

APPROVED MINUTES
Sugar Sweetened Beverage Community
Advisory Board
Regular Meeting Notice

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

AGENDA

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

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

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

1. Welcome and Call to Order

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

2. Open Forum

Two speakers made public comments:

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

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

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

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

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

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

5. Discussion with Finance Director Katano Kasaine

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

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

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

2. How are complaints about the collection taken?

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

3. How is the revenue collected and tracked?

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

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

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

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

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

Additional Questions Asked:

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

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

6. Update on Board Recommendations and Response from Council

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

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

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

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

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

7. Report Out from Community Planning Ad-Hoc Committee

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

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

8. Draft By-laws Discussion

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

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

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

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

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

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

The following members volunteered for the following areas:

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

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

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

11. Adjournment

Adjourned at 8:37pm.