
**THE
CITY OF OAKLAND
IMPACT FEE
ANNUAL REPORT FOR:**

**AFFORDABLE HOUSING,
JOBS/HOUSING, TRANSPORTATION,
& CAPITAL IMPROVEMENTS IMPACT
FEES**

Fiscal Year Ended June 30, 2020

December 27, 2020

TABLE OF CONTENTS

I. Reporting Requirements for Impact Fees	2
II. Description of Development Impact Fees	2
A. Affordable Housing Impact Fees	2
B. Jobs/Housing Impact Fee	3
C. Transportation Impact Fees	3
D. Capital Improvement Impact Fees	3
III. Amount of Impact Fee, Fund Balance, and Project Descriptions	4
A. Summary of Impact Fees Collected and Assessed.....	4
B. Affordable Housing Impact Fees	7
C. Jobs/Housing Impact Fee	10
D. Transportation Impact Fees.....	12
E. Capital Improvements Impact Fees	15

I. REPORTING REQUIREMENTS FOR IMPACT FEES

In California, State legislation set legal and procedural parameters for the implementation of Impact Fees. This legislation was passed as AB1600 by the California Legislature and is now codified as California Government Code Sections (GC §) 66000 through 66008 (“Mitigation Fee Act”). This State law went into effect on January 1, 1989.

GC § 66006(b)(1) states the following requirements as pertains to Impact Fees for the prior fiscal year:

- a. A brief description of the type of fee in the account or fund.
- b. The amount of the fee.
- c. The beginning and ending balance of the account or fund.
- d. The amount of the fees collected and the interest earned.
- e. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
- f. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001, and the public improvement remains incomplete.
- g. A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.
- h. The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocations pursuant to subdivision (f) of Section 66001.

II. DESCRIPTION OF DEVELOPMENT IMPACT FEES

A. Affordable Housing Impact Fees

Oakland Municipal Code (OMC) Chapter 15.72 (Ordinance No. 13365 C.M.S.) establishes affordable housing impact fees in the City of Oakland to assure that market-rate residential development projects pay their fair share to compensate for the increased demand for affordable housing generated by such development projects within the City of Oakland. Unless exempt from this chapter, any development project resulting in additional housing units in new or existing buildings must pay to the City the Affordable Housing Impact Fees; or the applicant may elect to construct either on-site or off-site affordable housing units as permitted under OMC Sections 15.72.100 and 15.72.110. These Impact Fees are further broken down into three Impact Fee Zones for which fees vary.

The Affordable Housing Trust Fund established under OMC Chapter 15.62 receives all Affordable Housing Impact Fees collected and all interest and investment earnings accrued thereon shall be used to increase, improve, and preserve the supply of affordable housing in the City with priority given to housing for very

low-income households. The United States Department of Housing and Urban Development (HUD) defines “very low-income” as 50 percent of the median family income for the area.

B. Jobs/Housing Impact Fee

OMC Chapter 15.68 (Ordinance No. 12442 C.M.S.) establishes a Jobs/Housing Impact Fee in the City of Oakland to assure that certain commercial development projects compensate and mitigate for the increased demand for affordable housing generated by such development projects within the City of Oakland. Any new office or warehouse/distribution development project in a new or existing building over 25,000 square feet must pay to the City the Jobs/Housing Impact Fee, or may elect to construct affordable housing as per OMC Section 15.68.080.

The Affordable Housing Trust Fund established under OMC Chapter 15.62 receives all Jobs/Housing Impact Fees collected and all interest and investment earnings thereon, shall be used to increase, improve, and preserve the supply of affordable housing in the City, with priority given to housing for very low income households.

C. Transportation Impact Fees

OMC Chapter 15.74 (Ordinance No. 12442 C.M.S.) establishes citywide transportation impact fees in the City of Oakland to assure that development projects pay their fair share to compensate for the increased demand for transportation infrastructure generated by such development projects within the City of Oakland. Unless exempt from the chapter any development project resulting in additional square footage for a non-residential project or additional housing units in a residential project in new or existing buildings must pay to the City the Transportation Impact Fees, or comply with the Developer Constructed Facilities in OMC Section 15.74.120. For residential development projects, these Impact Fees are further broken down into three Impact Fee Zones for which fees vary.

A Transportation Impact Fee Fund receives all Transportation Impact Fees collected and all interest and investment earnings thereon, shall be used to pay for improvements within the public right-of-way for pedestrians, bicyclists and/or motor vehicles. Fee revenues may be used to fund a capital project or portion of a capital project that meets the requirements of OMC Section 15.74.100.

