

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

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

**Fiscal Year Ended June 30, 2022
(FY 2021-2022)**

December 27, 2022

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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 typically 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 is being used to pay for the five-year assessment of the City's impact fee program as required under California Government Code Section 66001(d). In FY 2021-2022, \$138,787.50 was paid to Hausrath Economic Group to conduct part of the five-year assessment.
9. An independent auditor, Macias Gini & O'Connell LLP (MGO) completed an assessment of the Impact Fee program from July 1, 2016 through June 30, 2019. The auditor's assessment was completed in September 2020.
10. Refunds for a total of \$384,500 were issued for ten projects in FY 2021-2022. Their record numbers are as follows: B1803191, B1803529, B1905853, B1905909, B1905911, B2000088, RB1604902, RB1605948, RBC1905686, and RBC2002624.

Table 1 lists:

1. The amount of Impact Fees already collected/paid during each fiscal year since the program inception.
2. The amount of Impact Fees that have been assessed. Note that 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 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 years.
4. In previous years, the Impact Fee Annual Report included a column titled “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 ^{abde}	
Affordable Housing Trust Fund	Affordable Housing Impact Fees (AHIF)	FY 2016-2017	\$467,983	\$4,780,280
		FY 2017-2018	\$3,594,508	\$14,235,884
		FY 2018-2019	\$3,475,063	\$10,144,113
		FY 2019-2020	\$5,616,699	\$6,630,877
		FY 2020-2021	\$4,430,250	\$15,688,799
		FY 2021-2022	\$8,013,783	\$28,579,457
		Total FY 2017-2022	\$25,598,286	\$80,059,410
	Jobs/Housing Impact Fee (JHIF)	FY 2015-2016	\$528,861	\$528,861
		FY 2016-2017	\$303,360	\$749,943
		FY 2017-2018	\$1,631,583	\$3,285,424
		FY 2018-2019	\$627,936	\$6,648,931
		FY 2019-2020	\$4,190,080	\$8,746,381
		FY 2020-2021	\$2,841,342	\$3,250,168
		FY 2021-2022	\$2,089,819	\$889,243
	Total FY 2016-2022	\$12,212,981	\$24,098,951	
	AHIF & JHIF ^f	FY 2015-2016	\$528,861	\$528,861
		FY 2016-2017	\$771,343	\$5,530,223
		FY 2017-2018	\$5,226,091	\$17,521,308
		FY 2018-2019	\$4,103,000	\$16,793,043
		FY 2019-2020	\$9,806,779	\$15,377,258
		FY 2020-2021	\$7,271,592	\$18,938,967
FY 2021-2022		\$10,103,602	\$29,468,700	
Total FY 2016-2022	\$37,811,268	\$104,158,360		
Transportation Impact Fee Trust Fund	Transportation Impact Fee (TIF)	FY 2016-2017	\$1,082,050.45	\$1,539,594
		FY 2017-2018	\$1,867,348.00	\$2,616,865
		FY 2018-2019	\$1,636,015.05	\$1,934,844
		FY 2019-2020	\$1,082,170.75	\$2,383,796
		FY 2020-2021	\$1,319,704.26	\$2,148,217
		FY 2021-2022	\$1,203,660.76	\$4,313,208
Total FY 2016-2022^g	\$8,190,949.27	\$14,936,524		
Capital Improvements Impact Fee Trust Fund	Capital Improvements Impact Fee (CIIF)	FY 2016-2017	\$139,536	\$1,052,355
		FY 2017-2018	\$1,718,942	\$1,761,865
		FY 2018-2019	\$641,137	\$1,614,160
		FY 2019-2020	\$1,210,684	\$2,072,728
		FY 2020-2021	\$984,335	\$2,040,876
		FY 2021-2022	\$1,447,618	\$3,976,321
		Total FY 2016-2022	\$6,142,252	\$12,518,305

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

^b The amount of Impact Fee still outstanding equals the Total Assessed minus the Collected Amount minus the amount of Impact Fees attributable to Expired Permits.

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

^d The “Assessed” amounts were corrected on January 24, 2021 to reflect the MGO assessment.

^e The “Assessed” amount for AHIF excludes fees for inactive and withdrawn permits that have not been invoiced. It is inclusive of reinstated permits, valued at \$13,589,208 total.

^fAHIF & JHIF: These rows provide a summation of the two funds and are included because in FY 2015-2016, these two fees were housed in the JHIF fund.

^gThe Total FY 2016-2022 “Amount Collected/Paid” for TIF previously reported were revised through the development of this annual report to reflect the most up-to-date fees that have been collected in the Transportation Impact Fee Trust Fund. The “Amount Collected/Paid” fees listed for a given fiscal year vary as the fees are collected, refunded and/or when projects are canceled in the given fiscal year and fiscal years thereafter. Additionally, funds were mistakenly transferred into TIF during FY 2020-2021, which it’s currently being resolved. Other discrepancies in the values reported as fees collected are associated to the split of Oakland Public Works and creation of a new Department of Transportation (OakDOT) in 2017. Please note that the values have now been updated by OakDOT Fiscal and Capital Finance Teams for the assessments conducted for FY 2016-2022.

