



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: February 20, 2018

TO: Carolyn Lehr, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Submit Applications To The Metropolitan Transportation Commission (MTC) And The Association Of Bay Area Governments (ABAG) For Priority Development Area (PDA) Technical And Staffing Assistance**

STAFF RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing the City Manager to submit applications in response to the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) call for Priority Development Area (PDA) Technical and Staffing Assistance Programs.

BACKGROUND

In December 2017, MTC and ABAG announced that they were accepting applications from jurisdictions with Priority Development Areas (PDAs) for the PDA Planning Grant Program, PDA Technical Assistance Program and PDA Staffing Assistance Program. Staff is preparing applications to the PDA Technical Assistance and PDA Staffing Assistance programs.

Pre-application workshops were held on January 11 and 17, 2018, Staff participated in the January 11, 2018 event. Applications are due March 5, 2018. Projects must be completed within six to 18 months following finalized work scopes, depending on the specific program (six months for Technical Assistance and 18 months for Staffing Assistance).

PDA Technical and Staffing Assistance Program Descriptions

The objective of the PDA Technical Assistance program is to support discrete projects that will advance implementation of PDA-related plans in support of regional and local goals. Customized consultant assistance will be provided to local jurisdictions seeking to overcome specific policy or planning challenges to the implementation of PDA-related plans.

Projects that will be most competitive will achieve: 1) creative, forward-thinking solutions for addressing common impediments to the development of successful transit-oriented development (TOD); 2) expanded support for TOD in the jurisdiction and Bay Area; and 3) solutions applicable to an entire PDA (in contrast to a focusing on a specific project within a PDA).

PDA Staffing Assistance differs from PDA Technical Assistance in that Staffing Assistance projects have a more complex scope of work requiring longer than six months to complete, as well as a larger budget.

Eligible Projects

Cities and counties with PDAs are eligible for PDA Technical and Staffing Assistance. While all jurisdictions with PDAs are eligible to apply, priority will be given to the 16 jurisdictions taking on over 70% of the region's housing growth in Plan Bay Area 2040. Emeryville is number 11 on this list and therefore is well positioned to compete for these programs. Additional priority is being given to communities directly impacted by the north bay fires and cities with "High Risk of Displacement."

Matching requirements

The programs provide assistance in the form of personnel time dedicated to the awarded projects. There are no matching requirements.

DISCUSSION

Eligible Planning Activities

Proposed Technical and Staffing Assistance projects are intended to support PDAs for which a neighborhood or specific plan has been adopted. In Emeryville, the General Plan serves as our PDA plan with only the older residential areas not designated as part of the PDA. Proposed projects must advance implementation of the relevant plan, or serve to initiate a new or updated planning process. Projects must be completed within six months for Technical Assistance grants and 18 months for Staffing Assistance, following award and finalized work scope.

Projects that address the following types of planning and development issues are eligible for the Technical Assistance Program:

- a. Affordable housing and anti-displacement policies that address acute housing challenges in PDAs and surrounding transit-accessible neighborhoods; policies must be PDA-applicable but can also apply jurisdiction-wide
- b. Transportation Demand Management (TDM) policies and programs, including the development and implementation of trip caps or Transportation Management Associations (TMAs)

- c. Vehicle Miles of Travel (VMT)-based transportation impact standards or streamlining procedures that implement SB743 – a bill that seeks to improve environmental quality through transit oriented infill projects
- d. Transit station access and circulation for new and existing development, emphasizing Complete Streets and the needs of pedestrians, persons with disabilities, bicycles, shuttles, transit and local circulation
- e. Parking policy and demand management, with an emphasis on implementation of *MTC's Parking Policies to Support Smart Growth Toolbox/Handbook*.
- f. Development feasibility analysis such as development of pro-formas and return on investment analysis
- g. Financing mechanisms for infrastructure and transit-oriented housing, such as the establishment of finance districts to address public and private infrastructure, affordable and mixed-income housing, and other related TOD improvements
- h. Neighborhood/PDA-wide infrastructure planning and design, emphasizing green infrastructure and low-impact development for energy efficiency, storm-water management, utilities, and transit-accessible community facilities or parks
- i. TOD-supportive design, zoning and placemaking, including form-based code, design guidelines or visualization to address building form and scale, connectivity and accessibility
- j. Multi-jurisdiction initiatives that produce implementation actions to overcome shared challenges in multiple PDAs along a transit corridor