D. Capital Improvement Impact Fees

OMC Chapter 15.74 (Ordinance No. 12442 C.M.S.) establishes citywide capital improvement impact fees in the City of Oakland to assure that development projects pay their fair share to compensate for the increased demand for capital improvements infrastructure generated by such development projects within the City of Oakland. Any development project, unless exempt from the chapter, resulting in additional square footage for a non-residential project or additional housing units in a residential project in new or existing buildings, must pay to the City the Capital Improvement Impact Fees, or comply with the Developer Constructed Facilities in OMC Section 15.74.120. For residential development projects, these Impact Fees are further broken down into three Impact Fee Zones for which fees vary.

A Capital Improvements Impact Fee Fund receives all the Capital Improvements Impact Fees collected and all interest and investment earnings thereon, shall be used to pay for projects that are required for fire, police, library, parks and recreation, or storm drain services. Fee revenues may be used to fund a public facility or portion of a public facility that meets the requirements of OMC Section 15.74.110.

III. AMOUNT OF IMPACT FEE, FUND BALANCE, AND PROJECT DESCRIPTIONS

A. Summary of the Impact Fees Program

1. The Impact Fee program is designed for revenues generated over time to mitigate impacts from new development and is not meant to cover existing shortfalls.
2. The Impact fees in this report include all the fees collected since the beginning of the program in September 1, 2016.
3. Projects that have obtained vested rights prior to the effective date of the Impact Fees are not subject to Impact Fees, provided the vested rights remain valid at the time of building permit issuance.
4. A number of projects had development agreements that already require some type of community benefits and were not subject to Impact Fees.
5. Impact Fees are not paid in full when a building permit is applied for but later in the building permit process:
 - a. At building permit issuance, 100% of Transportation and Capital Improvements Impact Fees, 50% of Affordable Housing Impact Fees, and 25% of Jobs/Housing Impact Fee are paid. Building permit issuance may occur up to one year after a building permit application. Therefore, a large portion of these fees were not included in the first fiscal year and now a large portion of these Impact Fees were paid in the second fiscal year.
 - b. At project completion, the remaining 50% of Affordable Housing Impact Fees and 50% of Jobs/Housing Impact Fee are paid, which for larger projects typically occurs 1 to 3 years after the building permit issuance (and 2 to 4 years after the building permit application). About 15% of these Impact Fees were assessed in the first fiscal year that were paid in the second fiscal year; the remainder of these assessed Impact Fees from the first fiscal year are anticipated to be paid in the third or fourth fiscal year depending on when the buildings are completed.
 - c. For Jobs/Housing Impact Fee the remaining 25% of the Impact Fees are paid at 18 months after project completion.
6. The Impact Fees were phased in to allow developers time to incorporate the Impact Fees of the into their project cost, as well as to incentivize development projects to be built and to address the housing demand. Phasing in new fees was also consistent with continued real growth of rents and improved feasibility of housing development. The Impact Fees did go up during the second fiscal year, but most of the Impact Fees assessed during the second fiscal year will not be paid until the third fiscal year.
7. A change in the way assessed amounts are reported was instituted in June of 2019 that retroactively adjusted the assessed amounts for all projects going back to the beginning of each respective project. In the past, a place holder of either \$.50 or \$1.00 was inputted into the system if the status of the project's regulatory agreements was unknown. The current process records the assessed fee for all projects, including for projects whose regulatory agreement status is not yet known.
8. The 2% service charge associated with this program has not been paid/transferred out since the program's inception; however, the City expects to use these funds for the five-year assessment of the City's impact fee program as required under California Government Code Section 66001(d).
9. An independent auditor has completed an assessment of the Impact Fee program July 1, 2016 through June 30, 2019. The auditor's assessment was completed in September 2020.
10. Refunds for a total of \$22,500 were issued for five projects in fiscal year 2019-2020. Their record numbers are as follows: RB1702965; RB1702527; RBC1804810; RB1801670 and RB1803423. These records were noted during the impact fee assessment performed by the third-party auditing firm of

Macias, Gini & O’Connell (MGO). Those impact fees were assessed in error; therefore, City staff issued refunds for those records noted above.

Table 1 lists:

1. The amount of Impact Fees already collected/paid during each fiscal year since the program inception.
2. The assessed Impact Fees that are listed in this report will only be fully collected if all of the projects that have applied for building permits during the past three fiscal years are built to completion.
3. Please note that most of the Impact Fees collected in any fiscal year are from projects that had their impact fees assessed in the previous fiscal year.
4. In previous years, the Impact Fee Annual Report included “Revenue Assessed, but Not Due Yet”; however, that column did not account for projects that had been cancelled and so it was removed.

