

**CITY OF OAKLAND  
AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2004 MAY 26 AM 10: 07

TO: Office of the City Manager  
ATTN: Deborah Edgerly  
FROM: Community and Economic Development Agency  
DATE: June 8, 2004

**RE: RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS TO  
THE METROPOLITAN TRANSPORTATION COMMISSION FOR  
COMMUNITY DESIGN PLANNING AND CAPITAL GRANTS FROM  
THE TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAM**

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**SUMMARY**

This item is a request for City Council approval of a resolution authorizing the submittal of applications to the Metropolitan Transportation Commission (MTC) for planning and capital grants from the Transportation for Livable Communities (TLC) program. On May 10, 2004, the Metropolitan Transportation Commission (MTC) issued a "call for projects" for the Transportation for Livable Communities (TLC) Community Design Planning and Capital Programs. The purpose of TLC is to support community-based transportation projects that bring new vibrancy to downtown areas, commercial cores and transit corridors. To accomplish this MTC provides planning and capital project grants to cities and counties throughout the nine Bay Area counties. City staff is requesting the City Council to review and approve the resolution authorizing the preparation and submittal of grant applications for a list of City projects.

**FISCAL IMPACT**

The fiscal impact will depend upon the number and size of TLC grants received. Matching funds are required for both planning and capital grants that must be allocated out of City resources. Potential matching fund sources include redevelopment funds, community development block grant money. MTC requires a 20% match on all planning grants and an 11.5% match on capital program grants. In addition, capital projects need additional match money to cover City management and administrative costs not eligible under TLC; this raises the match for capital projects to 20%. If and when a grant is awarded, staff will return to the Council for authority to accept and appropriate the grant funds and will identify the funding source for the match.

**BACKGROUND**

On May 10, 2004, the Metropolitan Transportation Commission (MTC) issued a "call for projects" for the Transportation for Livable Communities (TLC) Community Design Planning and Capital Programs. The purpose of TLC is to support community-based transportation

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Community and Economic Development Committee

6/08/04

projects that bring new vibrancy to downtown areas, commercial cores and transit corridors. To accomplish this MTC provides planning and capital project grants to cities and counties throughout the nine Bay Area counties. This year MTC will be allocating \$500,000 in total planning grants and \$27 million in total capital grants. Grant applications are due on July 16, 2004. These grants are highly competitive and MTC uses a special advisory committee to evaluate the grant applications based on specific criteria. This criteria are summarized in this report and the full criteria are contained in Attachment A to this report. In the past the City of Oakland has been very successful in obtaining TLC funding for projects. Attachment B summarizes all of the TLC funding Oakland has received since the program's inception.

### Community Design Planning Program

MTC will only be allocating \$500,000 in planning grants for this year for the entire nine county Bay Area. The maximum grant per project is \$75,000. The Community Design Planning Program's key objective is to explore innovative design concepts and plans through an inclusive, community-based planning process. These process typically results in transportation/land use concept plans; street design plans, detailed drawings, construction cost estimates, and implementation plans for specific capital projects. The criteria include the following:

- Project must pertain to a defined physical location
- Project must pertain to a physical setting where deficiencies exist and which, if remedied, will provide significant community benefit (e.g., walkability, pedestrian safety traffic calming, transit access, etc.
- Project employs a collaborative planning process that includes all community stakeholder and includes an outreach strategy to solicit input for a diversity of participants reflecting a broad range of ethnicity, incomes and special needs

Intended project outcomes include one or more of the following:

- Community stakeholder participation and support
- Plans for improvements to pedestrian, bicycle and transit facilities
- Plans for the development of higher density housing and mixed-use development near transit

If a project meets the basic evaluation criteria, MTC will use the following factors to further evaluate competing projects:

1. Project Innovation
2. Land Use Links
3. Local Match
4. Low-income Community Benefit

### Capital Program

This year MTC will be awarding \$27 million in capital grants to projects throughout the Bay Area. This is three times the amount of funding that has been available in previous TLC cycles. The Capital Program funds transportation infrastructure improvements to pedestrian, bicycle and transit facilities. Typical TLC capital projects include new or improved pedestrian facilities, bicycle facilities, transit access improvements, pedestrian plazas, and streetscapes. This year MTC has added a requirement that the City Engineer or Public Works Department certify, in writing, the feasibility of all capital projects as part of the application.

There are three parts to the Capital Program evaluation Criteria:

Part 1: Project Readiness Criteria – The project must have been developed through a collaborative planning process and all funding must be in place. TLC projects are funded out of the federal Surface Transportation Program and funds must be obligated no later than July 1, 2006. Therefore all projects must complete field review by Caltrans, the projects are subject to Federal environmental regulations, and a completed Plans, Specifications, and Estimates (PS&E) package must be submitted to both MTC and Caltrans no later than April 1, 2006.

Part 2; Basic Eligibility Criteria – The funding request must be greater than \$500,000 and less than \$4 million. The project sponsor must be able to assure the local match. The project must be well defined, and MTC requires that projects be designed and built as detailed in the application.

Part 3: Capital Evaluation Criteria – If a project meets all of the screening criteria than it is evaluated based on the following:

- TLC Program Goals
- Community Involvement
- Project Impact (results in specific community benefits)
- Land Use Links (supports transit oriented development and smart growth)

### Proposed City Projects

In anticipation of MTC's 'Call for Projects' CEDA staff distributed information on the TLC program and solicited a list of all potential TLC projects from City staff, Councilmembers and Council aides. Over the course of several weeks, as new information became available from MTC and projects were reviewed with MTC's criteria in mind, the list of projects was refined down to 3 planning and 5 potential capital projects. Staff is recommending that the City Council authorize that TLC applications be submitted for all of these projects pending identification of matching funds and certification by PWA of project feasibility. At the time of this writing not all project sponsors had been able to identify the matching funds and PWA had not had sufficient time to review all of these projects in detail. It is anticipated that these tasks will be completed before applications are due on July 16, 2004. The specific projects are detailed in the following chart.

