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## MEMORANDUM

TO: MAYOR RONALD V. DELLUMS AND THE OAKLAND CITY COUNCIL  
FROM: CHARLES STEPHENSON & ANITA ESTELL (POL SINELLI SHUGHART PC)  
RE: FEDERAL AFFAIRS EXIT REPORT  
DATE: NOVEMBER 9, 2010

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### **Background**

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A brief summary of achievements in these areas follows. More detailed information also is attached and has been provided in previous reports shared with the City by the Federal Government Affairs Team. Those reports are hereby incorporated by reference.

### **Appropriations**

During the last two completed fiscal cycles (FY09 and FY10), the City secured 5.7 million in federal funding as a result of its efforts in Washington. For FY11, at least \$2.5 million in appropriations support is eligible for funding. Unfortunately, the appropriations cycle has not been completed and the vast majority of appropriations bills remain in limbo. Moreover, following the mid-term elections, whether these bills will be completed as a part of an Omnibus appropriations bill, be delayed until a new Congress via the adoption of a Continuing Resolution, or not approved at all, also is unclear. One of the issues that needs to be resolved has to do with the future status of earmarks (in both authorization and appropriations bills). Despite these challenges, the City's development of a multi-pronged approach, targeting the executive and legislative

branches, make it well-positioned to adapt to an increasingly dynamic political environment at the national level.

**FY11 Project Requests**

<b>Project</b>	<b>Amount Requested</b>	<b>a. Bill</b>	<b>Included in House Bill</b>	<b>Included in Senate Bill</b>	<b>Conference</b>
<b>No Turning Back: Case Management for Oakland Gun Shot Victims</b>	\$500,000	CJS	--	--	
<b>Oakland Center for Arts and Technology</b>	\$1 million	CJS	--	--	
<b>Restorative Justice (demonstration grant)</b>	\$1 million	CJS	\$300,000 (Rep. Lee) Oakland Youth \$250,000 (Rep. Lee)	--	
<b>Sanitary Sewer Rehabilitation of Sub-basins</b>	\$2 million	Interior	--	N/A	
<b>Firefighter Rehabilitation</b>	\$350,000	LHHS	--	--	
<b>New Connections (Aging/Adults w/ disabilities)</b>	\$587,202	LHHS	--	--	

Green Teen Centers (Sports Field Renovation Project; Defremery House Renovation Project; Mosshouse Improvement Project; West Oakland Teen Center; Rainbow Green Teen Center Renovation Project)	\$2.5 million	THUD	--	--	
Broadway-Jackson Interchange	\$40 million	THUD	--	\$2 million (Sen. Boxer)	
Jack London Square Transportation Infrastructure Lake Merritt Channel Railroad Crossing	\$25 million	THUD	--	--	
Lake Merritt to Bay Trail Project	\$500,000	THUD	--	--	
Malonga Casquelourd Center for the Arts	\$1,000,000	THUD/	--	--	
Seismic Retrofit	Report Language	THUD	N/A	N/A	
West Oakland Transit Village	\$2.5 million	THUD	--	--	

## FY10 Project Requests

<i>Project</i>	<i>Amount Requested</i>	<i>b. Bill</i>	<i>Included in House Bill</i>	<i>Included in Senate Bill</i>	<i>Conference</i>
Oakland Police CompStat	\$1,325,000	Commerce, Justice, Science	--	\$1,325,000 (Boxer & Feinstein)	\$1,325,000 (Boxer & Feinstein)
Oakland Special Prosecution Project	\$612,000	Commerce, Justice, Science	--	--	--
Lake Merritt Improvement Project	\$2,500,000	Transportation-HUD	--	\$850,000 (Boxer)	\$827,900 (Boxer)