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Impact Fee Fund	Impact Fee		Amount Collected/Paid ^{ac}	Assessed ^{ab}
Affordable Housing Trust Fund	Affordable Housing Impact Fees (AHIF)	FY 2016-2017	\$467,983	\$4,312,297
		FY 2017-2018	\$3,594,508	\$10,641,376
		FY 2018-2019	\$3,475,063	\$6,669,049
		FY 2019-2020	\$5,616,699	\$6,859,627
		Total FY 2016-2020	\$13,154,253	\$28,482,349
	Jobs/Housing Impact Fee (JHIF)	FY 2015-2016	\$528,861	\$0
		FY 2016-2017	\$303,360	\$446,583
		FY 2017-2018	\$1,631,583	\$1,653,841
		FY 2018-2019	\$627,936	\$6,020,994
		FY 2019-2020	\$4,190,080	\$8,957,589
		Total FY 2016-2020	\$7,281,820	\$17,079,007
	AHIF & JHIF	FY 2015-2016	\$528,861	\$0
		FY 2016-2017	\$771,343	\$4,758,880
		FY 2017-2018	\$5,226,091	\$12,295,217
		FY 2018-2019	\$4,103,000	\$12,690,043
		FY 2019-2020	\$9,806,779	\$15,817,216
		Total FY 2016-2020	\$20,436,074	\$45,561,356
	Transportation Impact Fee Trust Fund	Transportation Impact Fee (TIF)	FY 2016-2017	\$481,265
FY 2017-2018			\$2,347,491	\$269,374
FY 2018-2019			\$1,641,184	\$293,660
FY 2019-2020			\$1,081,671	\$2,406,150
Total FY 2016-2020			\$5,551,611	\$4,027,513
Capital Improvements Impact Fee Trust Fund	Capital Improvements Impact Fee (CIIF)	FY 2016-2017	\$139,536	\$912,820
		FY 2017-2018	\$1,718,942	\$42,923
		FY 2018-2019	\$641,137	\$973,023
		FY 2019-2020	\$1,210,684	\$2,091,243
		Total FY 2016-2020	\$3,710,299	\$4,020,009

^a Please note that the numbers were updated as a result of the MGO assessment conducted for fiscal years 2016-2019.

^b The Assessed value listed for a given fiscal year will decrease as the fees are collected or when projects are canceled in the given fiscal year and fiscal years thereafter.

^c The “Amount Collected/Paid” represents the total amount collected less any refunds.

B. Affordable Housing Impact Fees

1. The Amount of Affordable Housing Impact Fee

Housing Use Type	Zone	FY 9/1/16 - 6/30/17	FY 7/1/17 - 6/30/18	FY 7/1/18 - 6/30/19	FY 7/1/19 - 6/30/20
Multi-family	Zone 1	\$5,500	\$11,500	\$22,000	\$22,000
	Zone 2	\$4,550	\$9,250	\$17,750	\$17,750
	Zone 3	\$0	\$0	\$3,000	\$3,000
Townhome	Zone 1	\$6,500	\$12,000	\$20,000	\$20,000
	Zone 2	\$2,600	\$7,200	\$14,250	\$14,250
	Zone 3	\$0	\$0	\$1,000	\$1,000
Single-family	Zone 1	\$6,000	\$12,500	\$23,000	\$23,000
	Zone 2	\$3,750	\$9,000	\$16,500	\$16,500
	Zone 3	\$0	\$0	\$1,000	\$1,000

2. Fund Balance Summary

Document Establishing Fee	Project	Starting Balance	Fees Collected	Refunds	Interest Earned	Expenditures	Ending Balance as of June 30, 2020	Sufficient Funds to Complete Project?	% of CIP Project Covered by Fees
Oakland Municipal Code Chapters 15.72 & 15.62	N/A	\$7,602,845	\$5,627,199	\$10,500	*	\$0	\$13,154,253	N/A	N/A

*Interest is being collected on these impact fees at the fund level.

3. Affordable Housing Impact Fees Project Descriptions

Although there were no expenditures from the Affordable Housing Impact Fees (AHIF) for the July 1, 2019 to June 30, 2020 fiscal year, one project funded in FY 2018-2019 closed its construction loans and started construction during 2019-2020. Three projects were awarded funds through the Notices of Funding Availabilities (NOFA) process in the 2019-2020 fiscal year and are still in pre-development stage. Please note that although 7th & Campbell project’s award was made in January 2020, their actual funding source is FY 2020-2021 AHIFs. This report also includes updates on projects that were awarded AHIF Funds in the July 1, 2018 to June 30, 2019 fiscal year.

Awarding Future Projects

Resolution No. 87994 C.M.S., passed by the Oakland City Council on January 21, 2020, authorized awarding Affordable Housing Trust Funds to various projects. The following projects were awarded funds from the Affordable Housing Trust Fund from the AHIF in FY 2019-2020. Funds for “Pre-Development” projects have been committed and have not yet been expended. Future fiscal year Annual

Impact Fee Reports will account for funds dispersed to developers once the projects are underway with construction.

a. **Project: West Grand & Brush Phase I (PRE-DEVELOPMENT)**

Description: Located at 760 22nd Street & 2201 Brush Street in the Ralph Bunche neighborhood of West Oakland, CA, the proposed project includes 59 total units of multifamily affordable rental housing with 58 units for extremely low to low income households from 20% to 70% of the Area Median Income. The project will include 30 units set aside for homeless households and 1 un-restricted on-site property manager's unit. The unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility.

