

CITY OF OAKLAND
COUNCIL AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 MAY 13 PM 4:09

To: Office of the City Manager
Attn: Deborah A. Edgerly
From: Public Works Agency
Date: May 25, 2004

Re: RESOLUTION TO APPROPRIATE \$719,000 IN FEDERAL TRANSPORTATION FUNDS FROM THE METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES HOUSING INCENTIVE PROGRAM FOR THE ACORN-PRESCOTT NEIGHBORHOOD IMPROVEMENTS PHASE 2 PROJECT, THE EASTLAKE STREETScape AND PEDESTRIAN ENHANCEMENT PROJECT AND THE FRUITVALE STREETScape AND MULTI-MODAL TRANSPORTATION IMPROVEMENT PROJECT

SUMMARY

A resolution has been prepared to appropriate a total of \$719,000 in federal transportation funds from the Metropolitan Transportation Commission's (MTC) Transportation for Livable Communities Housing Incentive Program (TLC-HIP) for the following three projects:

1. (\$415,000) Acorn-Prescott Neighborhood Improvements, Phase 2
(Project No. P131620)
2. (\$191,000) Eastlake Streetscape and Pedestrian Enhancement Project
(Project No. G174710)
3. (\$113,000) Fruitvale Streetscape and Multi-Modal Transportation Improvement
(Project No. G166410)

City Council Resolution No. 76968 C.M.S., approved on February 19, 2002, authorized the filing of an application for the TLC-HIP funds and the City's commitment to provide at least 11.5% in local matching funds for the eligible projects. At that time, it was not possible to identify the eligible projects and staff indicated it would return for City Council approval to appropriate the TLC-HIP funds once the eligible projects were identified and approved by MTC.

These projects are consistent with the Mayoral and City Council Goals No. 3 – "Improve Oakland Neighborhoods" and No. 6 – "Maintain and Enhance Oakland's Physical Assets." The projects are located in Council Districts 2, 3 and 5.

FISCAL IMPACT

The TLC-HIP award in the amount of \$719,000 requires a minimum local match of 11.5%, or \$82,685. Matching funds can come from any local source, but cannot be matched by other Federal funds. There are sufficient local match funds in the budgets of each project to fulfill this

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local match requirement per the table below. No additional local match funds are being requested or allocated as a result of this resolution.

NAME	LOCAL MATCH REQUIRED	FUND #	PROJECT #	AVAILABLE
Acorn Prescott Phase 2	\$48,000	2210	G199020	\$68,293
Eastlake Streetscape	\$22,000	5500	B00610	\$200,000
Fruitvale Streetscape	\$13,000	2210	C184010	\$14,650

These federal funds are exempt from Contract Compliance and Public Art assessments. The City will request reimbursement separately once the construction for each project has been completed. There will be a minor increase in the ongoing maintenance of these streetscape projects as a result of new trees and shrubs, additional pedestrian light fixtures, and additional traffic striping and signage.

BACKGROUND

An agenda report dated February 19, 2002 prepared by the Community and Economic Development Agency (CEDA) discussed the process by which the City qualified to receive up to \$1,000,000 in Housing Incentive Program funds. The Housing Incentive Program encourages cities and counties to develop and approve high density, transit oriented housing projects by funding capital projects that are consistent with TLC goals. The HIP funds must be used towards eligible projects such as streetscapes, transit villages, pedestrian plazas, and bicycle facilities. The HIP funding is Federal money and all projects are subject to Caltrans approval through the Federal Aid Process and require an 11.5% local match. To receive the funds, housing projects must break ground by the end of calendar year 2003 and the funds must be obligated by September 30, 2004. To meet the obligation deadline, projects must have completed environmental review, received all Caltrans approvals, and be ready to commence construction. Given the short obligation deadline, it was necessary for the funds to be allocated to existing projects already receiving Federal money. If a project is unable to obligate the funds within the allotted timeframe, the City cannot receive the money and Alameda County will be penalized in the next funding cycle.

