

Office of the City Manager

CONSENT CALENDAR March 5, 2013

To: Honorable Mayor and Members of the City Council

From: ( ) Christine Daniel, City Manager

Submitted by: Andrew Clough, Director, Public Works

Subject: Grant Application: FY 2012/13 Alameda County Coordinated Funding

Program

#### RECOMMENDATION

Adopt a Resolution authorizing the City Manager to submit funding proposals to the Alameda County Transportation Commission for the FY 2012/13 Alameda County Coordinated Funding Program for an amount not to exceed \$12.65 million for transportation capital investments for three related projects:

- 1. BART Plaza & Transit Area Improvement Project
- 2. Downtown Shattuck Reconfiguration & Pedestrian Safety Improvements
- 3. Hearst Avenue Complete Streets Project

# **SUMMARY**

A Call for Projects for the FY 2012/13 Alameda County Coordinated Funding Program was released by the Alameda County Transportation Commission (Alameda CTC) on February 4, 2013, and applications are due on March 15, 2013. A total of \$65.2 million in funding is estimated to be available for transportation projects in Alameda County.

This recommendation authorizes staff to submit grant proposals for up to \$12.65 million in capital funding for transportation projects included in the City's adopted Downtown Area Plan and related Streets and Open Space Improvement Plan (SOSIP), Pedestrian Plan, and Bicycle Plan. The specific projects are the BART Plaza & Transit Area Improvements Project; Shattuck Reconfiguration & Pedestrian Safety Improvements; and the Hearst Avenue Complete Streets Project.

In order to be awarded the funds, the City will be required to adopt Resolutions of Local Support by June 30, 2013. Sample resolution templates are attached (Attachment 2.)

#### FISCAL IMPACTS OF RECOMMENDATION

Potential grant awards would provide up to \$12.65 million in capital funding for transportation projects included in the City's adopted Downtown Area Plan and related Streets and Open Space Improvement Plan (SOSIP), Pedestrian Plan, and Bicycle Plan.

The federal funds included in the Coordinated Program require a local match of 11.47% of the total project cost. The County funds do not require a local match, though applicants are awarded up to 5 points (out of 100) for providing a local match.

Local matching funds are available from several sources. The University of California's Long Range Development Plan (LRDP) Settlement Agreement for transportation projects; the City's share of Vehicle Registration Funds and Measure B transportation sales tax; and SOSIP Development Impact fees. The matching funds have been included in the draft 5-year projections for these funds, and the Public Works Department will include the allocations in the FY 2014 and FY 2015 Budget proposal for Council consideration.

The 2005 UC Berkeley 2020 LRDP Settlement Agreement includes a requirement that the University allocate \$200,000 each year, plus a 3% annual increase, for joint pedestrian improvements and Transportation Demand Management projects. In 2010, the City and UC jointly approved an FY 2006 – FY 2010 Expenditure Plan, and in February 2013 approved an FY 2011 – FY 2015 Expenditure Plan. Altogether, \$1.03 million in UC LRDP funds are earmarked for elements of the grant projects, and can be counted as local matching funds. (UC LRDP funds previously provided the \$400,000 local match for a federal grant for BART Plaza, which are not counted for the purposes of this grant application.)

The City's budget proposal for County Vehicle Registration Fees (Fund 397) includes \$790,000 for grant elements, which also qualifies as local match. Vehicle Registration Fees (VRF) are intended for improving and maintaining local streets and roads, using the "Complete Streets" principals of making roads safer for all users. Eligible expenditures include bus stop improvements, sidewalk repair, curbs, drains and traffic signals.

Measure B County transportation sales taxes, for both Local Streets & Roads and for Bicycle/Pedestrian improvements can also be used as local matching funds. City Council's adoption of the SOSIP Development Fee on January 29, 2013 will result in revenue which can be used as local matching funds to leverage grant funds for SOSIP projects. SOSIP fees are assessed at the time Building Permit issuance, so the City has not received any funds to date. BART will also provide local matching funds for BART station improvements.