**PROPOSED TLC PLANNING AND CAPITAL GRANT APPLICATIONS**

<b>Project</b>	<b>Description</b>	<b>TLC Request</b>	<b>20% Match</b>	<b>Lead Staff</b>	<b>Council District</b>
<b>CAPITAL PROGRAM</b>					
<u>MacArthur Blvd. Streetscape Project</u>	Streetscape Improvements on MacArthur Blvd, 73rd to 76th Avenue ; 89th to 9th; and 105th to San Leandro Border	\$1,360,000	\$340,000	E. Mirsaeidi, T. Navarro	Districts 6 and 7
<u>MacArthur BART Station West-Side Access Enhancement Project</u>	Improve pedestrian and bicycle access to transit hub from community to the west of the MacArthur BART station. This project addresses the freeway overpass barrier that divides the community.	\$1,600,000	\$400,000	K. Kleinbaum	District 1
<u>West Oakland Transit Village Streetscape</u>	Construction of the West Oakland Transit Village Streetscape Plan	\$2,400,000	\$600,000	M. Prado	District 3
<u>Eastlake Phase II</u>	Extend current Eastlake Streetscape and Pedestrian Project to the District's eastern end and 14th along International and East 12th Streets.	\$2,600,000	\$520,000	W. Simon, C. Hao	District 2
<u>Chinatown Pedestrian Safety and Access Improvements</u>	First phase of the Revive Chinatown Plan, construct bulb outs on Webster, Franklin and Harrison, add scramble signals and pedestrian countdown signal heads	\$1,000,000	\$200,000 -	J. Patton, N. Fay	District 2
<b>PLANNING PROGRAM</b>					
<u>Foothill Blvd. Transit Corridor</u>	Streetscape and safe routes to transit planning on Foothill Blvd with a focus on three areas: Eastmont Mall, Seminary and Fairfax Commercial Districts	\$75,000	\$15,000	T. Van Demark	District 6
<u>Market Street Corridor</u>	Streetscape and traffic calming planning for this residential corridor subject to high speeds to address pedestrian safety and access issues and improve walkability	\$75,000	\$15,000	M. Prado	District 1
<u>Dimond/Upper Fruitvale</u>	Specific streetscape planning to address pedestrian safety issues and revitalize commercial areas complement the existing Environmental Justice Grant.	\$75,000	\$15,000	B. Goswami or W. Simon	Districts 4 and 5

## **KEY ISSUES AND IMPACTS**

A number of these projects require significant amount of local match money that has yet to be identified. These include Eastlake Phase II, West Oakland Transit Village Streetscape and the Chinatown Pedestrian Safety and Access Improvement Projects. These projects are also not as far along as the MacArthur Blvd. Streetscape, which is ready to move to construction, and the Mac Arthur BART Westside project where planning is complete and cost estimates have been reviewed by the Public Works Agency. Therefore, project readiness and the ability of the City to deliver these projects within the obligation deadline could also be an issue. If a project sponsor fails to meet the obligation deadline, not only does the City lose the TLC funding, but Alameda County will be penalized a commensurate amount in future funding cycles. It will be incumbent upon the lead staff for each of these projects to resolve all of these issues before submitting the application. In the past the City of Oakland has had some difficulty delivering the TLC projects as proposed in the grant application due to insufficient internal review of cost and feasibility before submitting the application. MTC's new requirement that the City Engineer or Public Works Director certify the project feasibility in writing is meant to address that issue. Although staff is requesting that the Council authorize the staff to submit applications for all of these projects, the Council should recognize that if all issues are not resolved before grant applications are due, then the project will not be submitted to MTC for TLC funds.

Once MTC completes its process and we are formally notified that a project will be receiving TLC funds, staff will return to the City Council with a resolution to accept and appropriate the TLC funding and allocate the City's match.

## **SUSTAINABLE OPPORTUNITIES**

### Economic

There will be an economic benefit to each community that receives a TLC grant as one of the main objectives of all of the proposed projects is economic revitalization. The capital funds will provide new infrastructure that will have a positive economic impact on each community.

### Environmental

All TLC projects, as required, must improve pedestrian, bicycle and transit access and provide options to the single occupant automobile. These projects will reduce air pollutant and energy consumption.

### Social Equity

One of the goals of the TLC program is to provide planning and capital improvements to improve the livability of areas that have traditionally not been the recipients of transportation and economic investment. All of these projects should help to improve social equity within the City of Oakland.

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**DISABILITY AND SENIOR CITIZEN ACCESS**

All projects are subject to Americans With Disabilities Act requirements and should improve access for the disabled and senior populations.

**RECOMMENDATION**

Staff recommends that the City Council approve the resolution authorizing the filing of applications to the Metropolitan Transportation Commission for Community Design Planning and Capital Grants from the Transportation For Livable Communities Program

**ACTION REQUESTED OF THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE**

Approve the resolution authorizing the filing of applications to the Metropolitan Transportation Commission for Community Design Planning and Capital grants from the Transportation For Livable Communities Program.

