

Sugar-Sweetened
Beverage Product
Panel of Experts
Commission

**Sugar-Sweetened Beverage Product
Panel of Experts Commission**
Thursday, March 20th, 2025, 6:00pm – 8:00pm

Meeting Location:
South Berkeley Senior Center
2939 Ellis Street, Berkeley, CA 94703
P: 510-981-5350

MEETING AGENDA

Preliminary Matters

1. Roll Call
2. Introduction of new Commission members
3. Approval of Draft Minutes from 02/20/2025 regular meeting – **Attachment 1**

The public may comment virtually about any item **not** on the agenda. **Public comments are limited to two minutes per speaker.** Public comments regarding agenda items will be heard while the Commission is discussing the item.

Discussion and Action Items

Public comments regarding agenda items will be heard while the Commission is discussing the item. Public comments are limited to two minutes per speaker.

1. **Subcommittee Reports**
2. **Discussion 1:** Update on Communication Memo to Council on Governor's Executive Order N-1-25, Procurement Memo (Crawford) – **Attachment 8**
3. **Discussion 2:** SSBPPE/City of Berkeley Recommendation to Council on Funding Allocation (Crawford) – **Attachment 9**
4. **Discussion 3:** Status on RFP document (Crawford) – **Attachment 10**
5. **Discussion 4:** SSB Revenue figures (Crawford) – **Attachment 7**
6. **Action 1:** Review Work Plan and Approve New 2025 (Status of Tasks/Progress) (Kao) – **Attachment 2**
7. **Action 2:** Add/Remove Subcommittees/ Members (Crawford)
8. **Action 3:** Appoint speakers to represent the SSBPPE Commission on the 3/25 Council Meeting

Information Items

1. Commission Work Plan – **Attachment 2**
2. Approved Meeting Minutes 01/16/2025 – **Attachment 3**
3. Commission Meeting Dates 2025 – **Attachment 4**
4. Subcommittee Roster– **Attachment 5**
5. City Council Timeline 2025 – **Attachment 6**
6. Soda Tax Revenues – **Attachment 7**
7. Procurement Memo – **Attachment 8**
8. City of Berkeley Companion Report – **Attachment 9**
9. RFP Document Updates – **Attachment 10**

A Vibrant and Healthy Berkeley for All

CONFLICT OF INTEREST INFORMATION: City commissioners, pursuant to Government Code section 1090, are responsible for recusing themselves from all commission discussions and actions in which they may have a conflict of interest. If your affiliation, paid or unpaid, with other agencies has changed since the last meeting of this commission, your ability to participate in commission activities may have changed. Individual guidance is available from the City Attorney's Office (CAO). Commissioners are encouraged to consult with the CAO if they have questions, concerns, or would like clarification about matters related to potential conflicts of interest.

The CAO may be reached at:

Email: attorney@cityofberkeley.info
TEL: (510) 981-6950 TDD: (510) 981-6903, FAX: (510) 981-6960
2180 Milvia Street 4th Floor, Berkeley, CA 94704 - Office Hours: Mon-Fri, 8am-5pm

THERE IS NO MEETING IN AUGUST/DECEMBER. Please visit the City of Berkeley's Commission webpage <http://www.cityofberkeley.info/commissions> for meeting details and updates.

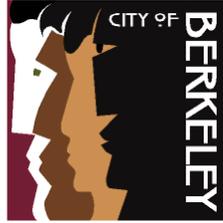
AMERICAN DISABILITIES ACT DISCLAIMER: This meeting is being held in a wheelchair accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

SB 343 DISCLAIMER:

Any writings or documents provided to a majority of the commission regarding any item on this agenda will be made available for public inspection at the Public Health Division located on 1947 Center Street, Berkeley, CA 94704.

COMMUNICATION DISCLAIMER:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the commission secretary for further information.



Sugar-Sweetened Beverage Product Panel of Experts Commission

Thursday, February 20th, 2025. 6:00 – 8:00 PM

Meeting Location:

South Berkeley Senior Center
2939 Ellis Street, Berkeley, CA 94703
P: 510-981-5350

DRAFT MEETING MINUTES

The meeting convened at 6:10pm.

ROLL CALL

Present: Commissioners Morales, Rodriguez, Mashama (6:21),
Kao, Lopez, Crawford, Esonwune, Hecht, Chan (6:26).
Absent: None.
Excused: None.
Staff present: Roberto Terrones, Scott Gilman.

COMMENTS FROM THE PUBLIC One community member.

ACTION ON MINUTES

Approval of Minutes - Moved to approve the draft minutes of the meeting on 01/16/2025.

M/S/C: Rodriguez/Lopez.

Ayes: Commissioners Rodriguez, Kao, Lopez, Crawford,
Esonwune, Hecht.
Noes: None.
Abstain: Commissioner Morales.
Absent from vote: Commissioners Mashama, Chan.
Recused: None.
Excused: None.