#### **CURRENT SITUATION AND ITS EFFECTS**

The Call for Projects for the FY 2012/13 Alameda County Coordinated Funding Program was released by the Alameda CTC on February 4, 2013, and applications are due on March 15, 2013. A total of \$65.2 million in funding is estimated to be available for transportation projects in Alameda County. Alameda CTC published the grant scoring criteria for the Federal One Bay Area Grant (OBAG) funding (Attachment 3.)

The Alameda CTC will forward its funding recommendations to MTC by June 30, 2013, and projects will be entered into MTC's Transportation Improvement Program in fall 2013, making funds available to project sponsors in FY 2014. Projects must be started within a year of the Agreement "Grant Initiation Date" and must be completed within three years of this date, unless a longer period is approved in advance by Alameda CTC. All OBAG federal funds must be obligated by March 31, 2016.

The City has adopted numerous plans, including the Downtown Area Plan and Downtown Streets and Open Space Improvement Plan, and the Citywide Pedestrian and Bicycle Plans, which call for transportation investments in Berkeley's Downtown, commercial cores, high density neighborhoods, and transit corridors. Staff has reviewed eligible projects from adopted plans and recommends applying for funding to deliver three separate but related high priority projects. Each of these projects is within the Downtown Area, and improves access to Downtown Berkeley. A budget summary is provided in Attachment 4.

## 1. BART Plaza & Transit Area Improvements

A 2006 Downtown Berkeley BART Plaza & Transit Area Urban Design Plan developed four long-term design alternatives and one near-term capital improvement plan for the BART Plaza area. The near-term plan focused on lower-cost changes to significantly improve the BART Plaza transit, pedestrian and economic environment. Public Works Transportation staff have been working closely with BART on the additional design, engineering and transit architecture work to prepare for construction of the near-term capital improvements to the Downtown Berkeley BART Plaza & Transit Area.

The current cost estimate for the project is \$10.45 million for major improvements to the Downtown Berkeley BART Plaza & Transit Area, including:

- 1. Repaved sidewalks and plaza surfaces
- 2. New BART structures, including modified BART rotunda and secondary entrances
- 3. New bus transit shelter with upgraded seating, lighting, and signage
- 4. Relocation and planting of new street trees with green drainage infrastructure
- 5. New Pedestrian-scale Lighting
- 6. Wayfinding signage
- 7. Public art and other design enhancements
- 8. Upgraded ADA-compliant curb ramps
- 9. Reconfigured bicycle parking
- 10. New surfaces of BART entry walls and vent structure
- 11. Minor utility structure relocation or resetting

In 2010, the City was awarded \$1.805 million in federal funds from MTC's Transportation for Livable Communities Grant Program. Other secured project funds include \$400,000 in UC LRDP money, \$51,250 from BART, and a \$750,000 Lifeline grant awarded to BART. The secured funds are being used to complete design of the Project, and will support construction of as many Project elements as is feasible.

To secure the full project budget, the City will request \$7.44 million. If awarded, Alameda CTC would allocate the majority of the grant funds directly to BART, and BART would, in turn, be responsible for project delivery. This will also result of the grant funds by the Federal Transit Administration.

#### 2. Shattuck Reconfiguration and Pedestrian Safety Improvements

The Streets and Open Space Improvement Plan (SOSIP), adopted by Council on January 29, 2013, recommends the reconfiguration of Shattuck Avenue through Downtown Berkeley to the University Avenue intersection. The current configuration is a "couplet" where Shattuck divides into two 1-way street segments for two blocks between Center Street and University Avenue. The couplet makes northbound Shattuck traffic turn left (westbound) onto University for ½ block, and then turn right (northbound) back onto Shattuck Avenue north of University.

This configuration, combined with the high volume of traffic and pedestrians, contributes to high auto/pedestrian collision rates at the University/Shattuck intersection. In fact, this intersection had the highest number of auto/pedestrian collisions in the City during a recent 8-year period. For this reason, the City's Pedestrian Master Plan identifies the Shattuck/University intersection as High Priority Pedestrian Project #2.

