

Sugar-Sweetened Beverage Community Advisory Board

Regular Meeting

July 13th, 2020 ■ 6:30pm-8:30pm

Zoom Teleconference

Please click the link to join the teleconference: <https://us02web.zoom.us/j/86310346439>

Pursuant to the Governor's Executive Order N-29020, all members of Sugar-Sweetened Beverage Community Advisory Board as well as City staff will join the meeting via phone/video conference and no teleconference locations are required.

TO OBSERVE:

1) To view the meeting by Zoom video conference, please click on this link:

<https://us02web.zoom.us/j/86310346439> at the noticed meeting time.

2) To listen to the meeting by phone, please call the numbers below at the noticed meeting time: Dial (for higher quality, dial a number based on your current location): +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592; Webinar ID: **86310346439**

TO COMMENT:

1) To comment by Zoom video conference, you will be prompted to use the "Raise Your Hand" button to request to speak when Public Comment is being taken on the eligible Agenda item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted.

2) To comment by phone, you will be prompted to "Raise Your Hand" by pressing "* 9" to request to speak when Public Comment is being taken on the eligible Agenda Item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted.

ADDITIONAL INSTRUCTIONS:

1) Instructions on how to join a meeting by video conference is available at: <https://support.zoom.us/hc/en-us/articles/201362193%20-%20Joining-a-Meeting#>

2) Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663%20Joining-a-meeting-by-phone>

3) Instructions on how to "Raise Your Hand" is available at: <https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-In-a-webinar>

Public Comment:

The SSB Advisory Board welcomes you to its meetings and your interest is appreciated.

· If you wish to speak before the Board, please fill out a speaker card and hand it to the staff supporting the Board.

· If you wish to speak on a matter not on the agenda, please sign up for Open Forum and wait for your name to be called.

· If you wish to speak on a matter on the agenda, please approach the Committee when called, give your name, and your comments.

Please be brief and limit your comments to the specific subject under discussion. Only matters within the SSB Board's jurisdiction may be addressed. Time limitations shall be at the discretion of the Chair.

In compliance with Oakland's policy for people with chemical allergies, please refrain from wearing strongly scented products to meetings. In compliance with the American Disabilities Act, if you need assistance to participate in the meetings for the Sugar-Sweetened Beverages Community Advisory Board, please contact the Human Services Department at 510-238-3088. Notification 48 hours prior to the meeting will enable the City of Oakland to make reasonable arrangements to ensure accessibility. If you have questions regarding this agenda or related materials, please contact our office at the number above.

Sugar-Sweetened Beverage Community Advisory Board

AGENDA

1. Welcome and Call to Order
 - Roll Call, Introductions
 - Announcements
 - Agenda Review and Adoption

2. Open Forum

3. Adoption of Prior Meeting Minutes: June 8, 2020 Action

4. Election of Vice Chairpersons Action

5. Update From City Administrator's Office by Joe DeVries, Director of Interdepartmental Operations, on the Fiscal Year 2020-2021 Mid-Cycle Budget Adjustment Process and Measure HH Funds Informational

6. Revisit SSB Advisory Board's Funding Recommendations for Measure HH Fiscal Years 2019-2021 Budget Under Board Discretion and Funding Recommendation for Fiscal Year 2020-2021 Mid-Cycle Budget Discussion/Action

7. Board Updates Informational
 - Committee Meetings
 - Meetings with City Councilmembers

8. Administrative Update Informational

9. Agenda Items for the Next Board Meeting Discussion

10. Adjournment Action

Sugar-Sweetened Beverage Community Advisory Board

MINUTES TO BE APPROVED

Regular Meeting

June 8th, 2020 ■ 6:30pm-8:30pm

Zoom Teleconference

Board Members present: Michael Hammock, Tonya Love, Raphael Breines, Julia Liou, Pamela Alston, Laurie Lawson, Donna Carey, and Justin Watkins

City Staff present: Joe DeVries and Neffertice Williams

1. Welcome and Call to Order

- Roll Call
- Announcements
- Agenda Review and Adoption

The meeting was called to order at 6:35pm.

No changes were made to the meeting agenda.

2. Open Forum

There was one speaker.

Dhaifallah, Soba Grocers Initiative

Note: Due to COVID-19 shelter-in-place mandate/teleconference, specific names of open forum speakers may not be available.)

3. Adoption of Prior Meeting Minutes: March 9, 2020

Mike Hammock made a motion to approve the meeting minutes with no noted amendment. Donna Carey seconded the motion. The motion passed and the minutes were unanimously approved.

4. Update From City Administrator's Office by Joe DeVries, Director of Interdepartmental Operations, on the Fiscal Year 2020-2021 Mid-Cycle Budget Adjustment Process and Measure HH Funds

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Joe DeVries announced that while there have been some difficulties in predicting the City Budget, due to position freezes and budget cuts, the budget gap has been closed down to \$10 million. Measure HH funding is down, due to the reduction in consumption of sugary sweetened beverages, by \$1.42 million. The Administration has recommended some adjustments to meet the funding gap. The proposed reductions and the budget were reviewed.

