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2019 MAR 28 PM 1:23

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Ryan Russo  
Director, DOT

**SUBJECT:** Affordable Housing and Sustainable  
Communities Program

**DATE:** March 18, 2019

City Administrator Approval

Date:

3/27/19

## RECOMMENDATION

Staff Recommends That The City Council Adopt The Following Resolutions:

- 1) Resolution Amending Resolution No. 86994 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The 3268 San Pablo Project At 3268 San Pablo Avenue, To Authorize An Agreement With Bay Area Motivate, LLC For Transportation-Related Improvements; and
- 2) Resolution Amending Resolution No. 86216 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Empeyan & Harrison Hotel At 1300 Webster Street And 1415 Harrison Street, To Authorize An Agreement With Bay Area Motivate, LLC For Transportation-Related Improvements; and
- 3) Resolution Amending Resolution No. 86217 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection With The Lakehouse Commons Project At E 12th And Lake Merritt Boulevard, To Authorize An Agreement With Bay Area Motivate, LLC For Transportation-Related Improvements.

## EXECUTIVE SUMMARY

Staff recommends that the City Council adopt the proposed resolutions related to the Affordable Housing and Sustainable Communities (AHSC) Program. The resolutions authorize the City to enter into an agreement with Bay Area Motivate, LLC (the franchise holder for the Bay Area Bikeshare program) to install Bike Share stations as part of the transportation-related improvements for the following AHSC projects:

Item: \_\_\_\_\_  
Public Works Committee  
April 9, 2019

- 3268 San Pablo
- Empyrean Tower
- Lake House Commons

In April 2018 and June 2018, City Council approved similar resolutions (Resolution Nos. 87300 C.M.S., 87302 C.M.S., 87303 C.M.S.) to clarify fiscal aspects of the AHSC grants for all City AHSC projects, including authorization of funding agreements with AC Transit and the Bay Area Rapid Transit District (BART). Now Staff is requesting authorization to enter into an agreement with Bay Area Motivate, LLC to install the transportation-related improvements of the AHSC programs.

### **BACKGROUND / LEGISLATIVE HISTORY**

The AHSC Program is administered by the State of California Strategic Growth Council (SGC) and the Department of Housing and Community Development Department (CAHCD). The purpose of the AHSC Program is to reduce greenhouse gas (GHG) emissions through projects that implement land-use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support a variety of public policy objectives, including, but not limited to, reducing air pollution, improving conditions in disadvantaged communities, increasing connectivity and accessibility to jobs, housing and services and preserving and developing affordable housing.

The City of Oakland has a successful history applying for AHSC funds. In the most recent grant cycle (2016-17), the City received \$25 million in AHSC funds to develop 108 units of affordable housing and fund numerous transportation, bike and pedestrian improvements. The City also received approximately \$50 million in AHSC funds from the 2015-16 AHDC funding round and approximately \$5 million from the 2014-15 AHDC funding round.

### **ANALYSIS AND POLICY ALTERNATIVES**

The City Council has approved resolutions authorizing the City to apply for, accept and appropriate funds for all City AHSC-funded projects. Of these projects, only 3268 San Pablo, Empyrean Tower and Lake House Commons include Bike Share stations as part of their transportation related improvements. Staff recommends amending the resolutions because City Council authority is needed to enter into an agreement with Bay Area Motivate, LLC.

These AHSC projects included in this staff report and their respective bike stations are listed in Table 1 below.

**Table 1: Summary of City of Oakland Projects with AHSC-funded Bike Share Stations**

<b>Project Name</b>	<b>Address</b>	<b>Developer</b>	<b>Number of Affordable Units</b>	<b>Date Awarded</b>	<b>Bike Share Award (\$)</b>
3268 San Pablo	3268 San Pablo	Satellite Affordable Housing Associates	50	Awarded 07/20/2018	142,000
Empyrean Tower	1300 Webster Street	Resources for Community Development	66	Awarded 11/21/2016	65,053
Lake House Commons	E 12 <sup>th</sup> And Lake Merritt Boulevard	UrbanCo Development, LLC	90	Awarded 11/21/2016	65,053

City Council authority is needed to enter into an agreement with Bay Area Motivate, LLC for the transportation related improvements. The AHSC transportation grant funds will flow through the City's Department of Transportation from the State of California, and the City will reimburse Bay Area Motivate, LLC for the transportation work that is performed.

**FISCAL IMPACT**

Funding for AHSC-funded bike share stations is a pass-through to Bay Area Motivate, LLC. There are no fiscal impacts associated with this informational report. The installation of additional bike share stations will increase and improve transportation investments in Oakland.

**PUBLIC OUTREACH / INTEREST**

Affordable housing developers must demonstrate and document that they have conducted community meetings with neighborhood organizations to maximize their final AHSC Program score. They must also demonstrate certain outreach approaches (e.g., social media, printed flyers distributed in the neighborhood, and email list-serves) prior to application submission. Applicants must prepare a community outreach plan documenting efforts. In the case of public infrastructure project grant applicants, staff from those programs must demonstrate that the project is included in a public community plan (e.g. specific plan, bicycle master plan, station area plan, service expansion plan, or other types of community plans). Extensive public outreach was performed by the applicants to the AHSC Program for the proposed projects, including community meetings and outreach to neighborhood stakeholders.

**COORDINATION**

The City's work on these grants forges important and valuable relationships between the Department of Transportation (DOT), the Housing and Community Development (HCD)

Department, and the state partner agencies, the SGC and CAHCD. Additionally, the City's HCD Department and DOT are strengthening their relationships with the regional bike share provider Bay Area Motivate, LLC. Inevitably, this will improve overall services to the Oakland community and support the region's goals on sustainability and resiliency.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** Installation of additional bike share stations will expand transportation options to Oakland residents who will then have the opportunity to reduce transportation costs associated with owning a private vehicle or bicycle.