SOSIP recommends that Shattuck Avenue be redesigned between Center Street and University Avenue so that the west side of the couplet would operate as a 2-way street. The east side would be modified to provide only local circulation for autos, delivery vehicles, pedestrians, and bicycles, and would provide additional on-street motor vehicle and bus parking. (SOSIP further recommends future evaluation of the east side as a slow street, or as a plaza with no traffic. The proposed grant would fund only fund the near term improvements of this project, laying the groundwork for long term changes.)

A planning-level project cost estimate of \$2.9 million has been developed by Public Works Transportation and Engineering staff, which includes design, engineering, project management, capital improvements to sidewalks, traffic signals and street resurfacing. Staff has identified \$45,000 from Measure B (Fund 391), \$305,000 from VRF funds, and \$320,000 from UC LRDP Funds to create a total of \$670,000 in local matching funds.

The City will request \$2.33 million to complete the project funding. If awarded, funds for this project element would be allocated to the City of Berkeley. Design, engineering, and construction would be closely coordinated with BART, but would be the sole responsibility of the City.

#### 3. Hearst Avenue Complete Street Project

UC Berkeley expended approximately \$90,000 of UC LRDP funds to enable Fehr & Peers transportation consultants to develop a Complete Streets Project Design Study for Hearst Avenue from Shattuck Avenue to Gayley Road. The Study evaluated capital projects from adopted plans and examined the feasibility and traffic impacts of numerous project proposals. Based on input from staff and the public, the Study developed 35%

level design drawings and project cost estimates. The draft plan was presented to the City's Transportation Commission in July 2012. Additional public comments were incorporated into the final Study Report, which was completed in November 2012.

The Hearst Complete Streets Study Report provides project cost estimates for 4 independent street segments. City staff has added street repair (overlay), bringing the total project cost to an estimated \$4 million. Green infrastructure and watershed management features are not included in the current cost estimate. Staff will consider such features if feasible within available funding options.

UC Berkeley and the City have agreed to expend \$450,000 from FY 2006 – FY 2010 LRDP funds and \$350,000 from the FY 2011 – FY 2015 funds, bringing UC's total investment to \$800,000. After expending \$90,000 for the Project Study, \$710,000 in UC LRDP funds remains available to carry out the project. The Public Works Department has also included \$465,000 from VRF funds in the current 5-year Fund Forecast, which would be included in the City's FY 2014 – FY 2015 Budget proposal. If approved, this would make \$1.175 million available in local matching funds.

The Project requires \$2.88 million in additional funds, and staff proposes to apply for this full amount. The City's application would request \$1,005,702 from Berkeley's formula-based share of OBAG federal Local Streets & Roads funds, and the remaining \$1.8 million from other federal and county funds included in the Coordinated Funding Program.

If awarded, the next steps will be to seek environmental clearance, which will include opportunities for public input; develop the design to 65% level; complete full construction documents; and then manage construction to completion. The grant funds for this project element would be allocated to the City of Berkeley, and design, engineering, construction, and maintenance would be the sole responsibility of the City.

#### BACKGROUND

A total of \$65.1 million in funding is estimated to be available for transportation projects in Alameda County, and based on the transportation project and the eligibility requirements of the available fund sources, a local jurisdiction may choose to apply for One Bay Area Grant (OBAG), Local or a combination of OBAG and Local funds:

- OBAG Federal Local Streets and Roads Funds.......\$15.2 million Berkeley's formula share of these OBAG funds is \$1,005,702 for eligible Local Streets and Roads projects.

Alameda CTC regional funds .......\$11.2 million
 Measure B Bicycle/Pedestrian Countywide Discretionary Fund (CDF); VRF Pedestrian
 and Bicyclist Access and Safety Program; VRF Transit for Congestion Relief Program;
 and Measure B Countywide Express Bus Service funds.

The OBAG program supports California's climate law, SB 375, which requires a Sustainable Communities Strategy to integrate land use and transportation to reduce greenhouse gas emissions. OBAG Program goals include supporting the Sustainable Communities Strategy by linking transportation funding to land use decisions; targeting transportation investments that support Priority Development Areas (PDAs); and funding transportation projects based on a PDA Investment and Growth Strategy. In Alameda County, 70% of OBAG funding must be programmed to transportation projects that support Priority Development Areas (PDAs); the remaining 30% may be programmed for transportation projects anywhere in the county.