The Administration is making every effort to keep the \$2 million funding under the SSB Board's discretion in place. In line with the Board's recommendation to allocate \$1.5 million to community grants, Staff suggested a one year contract extension for the original 14 grantees (Tier 1) with a 25% reduction in budgets equitably across programs. Donna Carey stated that each organization must meet current contract deliverables prior to being extended.

Chair Liou made a motion to recommend allocation of \$1.5 million to renew the 14 original grantees and allocate \$0.5 million to fund Community Development Financial Institution (CDFI). Pamela Alston seconded the motion. The motion was passed unanimously.

5. Presentation on Statewide Soda Tax Preemption and Assembly Bill 1838 by Xavier Morales, Executive Director Praxis Project

Speaker: Dhaifallah, Soba Grocers Initiative

Xavier Morales presented information on the Statewide Soda Tax Preemption led by Californians for Less Soda Coalition. The Coalition is working to repeal the 2018 Assembly Bill 1838 that prohibited California cities the right to enact sugary drink taxes. He requested the Board support the preemption. He will send a link to provide more information about the type of tax that had been preempted.

6. Board Debrief on Statewide Soda Tax Preemption Information and Discussion Around Possible Next Steps

Board Chair Liou made a motion to 1) add into the Resolution template a "Whereas" that would indicate that these SSB measures that passed in the cities have been shown to reduce SSB consumption and in turn have reduced diseases such as diabetes and heart disease and 2) recommend the City Council pass the Resolution. Justin Watkins seconded the motion. The motion was unanimously approved.

7. Board Updates

- Committee Meetings
- Meetings with City Councilmembers

Speaker: Katie Ettman, SPUR

Tonya Love provided an update about State level work related to the reduction of SSBs. Due to impact of COVID, State priorities are focused around impact of COVID, homelessness and fire preparedness. Bills related to reduction of SSBs have "crashed and died". She mentioned that, perhaps, in the next Legislative session there may be an opportunity to introduce new bills related to this issue.

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Committee Updates

- CDFI: Chair Liou mentioned the need to create criteria for CDFI. Justin Watkins reported that the committee had not convened and he will attempt to get a meeting scheduled.
- Wellness: Tonya Love reported the need to follow-up with Oakland Parks, Recreation and Youth Development (OPRYD) to determine if they can pass a wellness policy without funding.
- OPRYD Collaborations: Raphael reported the next step is to follow-up with OPRYD to get more information around budget specifics and effectiveness. Mike Hammock mentioned OPRYD's plans to operate Town Camp this summer. Chair Liou requested they provide an update at the next meeting about how OPRYD may be retooling program delivery due to impact of COVID.
- Communications: Laurie Lawson reported that a meeting with Colectivo is being scheduled in June with the Communications committee to discuss media execution plan and creative concepts. She stated that she will provide information about this meeting at the July meeting.
- Finance: Justin Watkins requested that Staff provide a budget update, similar to the report offered today, at the next Board meeting. Staff agreed to provide an update at the next meeting around the City Budget, which is expected to be adopted by June 30.
- Research and Evaluation: Chair Liou reported that she and Sharon Robinson have had meetings with Mathematica staff to hone in on the scope of work for the evaluation and study. Cost projections for this work are greater than the budget.

Meetings with City Council Members

Chair Liou reported that the Board has come to agreement about how it wants the money to be spent and that it doesn't want the money to be absorbed; want to keep the money. She requested Board members take time during the next two weeks to reach out to Council members to reiterate the Board's recommendations as the Budget is being finalized. She also asked any Board member unable to contact designated Council members notify her so outreach can be reassigned. She will send the Board the list of contact leads.

8. Administrative Update

- **Annual Report**
 - The report will serve to let Council know to preserve SSB funding and allow recommendations to go through. There is no date on timing. Due to the impact of the pandemic, the report is considered a non-action item and will be converted to a information memo; not scheduled as an action item
- **Oakland Unified School District**
 - The final report regarding installation of water hydration stations at OUSD sites is included in the agenda packet
- **Consultants**
 - Highlights of updates were provided in the Committee reports
- **Mandela Partners/East Oakland Healthy Retail Project**

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- Follow-up report in response to the March 9 presentation provided by Mandela Partners is included in the agenda packet

9. Agenda Items for the July 13, 2020 Board Meeting

- Board updates
- Finance report
- Community grants
- Admin update

10. Adjournment

The meeting was adjourned at 8:20pm.