Staffing Assistance is limited to projects that provide a clear transportation/land use nexus. Examples of eligible types of projects include, but are not limited to:

- a. Transit-oriented affordable housing policy development and implementation (PDA-specific or jurisdiction-wide)
- b. Planning for mixed-income neighborhoods near transit: increasing affordability with location efficiency
- c. Planning and implementing transit connectivity to employment, housing and services
- d. Evaluating transit corridors and their relationship to transit-oriented development (TOD)
- e. Planning for expanding housing opportunities near transit
- f. Parking management and pricing connected to new land uses
- g. Bicycle and pedestrian planning connected to new land uses
- h. Implementing SB743: VMT-based transportation impact standards
- i. Evaluating transit corridors and their relationship to transit-oriented development (TOD)
- j. Planning and implementing Complete Communities (mix of land uses, diversity of incomes, multi-modal connections to transit, etc.)

Technical Assistance – Use of Public Curb Space Toolkit

Staff is proposing a request for \$65,000 in technical assistance to assist staff with work indirectly related to parking management efforts currently underway. The proposal is entitled “*Developing the Highest and Best Use of the Public Curb - an Innovative Strategy to Enhancing Multimodal PDA's and TODs in PDAs Throughout the Region.*”

Curbs are publicly owned right-of-way that, in urban areas, are often dedicated to the free storage of private vehicles. Curbs are available for other uses with potentially significantly higher and better use to more users or a more equitable distribution of users. Professionals often talk of the “highest and best use” for a parcel of land, yet rarely hold the use of a curb space to the same standard. Methodologies for determining a preferred treatment of a curb are needed. Increasingly, curbs have new and innovative uses proposed for them, relating to transportation, green infrastructure, or other uses, but sometimes the use of curbs for a single parking user is at odds with these innovations. Finally, as paid parking is envisioned as a Transportation Demand Management (TDM) measure, how do cities best accommodate the modal shifts anticipated and encouraged by TDM measures? The City of Emeryville seeks a PDA-wide strategy for curb use, across a broad spectrum of uses and with broad applicability to the Bay Areas’ other PDAs.

The Technical Assistance provided by the grant would result in deliverables such as sample conditions of approval for development projects with possible adjacent curb improvements, best practices, standard improvements’ dimensions, and tradeoffs, within a policy document providing the City with a means of assigning curbs their highest and best use resulting in a balance of uses across the PDA.

Possible uses of curb space to be evaluated include:

- Curb Extensions for Active Uses
- Green Infrastructure
- Through Lanes to Promote Modal Shift /Green Infrastructure
- Temporary Vehicle Stops
- Vehicle Storage

For examples of specific improvements in each of these categories, see Attachment 1.

While some of the over 30 competing uses, from bus bulb-outs to autonomous vehicle Radio-Frequency Identification (RFID) chips in the curb, are mutually compatible, others can preclude a preferable use or, with integrated design, can be jointly sited. For example, a rain garden in a curb extension could preclude a protected bike lane by extending the curb into a lane, or could be designed for bikes to ride through the garden. Many other examples of conflicting and complementary uses exist, and a guideline for placement of these features would help ensure a thoughtful approach to the allocation of curb space.

As paid parking and parking permits are being rolled out in Emeryville, concerns are being raised about other uses of curb space that can potentially reduce revenue from parking meters or be precluded due to allocation of curbs to paid parking in favor of other uses. Specifically, multimodal planning is occurring on San Pablo Avenue and 40th Street where the trade-offs of various curbside use are being weighed. This grant seeks to support rational planning of such tradeoffs citywide and offer such solutions more broadly to the region.

Staffing Assistance – Mitigating Regulation-Induced Displacement

Staff is proposing a request for \$180,000 in Staffing Assistance to review and develop policies and programs that address displacement that results from situations where tenants of affordable units experience life circumstances that are not accommodated by the regulatory agreements applicable to their affordable units, which often results in displacement from Emeryville.