A Vibrant and Healthy Berkeley for All

1. Motion to elect Commissioner Crawford as Commission Chair, and Commissioner Esonwune as Vice-Chair.

M/S/C: Rodriguez/Kao.

Ayes: Commissioners Morales, Rodriguez, Mashama, Kao, Lopez, Crawford, Esonwune, Hecht, Chan.
Noes: None.
Abstain: None.
Absent from vote: None.
Recused: None.
Excused: None.

2. Motion to approve communication memo to Council on Governor’s Executive Order N-1-25 with edits.

M/S/C: Kao/Rodriguez.

Ayes: Commissioners Morales, Rodriguez, Mashama, Kao, Lopez, Crawford, Esonwune, Hecht, Chan.
Noes: None.
Abstain: None.
Absent from vote: None.
Recused: None.
Excused: None.

3. Motion to add Commissioner Hecht to the Sugary Drinks Policy Subcommittee.

M/S/C: Rodriguez/Kao.

Ayes: Commissioners Morales, Rodriguez, Mashama, Kao, Lopez, Crawford, Esonwune, Hecht, Chan.
Noes: None.
Abstain: None.
Absent from vote: None.
Recused: None.
Excused: None.

The meeting adjourned at 7:30pm.

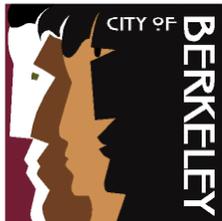
NEXT MEETING:

The next meeting is scheduled for **Thursday, March 20th, 2025**. Please check the SSBPPE Commission page on the City of Berkeley Commission webpage for updated information.

Respectfully Submitted, Roberto Terrones, Commission Secretary
Minutes will be approved at the March 20th, 2025 regular meeting.

Sugar-Sweetened Beverage Product Panel of Experts Commission
Proposed Work Plan –4/2024 – 3/2025

Task	Activity	Actions Needed in Advance	2024										2025		
			April	May	June	July	Aug	Sept	October	November	December	January	February	Mar	
1)	Conduct periodic commission	Distribution of agenda	X	X	X	X		X	X	X		X	X	X	
2)	Discuss with fiscal about current revenues vs. projected revenues and discuss disbursement plan (quarterly)	Fiscal data requested and distributed		X				X		X			X		
3)	Annual grantee presentations to the commission	Grantees contacted and scheduled; Ask grantees to share how they disseminate re: SSB tax funds	X	X	X	X								X	
4)	Discuss with city staff internal activities funded by soda tax (e.g.	Schedule staff for discussion		X	X	X									
5)	Discuss Epi research related to health as well as evaluation data from grantees including BUSD & YRBS.	Schedule staff for discussion Email request for health status report that incl. chronic disease data, dental caries, and any health behaviors related to sugar/diet)		X											
6)	Discuss city beverage procurement implementation.	Send communication to Council to obtain beverage procurement data; Roberto will help get request into right template		X	X										
7)	Discuss creation of a system to evaluate city beverage procurement	Obtain information of current beverage procurement data			X	X									
8)	Discuss status of healthy checkout policy implementation	Arrange meeting with public health nutrition staff/get update from nutritionist (Angelica)		X											
9)	Discuss numbers of stores assessed and outcomes by public health environmental department.	Arrange meeting with public health environmental health department			X	X									
10)	Create a plan for educating the public re soda tax success	Gather information on options for educating the public; add'l steps TBD, depending on \$			X	X									
11)	Write report for council, press, etc.	Gather data and information for report						X							
12)	Discuss fiscal data from the prior 12 months of tax revenue (to determine grant funds for 2025-26)	Fiscal data requested and distributed											Policy committee →council		
13)	Prepare new proposal guidelines for 2025-2026 (18 mo)	Distribute past proposal guidelines as a template						X		Nov 15: Issue new RFP	Dec 20: proposals due				
14)	Plan workshop for assisting with grant writing for community groups	Promote and coordinate meeting for potential grantees						X	X						
15)	Review and recommend proposals for funding	Distribute past review criteria and letters for funding										Resolution	Funding recs due to council		



Sugar-Sweetened Beverage Product Panel of Experts Commission

Thursday, January 16th, 2025. 6:00 – 8:00 PM

Meeting Location:

South Berkeley Senior Center
2939 Ellis Street, Berkeley, CA 94703
P: 510-981-5350

MEETING MINUTES

The meeting convened at 6:09pm.

ROLL CALL

Present: Commissioners Mashama, Kao, Lopez, Crawford, Hecht, Rodriguez (6:15).
Absent: Commissioner Morales, Esonwune.
Excused: Commissioner Chan.
Staff present: Roberto Terrones.

COMMENTS FROM THE PUBLIC One community member.

ACTION ON MINUTES

Approval of Minutes - Moved to approve the draft minutes of the meeting on 11/21/2024.

M/S/C: Hecht/Crawford.

