

CITY OF OAKLAND
Agenda Report

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TO: Office of the City Manager
ATTN: Deborah Edgerly, Interim City Manager
FROM: Office of Intergovernmental Affairs

SUBJECT: **Proposed 2004 Federal Legislative Agenda**

SUMMARY

The Federal Legislative Agenda for 2004, detailed in this report, provides Council with a set of priorities to present to the City's federal legislative advocate for the 2004 session. The proposals are grouped categorically in two sections - Earmarks/Appropriations and Administrative/Regulatory Advocacy and are not listed in order of priority.

Some of the proposals have been carried over from previous agendas. This proposed agenda by no means includes every issue of concern that may arise throughout the course of the year; therefore, staff will continue to identify and monitor other important legislative issues and submit them to the City Council for consideration. In addition, the City's federal legislative advocate will also work to support grant proposals submitted by the City and to identify additional funding opportunities for City proposals as they arise throughout the year.

EARMARKS / APPROPRIATIONS

1. **Integrated Transportation Management Center (TMC) and Emergency Operating Center (EOC):** This project will enhance the City's TMC by providing monitoring capabilities via closed circuit television (CCTV) and integrating the TMC with the City of Oakland's EOC. The Integrated TMC/EOC will enable staff to monitor City streets and key security locations, such as the Oakland International Airport, Oakland Coliseum Complex, Port of Oakland, and downtown Oakland -- which is home to major federal, state, regional, county and city government office buildings. The project will also develop a communications link between the TMC and the EOC allowing traffic management and emergency response functions to be coordinated.

Financed by local funds, the initial TMC should be constructed by fall 2004. The TMC will enable control of 500 (85%) of the City's traffic signals. Using closed circuit television (CCTV), staff can respond to emergency situations where traffic must be redirected and/or priority given to emergency response vehicles. This

project will reduce incident response times for police and fire vehicles, and relieve traffic congestion during major planned events. It will also improve interagency coordination between major regional agencies such as CalTrans, California Highway Patrol, AC Transit, and local Fire and Police agencies. During major events at the Oakland Coliseum Complex and downtown Oakland, and during unusual peak travel periods elsewhere in the City, staff will be able to quickly modify traffic circulation. Other benefits include decreased fuel consumption, significant improvements in air quality, and priority treatment for transit vehicles at intersections. AC Transit has offered to support this project as appropriate.

Oakland requests a \$2.5 million federal Intelligent Transportation Systems (ITS) Deployment earmark. These federal funds will be matched with \$2.5 million in local funding for a total project cost of \$5 million. Local matching sources will consist of \$1.5 million of regional Transportation Fund for Clean Air (TFCA) funds, and \$1 million from Alameda County's share of federal Congestion Mitigation and Air Quality (CMAQ) and/or federal Surface Transportation Program (STP) funds.

2. **Streetscape Improvements for Transit Village Projects:** The project consists of pedestrian and bicycle-oriented streetscape improvements to improve safety and access surrounding transit village development in the City of Oakland at the Fruitvale, MacArthur, Coliseum, and West Oakland BART Stations. It is a critical element of the planned private and public project infill development projects that proposed at each of those BART station.

The specific street segments that are the subject of this application are as follows:

- MacArthur BART Station: 40th Street between Telegraph Avenue and Martin Luther King, Jr. Way and Telegraph Avenue from West MacArthur Boulevard to 40th Street.
- West Oakland BART Station: 7th Street between Wood Street and Union Street.
- Coliseum BART: San Leandro Street between 66th Avenue and 73rd Avenue.
- Fruitvale BART: Fruitvale Avenue between East 12th Street and East 9th Street.

All of these projects are currently in the planning and design phase. The total estimated combined cost of the streetscape improvements at all four of the transit village projects is \$10 million.

Oakland requests \$5 million in federal funds for these projects. These federal funds will be matched with \$5 million in local funding for a total project cost of \$10 million. Local matching sources will consist of \$1 million of existing funds from the Redevelopment Agency and from local grant sources that are currently being used for the planning and design work for the infrastructure improvements. The City of Oakland anticipates contributing an additional \$4 million through a combination of Redevelopment Funds and local grant sources.