Respectfully submitted,

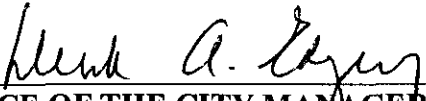


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Claudia Cappio  
Director of Development, Community  
and Economic Development Agency

Prepared By:  
Natalie Fay, Senior Transportation Planner  
Planning and Zoning Division

APPROVED AND FORWARDED TO  
THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE



**OFFICE OF THE CITY MANAGER**

- Attachments:
- A. TLC Guidelines
  - B. City of Oakland TLC Projects
  - C. Resolution Authorizing the Filing of Applications to the Metropolitan Transportation Commission for Community Design Planning and Capital Grants from the Transportation for Livable Communities Program

**ATTACHMENT A  
TLC GUIDELINES**

ABSTRACT

Metropolitan Transportation Commission  
*Resolution No. 3618*

This Resolution adopts the program guidelines for MTC's Transportation for Livable Communities program, funded with Surface Transportation Program (STP), Congestion Mitigation and Air Quality (CMAQ) Program, and Transportation Enhancements (TE) funds.

The following attachment is provided with this Resolution:

Attachment A— TLC Program Guidelines for the Community Design Planning Program, Capital Program, and Housing Incentive Program

Further discussion of this action is contained in MTC "Executive Director's Memorandums" dated February 27, 2004 and April 2, 2004.

Date: April 28, 2004  
W.I.: 1611  
Referred by: POC

RE: Transportation for Livable Communities Program Guidelines

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. NO. 3618

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, MTC has developed a process and criteria to be used in the selection and ranking of Transportation for Livable Communities (TLC) planning and capital projects and Housing Incentives Program (HIP) projects to be funded with Surface Transportation Program (STP), Congestion Mitigation and Air Quality Program (CMAQ), Transportation Development Act (TDA), and Transportation Enhancements (TE) Program funds attached hereto and incorporated herein as though set forth at length; and

WHEREAS, MTC will use the process and criteria set forth in the attachments of this Resolution to develop a program of projects for the Transportation for Livable Communities Program to be amended into the Transportation Improvement Program (TIP).

RESOLVED, that MTC approves the process and criteria to be used in the selection of planning, capital and HIP projects to be amended into the TIP, as set forth in Attachment A of this Resolution; and be it further

RESOLVED, that the Executive Director shall forward a copy of this Resolution, and such other information as may be required, to the Governor, Caltrans, and to such other agencies as may be appropriate.

METROPOLITAN TRANSPORTATION COMMISSION

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Steve Kinsey, Chair

The above Resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on April 28, 2004.



Date: April 28, 2004  
W.I.: 1611  
Referred by: POC

Attachment A  
MTC Resolution No. 3618  
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## **Transportation for Livable Communities (TLC) Program Guidelines**

## **TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAM GUIDELINES**

### **TLC Program Goals**

The purpose of MTC's Transportation for Livable Communities (TLC) Program is to support community-based transportation projects that bring new vibrancy to downtown areas, commercial cores, neighborhoods, and transit corridors, enhancing their amenities and ambience and making them places where people want to live, work and visit.

The goal of TLC is to support community-based transportation projects that:

- Are developed through a collaborative and inclusive planning process that includes broad partnerships among a variety of stakeholders such as public agencies, community-based organizations and community stakeholders, and outreach to a diversity of participants.
- Improve a range of transportation choices by adding or improving pedestrian, transit, and/or bicycle facilities, and by improving the links between these facilities and activity nodes.
- Support well-designed, high-density housing and mixed use developments that are well served by transit, or will help build the capacity for future transit investment and use.
- Support a community's infill or transit-oriented development and neighborhood revitalization activities
- Enhance a community's sense of place and quality of life.

### **PROGRAM COMPONENTS**

To identify and nurture these kinds of projects, MTC offers a menu of transportation incentive programs through TLC –

- **Community Design Planning Program:** funds community design and planning processes to revitalize existing neighborhoods, downtowns, commercial cores, and transit station areas and stops to create more pedestrian, bicycle, and transit-friendly environments.
- **Capital Program:** funds transportation infrastructure improvements to pedestrian, bicycle and transit facilities to encourage pedestrian, bicycle and transit trips and improve pedestrian and bicycle access to transit facilities.
- **Housing Incentive Program (HIP):** rewards communities that build high density housing and mixed use developments at transit stops to create the residential densities necessary to support high-quality transit service and encourage transit ridership. The HIP program provides these communities with transportation dollars for transportation infrastructure improvements.

MTC will establish funding targets for each program, but will determine the appropriate funding level for each depending on the quality of the applicant pool.

## COMMUNITY DESIGN PLANNING PROGRAM

### Program Description

The *Community Design Planning Program* funds community design and planning processes to retrofit existing neighborhoods, downtowns, commercial cores, and transit station areas and stops in order to create pedestrian, bicycle, and transit-friendly environments. The key objective of this program is to provide funding support to local governments, transportation agencies, and community-based organizations to explore innovative design concepts and plans through an inclusive, community-based planning process. Community design planning processes often lead to the development of capital projects that can compete for funding at a regional level. The community planning process typically results in transportation/land-use concept plans; streetscape design concept plans; detailed drawings, construction cost estimates, and implementation plans for specific capital projects.

### WHO CAN APPLY?

Community design planning grants are awarded on a competitive basis. Local governments, transportation agencies, and community-based nonprofit organizations may receive funding. Non-governmental organizations may act as the lead sponsor, but must partner with a local government agency to carry out the planning project. Grant recipients will be required to enter into a funding agreement with MTC to carry out the project, and attend a workshop on grant administration.

### HOW MUCH FUNDING IS AVAILABLE?

MTC allocates Transportation Development Act (TDA) or Surface Transportation Program (STP) funds to this program. Up to \$75,000 is available per project. A 20 percent local match is required. Local match is defined as the dollars used to match the planning work. TLC funds cannot be used to fund project sponsor staff time or costs.

### ELIGIBLE ACTIVITIES

Project activities eligible for funding include conducting community design and visioning workshops; designing streetscape improvements that promote pedestrian, bicycle and transit activities; preparing neighborhood revitalization plans to strengthen community identity; developing transportation and land-use plans for redevelopment areas or along a Resolution 3434<sup>1</sup> corridor or preparing concept plans, drawings and design guidelines for capital projects.

