

CITY of OAKLAND

OFFICE OF THE CITY CLERK
AND

Agenda Report

2006 JAN 23 PM 4:35

TO: Office of the City Manager/Agency Administrator
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: January 10, 2006

SUBJECT: A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS FOR FEDERAL SURFACE TRANSPORTATION FUNDS THROUGH THE METROPOLITAN TRANSPORTATION COMMISSION'S, TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAM FOR THE MACARTHUR TRANSIT VILLAGE, WEST OAKLAND TRANSIT VILLAGE, AND COLISEUM TRANSIT VILLAGE PROJECTS, ASSURING THAT THE CITY OF OAKLAND WILL COMPLETE THE PROJECTS IF AWARDED THE GRANT FUNDS, AND AUTHORIZING ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS FROM THIS PROGRAM FOR THESE THREE PROJECTS IN AN AMOUNT NOT TO EXCEED \$6.5 MILLION.

SUMMARY

City staff requests that the City Council approve the attached resolution authorizing the City Administrator to apply for up to \$6.5 million in Federal Surface Transportation funds through the Metropolitan Transportation Commission's Transportation for Livable Communities Capital (TLC) program that is being administered by the Alameda County Congestion Management Agency (CMA). The CMA has identified Mac Arthur Transit Village, West Oakland Transit Village and the Coliseum Transit Village projects as eligible projects for this grant source since they are each respectively in the 2004 Countywide Transportation Plan. The attached resolution also authorizes the City Administrator to accept and appropriate the grant funds for these projects if the grants are awarded.

By authorizing staff to apply for the TLC Capital Grant Program, the City Council supports these Transit Village developments by securing necessary funding for providing valuable community amenities throughout the City.

FISCAL IMPACTS

The federal grant funds from MTC's TLC Program will provide capital funding to implement infrastructure and streetscape components of the three transit village projects. The CMA has not yet determined the grant award per project but the total for all three projects will not exceed \$6.5 million. There is no local match requirement for these grant funds.

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If awarded, the federal grant funds will be appropriated into Metropolitan Transit Commission Program Grant (Fund 2163) under a project number to be established for each transit village project. The funds for these projects will be used for preliminary engineering, construction, construction engineering and contingencies. The City will be responsible for maintaining the projects after completion.

BACKGROUND

The Alameda County Congestion Management Agency (CMA) issued a call for projects in October 2005 for Alameda County projects to be funded under the Metropolitan Transportation Commission's (MTC) Transportation for Livable Communities (TLC) program. MTC has allocated \$7.3 million to Alameda County for the TLC Program over a three-year funding cycle. The TLC guidelines were approved by the CMA Board on October 27, 2005, and the preliminary applications were due on November 18, 2005. The purpose of the TLC is to support transit oriented development projects identified in the 2004 Countywide Transportation Plan. These projects provide for a range of transportation choices and support connectivity between transportation investments and land uses at the following BART stations: Mac Arthur, West Oakland, Coliseum, Ashby/Ed Roberts, San Leandro, Union City, Warm Springs, and Dublin/Pleasanton. The Fruitvale Transit Village is not identified as a transit oriented development project in the 2004 Alameda County Countywide Transportation plan and as a result, that project and the related Fruitvale Alive project are not eligible applicants for this grant program. City Council directed staff at the April 6, 2004 City Council meeting to not include a funding request for the Fruitvale Transit Village in the Alameda Countywide Transportation Plan pursuant to a staff report on programming projects for the plan.

The City of Oakland submitted applications to the TLC Program on November 18, 2005 requesting capital grant funds for streetscape and infrastructure components of the Mac Arthur Transit Village, West Oakland Transit Village, and Coliseum Transit Village projects. The CMA is still in the process of reviewing these applications and has not yet determined which projects to fund and for what amount. The CMA staff informed the City that a resolution supporting these grant applications and committing to meet the program guidelines is required for all applications by January 2006 in order for the projects to be eligible for funding awards. As a result, the attached resolution requests permission to appropriate the grant funds for up a maximum amount and does not have specific funding allocations for any of the three projects.

KEY ISSUES AND IMPACTS

The \$1,550,000 in TLC funds requested for the MacArthur Transit Village project will be used to cover a portion of the public infrastructure improvements in the proposed transit village plan. The improvements included in the grant application are for the design and construction costs for the renovation of the MacArthur BART Station entry plaza and gap funding for the 40th Street Streetscape Project, which was partially funded by a grant from MTC's Regional Bicycle and Pedestrian Program in July 2005. Improvements to the BART plaza that will be funded by this grant

include lighting and landscaping upgrades, new seating areas, and public art. On 40th Street, staff is requesting additional funding for lighting and surface treatments in the Highway 24 underpass area.