Status: The estimated construction start is Fall 2021.

Funds Committed: 2019-2020 AHIF funds in the amount of \$3,965,000 have been committed for this project.

FY 2019-20 AHIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

b. **Project: Longfellow Corner (PRE-DEVELOPMENT)**

Description: Located at 3801-3807 and 3823-3829 Martin Luther King Jr. Way in the Longfellow neighborhood of North Oakland, CA, the proposed project includes 77 total units of multifamily affordable rental housing with 76 units for extremely low to low income households from 20% to 60% of the Area Median Income. The project will include 32 units set aside for homeless households and 1 un-restricted on-site property manager's unit. The unit types will include 1, 2, and 3 bedrooms with accommodations for accessibility.

Status: The estimated construction start is Spring 2022.

Funds Committed: 2019-2020 AHIF funds in the amount of \$1,024,500 have been committed for this project.

FY 2019-20 AHIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

c. **Project: 7th & Campbell (PRE-DEVELOPMENT)**

Description: Located at 7th & Campbell in the Prescott neighborhood of West Oakland, CA, the proposed project includes 79 total units of affordable rental housing with 78 units for extremely low to low income individuals with special needs from 20% to 60% of the Area Median Income. The project will include 39 units set aside for homeless households and 1 un-restricted on-site property manager's unit. The unit types will include studios, 1 and 2 bedrooms with accommodations for accessibility. Over 12,000 square feet will be available for incubator enterprises slated for ownership by economically marginalized people.

Status: The estimated construction start is Winter 2021.

Funds Committed: While awarded AHIF in 2019-2020, the funds in the amount of \$460,192 that have been committed for this project are from the 2020-2021 AHIFs. Additional, non-impact fee funds have been committed to the project as well.

FY 2019-20 AHIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

Prior Fiscal Year Awards

Resolution No. 87470 C.M.S., passed by the Oakland City Council on December 11, 2018, authorized awarding the Affordable Housing Trust Funds to various projects. The following projects were awarded funds from the Affordable Housing Trust Fund from AHIFs in FY 2018-2019. Funds for PRE-DEVELOPMENT projects have been committed and have not yet been expended. Two of these projects remain in Pre-Development as of December 2020. The third, Oak Hill/NOVA Apartments, started construction in January 2020.

a. **Project: Oak Hill Apartments/NOVA (CONSTRUCTION)**

Description: Located at 445 30th Street in the Pill Hill neighborhood of East Oakland, CA, the proposed project includes 57 total units of affordable rental housing for chronically homeless persons at 20% of the Area Median Income. Fifty-six (56) units are designated for extremely low income households with one (1) un-restricted on site property manager's unit. Unit types will include studio's and 1-bedroom units with accommodations for accessibility, plus a single 2-bedroom property manager's unit.

Status Update: Project is fully entitled and started construction in January 2020.

Funds Committed: AHIF funds in the amount of \$1,600,000 have been committed for this project.

FY 2019-20 AHIF Project Expenditures: There were no expenditures in fiscal year 2019-20; funds are expected to be drawn down in mid-2021.

b. **Project: 95th Avenue & International Blvd (PRE-DEVELOPMENT)**

Description: Located at 95th Avenue & International Blvd in the Elmhurst neighborhood of East Oakland, CA, the proposed project includes 55 total units of multifamily affordable rental housing for extremely low to very low income households 20% to 50% of the Area Median Income (AMI) with a 20% set aside for persons homeless or at risk of homelessness. Fifty-four (54) units are designated affordable with one (1) un-restricted on-site property manager's unit. Unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility. The project is a critical housing component of the City of Oakland's grant application to the State of California under the Transit Climate Communities (TCC) Program which seeks to fund development and implementation of neighborhood level transformative climate community plans that include multiple coordinated greenhouse gas emission reduction projects providing local economic, environmental, and health benefits to disadvantaged communities.

Status Update: Planning approval was received October 23, 2018. The TCC funding program awarded up to \$14.6 million in grant funds and subsequently the project received an allocation of tax credits and tax-exempt bond financing from the California Tax Credit Allocation Committee (TCAC) and the California Debt Limit Allocation Committee (CDLAC). Both commitments were awarded 2020. Construction loan closing and the start of construction is targeted for the Summer of 2021.

Funds Committed: AHIF funds in the amount of \$1,409,717 have been committed for this project.

FY 2019-20 AHIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

c. **Project: Friendship Senior Rental Housing (PRE-DEVELOPMENT)**

Description: Located at 1904 Adeline Street in the Ralph Bunche neighborhood of West Oakland, CA, the proposed project includes 48 total units of affordable rental housing to very low to low income seniors 50%-60% of the Area Median Income. Affordability will likely deepen with an additional funding commitment of Project Based Section 8 voucher's. Forty-seven (47) units are designated affordable with one (1) unit set aside as an on-site un-restricted property manager's unit. All unit types will include 1-bedroom units with accommodations for accessibility.