| FUND 1030 - MEASURE HH | | | | | | | | | | |
|--|-------------------------------|--|--------------------|---------------------|-------------------|--------------------|--------------------|---------------------|------------------|--|
| REVENUE ADDITIONS (POSITIVE #) & REDUCTIONS (NEGATIVE #) | | | | ADOPTED | | | MIDCYCLE | | | |
| Fund | Dept. | Description | FY 2020-21 Ongoing | FY 2020-21 One-Time | FY 2020-21 Total | Add/Reduction | FY 2020-21 Ongoing | FY 2020-21 One-Time | FY 2020-21 Total | |
| 1030 | SSBT | Measure HH Revenues & Use of Fund Balance | 10,626,000 | - | 10,626,000 | (1,426,000) | 9,200,000 | - | 9,200,000 | Projected Rev Decrease |
| Subtotal Revenue Adjustments | | | 10,626,000 | - | 10,626,000 | (1,426,000) | 9,200,000 | - | 9,200,000 | |
| EXPENDITURE ADDITIONS (POSITIVE #) | | | | ADOPTED | | | MIDCYCLE | | | |
| Fund | Dept. | Description (Include Job Class & FTE) | FY 2020-21 Ongoing | FY 2020-21 One-Time | FY 2020-21 Total | Add/Reduction | FY 2020-21 Ongoing | FY 2020-21 One-Time | FY 2020-21 Total | Notes |
| | | | | | | 160,377 | 160,377 | - | 160,377 | Baseline adjustments, suspension of OPEB, Reduced ISF |
| 1030 | Department of Race and Equity | Equity Analysis | - | 100,000 | 100,000 | (100,000) | - | - | - | Reduce O&M in Race & Equity |
| 1030 | EWD | Youth Summer Jobs program | - | 400,000 | 400,000 | (22,721) | - | 377,279 | 377,279 | Reduce Contract Contingencies in Workforce Development |
| 1030 | Human Services | New and expanded food programs | 1,245,880 | - | 1,245,880 | (347,884) | 897,996 | - | 897,996 | Reduce Contract Contingencies in Year Round Lunch Program, Transfer third party grants to 2244 |
| 1030 | Human Services | OUSD Food Program | - | 1,800,000 | 1,800,000 | - | - | 1,800,000 | 1,800,000 | |
| 1030 | Human Services | East Oakland Senior Center Programming Expansion | - | 100,000 | 100,000 | - | - | 100,000 | 100,000 | |
| 1030 | Human Services | Senior Center Enhancements | 328,286 | - | 328,286 | - | 328,286 | - | 328,286 | |
| 1030 | Human Services/ Finance/CAO | Administration, oversight, and evaluation | 700,000 | - | 700,000 | - | 700,000 | - | 700,000 | |
| 1030 | Human Services/ Finance/CAO | Reduction in evaluation/staffing reflecting lower granting amount from what was authorized in Resolution 87020 CMS | (200,000) | - | (200,000) | - | (200,000) | - | (200,000) | |
| 1030 | Non-Departmental | Additional grant funding and/or special projects to be distributed per guidance of SSB Board | - | 2,000,000 | 2,000,000 | - | - | 2,000,000 | 2,000,000 | |

| Fund | Dept. | Description | FY 2020-21 Ongoing | FY 2020-21 One-Time | FY 2020-21 Total | Add/Reduction | FY 2020-21 Ongoing | FY 2020-21 One-Time | FY 2020-21 Total | |
|--|------------------|---|-----------------------|------------------------|---------------------|--------------------|-----------------------|------------------------|---------------------|--|
| 1030 | Non-Departmental | Additional grant funding and/or special projects | | (1,000,000) | (1,000,000) | - | - | (1,000,000) | (1,000,000) | |
| 1030 | OPRYD | OPRYD Service Expansion | 1,000,000 | - | 1,000,000 | (1,000,000) | - | - | - | Reduce Contract Contingencies in Office of OPR Director |
| 1030 | OPYRD | OPRYD programs (aquatics, recreation, youth centers). | 4,151,834 | - | 4,151,834 | (115,772) | 4,036,062 | - | 4,036,062 | Transfer 0.86 FTE Recreation Program Director and 0.22 FTE Recreation Leader II PPT and O&M to General Purpose Fund (1010) |
| Subtotal of Expenditure Additions | | | 7,226,000 | 3,400,000 | 10,626,000 | (1,426,000) | 5,922,721 | 3,277,279 | 9,200,000 | |

For more information regarding the mid-cycle budget process, please see the following link: <https://www.oaklandca.gov/documents/fy-2020-21-midcycle-adopted-budget-legislation-including-council-amendments>

Date: 6/8/20

From: Xavier Morales

To: SSB Community Advisory Board

RE: Follow-up June 8 SSB Board Meeting – Statewide Soda Tax Preemption and Assembly Bill 1833

There was a technical question regarding the type of tax (excise or retail) that had been preempted. I didn't have the information at my fingertips, but I did find AB1838 online and quoted from it that any local tax on groceries was preempted.

Here is the link to the legislation:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1838

Also of interest was their definition of "groceries": "Groceries" means any raw or processed food or beverage including its packaging, wrapper or container, or any ingredient thereof, intended for human consumption, including, but is not limited to, meat, poultry, fish, fruits, vegetables, grains, bread, milk, cheese and other dairy products, **carbonated and noncarbonated nonalcoholic beverages**, kombucha with less than 0.5 percent alcohol by volume, condiments, spices, cereals, seasonings, leavening agents, eggs, cocoa, teas, and coffees whether raw or processed, including its packaging, wrapper, or container."

After we deal with preemption, I think we need to go back and redefine what "groceries" are.