The West Oakland (Seventh Street) Transit Village Streetscape Plan is a project that will restore the historic role of Seventh Street as a local commercial and cultural center for the West Oakland community as well as strengthening its function and identity as a transportation hub. The \$2,638,000 in TLC funds requested for the West Oakland Streetscape Plan is to implement the Phase I portion (Union to Chester Streets). The design and community outreach elements of this Plan were completed as a result of a California Department of Transportation Environmental Justice grant, received by the City of Oakland in 2002. The Seventh Street Streetscape Plan will complement the existing West Oakland Transit Village Action Plan. The Phase I portion will provide pedestrian, bicycle and transit improvements for the four principal blocks around the West Oakland BART Station. The Plan will reconfigure traffic lanes to calm truck and vehicular traffic throughout the project area, and will encourage local shopping in the historic commercial district. The project will provide pedestrian and bicycle amenities for this historic thoroughfare, improve transit stops, and connect the local neighborhood to the main BART entry and the Seventh Street historic commercial district.

The \$1,669,000 in TLC funds requested for the Coliseum Transit Village project will be used to cover improvements to the pedestrian walkway plaza that will consist of 30,000 square feet of public space featuring sustainable design features including fountains, landscaping, lighting and benches for an attractive and safe station gateway. The walkway/plaza will also feature bicycle racks to encourage bike use to and from the station. Along with the station access provided, the project will serve as a focal point that will tie the surrounding residential projects to the station. The Coliseum Village walkway/plaza will serve as a pedestrian friendly public space that will be an outdoor amenity for local transit village residents, BART passengers, as well as the surrounding residential communities.

PROJECT DESCRIPTION

MacArthur Transit Village

The MacArthur BART Station is located in the geographic center of the Bay Area and serves as a major transportation hub within Alameda County. The station is served by three out of the five BART system lines, eight AC Transit bus routes, and several shuttle services including Emeryville's Emery-Go-Round service and hospital shuttles operated by Kaiser Hospital and Summit Hospital. The City of Oakland and BART have been working with the community surrounding the MacArthur BART Station in a planning process for station improvements and transit oriented development since 1993.

In April 2004, the City of Oakland Redevelopment Agency and BART selected a new development team for the MacArthur Transit Village, MacArthur Transit Community Partners, LLC, a partnership made up of three development firms: Bridge Housing, Shea Properties, and Aegis Equity Partners. MacArthur Transit Community Partners' proposal for the MacArthur Transit Village project includes

approximately 800 units of high-density multi-family housing (of which 20% will be below market rate rental and the remainder will be for-sale condominiums), 30,000 square feet of neighborhood-serving retail space and community space, and public infrastructure upgrades, including a replacement parking structure for BART, a new public street through the site, the renovation of the existing BART entry plaza, and streetscape improvements on 40th Street adjacent to the station.

MacArthur Transit Community Partners is in the process of finalizing the MacArthur Transit Village project description and determining project alternatives to be studied during the CEQA and NEPA environmental review. The work on the environmental impact documents is scheduled to begin in February 2006.

West Oakland Transit Village

The West Oakland BART station is a key station in the East Bay, serving all East Bay lines, and is especially attractive to commuters because of its excellent freeway access and low BART fare to downtown San Francisco. In addition, the station is adjacent to several significant proposed new residential and mixed use developments. The *West Oakland Transit Village Action Plan*, which was prepared in cooperation with BART, Oakland Housing Authority and the City in 2001, identified potential sites for at least 620 residential units and 35,000 square feet of new neighborhood-serving commercial in the immediate vicinity of the BART station, pending infrastructure improvements. The Streetscape Plan was identified as a primary goal within the *Action Plan*. The implementation of the Streetscape Plan would also implement the goals of the West Oakland BART Station Access Plan (August 2002), including the provision of new bus shelters and pedestrian amenities on 7th Street, “Bus to BART”, additional bicycle routes to BART, and improve the pedestrian environment, including new “count down” signals.

Significant progress has been made toward the development of the West Oakland Transit Village since the re-zoning of the area to “S-15,” Transit Oriented Development, and the completion of the *West Oakland Transit Village Action Study*. The Mandela Gateway housing development, a mixed-income Hope IV project sponsored by the Housing Authority, has been completed. The project includes 200 dwelling units and 1,500 square feet of retail space. A nearby parcel at 5th and Kirkham received entitlements for a mixed use project including a parking structure and 110 dwelling units with 39,000 square feet of ground floor office/retail space. The Red Star Yeast factory has received entitlements for 118 residential units across from BART. The Alliance for West Oakland Development is in an Exclusive Negotiating Agreement with BART for the development of a commercial mixed-use project at the BART station itself, and BART has also entered into an agreement with a private developer for a BART parking replacement garage within the West Oakland Transit Village. A new arts industrial education center opened at Seventh and Union in 2002, and draws students from the entire Bay Area. One lone remnant of the musical legacy of the street, Ester’s Orbit Room, remains in the historic commercial district, but there are hopes for a revival of the Lincoln Theater and other famous venues from the jazz and blues era, which will be invigorated with the streetscape. One block of the Phase II portion of the plan area has been designated as a local Historic Preservation District (“S-7 zoning district).