### HOW WILL PROJECTS BE EVALUATED?

#### PART ONE: EVALUATION CRITERIA

##### 1. Study Need

- a. Proposal includes an issue statement that clearly identifies the purpose and need of the planning project along with desired outcomes
- b. Project pertains to a defined physical location
- c. Project pertains to a physical setting where deficiencies exist (or will exist), and which, if remedied, will provide significant community benefit (e.g., walkability, pedestrian safety, traffic calming, transit access, bicycle gap closure, etc.)

##### 2. TLC Program Goals

- a. Project addresses one or more TLC program goals, and demonstrates how well the goals are met

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<sup>1</sup> MTC's Resolution 3434 consists of nine rail extensions throughout the Bay Area, a new regional express bus program, and significant service enhancements to eight existing rail and bus corridors as identified in the 2001 Regional Transportation Plan and amended in the Transportation 2030 Plan (pending).

### 3. Project Scope

- a. Project describes a collaborative planning process<sup>2</sup> to be undertaken by identifying the:
  - community stakeholders (e.g., residents, business proprietors, property owners, neighborhood associations, nonprofits, community-based organization, etc.), local governmental agency, and the transit operator that will be involved and their roles
  - outreach strategy to solicit input from a diversity of participants to reflect a broad range of ethnicity, incomes and special needs of the community
  - innovative outreach techniques to be used to solicit public input
- b. Intended project outcomes include one or more of the following:
  - Community stakeholder participation and support
  - Plans for improvements to pedestrian, bicycle and transit facilities, and in particular improvements to strategic links between transit nodes and activity hubs to encourage non-automobile use
  - Plans for the development of higher density housing and mixed-use development near existing or planned transit infrastructure

### 4. Project Administration

- a. Project will result in a discrete and clear work product that will guide the project to the next level of planning, and/or form the basis to compete for funding for capital projects identified in planning process.
- b. Project will be completed within one year. Project sponsor commits to begin the project immediately once the Commission approves the project. Note: once projects are underway, MTC will consider time extensions if the project sponsor demonstrates progress on the planning process, and demonstrates a real need for additional time to adequately conduct community outreach or technical analysis.
- c. Project sponsor commits to pursuing the project recommendations, including subsequent planning activities, and to pursue preliminary engineering and construction funds for capital projects as feasible.

### PART TWO: ADDITIONAL FACTORS

If a project meets the evaluation criteria listed above, MTC will use the following factors to further evaluate competing projects for TLC assistance:

1. **Project Innovation:** To what degree does the project demonstrate innovation in project scope and community outreach techniques? Is this project different in scope and type than other candidate projects?
2. **Land Use Links:** To what degree does the project support the building of higher density housing and mixed uses developments, particularly in existing downtowns, commercial cores, neighborhoods, and transit stops/corridors?
3. **Local Match:** To what degree is the local match beyond the required match offered as part of the proposed project's total cost? To what degree does the project use TLC funds to leverage other funding? To what degree does the sponsor provide in-kind services (staff time or costs) towards the project?
4. **Low-income Community:** Does the project serve a low-income neighborhood, as demonstrated by Census data on income and/or poverty level compared to the city or county as a whole?

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<sup>2</sup> At the conclusion of the planning effort, MTC requires project sponsor to demonstrate how well the outreach process was implemented in terms of accessibility of outreach process to serve diverse geographic, language and ability needs; impact of public outreach and involvement on community project; and satisfaction of outreach process as expressed by participants.

## APPLICATION PROCESS

**Step 1:** MTC issues a “call for projects” on an annual basis.

**Step 2:** Applicants submit a project proposal to MTC for funding consideration. The planning proposal should include the amount of TLC funds requested, amount and source of local match, brief description of sponsor and study partner(s), how project fulfills evaluation criteria shown above, preliminary scope of work that describes each itemized task to be undertaken and the resulting work product(s) per task, project budget and schedule for the project by itemized task/work product, and project area map and existing conditions photos.

**Step 3:** MTC evaluates project proposals with assistance from representatives from MTC’s Advisory Council<sup>3</sup> and the Bay Area Partnership<sup>4</sup>.

**Step 4:** Based on the recommendations of the evaluation team, and funding availability of the overall program, MTC’s executive director will make a funding recommendation to the Commission.

**Step 5:** Following the Commission’s approval, grant recipients will enter into a funding agreement with MTC and attend a special workshop on community planning and grant administration.

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<sup>3</sup> MTC’s Advisory Council is comprised of citizens of diverse backgrounds and interests in the development of transportation plans and programs. The Advisory Council directs its viewpoints to the Commission.

<sup>4</sup> The Bay Area Partnership is comprised of representatives from the 9 county congestion management agencies, transit operators, Bay Area Air Quality Management District, etc.

## CAPITAL PROGRAM

### Program Description

The *Capital Program* funds transportation infrastructure improvements to pedestrian, bicycle and transit facilities. The key objectives of this program are to encourage pedestrian, bicycle and transit trips; support a community's larger infill development or revitalization effort; and provide for a wider range of transportation choices, improved internal mobility, and stronger sense of place. Typical TLC capital projects include new or improved pedestrian facilities, bicycle facilities, transit access improvements, pedestrian plazas, and streetscapes. Funds can be used for preliminary engineering (design and environmental), right-of-way acquisition, and/or construction.

### WHO CAN APPLY?

Capital Program grants are awarded on a competitive basis. Local governments, transit operators, and other public agencies are eligible recipients of the federal funds. Community-based organizations and nonprofits may be co-partners but cannot receive the funds. Grant recipients will be required to take the capital project through the federal-aid process with Caltrans Local Assistance, and obligate, or commit, the federal funds by the regional obligation deadline specified by MTC. In addition, grant recipients will be required to attend a training workshop on project implementation and the federal-aid process.