The Alameda CTC's strategy for this 4-year funding cycle is to award funds to support PDAs with a mature real estate market and which have completed advance planning activities. At its December 2012 meeting, the Commission adopted a PDA readiness classification; for a PDA to be considered "Active" and thereby eligible for funding, 100 or more units must have been constructed since 2007 (including any units currently under construction that will be complete by June 2013), 300 or more units must be built and/or in the pipeline (entitled or possessing a building permit), and some commercial development must have either been built since 2007 or be in the pipeline.

Using these criteria, 17 PDAs were identified as "Active", including the Downtown Berkeley and the University Avenue PDAs (Attachment 5.) The PDA readiness classification was adopted by the Commission at their December 2012 meeting. The purpose of PDA Supportive Transportation Investments is to support community based transportation projects that promote new vibrancy to downtown areas, commercial cores, high density neighborhoods, and transit corridors, enhancing their amenities and ambiance and making them places where people want to live, work and visit. General project categories:

- Station Improvements such as plazas, station access pocket parks, bicycle parking
- Complete streets improvements that encourage bicycle and pedestrian access
- Transportation Demand Management projects including car sharing, vanpooling traveler coordination and information or Clipper®-related projects
- Connectivity projects connecting high density housing and / or jobs to transit, such as bicycle/pedestrian paths and bridges and safe routes to transit.
- Streetscape projects focusing on high-impact, multi-modal improvements or associated with high density housing and transit (bulb outs, sidewalk widening, cross walk enhancements, audible signal modification, mid-block crossing and signal, new striping for bicycle lanes and road diets, pedestrian street lighting,

medians, pedestrian refugees, way finding signage, pedestrian scaled street furniture including bus shelters, tree grates, benches, bollards, magazine racks, garbage and recycling bins, permanent bicycle racks, signal modification for bicycle detection, street trees, planters, costs associated with on-site storm water management, permeable paving).

 A wide range of bicycle and pedestrian improvements including Class I, II and III bicycle facilities, bicycle education, outreach, sharing and parking, sidewalks, ramps, pathways and pedestrian bridges, user safety and supporting facilities, and traffic signal actuation. This category may include projects within the geographic boundaries of "Active" PDAs as well as projects considered in "proximate access" to an "Active" PDA. "Active" PDAs have been defined through the PDA Investment and Growth Strategy.

Another source of funds for this program is the Measure B Bicycle/Pedestrian Countywide Discretionary Fund. Measure B is a half-cent transportation sales tax that was approved by Alameda County voters in November 2000, began collection in 2002 and will continue through 2022. Funds support a multitude of projects to improve the County's transportation system. 5% of the net revenue collected is dedicated to bicycle and pedestrian projects, and 25% of these funds are distributed on a discretionary basis through the Measure B Bicycle and Pedestrian CDF. The Bike/Ped CDF funds are used to expand and enhance bicycle and pedestrian access, convenience, safety and usage in Alameda County, focusing on projects and programs with countywide priorities in the Countywide Plan and Countywide Pedestrian Plan.

The final source of funds for the program is the VRF, approved as Measure F by Alameda County voters in November 2010, is a \$10 per year vehicle registration fee on each annual motor vehicle registration or renewal of registration in Alameda County starting in May 2011. The VRF Pedestrian and Bicyclist Access and Safety Program is a competitive grant program, funded with 5% of VRF funds, to improve the safety of bicyclists and pedestrians by reducing conflicts with motor vehicles and reducing congestion in areas such as schools, downtowns, transit hubs, and other high activity locations. The VRF Transit for Congestion Relief Program is a competitive grant program funded with 25% of VRF funds to make it easier for drivers to use public transportation, make the existing transit system more efficient and effective, and improve access to schools and jobs.

