



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**DATE:** June 7, 2022

**TO:** Christine Daniel, City Manager

**FROM:** Mohamed Alaoui, Public Works Director

**SUBJECT:** **Resolution Of The City Council Of The City Of Emeryville Prioritizing Upcoming Projects For Grant Applications; And Authorizing The City Manager To Submit Applications In Response To The California Transportation Commission's ATP Cycle 6 Call-For-Projects, Alameda County Transportation Commission's 2024 CIP Call For Projects, And Any Other Grant Opportunity That Arises In Fiscal Years 2022-2024 For The Prioritized Projects; And Authorize The Mayor To Write Letters In Support Of The Prioritized Projects**

## RECOMMENDATION

Staff recommends that the City Council prioritize and rank upcoming projects and adopt the above-entitled resolution authorizing the City Manager to submit applications in response to the California Transportation Commission's (CTC) ATP Cycle 6 Call-for-Projects, Alameda County Transportation Commission's (ACTC) CTP 2024 Call For Projects, and any other grant opportunities that arise in Fiscal Years 2022-2024 for Prioritized Projects. The Prioritized Projects and ranked order recommended by staff are as follows:

1. Emery Go-Round Operating Expenses (FY2023-FY2027)
2. Village Greens and Greenways Program – Doyle Street (Phase 3)
3. Shellmound/Christie One-Way Loop Study
4. Stanford Corridor Enhancement Study
5. 40th Street Transit-Only Lanes and Multimodal Enhancements

Additionally, staff recommends that the City Council authorize the Mayor to write letters in support of the Prioritized Projects.

## BACKGROUND

### ***Active Transportation Program***

The Active Transportation Program (ATP) is a competitive statewide program created to encourage increased use of active modes of transportation, such as biking and walking. Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) created the ATP, and Senate Bill 1 (SB 1) (Chapter 2031, Statutes of 2017) directs additional funding from the Road Maintenance and Rehabilitation Account to the ATP.

On March 16, 2022, the California Transportation Commission (CTC) adopted the 2023 Active Transportation Program Guidelines which included the ATP Cycle 6 Call-for-Projects (ATP Cycle 6).

Pursuant to state law, the purpose of the program is to encourage increased use of active modes of transportation, such as biking and walking. The goals of the ATP are to:

- Increase the proportion of trips accomplished by biking and walking.
- Increase the safety and mobility for nonmotorized users.
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas reduction goals as established pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) and Senate Bill 391 (Chapter 585, Statutes of 2009).
- Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding.
- Ensure that disadvantaged communities fully share in the benefits of the program.
- Provide a broad spectrum of projects to benefit many types of active transportation users.

In addition to the goals listed above, the ATP will also consider state goals and provisions set forth in the Climate Action Plan for Transportation Infrastructure (CAPTI).

The following schedule lists the major milestones for the development and adoption of the 2023 ATP:

<b>ATP Milestones</b>	<b>Date</b>
Draft ATP Guidelines presented to Commission	January 26-27, 2022
Draft ATP Fund Estimate presented to Commission	January 26-27, 2022
Commission hearing and adoption of ATP Guidelines	March 16-17, 2022
Commission adopts ATP Fund Estimate	March 16-17, 2022
Call for projects	March 16-17, 2022
Scoring rubrics posted to Commission website	March 29, 2022
Large MPOs submit optional guidelines to Commission	May 13, 2022
Commission approves or rejects MPO guidelines	June 29-30, 2022
Project application deadline	June 15, 2022
Staff recommendations for Statewide and Small Urban and Rural components and Quick-Build Pilot Program posted	October 21, 2022
Commission adopts Statewide and Small Urban and Rural components and Quick-Build Pilot Program	December 7-8, 2022
Projects not programmed distributed to large MPOs based on location	December 2022
Deadline for MPO <u>Draft</u> project programming recommendations to the Commission	February 20, 2023
Deadline for MPO <u>Final</u> project programming recommendations to the Commission	April 21, 2023
Recommendations for MPO component posted	May 12, 2023
Commission adopts MPO selected projects	June 2023*

\* Exact date will coincide with the Commission's adopted 2023 meeting calendar.