### HOW MUCH FUNDING IS AVAILABLE?

MTC allocates federal Surface Transportation Program (STP) or Congestion Mitigation and Air Quality (CMAQ) Improvements Program Funds toward the capital project. Grant amount ranges from \$500,000 to \$3 million per project. A federal local match of 11.5 percent of the total TLC project cost is required.

Grant recipients will be required to take the TLC capital project through the federal-aid process with Caltrans Local Assistance, and obligate, or commit, the federal funds by the regional obligation deadline specified by MTC. In addition, grant recipients will be required to attend a training workshop on project implementation and the federal-aid process.

### ELIGIBLE ACTIVITIES

Project activities eligible for funding include bicycle and pedestrian paths and bridges; on-street bike lanes; pedestrian plazas; pedestrian street crossings; streetscaping such as median landscaping, street trees, lighting, furniture; traffic calming design features such as pedestrian bulb-outs or transit bulbs; transit stop amenities; way-finding signage; and gateway features. While these discrete activities are eligible for funding, MTC is looking for a capital project that is well-designed, uses a variety of different design features, results in numerous community benefits, and is part of a community's broader revitalization and development efforts.

### HOW WILL PROJECTS BE EVALUATED?

#### Part 1: Project Readiness Criteria

The following criteria will be used to evaluate whether a project will be able to meet the fund obligation deadline. Projects must secure a federal authorization to proceed with construction by the obligation deadline set by MTC.

1. Has a collaborative planning process involving the local government agency, community stakeholders, transit district(s), and others affected by the project taken place? (If the planning process has not been undertaken, please consider applying in a future cycle once the process is completed.)
2. Is the project fully funded with TLC capital funds? Is the project dependent upon other funding yet to be secured? Please provide a project budget showing all funding amounts and fund sources secured for the project, and describe how any funding shortfalls will be covered.
3. Is the project dependent upon another uncompleted major capital project?
4. What type of environmental document required by CEQA and NEPA will be (has been) prepared, and when would it be (was it) certified? What environmental issues may require more detailed study?

5. Is the project entirely within the local agency's right-of-way? Are any new right-of-way, permits or easements needed, and when would it be acquired (from non-TLC sources) if needed?
6. Is there a utility relocation phase within the project area but implemented separately from the project?
7. Have all affected departments within the local government agency, transit agency, and/or other public agency (1) been involved in the development of the project and (2) reviewed the project to ensure project feasibility?
8. Is the project difficult to engineer (or has engineering been completed)?
9. Is there significant local opposition that may prevent the project from meeting the funding obligation deadline?
10. Are there any pending lawsuits related to the project?

### **Part 2: Basic Eligibility Criteria**

All basic eligibility criteria below must be met before a project can be reviewed according to the evaluation criteria under Part 3. Briefly describe how the project satisfies each criterion. Following grant approval, the project sponsor will submit a governing board approved resolution confirming the requirements described below have been met.

1. The funding request is greater than \$500,000 and less than \$4 million.
2. The project sponsor assures that a local match of at least 11.5 percent of the total project cost will be available.
3. The project sponsor agrees to abide by all applicable regulations, including the National Environmental Policy Act (NEPA) and the American with Disabilities Act (ADA).
4. The project is well-defined and results in a usable segment. MTC defines a usable segment as a section of public improvements that has defined start and end points and allows continuous travel from the start point to the end point.
5. The project sponsor understands and agrees to the MTC project delivery requirements as described below and in MTC Resolution 3606.\*
  - a. Federal funds through the TLC Capital Grants program are fixed at the programmed amount, and therefore any cost increase would not be funded through TLC.
  - b. Projects are to be designed and built consistent with the project description contained in the grant application, and if approved, as programmed in MTC's Transportation Improvement Program (TIP).
  - c. A field review with Caltrans Local Assistance will be completed within six (6) months of grant approval.
  - d. The appropriate NEPA document for the project will be certified through the office of Caltrans Local Assistance within twelve (12) months of grant approval.
  - e. The project design drawings will be submitted to MTC for review and comment at various design stages, typically 30%, 60%, 90%, and 100% submittals.
  - f. A completed Plans, Specifications, and Estimates (PS&E) package will be submitted to MTC and Caltrans Local Assistance by no later than April 1 in the year of regional obligation deadline.
  - g. Federal funds will be obligated by the fund obligation deadline established by MTC for this grant cycle.
  - h. The "before" and "after" photos of the project will be sent to MTC for use in publications, press releases, reports, etc. about the TLC program.
  - i. MTC will be notified immediately to discuss potential project implications that will affect the delivery of the project.
  - j. The project sponsor commits to maintaining the project.

*\*MTC reserves the right to rescind the TLC capital funds in full should any of the above requirements not be fulfilled by the project sponsor, and reprogram the TLC capital funds in accords with Commission policy.*

### **Part 3: Capital Evaluation Criteria**

If a project meets all the screening factors identified in Parts 1 and 2, it is evaluated according to

the criteria shown below. For each category, a project will be assigned a “high”, “medium”, or “low” rating. Funding priority is based on the degree to which the project meets these criteria.

### **1. TLC Program Goals**

- a. Project addresses one or more TLC program goals, and demonstrates how well the goals are met

### **2. Community Involvement**

- a. Project resulted from an inclusive and collaborative planning process with community stakeholders, including low-income, minority community representatives (if applicable), as demonstrated by new or strengthened project partnerships, outreach efforts to a diversity of participants, and innovative planning techniques used to solicit public input.
- b. A planning document (such as a transportation-land use plan, urban design/landscape concept plan, design development plan, specific plan, general plan etc.) from which the project was derived, or a conceptual design illustrating the project, has been prepared and made available to the public for review and comment.
- c. Project is supported by the local agency (including planning, public works, engineering, traffic, and/or redevelopment departments/ agencies), transit operator(s), and community stakeholders who are affected by the project.