The types of projects include (and are not limited to):

- 1. Capital Projects, including: New pedestrian facilities
- 2. Improvements to existing pedestrian facilities
- 3. New bikeways (all Classes, as identified in Alameda Countywide Bicycle Plan)
- 4. Improvements to existing bikeways
- 5. Crossing Improvements (at intersections, interchanges, railroads, freeways, etc.) for pedestrians and bicyclists

- 6. Bicycle parking facilities, including attended parking (capital only)
- 7. ADA on-street improvements
- 8. Signage for pedestrians and/or bicyclists
- 9. Pedestrian and bicycle access improvements to, from and at transit facilities
- 10. Traffic calming projects
- 11. Education/Enforcement/Promotion Programs
- 12. Local Bicycle and/or Pedestrian Master Plans, or Plan updates

#### RATIONALE FOR RECOMMENDATION

The City has adopted numerous plans, including the Downtown Area Plan and Downtown Streets and Open Space Improvement Plan, and the Citywide Pedestrian and Bicycle Plans, which call for transportation investments to support community based transportation projects that promote new vibrancy to downtown areas, commercial cores, high density neighborhoods, and transit corridors, enhancing their amenities and ambiance and making them places where people want to live, work and visit. The projects selected have been identified as high priority projects in these plans, and are eligible for grant funds.

Staff considered a number of potential projects from the City's adopted plans within or proximate to active PDAs, and assessed their relative competitiveness based primarily on the City's adopted priorities, fund eligibility, project delivery timelines, and the grant scoring criteria. Project readiness, including a development funding plan, budget and schedule, local community support, and coordination with partners, account for 25% of the project scoring. Projects with a well-defined scope, as defined by a Project Study Report or equivalent scoping document count for 10% of the score. The defined need, benefit, effectiveness, and safety impacts of the project account for another 15% of the project score. From this analysis, staff identified the most competitive eligible projects.

#### ALTERNATIVE ACTIONS CONSIDERED

There are no reasonable and fiscally responsible alternatives.

#### CONTACT PERSON

Farid Javandel, Public Works Transportation Division Manager, 981-7061 Matt Nichols, Principal Planner, Public Works Transportation Division, 981-7068

#### Attachments:

- 1: Resolution
- 2. Sample Resolutions of Local Support
- 3: OBAG Grant Scoring Criteria
- 4: Budget Summary
- 5: Active Priority Development Areas in Alameda County

#### RESOLUTION NO. ##,###-N.S.

# GRANT APPLICATION FOR FY 2012/13 ALAMEDA COUNTY COORDINATED FUNDING PROGRAM

WHEREAS, Alameda County Transportation Commission ("Alameda CTC") is a joint powers authority resulting from the merger of the Alameda County Congestion Management Agency and Alameda County Transportation Improvement Authority and is responsible for distributing to local jurisdictions certain Measure B and Vehicle Registration Fee ("VRF") revenues for bicycle and pedestrian safety, local streets and roads, local transportation technology, mass transit, paratransit, and transit center development programs; and

WHEREAS, Alameda CTC is administering the FY 2012/13 Coordinated Program which includes One Bay Area Grant program Federal funds, Measure B Bicycle/Pedestrian Countywide Discretionary Fund, Measure B Express Bus Service Fund, VRF Pedestrian and Bicyclist Access and Safety Program, and/or VRF Transit Congestion Relief Program funding; and

WHEREAS, the City has adopted and developed three projects that are eligible for the Coordinated Program funds: 1) the BART Plaza and Transit Area Improvements, 2) Shattuck Reconfiguration, and 3) Hearst Avenue Complete Streets; and

WHEREAS, City staff has identified available local matching funds which can be budgeted for this project; and

WHEREAS, the City was awarded \$1,805,000 in Federal funds from the Metropolitan Transportation Commission's TLC Grant Program, and the City and BART have agreed to seek additional funding to enable construction of as many of elements of the Project as feasible in a single contract, in order to achieve cost savings and to minimize disruption to Property and BART station access that may be caused with multiple contracts; and

WHEREAS, the City's adopted Downtown Area Plan, Downtown Streets and Open Space Improvement Plan recommends a reconfiguration of Shattuck Avenue from Center Street to University Avenue through Downtown Berkeley; and