3. **Waterfront Parks Initiative:** The City of Oakland has been in dialog with the Army Corp of Engineers Western Branch Office to determine whether there is an existing project that the City can be attached to in order to receive an appropriation to go with enabling legislative language submitted in 2000 by Barbara Lee and adopted by the legislature in the same year. A meeting is scheduled for January 8, 2004 to further discuss this issue and determine a mode of transfer for lands currently owned by the Army corps of Engineers to the City Of Oakland for purposes of developing access to the waterfront.
4. **Port of Oakland:** Seeking \$50 million for the Oakland Harbor Navigation Improvement Project (-50 foot project) from the FY '05 budget. The funding is critical for the project to remain on schedule. The proposed dredging project is required to maintain Oakland's position as an international cargo gateway. There are only two primary cargo gateways in California -- Los Angeles/Long Beach and San Francisco/Oakland -- and only three on the U.S. West Coast (the third being Seattle/Tacoma). Without improvements to Oakland's infrastructure, our Nation's West Coast export and import activity will be hampered by delays in the movement of cargo, and higher costs due to operating inefficiently throughout the entire distribution chain. Even more drastic, cargo could flow to Mexican and Canadian ports, resulting in jobs and taxes lost from Oakland.

The project benefits include 8,800 additional jobs; \$1.9 billion increased annual business revenue; \$55.5 million increased annual local taxes; and 100% beneficial reuse of dredged materials for wetlands restoration, habitat enhancement, and upland use within San Francisco Bay. The project has a benefit to cost ration (BCR) of 8.1.

ADMINISTRATIVE/REGULATORY ADVOCACY

1. **Law Enforcement/Department of Justice Related Appropriations:** Police Department staff would request that City officials and our representatives in Washington support the continuation of, and possible increases to, program funding for the following U.S. Department of Justice programs:

COPS MORE Grant

The COPS More grant provides needed funds to bring technological improvements to Oakland's policing efforts. Efforts should be made to expand these technology grant funds to include the purchase of software upgrades and maintenance contracts beyond original warranties. In 1998, the Department was awarded \$6,188,466 to implement a new computer aided dispatch system (CAD), records management system (RMS), correctional management system (CMS) and field reporting system (FRS). In 1999 OPD received a supplemental award (\$233,570) for two civilian positions to administer the grant, and in 2001 an additional \$298,791 for wireless technology for the Traffic Division.

Local Law Enforcement Block Grant (LLEBG)

Starting in 1996, Local Law Enforcement Block Grants (LLEBG) has provided the Police Department with flexible funding to support our front line law enforcement efforts. The program is designed to allow local communities to address problems specific to their area. The flexible nature of the funding supplements the Department's efforts to implement and maintain new program strategies and attendant technologies by providing additional personnel resources, training and equipment not otherwise budgeted. LLEBG funds awarded to the City from 1996 – 2003 were \$2,040,665, \$2,098,878, \$1,979,692, \$1,921,200, \$1,701,195, \$1,750,680, \$1,303,055, and \$879,177 respectively.

Weed and Seed

The Police Department has been the recipient of grant funds from the DOJ, Executive Office of Weed and Seed (EOWS) since 1996. These funds have been used to create public safety strategies designed to reclaim the Coliseum / Lockwood Gardens area a safe community in which to live and work. This past year, the Department instituted a second Weed and Seed site in West Oakland.

Lobbying efforts to broaden the scope of Weed & Seed by reducing or eliminating the strict "target area" limitations imposed by the current program would permit the Department to take the Weed and Seed concept citywide. The Police Department accepted funds in the amount of \$225,000 in both 1999 and 2000.

2. **Adjust Poverty Guidelines for Regional Cost of Living for all Human Service Programs:** Eligibility for means tested programs such as Head Start, MSSP, Linkages, Senior Companions, and Foster Grandparents should be calculated at 200% of the federal poverty level to more accurately reflect a household's need given the costs of housing, health insurance and child care, particularly in the Bay Area. Alternatively, the federal government should calculate Poverty Guidelines for each Metropolitan Statistical Area (MSA), or allow use of the HUD Income Guidelines (which are adjusted for cost of living in each MSA.).

The City's Department of Human Services runs many means tested programs including Senior Companion Program, MSSP, Linkages, Head Start, etc. The federal poverty level used to determine eligibility does not accurately reflect families' economic well being in a high cost-of-living area and therefore does not allow the program to serve many needy families and individuals. The method of calculation of the federal poverty level does not take into account today's inflated costs for housing and health insurance nor does it include childcare. This issue is particularly true for the Bay Area where the cost of living is one of the highest in the nation. A September 2001 report from the California Budget Project,

entitled *Making Ends Meet*, calculated that a modest annual income for a family of four ranged from \$36,245 with one parent not working and \$52,034 with both parents working, the higher income reflecting the costs of child care. A single parent with two children would need to earn \$43,443 or an hourly wage of \$20.89. These are average calculations for California, with figures even higher for the Bay Area. The federal poverty level for a family of four was \$17,650 for calendar year 2001, and is only \$18,100 for 2002.

All programs that have income guidelines presently set at the federal poverty level, should re-establish eligibility guidelines to be 200% of the federal poverty level with priority for service going to the lowest income households. This change in determining eligibility would allow services to be provided to all families and individuals that need them.