Ayes: Commissioners Mashama, Kao, Lopez, Crawford, Hecht.
Noes: None.
Abstain: None.
Absent from vote: Commissioners Morales, Esonwune, Rodriguez.
Recused: None.
Excused: Commissioners Chan.

The meeting adjourned at 7:37pm.

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NEXT MEETING:

The next meeting is scheduled for **Thursday, February 20th, 2025**. Please check the SSBPPE Commission page on the City of Berkeley Commission webpage for updated information.

Respectfully Submitted, Roberto Terrones, Commission Secretary
Minutes were approved at the February 20th, 2025 regular meeting.

2025 Commission Meeting Dates

Please complete this form and email it to the
[Commission Inbox](#)

Name of Commission: Sugar-Sweetened Beverage Product Panel of Experts Commission

Commission Secretary: Roberto Terrones

Please Note the Commission Meeting Dates for 2024 Below

Please fill in meeting date below. If no meeting for the month is scheduled please note as "No Meeting."

2025 Meeting Dates

Month	Meeting Day and Date	Time
January 2025	Thursday 1/16/2025	6:00 pm
February 2025	Thursday 2/20/2025	6:00 pm
March 2025	Thursday 3/20/2025	6:00 pm
April 2025	Thursday 4/17/2025	6:00 pm
May 2025	Thursday 5/15/2025	6:00 pm
June 2025	Thursday 6/19/2025	6:00 pm

Month	Meeting Day and Date	Time
July 2025	Thursday 7/17/2025	6:00 pm
August 2025	No Meeting	
September 2025	Thursday 9/18/2025	6:00 pm
October 2025	Thursday 10/16/2025	6:00 pm
November 2025	Thursday 11/20/2025	6:00 pm
December 2025	No Meeting	

commission@cityofberkeley.info

City Clerk Department

Please contact our office at (510) 981-6908 with any questions.

SSBPPE Subcommittee Roster

Subcommittee	Subcommittee Description	Members
Ad-hoc Work Plan	<i>Revision of 2024 Commission work plan.</i>	Xavier Morales Michael Rodriguez Pat Crawford Peace Esonwune
Media	<i>Give feedback on media materials that the Public Health Division disseminates to the public, prepare talking points for the media.</i>	Xavier Morales Janice Kao Michael Chan Themba Mashama
Prevention Strategies and Outcomes	<i>Review and revise requests for proposals, increase knowledge of the community, and evaluation.</i>	Pat Crawford Kenneth Hecht Vivian Lopez Janice Kao
Sugary Drinks Policy	<i>Recommend policies for the City Council.</i>	Pat Crawford Michael Rodriguez Kenneth Hecht

CITY CLERK DEPARTMENT 2025 COUNCIL MEETING TIMELINE

COUNCIL MEETING	THURSDAY 12:00 PM - Day 33 - DEPT. REPORTS DUE TO CLERK	MONDAY 5:00 PM - Day 22 - COUNCIL MEMBER REPORTS DUE TO CLERK	THURSDAY 12:00 PM - Day 19 - AGENDA COMMITTEE PACKET TO PRINT	MONDAY 2:30 PM - Day 15 - AGENDA COMMITTEE MEETING	WEDNESDAY 11:00 AM - Day 13 - FINAL AGENDA MEETING (PRINT AGENDA ON WED.)	THURSDAY By 5:00 PM - Day 12 - COUNCIL AGENDA DELIVERY
Winter Recess [December 11, 2024 through January 20, 2025]						
Jan 21	12/19	12/30	1/2	1/6	1/8	1/9
Feb 11	1/9	1/21 (Tue)	1/23	1/27	1/29	1/30
Feb 25	1/23	2/3	2/6	2/10	2/12	2/13
Mar 11	2/6	2/18 (Tue)	2/20	2/24	2/26	2/27
Mar 18	2/13	2/24	2/27	3/3	3/5	3/6
Mar 25	2/20	3/3	3/6	3/10	3/12	3/13
Spring Recess [March 26 through April 14, 2025]						
Apr 15	3/13	3/24	3/27	4/1 (Tue)	4/2	4/3
Apr 29	3/27	4/7	4/10	4/14	4/16	4/17
May 6	4/3	4/14	4/17	4/21	4/23	4/24
May 20	4/17	4/28	5/1	5/5	5/7	5/8
Jun 3	5/1	5/12	5/15	5/20 (Tue)	5/21	5/22
Jun 17	5/15	5/27 (Tue)	5/29	6/2	6/4	6/5
Jun 24	5/22	6/2	6/5	6/9	6/11	6/12
Jul 8	6/5	6/16	6/19	6/23	6/25	6/26
Jul 22	6/19	6/30	7/3	7/7	7/9	7/10
Jul 29	6/26	7/7	7/10	7/14	7/16	7/17
Summer Recess [July 30 through September 8, 2025]						
Sep 9	8/7	8/18	8/21	8/25	8/27	8/28
Sep 16	8/14	8/25	8/28	9/2 (Tue)	9/3	9/4
Sep 30	8/28	9/8	9/11	9/15	9/17	9/18
Oct 14	9/11	9/22	9/25	9/29	10/1	10/2
Oct 28	9/25	10/6	10/9	10/14 (Tue)	10/15	10/16
Nov 4	10/2	10/14 (Tue)	10/16	10/21 (Tue)	10/22	10/23
Nov 18	10/16	10/27	10/30	11/3	11/5	11/6
Dec 2	10/30	11/10	11/13	11/17	11/19	11/20
Winter Recess [December 3, 2025 through January 26, 2026]						

VTO Affected Dates	Holiday Affected Dates	Religious Holiday Affected Date
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Reports not submitted by the deadlines listed will not be included on the agenda.