Coliseum Transit Village

The Coliseum Transit Village is poised to be the focal point of the emerging regional inter-modal transit hub that has been created with the expansion of the Oakland International Airport, BART, AC Transit, and the recently completed Capitol Corridor Amtrak platform. The proposed Coliseum Transit Village project, which shall be located on the existing 8.4 acre Coliseum BART Station parking lot, is currently in the Exclusive Negotiating Agreement phase with the Oakland Economic Development Corporation in partnership with MacFarlane Partners. The Coliseum Concept Plan which highlights the village provides for a much larger land use vision for the area including the West-side of San Leandro Street in addition to Oakland Housing Authority's Coliseum Gardens housing development.

The Coliseum Transit Village will feature the latest sustainable green design and building technology highlighting the creation of a 30,000 square foot central pedestrian plaza using bio-retention features adjacent to the BART Station entrance; up to 25,000 square feet of ground floor neighborhood-serving retail and the construction of approximately 600-800 units of new market rate housing.

Projects currently underway that complement the larger Coliseum Concept Plan feature Oakland Housing Authority's Coliseum Gardens master planned community, which includes the construction of 400 affordable rental and ownership units, the Coliseum Transit Hub Streetscape Improvement Project along San Leandro Street between 66th and 73rd Avenues, and the future 3.2 mile Oakland Airport Connector project that will directly connect passengers from BART to the Oakland International Airport.

SUSTAINABLE OPPORTUNITIES

Economic: These grant applications request up to \$6.5 million in capital improvements surrounding the three BART Stations. The implementation of these projects will potentially catalyze economic development in the surrounding communities as a result of improved safety, access, and traffic circulation.

Environmental: Provides each respective transit village project the much needed and desirable infrastructure and public improvements and shall incorporate sustainable design elements to the fullest extent possible.

Social Equity: Provides basic service level and quality of life amenities to existing low income residents as well as the emerging mixed income communities by providing increased access to major transportation hubs.

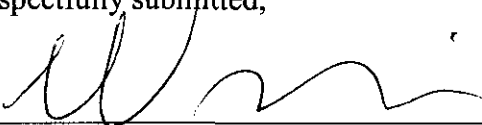
DISABILITY AND SENIOR CITIZEN ACCESS

Disability and senior citizen access will be improved at each respective transit village project through the planned streetscape and infrastructure upgrades. The plaza design and streetscape improvements shall be reviewed by appropriate regulatory bodies and will conform to the federal and state requirements related to disability and senior citizen access.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council adopt the attached resolution authorizing the City Administrator to apply for, accept and allocate grant funds from the Alameda County Congestion Management Agency’s Transportation for Livable Communities Capital Grant Program. The grants, if awarded, shall not exceed \$6.5 million. The funds will be used for the design and construction of infrastructure and streetscape improvements for the MacArthur Transit Village, West Oakland Transit Village and Coliseum Transit Village projects.

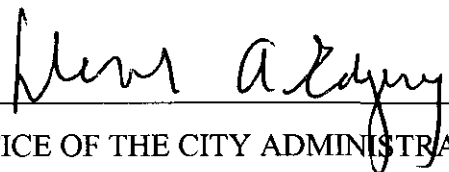
Respectfully submitted,



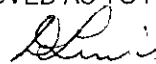
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Economic Development, and Housing and
Community Development

Prepared by:
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Larry Gallegos, Project Manager
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Redevelopment Division
Community and Economic Development Agency

APPROVED FOR FORWARDING TO
THE COMMUNITY AND ECONOMIC
DEVELOPMENT COMMITTEE


OFFICE OF THE CITY ADMINISTRATOR

2005 DEC 28 PM 4:35



DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS FOR FEDERAL SURFACE TRANSPORTATION FUNDS THROUGH THE METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAM FOR THE MACARTHUR TRANSIT VILLAGE, WEST OAKLAND TRANSIT VILLAGE, AND COLISEUM TRANSIT VILLAGE PROJECTS, ASSURING THAT THE CITY OF OAKLAND WILL COMPLETE THE PROJECTS IF AWARDED THE GRANT FUNDS, AND AUTHORIZING ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS FROM THIS PROGRAM FOR THESE THREE PROJECTS IN AN AMOUNT NOT TO EXCEED \$6.5 MILLION.