### ***Alameda County Transportation Commission 2024 CIP***

The Alameda County Transportation Commission (ACTC) is responsible for planning, funding and delivering transportation projects and programs within Alameda County. This includes the programming of federal, state, regional and local transportation funding. The Comprehensive Investment Plan (CIP) is ACTC's near-term strategic planning and programming document through which fund sources administered by ACTC are programmed through a consolidated process to maximize investments towards critical transportation infrastructure and program operation needs that are essential for developing and maintaining the county's transportation system.

ACTC is embarking on the development of the 2024 Comprehensive Investment Plan (2024 CIP) and is releasing a call for projects for \$150.8 million in combined federal One Bay Area Grant Program Cycle 3 (OBAG 3) funding and various ACTC-administered discretionary local funding sources, including Measures B and BB, Vehicle Registration Fee (VRF), and Transportation Fund for Clean Air (TFCA) for eligible capital projects and programs within Alameda County. The 2024 CIP will program funding anticipated from fiscal years 2023-24 through 2027-28.

On May 10, 2022, ACTC issued the 2024 CIP funding guidelines. Projects must meet the eligibility requirements of the funding sources and programs that are ultimately programmed by ACTC. Projects ready for implementation in fiscal years 2023-24 through 2027-28 should apply at this time. Additionally, a portion of the available TFCA funding may be programmed to projects ready for implementation in FY 2022-23, including program and shuttle operations. In general, available funding will be prioritized towards improvements that can demonstrate construction readiness within the first two years of the 2024 CIP, provide safety enhancements, and directly benefit Priority Development Areas and Equity Priority Communities.

#### Eligible Projects

- Projects and programs (“Projects”) proposed for funding through the 2024 CIP must be included in the 2020 Countywide Transportation Plan (CTP) project listings (10-Year Priority, 30-Year Projects, or Programmatic Projects).
- Projects must demonstrate a public benefit towards building and maintaining the transportation infrastructure in Alameda County.
- Projects must be publicly accessible and not intended solely for use by a private entity.
- Capital Projects may include (but are not limited to):
  - New or modified bicycle/pedestrian facilities, bicycle lane striping, designated pedestrian path markings, signage/signals, bicycle parking, street reconfigurations, street closures, and bicycle/pedestrian safety improvements.
  - Transit infrastructure enhancements and expansion
  - Safety or modernization improvements to transit centers, stations or intermodal facilities
  - Transportation improvements that provide greater transit access for residents of low-income or otherwise disadvantaged communities
- Non-capital Projects may include (but are not limited to):
  - Safety education, training, enforcement and promotional programs
  - Transportation demand and traffic management programs
  - Shuttle operations

- Projects must also comply\* with the following Metropolitan Transportation Commission (MTC) requirements:
  - MTC's Complete Streets Policy, and its successor, including the requirement to complete a Complete Streets Checklist for each project applying for OBAG 3 funding
  - Have a general plan housing element adopted and certified by the California Department of Housing and Community Development (HCD) for the 2023-31 Regional Housing Needs Allocation (RHNA) cycle by December 31, 2023, and maintain certification throughout the OBAG 3 program period
  - Submit Housing Element Annual Reports to HCD each year by the April 1 deadline throughout the OBAG 3 program period
  - Adopt a resolution self-certifying compliance with state housing laws related to surplus lands, accessory dwelling units, and density bonuses by December 31, 2023
  - Maintain ongoing compliance with the Housing Accountability Act (as determined by MTC staff) throughout the OBAG 3 program period
  - Adopt a Local Roadway Safety Plan (LRSP) or equivalent safety plan, as defined by the California Highway Safety Improvement Program (HSIP) guidelines, by December 31, 2023
  - Maintain a certified Pavement Management Program (StreetSaver® or equivalent), updated as prescribed by MTC staff
  - Fully participate in statewide local streets and road needs assessment surveys (including any assigned funding contribution)
  - Provide traffic count data to MTC to support FHWA's Highway Performance Monitoring System (HPMS) on an annual basis, or as directed by MTC staff

\*For the above items with MTC-established deadlines of December 31, 2023, ACTC will request and must receive these items by June 30, 2023 to ensure timely OBAG 3 program compliance.