WHEREAS, the City's Pedestrian Plan includes improvements to the University/Shattuck Intersection as High Priority Pedestrian Project #2 due to the fact that this intersection had the highest number of auto/pedestrian collisions in the City during a recent 8-year period; and

WHEREAS, adopted City planning documents have made recommendations for the Hearst Avenue corridor including the City's Pedestrian Plan, which recommends a new sidewalk between the Arch Street/Le Conte Avenue and the Euclid Avenue intersections, and bringing channelized right-turns at Gayley Road under yield or stop

control, and the City's Bicycle Plan, which recommends Class 2 bicycle lanes from Shattuck Avenue to Arch Street and "Class 2.5 lanes" between Arch Street/Le Conte Avenue and Gayley Road, consisting of a downhill Class 3 route and an uphill climbing lane.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to submit funding proposals to the Alameda County Transportation Commission for the FY 2012/13 Alameda County Coordinated Funding Program for an amount not to exceed \$12.65 million for transportation capital investments for 3 related projects:

- 1. BART Plaza & Transit Area Improvement Project.
- 2. Downtown Shattuck Reconfiguration & Pedestrian Safety Improvements.
- 3. Hearst Avenue Complete Streets Project.

#### Attachment 2: Template for Required Resolutions of Local Support

# Resolution of Local Support MTC Discretionary Funding Resolution No.

Authorizing the filing of an application for funding assigned to MTC and committing any necessary matching funds and stating the assurance to complete the project

WHEREAS, City of Berkeley (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for (INSERT FUNDING \$ AMOUNT HERE) in funding assigned to MTC for programming discretion, including but not limited to federal funding administered by the Federal Highway Administration (FHWA) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding and/or Transportation Alternatives (TA) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the (INSERT PROJECT TITLE(S) HERE) (herein referred to as PROJECT) for the (INSERT MTC PROGRAM(S) HERE) (herein referred to as PROGRAM); and

WHEREAS, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

**WHEREAS**, state statutes, including California Streets and Highways Code 182.6 and 182.7 provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

**WHEREAS**, pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal funds for a project shall submit an application first with the appropriate MPO for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

**WHEREAS**, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

**WHEREAS**, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of federal funds; and

**WHEREAS**, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

**WHEREAS**, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1. the commitment of any required matching funds of at least 11.47%; and
- 2. that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be

- expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
- 3. that the project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4. the assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- 5. that the project will comply with all project-specific requirements as set forth in the PROGRAM; and
- 6. that the project (transit only) will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region.

**NOW, THEREFORE, BE IT RESOLVED** that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under MAP-21 for continued funding; and be it further

**RESOLVED** that the APPLICANT by adopting this resolution does hereby state that:

- 1. APPLICANT will provide (INSERT MINIMUM \$ MATCH AMOUNT HERE) in matching funds; and
- APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the
  project is fixed at the MTC approved programmed amount, and that any cost
  increases must be funded by the APPLICANT from other funds, and that
  APPLICANT does not expect any cost increases to be funded with additional
  REGIONAL DISCRETIONARY FUNDING; and
- 3. APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation projects, and has assigned, and will maintain a single point of contact for all FHWA-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans and FHWA on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA-funded transportation projects implemented by APPLICANT; and
- PROJECT will be implemented as described in the complete application and in this
  resolution and, if approved, for the amount approved by MTC and programmed in the
  federal TIP; and
- APPLICANT and the PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and
- 6. APPLICANT (for a transit project only) agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866, revised; and therefore be it further

**RESOLVED** that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

**RESOLVED** that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

#### Attachment 2: Template for Required Resolutions of Local Support

**RESOLVED** that there is no legal impediment to APPLICANT making applications for the funds; and be it further

**RESOLVED** that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

**RESOLVED** that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

**RESOLVED** that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

**RESOLVED** that the MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's federal TIP.

### **Resolution of Support**

Alameda CTC Measure B and/or Vehicle Registration Fee (VRF) Grant Funding

Resolution No. (INSERT RESO No. HERE)