City of Berkeley
Soda Tax Revenue-FY 2025
For the Months of July 2024 - June 2025

Month	Amount
Jul-24	88,874.27
Aug-24	87,682.02
Sep-24	98,960.91
Oct-24	67,105.85
Nov-24	98,608.25
Dec-24	84,944.49
Jan-25	
Feb-25	
Mar-25	
Apr-25	
May-25	
Jun-25	
Gross Revenue	\$ 526,175.79

FY 2015	\$ 242,986.39
FY 2016	\$ 1,757,271.70
FY 2017	\$ 1,578,389.00
FY 2018	\$ 1,517,949.28
FY 2019	\$ 1,606,177.73
FY 2020	\$ 1,378,196.46
FY 2021	\$ 995,387.49
FY 2022	\$ 1,047,801.97
FY 2023	\$ 1,185,893.91
FY 2024	\$ 1,110,228.70
FY 2025	\$ 526,175.79
Total	\$ 12,946,458.42

RESOLUTION NO. 70,413 -N.S.

AMENDING RESOLUTION No. 69,917 – N.S. ESTABLISHING CITY POLICY / AMENDING THE ADMINISTRATIVE CODE TO DIRECT CITY OF BERKELEY DEPARTMENTS TO REFRAIN FROM PROCURING, SERVING OR SELLING SUGARY DRINKS

WHEREAS, the City of Berkeley is known for its commitment to reducing inequities in diet and disease and in promoting access to healthy food and beverages; and

WHEREAS, drinking just one serving of sugar-sweetened beverage per day poses a 30 percent or higher risk of becoming diabetic; and

WHEREAS, drinking just one serving of sugar-sweetened beverage per day poses a 30 percent or higher risk of early death from cardiovascular disease; and

WHEREAS, City employees deserve a healthy work environment, with an increased variety of healthier low-sugar alternative beverages such as flavored waters, plain or carbonated water, 100% juice, milk drinks, diet drinks, unsweetened or artificially sweetened iced teas and coffee drinks; and

WHEREAS, it is recognized that City staff are free to bring and consume their own sugary beverages at work; and

WHEREAS, other public institutions that have completely eliminated the sales of sugar sweetened beverages on their premises and have demonstrated that as a result, positive changes have been documented in the staff's metabolic disease indicators associated with lower risk of diabetes and heart disease; and

WHEREAS, giving City employees access to healthier beverages in the workplace will increase healthy beverage consumption and reduce the impact of diet-related disease, thus reducing the City's health care expenses; and

WHEREAS, the City of Berkeley requires that all organizations receiving funding from Healthy Berkeley not serve or sell sugar sweetened beverages on their premises; and

WHEREAS, the Berkeley Unified School District does not serve or sell soda to students of all ages on their premises and this contributes to positive adult role modeling regarding healthy beverage consumption; and

WHEREAS, Chapter 7.72 of the City of Berkeley Municipal Code has already defined sugar-sweetened beverages as all beverages with added caloric sweeteners with a minimum of 2 calories per fluid ounce, including juices with added sweetener, sodas, energy drinks, sweetened teas and coffee drinks, and sport drinks which offer little or no nutritional value, but include massive quantities of added sugar and in addition, Berkeley

Municipal Code Chapter 7.72 also defines exemptions and thus excludes waters, 100% juice, milk drinks, diet drinks, as well as medical drinks and baby formula.

NOW THEREFORE, BE IT RESOLVED that the City of Berkeley shall not:

1. Procure sugar-sweetened beverages with City funds; and,
2. Serve or sell sugar-sweetened beverages on City property, including in vending machines.

BE IT FURTHER RESOLVED that the City prohibits the sale or service of sugar-sweetened beverages (as defined in the Sugar-Sweetened Beverage Product Distribution Tax – Chapter 7.72 .030 of the Berkeley Muni Code) at events that receive City of Berkeley funding and require signs be posted at these events educating the public about why sugar-sweetened beverages are not being served or sold; and that the language for the signs will be provided by the City.

BE IT FURTHER RESOLVED that in areas or facilities where employees regularly work beyond the core business hours of 8 a.m. - 6 p.m., the City of Berkeley shall provide refrigerators in good working order and of adequate size for the number of employees in that area, to bring and store their own beverages.

