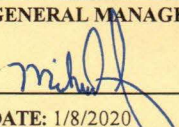
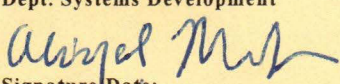
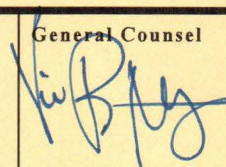
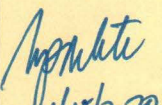
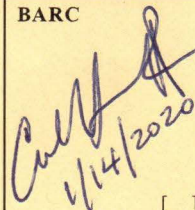




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  1/15/20		GENERAL MANAGER ACTION REQ'D: No		
DATE: 1/8/2020		BOARD INITIATED ITEM: No		
Originator/Prepared by: Abigail Thorne-Lyman Dept: Systems Development  Signature Date: 1/13/2020	General Counsel  1/14/2020 []	Controller/Treasurer  1/15/2020 []	District Secretary []	BARC  1/14/2020 []

Affordable Housing and Sustainable Communities Applications for FY2018-2019

PURPOSE:

To obtain authorization to enter into agreements required to apply for and receive funds for transit access improvements and new rail cars from the FY2018-2019 Affordable Housing and Sustainable Communities (AHSC) grant program.

DISCUSSION:

The State of California Strategic Growth Council (SGC) and Housing and Community Development Department (HCD) have issued a Notice of Funding Availability for the FY2018-2019 Affordable Housing and Sustainable Communities (AHSC) Grant Program, funded by the Greenhouse Gas Reduction Fund ("Cap-and-Trade") auction proceeds.

BART's Transit-Oriented Development (TOD) Policy sets a goal of "Partner(ing) to ensure BART contributes to neighborhood/district vitality, creating places offering a mix of uses and incomes." BART has successfully partnered with private developers both on and off BART property, and used the AHSC program to secure funding that will both build affordable housing and enhance active transportation access to stations. For this round of funding, BART has been working with six developers on a total of eight applications, set forth in Attachment 1. Developers who are seeking AHSC funds to subsidize the construction of affordable housing projects are more competitive if their funding requests include projects that improve pedestrian, bicycle, and transit access. In addition, 30% of the score for AHSC applications is based on the estimated reduction in greenhouse gas emissions, which largely comes from a strong transit component. BART's application components would include funding requests for new BART Fleet of the Future rail cars,

station improvements such as wayfinding, and pedestrian and bicycle access projects.

AHSC is a highly competitive funding program, and BART's transportation components would greatly boost the competitiveness of these affordable housing projects near the stations. The program does not require BART to be a direct applicant for these funds, and typically the lead applicant is the affordable housing developer, sometimes jointly with the local jurisdiction. BART would be a subrecipient to the affordable housing developers, and under the terms of the funding application, must enter into agreements in advance of the application deadline to confirm BART's role. The State of California requires AHSC-related agreements to be executed in advance of the AHSC grant application deadline of February 11, 2020.

This Board action is requested to authorize staff to enter into these required agreements, and to authorize the pass-through of funds from the private developers to BART if the applications are successful.

In three of the anticipated applications, some BART-related transportation improvements may be made by the affordable housing developer directly. These projects – Fruitvale Phase IIB, Balboa Park Upper Yard, and Mandela Station (West Oakland) – are immediately adjacent to BART facilities and have long been part of BART's own joint development portfolio. These improvements are necessary to ensure improved station access due to the modifications to BART facilities to support the transit-oriented development. Other agreements pertaining to the larger real estate transactions for Mandela Station and Balboa Park Upper Yard will be brought to the Board for consideration at future meetings.

Staff is seeking Board approval to enter into agreements with various parties as described in Attachment 1. The agreements would:

- Describe BART's previous experience with at least two similar projects within the last 10 years;
- Stipulate the terms of the agreement between the developer, City, and BART for completion of the application components including roles and responsibilities for making the BART-related improvements;
- Stipulate the terms for funding and reimbursement of transportation improvements;
- Confirm that BART has site control and any environmental approvals or other rights needed to construct the transportation improvements; and
- Confirm that BART will work in good faith and in a timely manner with the developer to provide any necessary permits to enter BART-owned property, as appropriate.

Staff is also requesting authorization from the Board to enter into pass-through agreements with Applicants to receive funds needed for the transportation improvements if the applications are successfully awarded by the State, contingent on Board authorization of all other required agreements as stated above. SGC and HCD are expected to announce grant

awards in Summer 2020.