### **3. Project Impact**

The project remedies a current or anticipated problem, and will result in one or more of the following community benefits:

- a. *Transportation Choices*: project provides for a range of transportation options to access jobs, shopping, recreation and other daily needs
- b. *Pedestrian and Bicycle Access*: project improves direct pedestrian or bicycle access to the downtown, commercial core, neighborhood, or transit stop/corridor
- c. *Transit Access*: project improves transit accessibility to a major activity center
- d. *Safety and Security*: project reduces the number of pedestrian/bicycle injuries and fatalities, and addresses safety and security concerns around transit facilities
- e. *Street Design*: project promotes good street design to encourage pedestrian, bicycle and transit trips such as narrow traffic lanes, wide sidewalks, marked crosswalks, landscape buffers, etc.; promotes safe road-sharing between bicycles and vehicles; and complies with the American with Disabilities Act and applicable street design standards
- f. *Traffic Calming*: project reduces driving speeds to facilitate safe pedestrian, bicycle, and vehicle travel and street crossings
- g. *Streetscape Design*: project creates pedestrian, bicycle and transit friendly environments through street trees, landscape buffers, pedestrian-scaled lighting, wide sidewalks, etc.
- h. *Community Design*: project enhances the look and feel of the community and fosters a strong sense of place through upgrades to the physical environment and cohesive designs of streets, buildings, and public spaces
- i. *Air Quality*: project improves mobility via walking, biking, or taking transit, and thus reduces vehicle trips and improves air quality
- j. *Economic Development*: project acts as a catalyst to generate local economic development opportunities, particularly within disadvantaged communities

### **4. Land Use Links**

- a. Project supports channeling new growth to areas of the region with established infrastructure and existing residential development, employment centers, and other major activity centers such as retail and cultural facilities.
- b. Project is located in a project area that is currently zoned, or will be rezoned, to support the development of a diverse mix of housing (particularly high-density, affordable, and/or mixed-income developments), retail, commercial, or office uses.
- c. Project is located in a project area where major transit infrastructure exists or is planned in to serve the land use developments.



- d. Project directs investment to a traditionally low-income community, as demonstrated by Census data on income and/or poverty level compared to the city or county as a whole.

**Application Process**

**Step 1:** MTC issues a “call for projects” on an annual basis.

**Step 2:** Applicants submit a project proposal to MTC for funding consideration. The project proposal should include amount of TLC funds requested, amount and source of local match, brief description of sponsor and study partner(s), detailed description of the specific capital improvements to be funded by TLC, how project fulfills evaluation criteria shown above, project finance plan for preliminary engineering, right-of-way and construction phases, project schedule for preliminary engineering, right-of-way and construction phases, and project area map and photos.

**Step 3:** MTC evaluates project proposals with assistance from representatives from MTC’s Advisory Council and the Bay Area Partnership.

**Step 4:** Based on the recommendations of the evaluation team, and funding availability of the overall program, MTC’s executive director will make a funding recommendation to the Commission.

**Step 5:** Following the Commission’s approval, grant recipients will submit to MTC a board-approved resolution demonstrating commitment to fund and build the project and attend a workshop on project implementation and the federal-aid process. Grant recipients will be required to take the TLC capital project through the federal-aid process with Caltrans Local Assistance and comply with MTC’s project review process. Funds returned to MTC for any reason will be reprogrammed according to Commission policy.

## **HOUSING INCENTIVE PROGRAM**

### **Program Description**

The *Housing Incentive Program* rewards local governments that build high-density housing, particularly affordable housing, and mixed use developments at transit stops. The key objectives of this program are to (1) increase the housing supply in areas of the region with existing infrastructure and services in place, including transit, retail, jobs and cultural activities; (2) locate new housing where non-automotive transportation options such as walking, bicycling, and taking transit are viable transportation choices, and (3) establish the residential density and ridership markets necessary to support high-quality transit service. Local government agencies are required to spend HIP funds on either a TLC capital project that serves the new housing development or a TLC capital project that supports TLC goals but is located elsewhere within the jurisdiction. Typical capital projects include pedestrian and bicycle facilities that connect the housing project to adjacent land uses and transit; improved sidewalks and crosswalk linking the housing to a nearby community facility such as a school or a public park; or streetscape improvements that support increased pedestrian, bicycle, and transit activities and safety.

### **WHO CAN APPLY?**

Local government agencies are eligible recipients of the federal funds. Nonprofit or market-rate housing developers may partner with a local government agency to plan and build the housing, but cannot receive the funds. Grant recipients will be required to take the capital project to be funded with HIP funds through the federal-aid process with Caltrans Local Assistance, and obligate, or commit, the federal funds by the regional obligation deadline specified by MTC. In addition, grant recipients will be required to attend a special training workshop on project implementation and the federal-aid process.

### **HOW MUCH FUNDING IS AVAILABLE?**

MTC allocates federal Surface Transportation Program (STP) Funds or Congestion Mitigation and Air Quality (CMAQ) Improvements Program Funds toward the TLC capital project. Grant amount is based on sliding density scale on a per bedroom basis, including a bonus for affordable bedrooms. Up to \$3 million is available per local government agency. A federal local match of 11.5 percent of the total TLC project cost is required.

### **ELIGIBLE ACTIVITIES**

Project activities eligible for funding include bicycle and pedestrian paths and bridges; on-street bike lanes; pedestrian plazas; pedestrian street crossings; streetscaping such as median landscaping, street trees, lighting, furniture; traffic calming design features such as pedestrian bulb-outs and transit bulbs; and transit stop amenities. While these discrete activities are eligible for funding, MTC is looking for a capital project that is well-designed, uses a variety of different design features and results in numerous community benefits.