The City qualified for up to \$1,000,000 for transportation projects related to the following five housing projects: Cox Cadillac, 14th & Harrison, 3rd & Broadway, West Oakland Transit Village Alliance Site, and Fruitvale Transit Village Housing Phase II. However, not all of these projects broke ground by the end of 2003 so the City was not eligible to receive the full \$1,000,000. MTC guidelines allow the HIP funds to be allocated to an existing transportation project already receiving federal funds and subject to Caltrans review requirements. Where possible, the existing transportation project should be in the same vicinity or district as the housing project. The only projects meeting these criteria are those listed below. Upon CEDA's recommended list of eligible projects, MTC has approved the use of HIP funds for these projects listed because

they meet the funding requirements. With the approval of this resolution the City will receive a total of \$719,000. As approved by MTC, the HIP funds will be allocated to the three projects for the following amounts:

1. (\$415,000) Acorn-Prescott Neighborhood Improvements, Phase 2
(Project No. P131620)
2. (\$191,000) Eastlake Streetscape and Pedestrian Enhancement Project
(Project No. G174710)
3. (\$113,000) Fruitvale Streetscape and Multi-Modal Transportation Improvement
(Project No. G166410)

KEY ISSUES AND IMPACTS

All three projects are currently under construction and are in need of the TLC-HIP funding. Approval of this resolution will allow the construction activity to continue without delays.

Federal Department of Transportation guidelines are used to administer all three projects, and therefore the City's local programs are not applicable. The Contract Compliance and Employment Services Division determined a Disadvantaged Business Enterprise (DBE) participation goal for each project. Each contractor met or exceeded the project specific DBE goals, and will be required to maintain the project's DBE participation goal for the duration of the contract.

Construction on the Acorn-Prescott project is scheduled to be completed in June 2004. The additional \$415,000 of HIP funding will be used to pay for additional grading, drainage and pavement improvements, additional curbs and gutters, landscape amenities, traffic striping, electrical work, unanticipated underground utility conflicts, and additional design and management costs associated with this work. The contractor is Granite Construction.

Construction on the Eastlake Streetscape project is scheduled to be completed in August 2004. The additional \$191,000 of HIP funding will be combined with other supplemental funding to extend the streetscape improvements two additional blocks along International Boulevard from 8th to 10th Avenues. The improvements will include sidewalk repairs and accent paving at crosswalks; ADA ramp improvements; pedestrian and bus bulb-outs at intersections, street trees and landscaping; improved lighting for pedestrians; and street furniture including benches, trash cans, bicycle racks and bus shelters. The two blocks, which are fully designed, were bid as additive alternates in the original construction bid package. Due to insufficient funding, these segments could not be included with the original construction contract to Ray's Electric.

Construction on the Fruitvale Streetscape project is scheduled to be substantially completed by the end of April 2004 with remaining electrical work, traffic striping & signage, and Public Art installation to be completed by August 2004. The \$113,000 of HIP funding will facilitate the improvement of traffic signals, the installation of additional traffic striping and signage along International Boulevard from 33rd to 35th Avenues, and provide additional funding for Construction Management. The contractor is Bauman Landscaping, Inc.

SUSTAINABLE OPPORTUNITIES

Economic: The project will generate business tax, sales tax, and other revenues for the City for work on the project. Neighborhood commerce will also be enhanced.

Environmental: The HIP funding will be used towards projects that contribute to the City's overall sustainability. The projects promote pedestrian safety, enhance pedestrian and mass-transit amenities, and encourage alternate modes of transportation, which helps alleviate automobile congestion and emissions. Drip irrigation will be used for the new landscaping and street trees. Provisions are made for the use of reclaimed asphalt concrete in the specifications. The contractors will be required to use recyclable construction materials to the extent feasible and is required to recycle construction debris.

Social Equity: The proposed project will help improve the overall living conditions for residents of the Eastlake, Acorn-Prescott and Fruitvale neighborhood residents, including individuals who depend on alternative modes of transportation by enhancing the accessibility and safety of vehicular, bus, pedestrian and bicycle facilities.

DISABILITY AND SENIOR CITIZEN ACCESS

The project will greatly enhance accessibility, aesthetics, and safety for pedestrians of all ages and abilities. In particular, sidewalk repairs will reduce tripping hazards and ADA ramp improvements will enhance disabled access. Corner bulb-outs will substantially reduce pedestrian crossing times. The new improvements will comply with the Americans with Disabilities Act and current accessibility codes.