BE IT FURTHER RESOLVED to ask the City Council to make a referral to the Sugar-Sweetened Beverage Product Panel of Experts to consider how to regulate sugar sweetened beverages at events held on City of Berkeley Property hosted by non-City entities who receive City of Berkeley funds.

The foregoing Resolution was adopted by the Berkeley City Council on June 14, 2022 by the following vote:

Ayes: Bartlett, Droste, Hahn, Harrison, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

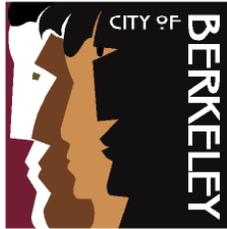
Noes: None.

Absent: None.


Kate Harrison, Mayor Pro Tempore

Attest: 
Rose Thomsen, Deputy City Clerk

10b



Office of the City Manager

CONSENT CALENDAR
March 25, 2025

To: Honorable Mayor and Members of the City Council

From: Paul Buddenhagen, City Manager

Submitted by: Henry Oyekanmi, Director of Finance
Scott Gilman, Director of Health, Housing and Community Services

Subject: Companion Report: Allocation of \$2,294,774 Million Over Two Years, FY2026 and FY2027, to Reduce Consumption and Health Impacts of Sugar-Sweetened Beverages (SSBs).

RECOMMENDATION

Adopt a Resolution allocating \$2,294,774 from the General Fund total for Fiscal Year 2026 (July 1, 2025, through June 30, 2026) and Fiscal Year 2027 (July 1, 2026, through June 30, 2027) to be invested in a grant program administered and coordinated by the Department of Health, Housing, and Community Services' (HHCS) Public Health Division (HHCS/PHD). This program will align with the Sugar-Sweetened Beverage Product Panel of Experts (SSBPPE) Commission's goals to reduce sugar-sweetened beverage (SSB) consumption in Berkeley and address the health effects of SSB consumption. The total amount will be distributed in two installments of \$1,147,387 annually for FY2026 and FY2027, as follows:

- A. Award up to \$905,292 of the allocated amount to the Berkeley Unified School District (BUSD) for the period of July 1, 2025, to June 30, 2027, through a grant proposal process. These funds will support the reduction of SSB consumption through the implementation and enhancement of BUSD cooking and gardening programs. The BUSD funding process will be separate from the general community-based organization funding process and guided by the SSBPPE Commission's Criteria for BUSD Funding (Attachment 2).
- B. Award up to \$905,292 of the allocated amount for the period of July 1, 2025, to June 30, 2027, through a Request for Proposal (RFP) process managed by HHCS/PHD. These grants will be awarded to community-based organizations (CBOs) and will align with the SSBPPE Commission's goals to reduce SSB consumption and address the effects of SSB consumption. The RFP process to determine CBO funding will be separate from the BUSD funding process and guided by the SSBPPE Commission's Criteria for Community Agency Grants (Attachment 3).

- C. For the period of July 1, 2025, to June 30, 2027, allocate \$128,990 to the Finance Department for staffing costs and Muni-Services fees, and \$355,200 to HHCS/PHD for staffing, operating, service delivery and consulting costs. HHCS/PHD will coordinate and monitor the grant process, manage awarded contracts, and provide activities aligned with the sugary beverage tax goals including providing education, outreach, and technical assistance to support local vendors as they work to comply with the Healthy Checkout ordinance and monitoring Berkeley funded hydration stations, and HHCS will provide an annual presentation to the SSBPPE Commission focused on process and outcome data and updates on Finance Department fees related to the sugary drink tax, to inform the Commission's annual report.
- D. Carry over any sugary drink tax revenue received in excess of \$2,294,774 during FY2026 and FY2027 to be awarded for related services in FY2027–FY2029.

FISCAL IMPACTS OF RECOMMENDATION

Based on recent trends in sugar-sweetened beverage tax revenue (detailed below), projections for FY2026 and FY2027 indicate approximately \$1,147,387 in revenue per year. These projections will be revised after the mid-year revenue numbers are analyzed.

The requested amounts for the Finance Department and HHCS/PHD are based on current needs to maintain consistent service levels supporting BUSD, awarded CBO contracts, external consultants, the SSBPPE Commission, and related activities. Current staffing and FTEs remain the same, with the exception of personnel pay rate and Cost-of-Living Adjustment (COLA) increases due to newly negotiated employee contracts. Funding is subject to appropriation in FY2026 and FY2027.

CURRENT SITUATION AND ITS EFFECTS

In November 2014, Berkeley voters passed Measure D, which mandates a 1 cent per ounce tax on the distribution of sugary drinks in Berkeley and the convening of a Panel of Experts (SSBPPE) to recommend investments to reduce sugary drink consumption and address the health consequences of such consumption. In November 2024, Berkeley voters passed Measure Z, removing the January 1, 2027, expiration date and extending the tax until repealed or modified by voters.