**Environmental:** AHSC applicants that received funding were awarded on the basis of reduction of vehicle miles travelled and related reductions in greenhouse gases. Research shows that bike sharing services reduce the demand for private vehicles, decrease greenhouse-gas emissions, and increase walking and biking. Expanding bike sharing services will help Oakland meet its sustainability goals outlined in the Energy and Climate Action Plan.

**Social Equity:** Projects enhance the provision of basic service levels and quality of life amenities to low-income neighborhoods. AHSC applicants were awarded funding on the basis of each project's proximity to Disadvantaged Communities as determined by California Air Resources Board who is using the California Emissions Estimator Model (CalEEMod) evaluation tool. All projects have demonstrated how they have consulted with and are implementing community-vetted projects. Finally, staff continues to work to increase the range of bike share opportunities, especially expanding services to underrepresented neighborhoods that can benefit from additional transit options.

### **CEQA**

In February 2016, the City received a CEQA Notice of Exemption from the Metropolitan Transportation Commission for the entire Oakland Bike Share Program.

The proposed bike share stations have been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines, which provides an exemption for the construction and location of limited numbers of new small facilities or structures (Class 3 exempt projects).

### **ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council adopt the following resolutions:

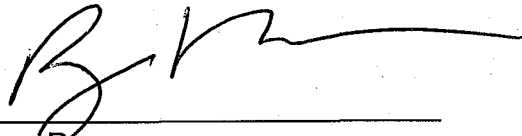
- 1) Resolution Amending Resolution No. 86994 C.M.S., Which Authorized The City To Apply For, Accept And Appropriate Loan And Grant Funds Under The State Of California's Affordable Housing And Sustainable Communities Program In Connection

With The 3268 San Pablo Project At 3268 San Pablo Avenue, To Authorize Agreements With Bay Area Motivate, LLC For Transportation-Related Improvements

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For questions regarding this report, please contact Bruce Williams, Funding Program Manager, at 510-238-7229.

Respectfully submitted,



Ryan Russo  
Director  
Oakland Department of Transportation

Reviewed by:  
Wladimir Wlassowsky, P.E.,  
Assistant Director  
Oakland Department of Transportation

Ariel Espiritu Santo  
Strategic Planning and Administration Manager  
Oakland Department of Transportation

Prepared by:  
Bruce Williams  
Funding Program Manager  
Oakland Department of Transportation

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

**DRAFT**

City Attorney's Office

2019 MAR 28 PM 1:23

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBER [IF APPLICABLE]

**RESOLUTION AMENDING RESOLUTION NO. 86994 C.M.S., WHICH AUTHORIZED THE CITY TO APPLY FOR, ACCEPT AND APPROPRIATE LOAN AND GRANT FUNDS UNDER THE STATE OF CALIFORNIA'S AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM IN CONNECTION WITH THE 3268 SAN PABLO PROJECT AT 3268 SAN PABLO AVENUE, TO AUTHORIZE AN AGREEMENT WITH BAY AREA MOTIVATE, LLC FOR TRANSPORTATION-RELATED IMPROVEMENTS**

**WHEREAS**, the State of California, Strategic Growth Council, and the Department of Housing and Community Development (the "Department") issued a Notice of Funding Availability ("NOFA") dated October 2, 2017, as amended, under the Affordable Housing and Sustainable Communities Program (the "AHSC Program"); and

**WHEREAS**, as authorized by City Council Resolution 86994 C.M.S. on December 18, 2017, Satellite Affordable Housing Associates (SAHA) and the City applied for an AHSC Program loan in an amount not to exceed \$7,000,000 (the "AHSC Loan") and an AHSC Program grant in an amount not to exceed \$4,000,000 (the "AHSC Grant"), for an aggregate amount not to exceed \$11,000,000 under the above described NOFA for use in connection with the 3268 San Pablo affordable housing project at 3268 San Pablo Avenue (the "Project"); and

**WHEREAS**, the Project AHSC grant application, which provided the basis on which the project was awarded, included a request to expand the existing bike share system in Oakland through the installation of additional stations; and

**WHEREAS**, the City Council wishes to delegate authority to the City Administrator or his or her designee to apply for, receive and accept such AHSC Program Funds on behalf of the City, and to negotiate, execute, enter into and deliver such agreements and instruments with the Department related to or in connection with such AHSC Program Funds without returning to the City Council, including an agreement with Bay Area Motivate, LLC for transportation-related improvements; now, therefore, be it;

**RESOLVED:** That the City Administrator or her designee is hereby authorized to negotiate and execute agreements with Bay Area Motivate, LLC pertaining to transportation-related improvements funded by the AHSC Grant; and be it

**FURTHER RESOLVED:** That said agreements shall be reviewed and approved by the City Attorney's Office for form and legality prior to their execution by the City, and copies will be placed on file with the City Clerk; and be it

**FURTHER RESOLVED:** That the City shall be subject to the terms and conditions as specified in the Standard Agreements; that funds are to be used for allowable capital asset Project expenditures to be identified in Exhibit A or other relevant portions of the Standard Agreements; that the application in full is incorporated as part of the Standard Agreements; that any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreements; and that the City hereby agrees to use the funds for eligible capital assets in the manner presented in the application as approved by the Department and in accordance with the NOFA and applicable AHSC Program Guidelines; and be it

**FURTHER RESOLVED:** That the City Administrator or her designee is hereby authorized to take any other action with respect to the AHSC Grant or the Project consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND  
PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California