#### Matching requirements

Per the ACTC's Small Cities Program Policy, the Cities of Albany, Emeryville, and Piedmont are not required to provide a match. However, any matching funds provided by the City will help the City's applications score higher.

Project Type	Minimum Request	Maximum Request	Minimum Match
Capital Improvement	\$500,000	\$10,000,000	25% (for each phase requested)
Programs and Shuttle Operations	\$100,000 per year	\$500,000 per year	75% (by year)

Matching funds must be expended concurrently and proportionally for each phase programmed with ACTC-administered funds. Previously incurred costs or previously expended funds do not count towards fulfilling minimum matching requirements. On a case-by-case basis, ACTC may consider exceptions to the minimum funding request identified for each project category.

#### Schedule for ACTC 2024 CIP

- |   |                    |
|---|--------------------|
| • Release 2024 CIP Call for Projects    | May 10, 2022       |
| • CIP Application Workshop              | May 19, 2022       |
| • Application Deadline                  | June 30, 2022      |
| • Release List of Applications Received | July 2022          |
| • OBAG 3-prioritized nominations to MTC | September 30, 2022 |
| • MTC approves OBAG 3 program           | January 2023       |
| • 2024 CIP Local Funding Recommendation | Spring 2023        |

## **DISCUSSION**

On April 14, 2022, the City of Emeryville's Transportation Committee discussed the high-level scope of transportation projects that were gathered from various City sources (General Plan, Bike/Ped Plan, Traffic Impact Fee Nexus Study, and projects discussed at various advisory bodies to the City Council). The list of projects included:

1. 40th Street Transit-Only Lanes and Multimodal Enhancement
2. Ashby Interchange Corridor Enhancement (La Coste/65<sup>th</sup> Streets)
3. Stanford Corridor Enhancement Study
4. Temescal Greenway (53<sup>rd</sup> Street Alignment)
5. Shellmound/Christie One-Way Loop Study
6. Village Greens and Greenways Program – Doyle Street (Phase 3)

The Transportation Committee approved a unanimous motion to recommend forwarding the following three projects to the City Council with an initial ranking from the Transportation Committee and authorizing the City Manager to apply for grant funding for major projects in the upcoming 2022 grant cycles:

1. Shellmound/Christie One-Way Loop Study

Study to make the "Shellmound Loop" one-way vehicular traffic around the intersections surrounding the Powell/Christie intersection to help add transit, bicycle, and pedestrian facilities throughout the corridor.

2. Stanford Corridor Enhancement Study

Study to make linear park, bicycle, and pedestrian improvements to the Stanford Avenue Corridor from the Horton Street to Vallejo Street.

3. 40th Street Transit-Only Lanes and Multimodal Enhancement

Reconstruction of 40<sup>th</sup> Street from IKEA to Adeline Street to help support new transit-only lanes, two-way cycle track, and multi-modal enhancements corridor wide.

In addition, under the quick build category, the Village Greens and Greenways Program – Doyle Street (Phase 3) was prioritized. This Project to extends the Doyle “Shared Street” Village Green project to the south from 61<sup>st</sup> Street to 59<sup>th</sup> Street to the Emeryville Greenway south of the Doyle Street Community Garden.

Finally, the City applies every year to ACTC for funding for a shuttle program, the Emery Go-Round. The Emery Go-Round is a free public shuttle from the MacArthur BART station to points throughout Emeryville and one point in southwest Berkeley. ACTC funding for this shuttle program will support fiscal years 2023-2024, 2024-2025, 2025-2026, and 2026-2027. The ACTC funding request would be for \$500,000 per year for four years, for a total of \$2 million.