### **HOW WILL PROJECTS BE EVALUATED?**

MTC will follow a three-part process when evaluating projects.

### **PART 1: PROJECT READINESS CRITERIA**

The following criteria will be used to evaluate whether a housing project will be able to meet the groundbreaking deadline and the capital project to be funded by HIP funds will be able to meet the fund obligation deadline. The capital project must be ready to begin the preliminary engineering, right-of-way, and construction phases, and to secure a federal authorization to proceed with construction by the regional obligation deadlines set by MTC.

1. What is the planning status of the housing project? Provide a detailed description and timeline of the project approval process for the housing project. Also indicate when building permits are expected to be issued, and when housing construction will begin.

2. To be considered for funding, a housing project should be in the zoning and entitlement process with local jurisdiction but not have received either a zoning permit or building permit. The transportation infrastructure improvement to serve the housing project should be clearly identified as part of this planning process. If the existing transportation infrastructure linking the housing project to the transit stop is deficient, the local government agency is encouraged to spend HIP funds on constructing the necessary infrastructure improvements.
3. What is the status of the financing for the housing project? Has the sponsor secured all financing required in order to make the project financially viable? If not, what is the sponsor's project financing strategy? Is the project applying for 9% tax credits? If the project does not receive an allocation in its next attempt, how will the sponsor proceed? Is the project applying for HUD financing either through the 202 or 811 program? If the project does not receive a HUD award in its next attempt, how will the sponsor proceed? Is the project applying for funding from the local jurisdiction(s) (such as redevelopment, in lieu or HOME funds)? What is the status of the request for local funding? Overall, will the project be ready to close all financing (and therefore start construction) within 24 months?
4. What is the capital project to be funded by the HIP funds? The local government agency may determine where HIP funds should be spent within the jurisdiction, but the capital project funded through HIP must be consistent with TLC goals. Provide a detailed description of the capital project, including project scope, budget, and implementation schedule. Also include maps and photos of project area where improvements will be built.

## **PART 2: BASIC ELIGIBILITY CRITERIA**

1. The project sponsor understands and agrees to the MTC project delivery requirements as described in MTC Resolution 3606. (See Capital Program, Part 2 Basic Eligibility Criteria)

## **PART 3: EVALUATION CRITERIA**

1. **Walking Distance from Housing to Transit Stop**  
Housing project must be within one third of a mile from the center of the development site via the shortest walking path leading to the transit stop. Housing projects that are within one half of a mile from a rail transit station are also eligible.

A pedestrian path of travel from the center of the project to the transit stop must be provided and demonstrated on a scaled for distance map. The path must comply with the American with Disabilities Act.

2. **Transit Headways**  
Housing project must be served by transit service (bus, ferry or rail transit<sup>5</sup>) with 15-minute headways or less during the peak commute hours of 7-9 am and 4-6 pm. Documentation evidencing the transit peak headway service provided must be submitted. MTC allows two exceptions to this criterion:

(a) In Marin, Sonoma, Napa and Solano counties only: If a housing project is located in a community's designated downtown or central business district, the housing project is eligible for funding consideration if the transit serving the downtown provides 30-minute headways or less during the peak commute period. Project sponsor must submit a scaled for distance land use map or zoning map illustrating the location of the downtown/central business district, with the location of the housing project noted. In addition, project sponsor must document the current zoning, and explain whether the housing project meets or exceeds current zoning.<sup>6</sup>

<sup>5</sup> On a case-by-case basis, MTC will consider this criteria to be met if multiple transit routes or lines combine to provide effective 15-minute headways to and from major activity nodes.

<sup>6</sup> Housing projects must meet or exceed the current zoning requirements to receive HIP funding; MTC will not fund housing projects that involve downzoning.

(b) If a housing project is located within a one-half mile radius of a Resolution 3434<sup>7</sup> existing or approved station/stop, the housing project is eligible for funding consideration if it is served by transit service with 30-minute headways or less during the peak period. On a case-by-case basis, MTC will consider longer peak headways if the project sponsor demonstrates the transit operator's plans to upgrade the service to 30-minute peak headways in the near term. Project sponsor must submit a land use map illustrating the location of the Resolution 3434 existing or approved station/stop, with the location of the housing noted.

3. Housing Density<sup>8</sup>

The density thresholds and award amounts are:

- 20 units per acre: \$1,000 per bedroom\*
- 30 units per acre: \$1,500 per bedroom
- 40 units per acre: \$2,000 per bedroom
- 60 units per acre: \$2,500 per bedroom

\*Applies only to housing projects in Marin, Sonoma, Napa and Solano counties as described in the exception 2(a) above.

**Bonus for Affordable Housing Units**

For all affordable units, additional bonus funding per bedroom will be awarded, based on the following sliding scale:

- \$800 per extremely low income unit bedroom (targeted at a household earning 0 to 30 percent of area median income)
- \$600 per very low income unit bedroom (targeted at a household earning 31 to 50 percent of area median income)
- \$400 per lower income unit bedroom (targeted at a household earning 51 to 80 percent of area median income).

For purposes of this program, MTC defines affordable bedrooms as bedrooms located in a housing unit with a monthly cost of no more than 30 percent of a low-income household's gross monthly income, adjusted for family size. Area median income and affordable income limits for extremely low, very low, and lower income households by family size are based on the figures released annually for every county and Metropolitan Statistical Area (MSA) by the U.S. Department of Housing and Urban Development (HUD).