Authorizing the execution of a grant funding agreement for funding and committing any necessary matching funds and stating the assurance to complete the Project

WHEREAS, City of Berkeley ("APPLICANT") has submitted an application to the Alameda County Transportation Commission ("Alameda CTC") for (INSERT TOTAL MEASURE B and/or VRF FUNDING \$ AMOUNT HERE) from one or more of the following funding sources administered by the Alameda CTC and programmed at Alameda CTC's discretion as part of the Alameda CTC FY 2012/13 Coordinated Program ("PROGRAM"): Measure B Bicycle/Pedestrian Countywide Discretionary Fund, Measure B Express Bus Service fund, VRF Pedestrian and Bicyclist Access and Safety Program, and/or VRF Transit Congestion Relief Program funding (collectively, "FY 2012/13 COORDINATED PROGRAM FUNDING"), for the (INSERT PROJECT TITLE(S) HERE) ("PROJECT").

WHEREAS, Alameda CTC is a joint powers authority resulting from the merger of the Alameda County Congestion Management Agency and Alameda County Transportation Improvement Authority and is responsible for distributing to local jurisdictions certain Measure B and VRF revenues for bicycle and pedestrian safety, local streets and roads, local transportation technology, mass transit, paratransit, and transit center development programs; and

**WHEREAS**, APPLICANT represents that APPLICANT is an eligible grant recipient for such Measure B and/or VRF funds; and

**WHEREAS**, prior to entering into a funding agreement for FY 2012/13 COORDINATED PROGRAM FUNDING, Alameda CTC requires the responsible grant recipient to adopt a resolution confirming the following:

- 1) APPLICANT commits to provide the amount of matching funds specified in the grant funding agreement; and
- 2) APPLICANT understands that the amount of FY 2012/13 COORDINATED PROGRAM FUNDING is capped at the amount approved by the Alameda CTC Commission, and therefore APPLICANT cannot anticipate any PROJECT cost increase to be funded with additional Measure B and/or VRF grant funds; and
- APPLICANT shall complete the project as described in the grant funding agreement; and
- 4) APPLICANT will comply with all the project-specific requirements as set forth in the PROGRAM Guidelines and grant funding agreement.

**NOW, THEREFORE, BE IT RESOLVED** that APPLICANT is authorized to enter into a funding agreement for FY 2012/13 COORDINATED PROGRAM FUNDING for PROJECT; and be it further

**RESOLVED** that the APPLICANT by adopting this resolution does hereby confirm and agree that:

- 7. APPLICANT will provide (\$ matching funds amount from application) in matching funds;
- 8. APPLICANT understands that the amount of FY 2012/13 COORDINATED PROGRAM FUNDING for the project is capped at the amount approved by the Alameda CTC Commission, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional Measure B/VRF grant funding:
- 9. PROJECT will be implemented as described in the application, grant funding agreement and in this resolution;
- 10.APPLICANT and the PROJECT will comply with the requirements as set forth in the PROGRAM Guidelines and grant funding agreement; and therefore be it further

**RESOLVED** that APPLICANT is an eligible sponsor of Measure B and/or VRF funded projects; and be it further

**RESOLVED** that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

**RESOLVED** that APPLICANT authorizes its Executive Director, General Manager, City Manager, or other appropriate designee to execute a funding agreement with Alameda CTC for FY 2012/13 COORDINATED PROGRAM FUNDING for the PROJECT as referenced in this resolution; and be it further

**RESOLVED** that a copy of this resolution will be transmitted to Alameda CTC by June 30, 2013.

**DULY PASSED AND ADOPTED** by the Council of the City of Berkeley that (ii) THE ACTION BY SAID BODY, AND (iii) THE DATE THEREOF HERE), by the following vote:

# **OBAG Selection Criteria**

The project selection criteria will include project deliverability criteria as well as specific land use criteria mandated by the OBAG program. Projects that meet all of the OBAG screening criteria will be prioritized for OBAG funding based on the factors listed below.