Status Update: Planning approval was received on January 7, 2019.

Funds Committed: AHIF funds in the amount of \$1,885,000 have been committed for this project.

FY 2019-20 AHIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

C. Jobs/Housing Impact Fee

1. The Amount of Jobs/Housing Impact Fee

Nonresidential Use Type	Fiscal Year 7/1/16 – 6/30/19	Fiscal Year 7/1/19 – 6/30/20
Office	\$5.44	\$5.89
Warehouse	\$5.44	\$5.89

2. Fund Balance Summary

Document Establishing Fee	Project	Starting Balance	Fees Collected	Refunds	Interest Earned	Expenditures	Ending Balance as of June 30, 2020	Sufficient Funds to Complete Project?	% of CIP Project Covered by Fees
Oakland Municipal Code Chapters 15.72 & 15.62	N/A	\$3,091,741	\$4,190,080	\$0	*	\$0	\$7,281,820	N/A	N/A

Interest is being accrued on these fees at the fund level and those funds are being allocate to the appropriate impact fee accounts.

3. Jobs/Housing Impact Fee Project Descriptions

There were no expenditures from the Jobs/Housing Impact Fees (JHIF) for the July 1, 2019 to June 30, 2020 fiscal year. No projects were awarded JHIF funding for the July 1, 2019 to June 30, 2020 fiscal year; however, one project, Phoenix located at 801 Pine Street, was awarded funds through the NOFA process after the end of this reporting period and is still in the pre-development stage. Of the projects that had received funding in prior years, one project, Fruitvale Transit Village Phase II-B, has a building permit application on file which is currently under review. This report also includes updates on projects that were awarded JHIF Funds in the July 1, 2017 to June 30, 2018 and July 1, 2018 to June 30, 2019 fiscal years.

Awarding Future Projects

No projects were awarded JHIF funding during the July 1, 2019 to June 30, 2020 fiscal year. A NOFA was issued during the fiscal year in April, and one project was selected to receive JHIF funding in July 2020. Resolution No. 88249 C.M.S., passed by the Oakland City Council on July 28, 2020, authorized awarding Affordable Housing Trust Funds to the Phoenix project which is briefly described below. The project is currently in PRE-DEVELOPMENT, and as such funds have been committed and have not yet been expended. Future Annual Impact Fee Reports will account for funds dispersed to developers.

a. Project: Phoenix (PRE-DEVELOPMENT)

Description: Located at 801 Pine Street in the Prescott neighborhood of West Oakland, CA, the proposed project includes 101 total units of multifamily affordable rental housing for extremely low to moderate income households 30% to 60% of the Area Median Income (AMI) with a 50% set aside for persons formerly homeless. One hundred (100) units are designated affordable with one

(1) on-site un-restricted unit for property management. Unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility.

Status: California Environmental Quality Act (CEQA) and land use approvals in place.

Funds Committed: 2020-2021 JHIF funds in the amount of \$4,350,000 have been committed for this project.

Prior Fiscal Year Awards

Resolution No. 87019 C.M.S., passed by the Oakland City Council on December 18, 2017, authorized awarding Affordable Housing Trust Funds to various projects. The following projects were awarded funds from the Affordable Housing Trust Fund from the JHIFs in FY 2017-2018. Funds for PRE-DEVELOPMENT projects have been committed and have not yet been expended. As of December 2020, one project is construction and the other is in pre-development awaiting additional funding.

a. **Project: Fruitvale Transit Village Phase II-B (CONSTRUCTION)**

Description: Located at E.12th Street & 35th Avenue in the Fruitvale neighborhood of East Oakland, CA, the proposed project includes 181 total units of multifamily affordable rental housing for extremely low to moderate income households 20% to 80% of the Area Median Income (AMI) with a 20% set aside for persons formerly homeless. One hundred seventy-nine (179) units are designated affordable with two (2) on-site un-restricted units for property management. Unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility.

Status Update: Project is fully entitled and started construction in January 2020.

Funds Committed: JHIF funds in the amount of \$1,604,123 have been committed for this project.

FY 2019-20 JHIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

b. **Project: West Grand & Brush Phase I (PRE-DEVELOPMENT)**

Description: Located at 760 22nd Street & 2201 Brush Street in the Ralph Bunche neighborhood of West Oakland, CA, the proposed project includes 59 total units of multifamily affordable rental housing for extremely low to low income households 20% to 60% of the Area Median Income (AMI). Fifty-eight (58) units are designated affordable with one (1) un-restricted on-site property manager's unit. The unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility.

Status Update: Entitled, with CEQA and National Environmental Protection Act (NEPA) approvals. If awarded tax credits this year, will start construction by March 2021.