4. Is the project located in a Resolution 3434 Corridor?

**APPLICATION PROCESS**

**Step 1:** MTC issues a "call for projects" on an annual basis.

**Step 2:** Applicants submit a project proposal to MTC for funding consideration. The project proposal should include a brief description of sponsor, detailed description of housing project, detailed description of TLC capital project to be funded by HIP, how project fulfills evaluation criteria shown above, project scope, budget, and implementation schedule for TLC capital project, and project area maps and photos.

<sup>7</sup> MTC's Resolution 3434 consists of nine rail extensions throughout the Bay Area, a new regional express bus program, and significant service enhancements to eight existing rail and bus corridors as identified in the 2001 Regional Transportation Plan and amended in the Transportation 2030 Plan (pending).

<sup>8</sup> Density per acre is determined by evaluation of the net area per acre available to develop. The total developable acreage should not include land unsuitable for development such as wetlands, steep grade/hillside, toxic lands, etc.

**Step 3:** MTC evaluates project proposals with assistance from representatives from MTC's citizen-based Advisory Council and the Bay Area Partnership (includes congestion management agencies, transit operators, etc.)

**Step 4:** Based on the recommendations of the evaluation team, and funding availability of the overall program, MTC's executive director will make a funding recommendation to the Commission. If more eligible projects are submitted than funds available, MTC will make adjustments to the program of projects based upon factors such as the location of housing project within a Resolution 3434 corridor, the degree to which the sponsor has leveraged funding for the housing and transportation project, or the degree to which the sponsor has targeted funding for lower-income units.

**Step 5:** Following the Commission's approval, grant recipients will submit to MTC a board-approved resolution demonstrating commitment to fund and build the project and attend a workshop on project implementation and the federal-aid process. Grant recipients will have two years to break ground on the housing project (i.e., issuance of a building permit) and one year to obligate the federal funds through the federal-aid process for the TLC capital project in accordance with the deadlines specified by MTC. If a housing project has not broken ground after two years, funds are returned to MTC for reprogramming according to Commission policy. Grant recipients will be required to take the TLC capital project through the federal-aid process with Caltrans Local Assistance and comply with MTC's project review process.

ATTACHMENT B  
 TRANSPORTATION FOR LIVABLE COMMUNITIES  
 OAKLAND TLC/HIP PROJECTS  
 TLC Award

Sponsor	Project	TLC Award
<b>CAPITAL PROGRAM</b>		
City of Oakland, Community & Economic Development Agency, East Bay Asian Local Development Corporation	Acorn-Prescott Neighborhood Transportation Plan Improvements (West Oakland), Phase 1*	\$1,074,525
City of Oakland Community and Economic Development Agency	Acorn-Prescott Neighborhood: 8th Street Improvements, Phase 2*	\$1,650,000
City of Oakland Community and Economic Development Agency and East Bay Asian Local Dev. Corporation	EastLake Streetscape and Pedestrian Enhancement Project	\$1,546,485
Spanish Speaking Unity Council, City of Oakland	Fruitvale Streetscape and Multi-Modal Transportation Improvement Project*	\$2,000,000
City of Oakland, Laurel Community Action Project	Laurel Streetscape Improvement Project, Oakland	\$938,780
City of Oakland	Coliseum Transit Hub Streetscape Improvements*	\$1,000,000
<b>PLANNING PROGRAM</b>		
City of Oakland	Acorn/Prescott Neighborhood Transportation Plan (West Oakland)	\$50,000
Spanish Speaking Unity Council	Urban Design Study for Fruitvale Streets (International Blvd., Fruitvale Ave., and 33rd Ave. to 39th Ave.)	\$35,000
BART, City of Oakland	Coliseum BART Station Area Improvements Plan	\$35,000
<b>HOUSING INCENTIVE PROGRAM</b>		
Oakland	Mandela Gateway Apartments Fruitvale Village for 1) Acorn-Prescott \$415K; 2) Eastlake Streetscape (\$245K); 3) Fruitvale Streetscape & Multimodal (\$113K)	\$719,000

CITY OF OAKLAND

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FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2004 MAY 26 AM 10:10 RESOLUTION NO. \_\_\_\_\_ C. M. S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR COMMUNITY DESIGN PLANNING AND CAPITAL GRANTS FROM THE TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAM**

**WHEREAS**, the Metropolitan Transportation Commission (MTC) has issued a call for projects for the Transportation for Livable Communities (TLC) Community Design Planning and Capital Programs; and

**WHEREAS**, the City of Oakland is an eligible project sponsor for Transportation for Livable Communities funds; and

**WHEREAS**, the City of Oakland wishes to receive Transportation for Livable Communities funding for the following Community Design Planning and Capital Projects:

Capital Program

- Mac Arthur Blvd. Streetscape Project
- MacArthur BART Station Westside Access Enhancement Project
- West Oakland Transit Village Streetscape Project
- Eastlake Phase II Project
- Chinatown Pedestrian Safety and Access Improvements

Community Design Planning Program

- Foothill Blvd. Transit Corridor
- Market Street Corridor
- Dimond/Upper Fruitvale

**WHEREAS**, MTC requires a resolution authorizing the City to apply for TLC grants;

**RESOLVED:** That the City Manager is authorized to apply for funding from MTC's Transportation for Livable Communities Program for the above stated projects; and

**FURTHER RESOLVED:** That a copy of this resolution will be transmitted to MTC

COMMUNITY ECONOMIC  
DEVELOPMENT CMTE  
JUN 8 2004

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IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 19

**PASSED BY THE FOLLOWING VOTE:**

AYES- Brooks, Brunner, Chang, De La Fuente, Nadel, Quan, Reid, Wan

NOES-

ABSENT-

ABSTENTION-

ATTEST:

CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California

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**COMMUNITY & ECONOMIC  
DEVELOPMENT CMTE**

**JUN 8 2004**