All agreements will be approved as to form by the Office of the General Counsel.

FISCAL IMPACT:

Depending on which applications are awarded, the AHSC program could provide as much as \$38.78 million in contributions to BART capital improvements as described in Attachment 1. Some of these contributions would support planned Measure RR station access projects and the Fleet of the Future, leveraging BART's own funds which have already been allocated to these projects. Proposed AHSC station improvements at the Balboa Park, Ashby, Concord, and West Oakland stations may not take place without AHSC funds as no other fund source has been identified.

ALTERNATIVES:

Do not authorize staff to enter into these agreements. BART will not apply for funds from AHSC as a subrecipient. The related affordable housing projects could be negatively impacted as the BART portion of the applications contributes to the competitiveness of their applications for AHSC, and some of the proposed improvements as noted above would not necessarily occur.

RECOMMENDATIONS:

Adopt the following Motion.

MOTION:

Authorize the General Manager or his designee to enter into agreements required to apply for the FY2018-2019 Affordable Housing and Sustainable Communities grant program, including Memoranda of Understanding and Pass-Through Agreements to receive funds. Agreements will be with the following parties:

- City of Oakland with BRIDGE Housing and the Spanish Speaking Unity Council
- City of Oakland with China Harbour Engineering Corp. and Strategic Urban Development Alliance
- City of San Francisco with the Related Companies of California, LLC, and Mission Housing Development Corporation
- City of San Francisco with Tenderloin Neighborhood Development Corporation
- Satellite Affordable Housing Associates
- Resources for Community Development

APPENDIX 1: Summary of FY 2018-2019 Affordable Housing and Sustainable Communities Applications with BART Partnerships

Station		Applicant(s)	BART-Related Improvement(s)	Funding Amount for BART Improvements
Included in BART's Joint Development Portfolio	Balboa Park / San Francisco	City of San Francisco, Related Companies of California, LLC, Mission Housing Development Corporation, Inc.	3 Rail Cars Reconfiguration of passenger drop off into ped/bike/transit plaza	\$8.33 million
	Fruitvale	City of Oakland/BRIDGE Housing/Spanish Speaking Unity Council	4 Rail cars, Clipper passes Bicycle/Pedestrian improvements from fare gates to 37th Ave.	\$5.45 million
	West Oakland	City of Oakland, China Harbour Engineering Corporation and Strategic Urban Development Alliance	3 Rail Cars Bicycle Station Wayfinding Improvements	\$4.83 million
Housing Does Not Require BART Property	Ashby	Resources for Community Development	3 Rail Cars Bicycle access improvements Signage/Wayfinding upgrades	\$4.31 million
	Bay Fair	Resources for Community Development	2 Rail Cars	\$2.2 million
	Concord	Resources for Community Development	3 Rail Cars Signage and wayfinding	\$4.43 million
	North Berkeley	Satellite Affordable Housing Associates	3 Rail Cars Ohlone Greenway Pedestrian/Bicycle Improvements	\$5.9 million
	Powell	City of San Francisco, Tenderloin Neighborhood Development Corporation	3 Rail Cars	\$3.33 million
Total FY 2018-2019 BART Request				\$38.78 million

Attachment 1: Summary of FY 2018-2019 AHSC Applications with BART Partnerships

Page 2: Other Application Information

Station	Housing Project Name	Units	Other City Transportation Projects Included
Balboa Park / San Francisco	Balboa Park Upper Yard	131	19th Ave Rapid Transit project, Mission St. Excelsior bike and pedestrian improvements
Fruitvale	Fruitvale Phase IIB	181	Fruitvale Alive bike, ped and amenities, International Blvd. pedestrian lighting project
West Oakland	Mandela Village	240	18th St. bike lane from Mandela to Wood
Ashby	Maudelle M. Shirek	79	Bicycle boulevard from BART to points East via Woolsey, ped/bike intersection crossing improvements, improvement of six bus stops
Bay Fair	Madrone Terrace	87	E. 14th St bike and ped improvements and amenities such as lighting and wayfinding
Concord	Galindo Terrace	62	Downtown Corridor bicycle and pedestrian improvement project
North Berkeley	Blake Apartments	63	New bike boulevards, bike and ped intersection improvements, traffic calming
Powell	Central Subway / 266 4th St.	70	Better Market Street bike and pedestrian improvements
	Total New Housing Units Supported	913	