Funds Committed: JHIF funds in the amount of \$330,000 have been committed for this project.

FY 2019-20 JHIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

Resolution No. 87470 C.M.S., passed by the Oakland City Council on December 11, 2018, authorized awarding Affordable Housing Trust Funds to various projects. The following project was awarded funds from the Affordable Housing Trust Fund from the JHIF in FY 2018-2019. Funds for PRE-DEVELOPMENT projects have been committed and have not yet been expended. These projects remain in Pre-Development as of December 2018.

a. **Project: 95th Avenue & International Blvd (PRE-DEVELOPMENT)**

Description: Located at 95th Avenue & International Blvd in the Elmhurst neighborhood of East Oakland, CA, the proposed project includes 55 total units of multifamily affordable rental housing for extremely low to very low income households 20% to 50% of the Area Median Income (AMI) with a 20% set aside for persons homeless or at risk of homelessness. Fifty-four (54) units are designated affordable with one (1) un-restricted on-site property manager's unit. Unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility. The project is a critical housing component of the City of Oakland's grant application to the State of California

under the Transit Climate Communities (TCC) Program which seeks to fund development and implementation of neighborhood level transformative climate community plans that include multiple coordinated greenhouse gas emission reduction projects providing local economic, environmental, and health benefits to disadvantaged communities.

Status Update: Planning approval was received October 23, 2018. The TCC funding program awarded up to \$14.6 million in grant funds and subsequently the project received an allocation of tax credits and tax-exempt bond financing from the California Tax Credit Allocation Committee (TCAC) and the California Debt Limit Allocation Committee (CDLAC). Both commitments were awarded in 2020. Construction loan closing and the start of construction is targeted for the Summer of 2021.

Funds Committed: JHIF funds in the amount of \$129,681 have been committed for this project.

FY 2019-20 JHIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

D. Transportation Impact Fees

1. The Amount of Transportation Impact Fees

Table 6. Transportation Impact Fees - Residential (Fee Per Housing Unit) The Date is Based on When the Applicant Applies for Building Permit					
Housing Use Type	Zone	9/1/16 -6/30/17	7/1/17 -6/30/18	7/1/18 - 6/30/19	7/1/19 - 6/30/20
Multi-family	Zone 1	\$750	\$750	\$750	\$750
	Zone 2	\$750	\$750	\$750	\$750
	Zone 3	\$710	\$710	\$750	\$750
Townhome	Zone 1	\$1,000	\$1,000	\$1,000	\$1,000
	Zone 2	\$1,000	\$1,000	\$1,000	\$1,000
	Zone 3	\$1,000	\$1,000	\$1,000	\$1,000
Single-family	Zone 1	\$1,000	\$1,000	\$1,000	\$1,000
	Zone 2	\$1,000	\$1,000	\$1,000	\$1,000
	Zone 3	\$1,000	\$1,000	\$1,000	\$1,000

Table 6a. Transportation Impact Fees - Nonresidential (Fee Per Square Foot) The Date is Based on When the Applicant Applies for Building Permit				
Nonresidential Use Type	9/1/16 -6/30/17	7/1/17 -6/30/18	7/1/18 - 6/30/19	7/1/19 - 6/30/20
Office	\$0.85	\$0.85	\$1.00	\$1.00
Retail, Freestanding	\$0.75	\$0.75	\$0.75	\$0.75
Retail, Ground Floor	\$0.75	\$0.75	\$0.75	\$0.75
Industrial	\$0.55	\$0.55	\$0.55	\$0.55
Warehouse	\$0.35	\$0.35	\$0.35	\$0.35
Hotel/Motel	\$0.65	\$0.65	\$0.65	\$0.65
Institutional	\$1.20	\$1.20	\$2.00	\$2.00

2. Fund Balance Summary

Table 7. Transportation Impact Fees, Fiscal Year 7/1/19– 6/30/20

Document Establishing Fee	Project	Starting Balance	Fees Collected	Refunds	Interest Earned	Expenditures	Ending Balance as of June 30, 2020	Sufficient Funds to Complete Project?	% of CIP Project Covered by Fees
Oakland Municipal Code Chapters 15.72 & 15.62	N/A	\$ 4,469,940	\$1,083,171	\$1,500	*	\$0	\$5,551,611	N/A	N/A

Interest is being accrued on these fees at the fund level and those funds are being allocate to the appropriate impact fee accounts.

3. Transportation Impact Fees Project Descriptions

The Department of Transportation (OakDOT) budgets funds from the Transportation Impact Fees (TIFs) to capital projects in each two-year budget. The Capital Improvement Program (CIP), approved every two years, takes these available funds into account and programs them to eligible projects.