East Oakland Sports Center Phase II	\$2,700,000	Transportation- HUD	--	--	--
Municipal HIV Initiative Demonstration Project	\$5.0 million	Labor-HHS- Education	--	--	--
Oakland Inner-Harbor Tidal Canal Feasibility Study	\$250,000	Energy and Water	\$1,000,000 (construction) (Lee, Pelosi) \$10,000,000 (President, Lee)	\$1,000,000 (construction) \$9,255,000 (operations & maintenance)	
East Bay Green Jobs Corridor	\$1,000,000	Labor-HHS- Education	--	\$600,000 (Feinstein)	\$600,000 (Feinstein)
Automatic Vehicle Locating (AVL) Systems	\$1,100,000	Commerce, Justice, Science or Homeland Security	\$250,000 (Lee)	--	\$250,000 (Lee)
Mobile Incident Command Post Acquisition (ICP)	\$508,333	Homeland Security	--	--	--
Interoperable Communications	\$6,632,750	Commerce, Justice, Science	--	--	--
Public Safety Vehicle Acquisition Program	\$1,740,000	Homeland Security	--	--	--

**FY 09 Project Requests**

<b>Project</b>	<b>Amount Requested</b>	<b>c. Agency/Account</b>	<b>House Bill</b>	<b>Senate Bill</b>	<b>Conference</b>
"Grow Our Own" Police Recruitment Program	\$1,900,000	Department of Justice/Office of Justice Programs (Byrne Grants/Law Enforcement Technology and Interoperability Program)			\$300,000 (p. 259)
Enhanced Public Safety Equipment Program	\$3,300,000	Department of Justice/Office of Justice Programs (Law Enforcement Technology and Interoperability Program/Byrne Grants)			\$500,000 (p. 207)
Automatic Vehicle Locating (AVL) Systems	\$1,543,200	Department of Homeland Security and/or Department of Justice/ Office of Justice Programs (Law Enforcement Technology and Interoperability Program/Byrne Grants)			\$250,000 (p.207)
Oakland Green Jobs Initiatives	\$3.8 million	Department of Labor/Green Jobs Training Programs (P.L. 110-140) and/or Employment			\$285,000 (p.4)

		and Training Administration (ETA)			
Public Safety Information Technology Infrastructure Enhancements	\$3.61 million	Department of Justice/Law Enforcement Technology and Interoperability Programs and/or Department of Homeland Security			N/A
P25 Interoperability Project	\$5,825,750	Department of Homeland Security and/or Department of Justice/Law Enforcement Technology and Interoperability Program			N/A
Bay Area Interoperability Communications Initiative	\$2.0 million	FEMA/Pre-Disaster Mitigation (Risk Identification, Planning, Communication and Response Coordination Account)			\$1,170,000 (p. 112)
Municipal HIV Initiative Demonstration Project	\$5.0 million	Department of Health and Human Services/ Health Resources and Services Administration (HRSA) and/or CDC			N/A
Diverse, Effective, Permanent Teachers Project	\$950,000	Department of Education/ Fund for the Improvement of Education (FIE)			\$190,000 (p. 147)
Fruitvale Latino Cultural and Performing Arts Center	\$1.0 million	Department of Housing and Urban Development/EDI and/or Department of Commerce/EDA			\$190,000 (p. 131)
Oakland Fire Department Fireboat	\$4.0 million	Department of Homeland Security	N/A	N/A	N/A

**Other items of interest:**

Alameda County Violence Prevention Initiative - \$250,000

East Bay Community Law Clean Slate Clinic for Community Re-entry & Reintegration Center - \$250,000

Covenant House California Jumpstart for Programs Serving At-Risk Youth - \$250,000

Martin Luther King Jr. Freedom. Center MLK, Freedom Center Youth Non-Violent Leadership Program - \$250,000

Cypress Mandela Training Center, Oakland, CA for construction industry skills training and related services - \$190,000)

EastSide Arts Alliance, Oakland, CA for training of youth for jobs in alternative energy, environmental restoration and the arts - \$143,000)

Prescott-Joseph Center for Community Enhancement, Oakland, CA for facilities and equipment. \$190,000

## **Authorization**

The City, working with Polsinelli, also submitted several project requests to Congress in need of authorizations. The project requests fell into two categories, reauthorization of the Water Resources Development Act and the reauthorization of SAFETEA-LU. Final action on both of these bills is pending. In light of growing concerns about federal spending, the timing of final deliberations is uncertain. However, it is recommended that City continue to engage and prepare to resubmit its priorities in these areas, and any other authorization areas that may emerge.