RECOMMENDATION (S) AND RATIONALE

Staff recommends that the City Council approve the resolution to appropriate a total of \$719,000 in federal transportation funds from the Metropolitan Transportation Commission's Transportation for Livable Communities Housing Incentive Program for the following three projects:

1. Acorn-Prescott Neighborhood Improvements, Phase 2
2. Eastlake Streetscape and Pedestrian Enhancement Project
3. Fruitvale Streetscape and Multi-Modal Transportation Improvement

No other City projects are eligible for these HIP funds and MTC has given their approval to these three recommended projects. To meet the funding deadline, the projects must be obligated by September 30, 2004. All three projects are currently under construction and are in need of the HIP funding. With approval of this resolution, all three projects can meet the obligation deadline and construction activity can continue without delays. Sufficient funding is available to construct the project improvements.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



RAUL GODINEZ II, P.E.
Director, Public Works Agency



CLAUDIA CAPPIO
Director of Economic Development

Reviewed by:
David Lau, P.E.
Division Manager
Project Delivery Division

Prepared by:
Calvin Hao, AIA
CIP Coordinator
Project Delivery Division

APPROVED AND FORWARDED
TO THE PUBLIC WORKS COMMITTEE


OFFICE OF THE CITYMANAGER

OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2004 MAY 3 PM 4:09

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION TO ACCEPT, APPROPRIATE AND EXPEND \$719,000 IN FEDERAL TRANSPORTATION FUNDS FROM THE METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES HOUSING INCENTIVE PROGRAM FOR THE ACORN-PRESCOTT NEIGHBORHOOD IMPROVEMENTS PHASE 2 PROJECT, THE EASTLAKE STREETScape AND PEDESTRIAN ENHANCEMENT PROJECT AND THE FRUITVALE STREETScape AND MULTI-MODAL TRANSPORTATION IMPROVEMENT PROJECT

WHEREAS, the City Council approved Resolution No. 76968 C.M.S. on February 19, 2002 authorizing the application for Transportation for Livable Communities Housing Incentive Program (TLC-HIP) funds administered by the Metropolitan Transportation Commission (MTC); and

WHEREAS, the Housing Incentive Program encourages cities and counties to develop and approve high density, transit oriented projects by funding specific capital projects such as streetscapes, transit villages, pedestrian plazas, and bicycle facilities; and

WHEREAS, staff indicated it would return for Council approval to appropriate the TLC-HIP funds once the eligible projects were approved by MTC; and

WHEREAS, MTC approved a total of \$719,000 in HIP funding to the City for three specific projects: Acorn-Prescott Neighborhood Improvements - Phase 2, Eastlake Streetscape and Pedestrian Enhancement Project, and Fruitvale Streetscape and Multi-Modal Transportation Improvement; and

WHEREAS, the Acorn-Prescott Neighborhood Improvements - Phase 2 (Project No. P131620) will receive \$415,000 to pay for additional grading, drainage and pavement improvements, additional curb and gutters, landscape amenities, traffic striping, electrical work, unanticipated underground utility conflicts, and additional design and management costs associated with this work; and

WHEREAS, the Eastlake Streetscape and Pedestrian Enhancement Project (Project No. G174710) will receive \$191,000 to improve two additional blocks along International Boulevard from 8th to 10th Avenues; and

WHEREAS, the Fruitvale Streetscape and Multi-Modal Transportation Improvement (Project No. G166410) will receive \$113,000 to provide traffic signal improvements, traffic striping and signage along International Boulevard from 33rd to 35th Avenues; and

WHEREAS, the HIP funds are subject to the Federal Aid Process and must be obligated by September 30, 2004; and

WHEREAS, all three projects are currently under construction and are in need of the HIP funding to allow construction to continue without delays; now, therefore, be it

RESOLVED: That the City Manager, or her designee, is authorized to accept, appropriate and expend \$719,000 in federal transportation funds from the MTC's TLC-HIP funding for the Acorn-Prescott Neighborhood Improvements - Phase 2 Project, the Eastlake Streetscape and Pedestrian Enhancement Project, and the Fruitvale Streetscape and Multi-Modal Transportation Improvement Project; and be it

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FURTHER RESOLVED: That the City Manager, or her designee, is authorized, on behalf of the City, to execute and submit all documents, payment requests, and related actions for the completion of the aforementioned projects; and be it

FURTHER RESOLVED: That should additional funds be received for these projects, the City Manager, or her designee, is hereby authorized to accept and appropriate the same for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

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PUBLIC WORKS CMTE.

MAY 25 2004