Several policy documents guided the overall preparation of the City’s Fiscal Year 2019-2021 CIP for transportation assets. These include:

- Capital Improvement Program Prioritization Process (Resolution 87376 C.M.S., 2018)
- 2017 Infrastructure Bond, Approved CIP Projects (Resolution 86773 C.M.S., 2017)
- 2016 Infrastructure Bond, Measure KK (Resolution 86335 C.M.S., 2016)
- Five Year Pavement Program (Resolution 85227 C.M.S., 2014)
- Sidewalk Prioritization Program (Resolution 81751 C.M.S., 2009)

Future Projects

Funds deposited into the TIF Fund, and all interest and investment earnings thereon, will be used to pay for improvements within the public right-of-way for pedestrians, bicyclists and/or motor vehicles. TIFs can also fund projects that are CEQA cumulative mitigation measures. Fee revenues may be used to fund a capital project or portion of a capital project that meets the following criteria:

- The project is consistent with City of Oakland’s goals, plans, and policies; and
- The project is a capital project contained within the City’s Capital Improvement Program; and
- The project is part of the City of Oakland’s citywide transportation infrastructure or provides connectivity between neighborhoods and activity centers within the City, or to neighboring communities or regional transportation facilities, and is not primarily for access to one specific neighborhood or development site; and
- The project improves or expands the City of Oakland’s citywide transportation infrastructure to address and manage travel demand from new development.

Projects may include not only managing vehicle impacts, but also shifting demand to transit, biking, and walking. Funds may not be used for rehabilitation, maintenance or operating costs.

For Fiscal Year 2019-2020, Oakland City Council appropriated a total of \$1,250,000 in TIF funds under the Citywide Capital Improvement Program for the following projects:

- a. **Project:** Trash Capture Devices on Paving Corridors
Description: Trash capture devices are mandated under the Municipal Separate Storm Sewer Systems (MS4) Permits in the Storm Water Trash Implementation Program. This project is also included in the Fiscal Year 2019-20 CIP Street Resurfacing Program, funded by the Measure KK Infrastructure Bond, addressing a requirement to install trash capture devices on applicable corridors. These devices will prevent trash pollution in storm and non-storm water runoff.
Status: Estimated completion for this project will be by the end of Fiscal Year 2020-21.
Funds Committed: A total of \$250,000 will be used to support the installation of Water Quality Control Board full trash capture systems as appropriate on prioritized pavement rehabilitation corridors.
FY 2019-20 TIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

- b. **Project:** Traffic Signals
Description: This project will respond to safety concerns occurring at or near high injury corridors. This project is listed under the Fiscal Year 2019-21 Traffic Management Program.
Status: Estimated completion for this project will be by the end of Fiscal Year 2020-21.
Funds Committed: A total of \$1,000,000 has been set aside for this project.
FY 2019-20 TIF Project Expenditures: There were no expenditures in fiscal year 2019-20.

Prior Fiscal Year Awards

The following project was discussed in the Annual Impact Fee Report for the fiscal year beginning July 1, 2018 and ending June 30, 2019. A status update is provided below.

- a. **Project:** Intersection improvements at Harrison, Bay Place, 24th and 27th Street
Description: This public improvement project will address pedestrian safety, bicycling and traffic concerns at the five-way intersection as well as create a public plaza.
Status: The project is currently undergoing cost estimate updates and coordination with East Bay Municipal Utility District (EBMUD). It is estimated that this project will go through Council approvals for construction by FY2021-22.
Funds Committed: To be determined pending outcome of project cost estimates.
FY 2019-20 TIF Project Expenditures: No funds have been expended to date.

Lastly, OakDOT will be further evaluating existing TIF listed projects to ensure that projects align with department priorities and its Strategic Plan, along with the Council-adopted CIP Prioritization Process.

E. Capital Improvements Impact Fees

1. The Amount of Capital Improvements Impact Fees

Housing Use Type	Zone	9/1/16 -6/30/17	7/1/17 -6/30/18	7/1/18 - 6/30/19	7/1/19 - 6/30/20
Multi-family	Zone 1	\$750	\$750	\$1,250	\$1,250
	Zone 2	\$250	\$500	\$750	\$750
	Zone 3	\$0	\$0	\$0	\$0
Townhome	Zone 1	\$1,000	\$1,000	\$3,000	\$3,000
	Zone 2	\$1,000	\$1,000	\$2,000	\$2,000
	Zone 3	\$0	\$0	\$1,000	\$1,000
Single-family	Zone 1	\$1,500	\$2,000	\$4,000	\$4,000
	Zone 2	\$1,000	\$1,500	\$3,000	\$3,000
	Zone 3	\$0	\$0	\$1,000	\$1,000

Nonresidential Use Type	9/1/16 -6/30/17	7/1/17 -6/30/18	7/1/18 - 6/30/19	7/1/19 - 6/30/20
Office	\$0.00	\$0.00	\$1.00	\$1.00
Retail, Freestanding	\$0.00	\$0.15	\$0.25	\$0.25
Retail, Ground Floor	\$0.00	\$0.00	\$0.00	\$0.00
Industrial	\$0.40	\$0.40	\$0.75	\$0.75
Warehouse	\$0.65	\$0.90	\$1.00	\$1.00
Hotel/Motel	\$0.10	\$0.20	\$0.35	\$0.35
Institutional	\$2.50	\$2.50	\$2.50	\$2.50