Index	Final OBAG Selection / Scoring Criteria	Proposed Weight	
	Delivery Criteria		
1	Transportation Project Readiness      Funding plan, budget and schedule     Implementation issues     Agency governing body approvals     Local community support     Coordination with partners     Identified stakeholders	25	
2	Transportation Project is well-defined and results in a usable segment	10	
3	Transportation project need / benefit / effectiveness (includes Safety)  • Defined project need  • Defined benefit  • Defined safety and/or security benefits	15	
4	Sustainability (Ownership / Lifecycle / Maintenance)  • Identify funding and responsible agency for maintaining the transportation project  • Transportation Project identified in a long term development plan	5	
5	Matching Funds  • Direct Project Matching above Minimum required Local Match		
Subtotal			

Land Use Criteria (Mandated by OBAG)			
6	PDA Supportive Investments (Includes Proximate Access)  Transportation Project supports connectivity to Jobs/ Transit centers / Activity Centers for a PDA  Transportation Project provides multi modal travel options	5	
7	Transportation Investment addressing / implementing planned vision of PDA  • PDA transportation facility will be X% complete with project	4	

	High Impact project areas.			
	a	Housing Growth  • Projected growth of Housing Units in PDA	2	
	b	Jobs Growth  • Projected growth of Jobs in PDA	2	
	С	Improved transportation choices for all income levels  • Proximity of alternative transportation mode project to a major transit or high quality transit corridor stop	6	
	d	PDA parking management and pricing policies	3	
8		Policies/actions to increase the supply of affordable housing  Inclusionary zoning ordinance or in-lieu fee  Land banking  Housing trust fund  Fast-track permitting for affordable housing  Reduced, deferred or waived fees for affordable housing  Second units permitted by right  Density bonus for affordable housing  Flexible design standards to facilitate affordable housing production  Affordable housing mitigation fee (i.e., development impact fee to fund workforce or affordable housing)	3	
	е	Policies/actions to preserve affordable housing	3	
		escalating rents  Rent control  Just cause eviction ordinance  Foreclosure prevention programs  Homebuyer education/counseling/assistance programs  First-time homebuyer loan programs  Code enforcement relocation program  Repair/rehabilitation loan program for low-income residents  Fair housing and landlord-tenant counseling programs	3	

	Communities of Concern (C.O.C.)	
9	• Transportation project mitigates the transportation need of the C.O.C.	4
	Relevant planning effort documentation	
10	Freight and Emissions  • Project in PDA that overlaps or is collocated with populations exposed to outdoor toxic air contaminants as identified in the Air District's Community Air Risk Evaluation (CARE) Program or is in the vicinity of a major freight corridor	5
	Subtotal	
Total		100

# **Grant Application: FY12/13 Alameda County Coordinated Funding Program**

	Funding (Previously Secured)	Funding (Grant Request)	Local Match	% Local Match	Total Project Cost
BART Plaza & Transit Area Improvement					
Project	\$3,006,250	\$7,443,850	\$0		\$10,450,100
Shattuck Reconfiguration & Pedestrian Safety Project		\$2,327,594	\$670,000		\$2,997,594
Hearst Avenue Complete Streets Project	\$90,000	\$2,875,614	\$1,175,000		\$4,140,614
	\$3,096,250	\$12,647,058	\$1,845,000	12.7%	\$17,588,308

Note 1: Total local match exceeds 11.47% Federal requirement for local matching funds.

# APPENDIX EE – LIST OF "ACTIVE' PDAs in Alameda County

Ref. No.	Priority Development Area		
1	Oakland: TOD Corridors		
2	Oakland: Downtown and Jack London Square		
3	Dublin: Town Center		
4	Oakland: West Oakland		
5	Dublin: Transit Center/Dublin Crossing		
6	Union City: Intermodal Station District		
7	Emeryville: Mixed Use Core		
8	Dublin: Downtown Specific Plan Area		
9	Livermore: Downtown		
10	Hayward: The Cannery		
11	Fremont: Irvington District		
12	Berkeley: Downtown		
13	Oakland: Fruitvale & Dimond Areas		
14	Fremont: Centerville		
15	Berkeley: University Avenue		
16	Oakland: Coliseum BART Station Area		
17	Fremont: City Center		