Emeryville is a desirable location to live because of its proximity to work centers and its many transportation options. This creates demand and therefore high cost housing. Without housing policy and procedures to make the housing accessible and equitable for low income households, they are forced to commute long distances, which increases the costs and decreases opportunity for their households.

The City has long been a leader in housing policy and the production of affordable housing; however, the mechanisms used to develop these units have resulted in a fragmented system of regulator agreements. Most of the City's affordable units are scattered in multiple projects with each project having a separate regulatory agreement, a separate waiting list, and various affordability levels. Consequently, tenants who have an increase in income above what is allowed by the regulatory agreement applicable to their project may be displaced. In addition, households increase and decrease in size over time, making them ineligible for the unit for which they originally qualified. An appropriately-sized unit may not be available in the project in which they currently reside.

The City is requesting staffing assistance to address these issues through the development of the following elements:

- Unified Waitlist
- Communications Strategy
- Affordable Unit Management Training
- Supportive Service Units Integration at Mixed-Income Properties

A Unified Waitlist for all City affordable units could accommodate a change in tenant circumstances (i.e. income or family size) by offering an option to remain in Emeryville. The work to develop a transition to such a list is significant, but could serve as a template for a regional or sub-regional waitlist. This could provide potentially displaced tenants with a choice that allows them to remain in Emeryville in favor of relocating to a community that may be located farther from jobs and other amenities in a less transit-rich environment.

A Communications Strategy could be developed to provide a mechanism by which the City can easily communicate with residents of affordable units. Such a strategy could allow the City to enhance access and awareness of social services, energy efficiency programs, and transit options that enhance household outcomes.

An Affordable Unit Management Training program, consisting of training materials and sessions, would address the fragmentation that results across jurisdictions by providing

tools to train the managers of affordable units. Many of these managers move from project to project and management company to management company. In particular, in mixed income properties, management staff has high turnover and low-income tenants complain of different staff telling them different policies each year. The City is requesting assistance to develop training materials and conduct trainings that new management staff can plug into when hired. Providing these materials and trainings would help ensure that projects are all managed in a consistent, fair and equitable manner, and would be useful for all jurisdictions in the region.

Finally, the City is requesting staffing assistance to explore methods to integrate supportive service units into mixed income projects. Special populations integration into transit and service rich communities like Emeryville could increase mobility for the clients and increase paratransit efficiency. One possible solution is to encourage service providers to master lease units in mixed income properties for special populations that require supportive services. This would require drafting of service agreements, leases, and regulatory agreements to provide a template to developers and service providers.

Taken together, these elements can address issues with the regulatory process used to manage affordable housing assets that often result in resident displacement to lower-cost communities that are not as well located or served by transit.

Application Process/Timeline

Issue Call for Applications	December 2017
Pre-application Workshops	January 11, 2018, 1-3 PM at MTC/ABAG January 17, 2018, 2-4 PM at VTA
Application Due Date	March 5, 2018
Review Process	March 5 – April 4, 2018
Programming & Allocations Committee	Meeting April 11, 2018
Commission Approval	April 25, 2018
Bay Area Metro assign consultant(s) to project (pending consultant selection approval process)	By June 2018
Bay Area Metro, jurisdiction and consultant finalize work scope, begin project	July – September 2018
Work Completion	Technical Assistance: All work completed within six months following finalized work scope Staff Assistance: All work completed Within 18 months following finalized work scope

FISCAL IMPACT

Should one or both applications be successful, consultant(s) under contract with MTC will be assigned to work directly with Emeryville staff to complete the selected projects. No local match is required. The maximum award for the Technical Assistance program is \$65,000, and the maximum award for the Staffing Assistance program is \$180,000. Award of these grants would enable the City to produce the work described above, which exceeds current staff capacity.

LEGAL CONSIDERATIONS

The City Attorney has reviewed and approved as to form the attached resolution and this staff report.

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Community and Economic Development Coordinator II

REVIEWED BY: Chadrick Smalley
Economic Development and Housing Manager

APPROVED AND FORWARDED TO THE EMERYVILLE CITY COUNCIL



Carolyn Lehr
City Manager

Attachments:

- 1) Examples of potential uses of curb space
- 2) Draft Resolution