The City of Berkeley has enjoyed a successful partnership with the SSBPPE and funded CBOs for over ten years and fully supports the purpose and intent of Measures D and Z. As revenues decrease due to the success of the tax, it is essential to continue strategies that promote healthier behaviors and decrease SSB consumption. Community-based partnerships have positively impacted health education and policy, systems, and environmental changes that support the SSBPPE's goals and mission. City staff are committed to providing administrative support and programmatic activities

that enhance the City’s community-based partners’ successful implementation of strategies for improved community health.

The associated annual costs for the Finance Department’s administration of the tax and HHCS/PHD’s coordination and management of the RFP process, resulting contracts, and related policies (such as the Healthy Checkout Ordinance) are outlined below. HHCS will also conduct a time study to ensure appropriate allocation of funding needed to meet the SSBPPE administrative expectations. In FY 24/25 the percent allocation was 28%. Under this proposal the administrative percent drops to 21% for FY 25/26.

Projected Annual Costs for Mandated Activities (Finance and HHCS)	Amount
Finance Department Staff (.30 FTE)	\$41,547
Muni Services Fees (@ 2%)	\$22,948
Finance Department Subtotal	<u>\$64,495</u>
HHCS: Administrative Staff (estimated salary including benefits)	\$93,954
HHCS: Nutritionist @ 20% (estimated salary including benefits)	\$42,774
HHCS: Contracted Program Evaluation Consulting Services	\$19,000
HHCS: Other Operational Expenses	\$21,872
HHCS Costs Subtotal	<u>\$177,600</u>

Total Annual SSB Tax utilized for administrative expenses **\$242,095**

BACKGROUND

Measure D, the Sugar Sweetened Beverage tax, was passed on July 1, 2014, to support increased water consumption and decreased SSB consumption. Allocations from the City General Fund supported HHCS/PHD in developing and overseeing SSBPPE community agency contracts, providing SSBPPE secretarial support, conducting program evaluations, and supporting programmatic initiatives aligned with Measure D. The tax was extended by voters through Measure Z in November 2024, removing the January 1, 2027, expiration date.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no environmental impacts.

RATIONALE FOR RECOMMENDATION

This recommendation allows the City to continue its commitment to public health, specifically reducing SSB consumption in Berkeley, while aligning program investment with projected funding. Modifying the City’s scope of work and calculating funding for City services based on actual costs, rather than an assumed percentage of tax revenue, will allow for program implementation and sustainability.

ALTERNATIVE ACTIONS CONSIDERED

Staff appreciates the SSBPPE's commitment to BUSD programming and the important work of CBOs. Staff did not identify an alternative recommendation consistent with projected sugary beverage tax revenue and current City costs.

CONTACT PERSONS

Henry Oyekanmi, Director of Finance (510) 981-7200

Scott Gilman, Director, Health, Housing, and Community Services (510) 981-5400

Attachments:

1: Resolution

2: SSBPPE Commission's Criteria for BUSD Funding

3: SSBPPE Commission's Criteria for Community Agency Funding

RESOLUTION NO. ##,###-N.S.

ALLOCATION: \$2,294,774 TOTAL FOR SUGAR-SWEETENED BEVERAGE CONSUMPTION AND REDUCTION GRANT PROGRAM IN FY2026 AND FY2027

WHEREAS, the consumption of sugar-sweetened beverages (“SSB”) in Berkeley is impacting the health of the people in Berkeley; and

WHEREAS, in FY2024 and FY2025, the City Council awarded a total of \$2 Million by Resolution #70,765,-NS upon the recommendation of the SSBPPE Commission to demonstrate the City’s long-term commitment to decreasing the consumption of SSB and mitigate the harmful impacts of SSB on the population of Berkeley; and

WHEREAS, many studies demonstrate that high intake of SSB is associated with risk of Type 2 Diabetes, obesity, tooth decay, and coronary heart disease; and

WHEREAS, the above conditions are all demonstrated to increase both the severity of COVID19 related illness and risk of death; and

WHEREAS, hundreds of millions of dollars have been spent in an ongoing massive marketing campaign, which particularly targets children and people of color; and

WHEREAS, an African American resident of Berkeley is 14 times more likely than a White resident to be hospitalized for diabetes; and

WHEREAS, 40% of 9th graders in Berkeley High School are either overweight or obese; and

WHEREAS, tooth decay is the most common childhood disease, experienced by over 70% of California’s 3rd graders; and

WHEREAS, in 2012, a U.S. national research team estimated levying a penny-per-ounce tax on sweetened beverages would prevent nearly 100,000 cases of heart disease, 8,000 strokes, and 26,000 deaths over the next decade and 240,000 cases of diabetes per year nationwide.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is hereby authorized to allocate \$2,294,774 million from the General Fund to be disbursed in two (2) installments of \$1,147,387 million in FY26 and \$1,147,387 million in FY27 and invested as follows:

1. For the period, July 1, 2025 to June 30, 2027, direct the City Manager to allocate \$128,990 to the Finance Department for staffing costs and Muni-Services fees and \$355,200 to HHCS/PHD for staffing, operating and consulting costs. HHCS/PHD will coordinate and monitor the grant process, manage resulting contracts

awarded, support activities aligned with the goal of the sugary beverage tax, including the Healthy Retail Checkout ordinance, and provide an annual presentation to the SSBPPE Commission that includes process and outcome data and updates on Finance Department fees related to the sugary drink tax for the SSBPPE Commission to inform the development of the Commission's annual report.