WHEREAS, the Alameda County Congestion Management Agency (CMA) issued a call for projects in October 2005 for Alameda County projects to be funded under the Metropolitan Transportation Commission's (MTC) Transportation for Livable Communities (TLC) Program; and

WHEREAS, the CMA determined that this call for projects would be limited to Transit Village projects that are included in Alameda County's Transportation Plan; and

WHEREAS, the City of Oakland submitted applications to the TLC Program, requesting capital grant funds for streetscape and infrastructure components of the Macarthur Transit Village, West Oakland Transit Village, and Coliseum Transit Village projects; and

WHEREAS, MTC administers the TLC Program from Federal Surface Transportation Program (STP) funds; and

WHEREAS, the Transportation Equity Act for the 21st Century (TEA 21) (Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the STP (23 U.S.C. § 133) funding program (23 U.S.C. § 149); and

WHEREAS, pursuant to TEA 21, and the regulations promulgated thereunder, eligible project sponsors wishing to receive STP grants for a project must submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the MTC is the San Francisco Bay Area's MPO; and

WHEREAS, the City of Oakland is an eligible project sponsor for federal transportation funds; and

WHEREAS, the City of Oakland wishes to receive federal transportation funds through CMA's TLC Program's capital grants to fund infrastructure and streetscape components of the MacArthur Transit Village, the West Oakland Transit Village, and the Coliseum Transit Village projects; and

WHEREAS, the CMA requires a resolution stating the following:

1) That the sponsor understands that the federal funding through the TLC program is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded through the TLC program; and

2) The assurance of the sponsor to complete the project as described in the application, and if approved, as programmed in CMA's Transportation Improvement Program (TIP); and

3) That the sponsor understands that funds must be obligated by the obligation deadline for TLC capital projects, or the project may be removed from the program; and

WHEREAS, the CMA has not completed their review of the TLC application and therefore has not yet determined what amount of the funding, if any, the City of Oakland will receive; and

WHEREAS, the requirements of the California Environmental Quality Act of 1970 ("CEQA"), the CEQA Guidelines as prescribed by the Secretary for Resources, and the provisions of the Environmental Review Regulations of the City of Oakland have been satisfied, and the requirements of NEPA must be addressed prior to funding; now therefore be it

RESOLVED: That the City Administrator or her designee is authorized to apply to the CMA for TLC funding in an amount not to exceed \$6.5 million for the MacArthur Transit Village, the West Oakland Transit Village, and the Coliseum Transit Village projects; and be it further

RESOLVED: That the City Administrator or her designee is authorized to proceed with the federal-aid process with Caltrans for TLC funding in an amount not to exceed \$6.5 million for the MacArthur Transit Village, the West Oakland Transit Village, and the Coliseum Transit Village projects; and be it further

RESOLVED: That the City Council by this resolution hereby states that:

- 1) The City of Oakland understands that the TLC Program funding for these projects will not exceed \$6.5 million, that any cost increases must be funded by the City of Oakland from local funds, and that the City of Oakland does not expect any cost increases to be funded through the TLC program; and
- 2) The MacArthur Transit Village, West Oakland Transit Village, and Coliseum Transit Village projects will be built as described in this resolution and the funding application and, if approved, for the amount shown in the CMA TIP with obligation occurring within the timeframe established below; and
- 3) The program funds will be obligated by MTC's obligation deadlines for TLC capital projects; and be it further

RESOLVED: That a copy of this resolution will be transmitted to the CMA; and be it further

RESOLVED: That the City Council hereby appropriates any funds that are received for these projects under the TLC grant program into the Metropolitan Transportation Commission Grant Fund (2163) under project numbers to be established; and be it further

RESOLVED: That should additional funds be received for these projects, the City Administrator, or her designee, is hereby authorized to accept and allocate the same for the purposes described above; and be it further

RESOLVED: That the City Council hereby authorizes the City Administrator or her designee to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the TLC Program grants and these projects in accordance with this resolution and its basic purposes; and be it further

RESOLVED: That the City Council has independently reviewed and considered this environmental determination, and the City Council finds and determines, based on the information in the staff report accompanying this Resolution, that this action complies with CEQA because this action on the part of the City is exempt from CEQA pursuant to Section 15262 (feasibility and planning studies) of the CEQA guidelines; and be it further

RESOLVED: That the City Administrator or her designee shall cause to be filed with the County of Alameda a Notice of Exemption for these projects; and be it further

RESOLVED: That the execution of any documents legally committing the City to fund these projects shall be expressly conditioned upon compliance with the requirements of NEPA, as certified by the City Administrator or her designee; and be it further

RESOLVED: That all documents shall be reviewed and approved by the City Attorney's Office prior to execution, and all copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

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