***Prioritized Project List***

As part of the application process to ACTC, applications must be ranked by applicants for funding priority. Combining the comments received by the Transportation Committee, staff recommends to the City Council the following ranked order for funding:

1. Emery Go-Round Operating Expenses (FY2023-FY2027) – \$2 Million
2. Village Greens and Greenways Program – Doyle Street (Phase 3) – \$350,000
3. Shellmound/Christie One-Way Loop Study – \$600,000
4. Stanford Corridor Enhancement Study – \$300,000
5. 40th Street Transit-Only Lanes and Multimodal Enhancements – \$15 Million

The reason Emery Go-Round operating expenses were ranked at the top was that, regardless of whether these expenses are funded by ACTC, they will remain an obligation for the City to fund.

The reason that the Phase 3 of the Village Green Program was ranked 2<sup>nd</sup> is due to the relatively low cost for the project. In addition, the prior two phases have already been completed.

***Other Grant Opportunities***

Throughout every Fiscal Year, there are multiple grant opportunities that arise from various public and private funding sources. When these grant opportunities are announced, there is often a short window to complete applications for funding. To best position the City to be nimble in the search for outside funding, staff recommends that the City Council authorize the City Manager to seek funding, including submitting

applications, for the Prioritized Project list from any grant opportunity that arises during Fiscal Years 2022-2024.

### ***Letters of Support***

In most grant application scoring rubrics, extra points are granted to projects that show letters of support from the City, community, and other stakeholders that would benefit from the project. Staff recommends that the City Council authorize the Mayor to write letters in support of the Prioritized Projects.

### **FISCAL IMPACT**

ACTC's Small Cities Program exempts Emeryville, Albany, and Piedmont from match requirements. Any additional matching funds from the City would result in extra points on the application.

The ATP Cycle 6 Guidelines states that, "(t)he Commission does not require a funding match for ATP. Large MPOs, in administering a competitive selection process, may require a funding match for projects selected through their competitive process." In past cycles, there has been a 10-15% local match required from MTC on ATP funded projects.

ACTC funding for the General Benefit portion of Emery Go-Round operations will be matched by the Property Based Business Improvement District (PBID) component, giving the City an 87% match for extra points on that application. ACTC's maximum funding for shuttle operations will remain at \$500,000 a year through Fiscal Year 2025-26. Over time, as the Emery Go-Round assessment increases, the PBID and General Benefit increase. This means the City will need to locate another funding source for part of the General Benefit. In 2020, the PBID component was \$4,049,222 and the General Benefit was \$560,301, of which ACTC CIP funding paid \$500,000 and the City paid \$60,301.

### **STAFF COMMUNICATION WITH THE PUBLIC**

Potential transportation projects were discussed at the April 14, 2022 Transportation Committee Meeting.

### **CONFLICT OF INTEREST**

N/A

### **CONCLUSION**

Staff recommends that the City Council prioritize and rank upcoming projects and adopt the above-entitled resolution authorizing the City Manager to submit applications in response to the California Transportation Commission's (CTC) ATP Cycle 6 Call-for-Projects, Alameda County Transportation Commission's (ACTC) 2024 CIP Call For Projects, and any other grant opportunities for the Prioritized Projects that arise in Fiscal Years 2022-2024. The Prioritized Projects and ranked order recommended by staff is as follows:



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Additionally, staff recommends that the City Council authorize the Mayor to write letters in support of the Prioritized Projects.

**PREPARED BY:** Ryan O'Connell, Senior Civil Engineer

**APPROVED AND FORWARDED TO THE  
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Christine Daniel, City Manager

**ATTACHMENTS**

- Attachment A – ATP Cycle 6 Guidelines
- Attachment B – ACTC 2024 CIP Guidelines
- Attachment C – Presentation of Potential Transportation Projects for Grant Applications
- Draft Resolution