2. Allocate up to \$905,292 of remaining funds to Berkeley Unified School District (BUSD) through a grant proposal to reduce the consumption of sugar-sweetened beverages (SSBs) through the implementation and enhancement of the BUSD cooking and gardening programs for the period, July 1, 2025 to June 30, 2027; and
3. Allocate up to \$905,292 of funds through a RFP process managed by the Public Health Division for grants to community-based organizations consistent with the SSBPPE Commission's goals to reduce the consumption of SSB and to address the effects of SSB consumption for the period, July 1, 2025 to June 30, 2027; and
4. Carryover any sugary drink tax revenue received in excess of \$2,294,774 million during FY2026 and FY2027 to be awarded for related services in FY2027 – FY2029.

A records signature copy of the said agreement and any amendments to be on file in the Office of the City Clerk.

SSBPPE Commission's Criteria for the BUSD Funding Proposal

Required components for BUSD proposal:

List specific activities for how the BUSD proposed project will meet the following:

- 1) Decrease access to SSBs and/or improve access to drinking water.
- 2) Increase or strengthen SSB policies in school and outside of school.
- 3) Support the annual administration of the Berkeley adapted Youth Risk Behavior Survey (YRBS) or California Healthy Kids Survey (CHKS) to evaluate student's SSB knowledge, consumption, access, and policy perceptions.
- 4) Increase and strengthen the garden program through nutrition education curriculum, the ways the curriculum addresses SSB consumption, and communication of SSB education and policy efforts to parents
- 5) If there is a plan to work with partners, who are they and how do you anticipate they will collaborate with BUSD staff? Identify which grade levels will be associated with each partnership.

Anticipated obstacles: What obstacles do you anticipate how will you try to address them?

Project Measures: Describe the ways in which you will measure outcomes, including the way you will administer the YRBS or CHKS survey and for which students, measures for the garden and cooking program, and other measures to understand if your program is working.

Sustainability Plan: Please describe how your organization will sustain the proposed project/ program activities beyond the funding period.

Communications Plan: Describe how you will meet communication requirements. Include what type of communication product(s) will be produced and what information will be shared.

Agreement to participate in the three meetings per year (1-2 sentence statement of agreement): Grantees are expected to do a presentation at one commission meeting, host one site visit for commissioners, and will attend one resource sharing meeting with other grantees.

Additional Requirements for BUSD:

Please confirm with a yes to each of the following requirements:

- 1) Proposal reflects approval from the BUSD School Board: Yes/No
- 2) BUSD will not sell or serve sugar-sweetened beverages (as defined by the SSB tax) at any BUSD schools or campuses: Yes/No
- 3) Awarded funding will not supplant BUSD FY26 and FY27 General Fund allocations: Yes/No
- 4) Funded projects will publicly reflect support from Healthy Berkeley Program: Yes/No

Funded projects and programs will include evaluation of their process and outcomes: Yes/No

SSBPPE Commission's Selection Criteria for Community Agency Funding

Required components of project proposals from community-based organizations:

Proposed Project and Activities:

- 1) Briefly describe the goal of the program or project you would like to see funded.
- 2) Identify which strategies you intend to use in your program.
- 3) Identify the kinds of activities you will use in your program.
- 4) How many people do you expect to reach with your project?
- 5) Do you plan to work with partners? If so, who are they?

Applicants who have previously received funding should describe how they will build on past accomplishments, reach new participants, and whether there is deeper engagement with the same community members in new ways that reinforce and build upon previous funding.

Anticipated obstacles: What obstacles do you anticipate and how will you try to address them?

Project Measures: Describe all the things that you will measure to know if your program is working.

Sustainability Plan: Please describe how your organization will sustain the proposed project/program activities beyond the funding period.

Communications Plan: Include what type of communication product(s) will be produced and what information will be shared.

Agreement to participate in the three meetings per year (1-2 sentence statement of agreement): Grantees are expected to do a presentation at one commission meeting, host one site visit for commissioners, and will attend one resource sharing meeting with other grantees. (See Section II.D. above.)