2. Fund Balance Summary

Document Establishing Fee	Project	Starting Balance	Fees Collected	Refunds	Interest Earned	Expenditures	Ending Balance as of June 30, 2020	Sufficient Funds to Complete Project?	% of CIP Project Covered by Fees
Oakland Municipal Code Chapters 15.72 & 15.62	N/A	\$2,499,615	\$1,221,184	\$10,500	*	\$0	\$3,710,299	N/A	N/A

Interest is being accrued on these fees at the fund level and those funds are being allocate to the appropriate impact fee accounts.

3. Capital Improvements Impact Fees Project Descriptions

The Public Works Department will consult with the Planning and Building Department and City Attorney's Office to continue develop eligible projects and implement capital project in accordance with the Administrative Regulations and Manual. The following projects were identified for funding as part of the City's CIP Process which coincides with the Biennial and Mid-Cycle Budget processes.

Several policy documents guided the overall preparation of the City's Fiscal Year 2019-2021 CIP for transportation assets. These include:

- Capital Improvement Program Prioritization Process (Resolution 87376 C.M.S., 2018)
- 2017 Infrastructure Bond, Approved CIP Projects (Resolution 86773 C.M.S., 2017)
- 2016 Infrastructure Bond, Measure KK (Resolution 86335 C.M.S., 2016)

Future Projects

Funds deposited into the Capital Improvements Impact Fee (CIF) Fund, and all interest and investment earnings thereon, shall be used to pay for future projects that are required for fire, police, library, parks and recreation, or storm drain services. Fee revenues may be used to fund a public facility or portion of a public facility that meets all of the following criteria:

- The project is a capital project contained within the City's Capital Improvement Program;
 - If the project supports fire, police, library, or parks and recreation services, the project must improve or expand the City's public facilities to accommodate service demand from new development; funds may not be used for rehabilitation, maintenance or operating costs; and
 - If the project supports storm drain services the project must improve, expand, or rehabilitate the City's storm drain facilities to accommodate service demand from new development.
 - The project may include preparation and revision of plans, policies, and studies that are required to make necessary findings, prioritizations, and determinations for projects that improve, expand or rehabilitate approved infrastructure.
- a. **Project:** Storm Drainage Master Plan (SDMP)
Description: As part of the phased effort to improve, expand, or rehabilitate the City's storm drain facilities to accommodate service demand from new development, the preparation of the SDMP will identify the program of projects to determine the prioritization of capital improvement repairs needed to improve, expand, or rehabilitate the storm drain infrastructure.
Status: A request for proposals (RFP) was issued for the SDMP during the FY 2019-20 fiscal year. The City Council approved Resolution No. 88355 C.M.S. on November 10, 2020 to award the firm Wood Rogers the contract to develop the SDMP.
Funds Committed: The FY 2020-2021 Adopted Midcycle Budget, Resolution No. 88714 C.M.S., authorized a \$991,000 budget allocation to the Storm Drainage Master Plan (SDMP) project.
FY 2019-20 CIF Project Expenditures: No funds were expended in FY 2019-2020.

Prior Fiscal Year Awards

A status update is provided below for projects for which CIF was identified in prior years.

- b. **Project:** Fire Station 12 Renovation project
Description: Fire Station 12 is located in one of the most densely development-impacted areas in the City, serving the Chinatown/Lake Merritt BART neighborhood.
Status: The project is currently in construction.

Funds Committed: Funding in the amount of \$700,000 was allocated to this existing Measure KK project in the Adopted FY 2017-2019 Capital program, to make improvements to existing facilities to accommodate fire operations and improve ADA accessibility.

FY 2019-20 CIF Project Expenditures: No funds were expended in FY 2019-2020.

c. **Project:** Brookfield Library Renovation project

Description: The project will demolish existing children's reading room and build new, expanded children's reading room, supporting parks and recreational use, expanding program opportunity for the area.

Status: This project is currently in design with funding reserved for construction.

Funds Committed: Funding in the amount of \$300,000 has been allocated to this existing Measure KK project in the Adopted FY 2017-2019 Capital Program for public services facilities serving the East Oakland community.

FY 2019-20 CIF Project Expenditures: No funds were expended in FY 2019-2020.

d. **Project:** Determining scope of services and project definition for a fire station

Description: Funds will be used to develop a project scope for a fire station.

Status: Staff is discussing how best to utilize these funds.

Funds Committed: \$100,000 has been identified in the FY 2019-2021 Adopted Capital Improvement Program for this project.

FY 2019-20 CIF Project Expenditures: No funds were expended in FY 2019-2020.