3. **TANF Reauthorization:** Support the proposed legislation HR 4 (Personal Responsibility, Work, and Family Promotion Act of 2003) and the Senate's Personal Responsibility and Individual Development for Everyone Act (PRIDE) which reauthorizes and improves the program of block grants to states for Temporary Assistance for Needy Families (TANF) to improve access to quality child care and for other purposes. The Senate and House approved a version of HR 4 that would reauthorize TANF state block grants at \$16.5 billion annually through fiscal year 2008. Both the Senate and the House bill would mandate that at least 70 percent of families receiving welfare in each state show involvement in employment-related activities by 2008. Existing law sets that level at 50 percent. Both versions would eliminate the distinction between one and two-parent families, which requires two parent families to have a participation rate of 90 percent.

4. **Community Services Block Grant (CSBG) Reauthorization:**

HR 3030 – The proposed House legislation is a six-year CSBG reauthorization bill (Improving the Community Services Block Grant Act of 2003). The House Committee on Education and the Workforce voted to approve HR 3030 and to reauthorize the CSBG program through 2009. CSBG sends federal funds through states to local Community Action Agencies (CAAs) who then run a wide variety of programs to lessen the effect of poverty.

S 1786 – Senate CSBG reauthorization bill (the Poverty Reduction and Prevention Act). The proposed amendments to the Community Services Block Grant Act provide for significant improvement in the purpose; more accountability for State and Federal Offices of Community Action; a more targeted focus on key Community Action programs; modernization and promoting best practices with training and technical assistance dollars; increased flexibility for CSBG eligibility so that Community Action programs may serve the working poor and individuals and families throughout their transition to self-sufficiency.

5. **Support Head Start Reauthorization and increase Head Start**

Appropriations: The Head Start Act is up for reauthorization. The House passed HR 2210 in July 2003, with many provisions hostile to an effective Head Start Program, including low authorizations for future appropriations. At the end of October 2002, the Senate Committee on Health, Education, Labor and Pensions (HELP) unanimously passed a different, more favorable reauthorization; scheduled in the full Senate after January 1, 2004.

The House bill has very low authorizations for future appropriations, about 2% increase per year over current levels. The Senate version (S 1940) would authorize about \$2 billion increase over five years. In addition to funding, other key issues include:

- Keep Head Start in the Department of Health & Human Services, not Department of Education, in order to preserve the interdisciplinary milieu and connection to a broad range of supportive services.
- Raise the eligibility threshold for Head Start. The Senate version proposes 130% of poverty level. For the Bay Area, 200% of poverty would be more appropriate.
- Impose no new testing requirements. Testing has already been added, although without insuring scientific validity of the procedures. Testing should not be used as a basis for any funding decisions.
- No block-granting of Head Start funds to states. Among other effects, block-granting would raise administrative cost and reduce the amount of funding available for programs.

6. **21st Century Community Learning Centers (21st CCLC)**: The initiative is one of the most efficient, effective providers of quality after-school programs, and serves as an important national model. The program:

- Spans all 50 states, D.C., and most U.S. territories.
- Serves 1.2 million children and 400,000 adults in 6,800 schools in 1,587 communities
- Is designed to reflect the needs of the local community.
- Requires less than half the administrative expenditures allowed by law (0.7 percent vs. 1.5 percent) and fewer federal officers per grant than a typical federal program.

The House and the Senate restored funding to \$1 billion for 21st Century Community Learning Centers (21st CCLC) for FY 2004 after President Bush reduced funding for the program in his budget proposal for FY2004 by 40%. The No Child Left Behind Act allocates \$1.75 billion in FY2004 and \$2 billion for 21st CCLC in FY 2005. Efforts are currently underway to ensure the full level of funding of \$2 billion as authorized in the Act is included in the President's FY 2005 budget proposal.

7. **National Affordable Housing Trust Fund**: Support legislation to provide for the development, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families). HR 1102 would establish a National Affordable Housing Trust Fund to provide a permanent source of financing for affordable housing. The goal of the legislation is to build or preserve 1.5 million units of housing for low and very low-income households in the next 10 years.


Funding would be provided by formula to States (40%) and localities (60%), similar to the manner in which HOME Program funds are currently distributed. Specific uses of the funds are delineated in the legislation, and include new construction, substantial rehabilitation, and preservation of existing assisted housing to extend the period of affordability.

Funds would be provided on an ongoing basis from surplus amounts in the mortgage insurance reserve funds of the Federal Housing Administration (FHA) and the Government National Mortgage Association (GNMA).

Respectfully Submitted,


 Gilda Gonzales, Director
 Office of Intergovernmental Affairs

APPROVED FOR FORWARDING TO THE
RULES AND LEGISLATION COMMITTEE



Deborah Edgerly,
Interim City Manager