Scoring criteria:

1. The proposed project aims to decrease consumption of sugary drinks, increase access to drinking water, and/or address health effects from consumption of sugary drinks. (25%)
2. The proposed project indicates how people and communities in the priority populations will be reached. (20%)
3. Describes both strategies and activities that will be used to reach their goals (30%)
4. The proposal includes a plan for sustaining their efforts and communicating activities, and successes to the larger Berkeley community. (15%)
5. Proposal budget matches the work plan and is appropriate. (10%)



Finance Department
General Services Division

REQUEST FOR PROPOSALS (RFP)
Specification No. 25-11718-C
FOR
HEALTHY BERKELEY 2-YEAR COMMUNITY FUNDING
PROPOSALS WILL NOT BE READ PUBLICLY

Dear Prospective Applicants,

The City of Berkeley is soliciting written proposals from qualified Community-Based Organizations (CBOs) serving Berkeley with a community-based focus to **promote reduction of consumption of sugar-sweetened beverages and to address the effects of sugar-sweetened beverage consumption on health.**

The **Healthy Berkeley Program** within the Public Health Division of the City of Berkeley is pleased to release its new Request for Proposals (RFP) for **FY2026 and FY2027** (July 1, 2025 through June 30, 2027; start date can shift based on approval of contracts).

The project scope, type of proposals sought, and vendor selection process are summarized in the RFP (attached). **Proposals must be received no later than 5 p.m., Friday, April 4, 2025.** Proposal are to be sent via e-mail with “Healthy Berkeley FY26/FY27” clearly indicated in the subject line of the e-mail. Please submit one (1) PDF of the Proposal with the filename saved as, “Proposal: *Vendor Name*, Healthy Berkeley FY26/FY27.”

E-mail Proposals to:

City of Berkeley

Public Health Division

HealthyBerkeley_RFP2025@berkeleyca.gov

Proposals will not be accepted after the date and time stated above. The City retains the right to award all or parts of this contract to several bidders, to not select any bidders, and/or to re-solicit proposals.

For questions concerning the Request for Proposal, please e-mail:

HealthyBerkeley_RFP2025@berkeleyca.gov no later than **5:00 p.m., Wednesday, March 19, 2025.** Please put in the e-mail subject line, “HB-RFP Questions.” Answers to questions will **not** be provided individually. Answers to all the questions will be shared with everyone applying by **5:00 p.m., Friday, March 21, 2025.**

We look forward to receiving and reviewing your proposal.

Sincerely,
Henry Oyekanmi
Director of Finance

E. State Prevailing Wage:

Certain labor categories under this project may be subject to prevailing wages as identified in the State of California Labor Code commencing in Section 1770 et. seq. These labor categories, when employed for any “work performed during the design and preconstruction phases of construction including, but not limited to, inspection and land surveying work,” constitute a “Public Work” within the definition of Section 1720(a)(1) of the California Labor Code requiring payment of prevailing wages.

Wage information is available through the California Division of Industrial Relations web site at: http://www.dir.ca.gov/OPRL/statistics_and_databases.html

VIII. SCHEDULE (dates are subject to change)

- | | | |
|--------------------------|---|---------------------------|
| <input type="checkbox"/> | Issue RFP to Potential Bidders: | Monday, March 10, 2025 |
| <input type="checkbox"/> | Questions Due | Wednesday, March 19, 2025 |
| <input type="checkbox"/> | Proposals Due from Potential Bidders | Friday, April 4, 2025 |
| <input type="checkbox"/> | Complete Selection Process | Thursday, April 17, 2025 |
| <input type="checkbox"/> | Council Approval of Contract (over \$50k) | Tuesday, June 3, 2025 |
| <input type="checkbox"/> | Award of Contract | Wednesday, June 4, 2025 |
| <input type="checkbox"/> | Sign and Process Contract | Tuesday, July 1, 2025 |
| <input type="checkbox"/> | Notice to Proceed | Wednesday, July 2, 2025 |

Thank you for your interest in working with the City of Berkeley for this service. We look forward to receiving your proposal.

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|---|--------------|
| • Check List of Required items for Submittal | Attachment A |
| • Proposed Budget Worksheet | Attachment B |
| • Healthy Berkeley Evaluation Commitment Form | Attachment C |
| • Non-Discrimination/Workforce Composition Form | Attachment D |
| • Nuclear Free Disclosure Form | Attachment E |
| • Oppressive States Form | Attachment F |
| • Sanctuary City Compliance Statement | Attachment G |
| • Living Wage Form | Attachment H |
| • Equal Benefits Certification of Compliance | Attachment I |
| • Certification of Anti-Lobbying | Attachment J |
| • Certification of Drug-Free Workplace | Attachment K |
| • Right to Audit Form | Attachment L |
| • Insurance Endorsement | Attachment M |

Upon the completion of the selection process for funding, successfully funded applicants will be required to upload all submission requirements and above attachments (A-M) on www.citydataservices.com for reporting and invoicing purposes.

Reference Documents: Provided as guidance for applicants.

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|---|--------------|
| • Results Based Accountability: Common Performance Measures | Attachment N |
| • Selection Criteria and Screening Questions for Reviewers | Attachment O |
| • Examples of projects and activities | Attachment P |