing. The photo on the last page displays the zone in relation to the entire park for reference.