A project summary follows.

### Transportation – SAFETEA-LU Reauthorization *Requests Submitted to Senator Boxer and Senator Feinstein*

**1. 42nd Ave & High Street Access  
Improvements to I-880-** \$17,151,0000;

**2. Gateway Development Area Roadway  
Improvements at Oakland Army Base-**  
\$60,000,000 to improve access to and through the Oakland Army Base, thereby opening this little used area directly adjacent to the Port of Oakland and regional highways to economic development.; and

**3. Transit Village Transportation  
Infrastructure Improvement at Coliseum  
and West Oakland BART Stations-**  
\$59,400,000 to improve multi-modal access to existing BART stations.

### *Requests Submitted to Representative Barbara Lee*

**1. Gateway Area Roadway Improvements  
(Oakland Army Base) –** \$5,500,000 for the  
Army base for construction of the major roadway improvement necessary to start the  
project;

**2. Transit Village Transportation  
Infrastructure** \$5,000,000 for the transit villages for pedestrian/streetscape  
improvements;

**3. 42nd/High Access Improvements -**  
\$5,000,000 for 42nd and High for the construction cost of the project;

#### **4. Citywide Intelligent Transportation**

**System** - \$5,000,000 for the Citywide ITS system, we proposed to deliver a first phase of the citywide project; and

#### **5. Local Streets and Roads Rehabilitation - \$5,000,000 for LS&R.**

Letters of support for all of these projects were provided by the City.

#### Water --WRDA City Requests

*Easement.* The City of Oakland is constructing a pedestrian/bicycle trail along its shoreline as part of the 500-mile San Francisco Bay Trail. At three locations, the trail needs to be built on boardwalks into the Federal-owned Tidal Canal, in order to pass under bridges that span the Canal from Oakland to Alameda. These are critical gaps in the continuity of the trail. The City of Oakland would like Congress to require the Secretary of the Army to grant permanent easements for the trail, authorize construction of the trail by the City, and clarify permitting jurisdiction. The City of Oakland intends to build the trail with its own funds, so no request for Federal funds is made under this amendment.

*Tidal Canal.* The City of Oakland requests authorization to conduct a feasibility study as an initial element of a greater effort to undertake improvements to the Federal-owned Oakland Inner-Harbor Tidal Canal. Proposed improvements would include: bank stabilization, removal of navigation hazards/encroachments, environmental remediation of soil and sediments as needed, construction of boardwalks/bridge fenders to provide safe public access under bridges as part of the 500-mile San Francisco Bay Trail, and dredging.

In addition to these efforts, the Oakland Government Affairs Team, working with the City's congressional delegation assisted with the drafting of federal legislation related to other local priorities, including green jobs, public safety, and a community college collaborative with Historically Black Colleges and Universities. A more detailed report prepared in November 2009 is attached.

#### **Competitive Grants, Recovery and other Funding**

The Federal Government Affairs Team worked with the City to identify resources needed to assist truckers in meeting local emission requirements. We also researched and developed materials associated with the Oakland Port project, Tiger II, COPS and other efforts.

### **White House, Agency, Congressional and Local Stakeholder Meetings**

The Federal Government Affairs Team held several meetings by phone and in person with officials and stakeholders associated with the Oakland Port project. We also met with the Office of Vice President Biden, the House Transportation Committee, and Senate Public Works and Infrastructure Committee. Prior to the end of the engagement of Polsinelli, the Administration and Congressional leaders expressed a keen interest in the Port and its relevance to the national agenda. Other relationships nurtured by the Team and Mayor Dellums are ripe for follow-up, including contacts and communications with the Departments of Health and Human Services, Housing and Urban Development, Justice, Labor, Transportation and the Environmental Protection Agency.





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