B. Affordable Housing Impact Fees

1. The Amount of Affordable Housing Impact Fee

Table 2. Affordable Housing 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	7/1/20 – 9/19/2021	9/20/21 -6/30/22
Multi-family	Zone 1	\$5,500	\$11,500	\$22,000	\$22,000	\$22,000	\$23,166
	Zone 2	\$4,550	\$9,250	\$17,750	\$17,750	\$17,750	\$18,691
	Zone 3	\$0	\$0	-\$3,000	\$3,000	\$12,000	\$12,636
Townhome	Zone 1	\$6,500	\$12,000	\$20,000	\$20,000	\$20,000	\$21,060
	Zone 2	\$2,600	\$7,200	\$14,250	\$14,250	\$14,250	\$15,005
	Zone 3	\$0	\$0	\$1,000	\$4,000	\$8,000	\$8,424
Single-family	Zone 1	\$6,000	\$12,500	\$23,000	\$23,000	\$23,000	\$24,219
	Zone 2	\$3,750	\$9,000	\$16,500	\$16,500	\$16,500	\$17,375
	Zone 3	\$0	\$0	\$1,000	\$1,000	\$8,000	\$8,424

2. Fund Balance Summary

Table 3. Affordable Housing Impact Fees, Fiscal Year 7/1/21 – 6/30/22	
Document Establishing Fee	Oakland Municipal Code Chapters 15.72 & 15.62
Project	N/A
Starting Balance	\$17,584,503
Fees Collected	\$8,013,783.50
Refunds	\$(264,750)
Interest Earned (Fund 1870)*	\$97,612.72
Expenditures	\$(2,802,606.08)
Ending Balance as of June 30, 2022	\$22,530,930.42
Sufficient Funds to Complete Project?	N/A
% of CIP Project Covered by Fees	N/A
Funds Committed as of June 30, 2022**	\$18,459,909
Funds Yet to be Committed as of June 30, 2022	\$4,071,021

*Interest is being accrued on these fees at the fund level and those funds are being allocated to the appropriate impact fee accounts. For AHIF and JHIF, the total interest earned is difficult to breakout because they share the same fund number with the Boomerang funds. HCD is working on creating a separate fund number for AHIF & JHIF, respectively, for better future tracking. Given the funding for each source component, it is estimated that \$66,846.47 is AHIF interest and \$30,766.25 is JHIF interest.

**Funds have been committed to projects (see projects listed below) but those projects have either not yet closed their City loans, or are currently drawing other funding sources first, so this money is still in the fund balance at this time.

3. Affordable Housing Impact Fees Project Descriptions

Affordable Housing Impact Fee allocations are critical sources of early funding for affordable housing projects – these commitments enable projects to secure other public and private dollars to highly leverage the City's investment. After a few fiscal years during which there were minimal expenditures from the Affordable Housing Impact Fees (AHIF) as projects applied for gap funding, projects are moving into construction and expending funding.

Projects that were awarded AHIF funds in prior fiscal years have made significant progress in the past year, with one project completing construction and another project currently under construction. City funding for new construction affordable housing rental developments is limited to 40% of total development costs from all City funding sources.

As of the writing of this report, a Notice of Funding Availability (NOFA) for New Construction of Affordable Rental Housing is planned for release in early 2023, with funding awards projected to go to City Council for approval in Spring 2023. In addition, new State funding from the \$1.75 billion California Housing Accelerator fund should propel several projects in pre-development (including Friendship Senior Housing) into construction over the next three months to one year. Note that 7th & Campbell and West Grand & Brush started construction in FY 2022-2023, outside of the current reporting period.

Awarding Future Projects

Resolution No. 89241 C.M.S., passed by the Oakland City Council on June 7, 2022, 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 2021-2022.

a. **Project: 500 Lake Park (PRE-DEVELOPMENT)**

Description: Located at 500 Lake Park Avenue in the Grand Lake neighborhood, the proposed project includes 53 total units of multifamily affordable rental housing with 52 units for extremely low to low income households from 30% to 60% of the Area Median Income. The project will include 20 units set aside as permanent supportive housing for homeless veterans, and 1 unrestricted on-site property manager's unit. The unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility.

Status: In predevelopment, seeking additional funding commitments.

Funds Committed: FY 2021-2022 AHIF in the amount of \$1,983,130 have been committed for this project.

FY 2021-2022 AHIF Project Expenditures: There were no expenditures in FY 2021-2022.

b. **Project: 34th & San Pablo (PRE-DEVELOPMENT)**

Description: Located at 3419-3441 San Pablo Avenue in the West Oakland neighborhood, the proposed project includes 60 total units of multifamily affordable rental housing with 59 units for extremely low to low income households from 15% to 80% of the Area Median Income. The project will include 30 units set aside as permanent supportive housing for homeless households, and 1 unrestricted on-site property

manager's unit. The unit types will include studios, 1, and 2 bedrooms with accommodations for accessibility.

Status: In predevelopment, seeking additional funding commitments. Planning entitlements were secured during FY 2022-2023.

Funds Committed: FY 2021-2022 AHIF in the amount of \$527,870 have been committed for this project.

FY 2021-2022 AHIF Project Expenditures: There were no expenditures in FY 2021-2022.

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

An additional \$7,000,000 in FY 2021-2022 and prior AHIF funding was awarded to this existing pipeline project (see details below).

Prior Fiscal Year Awards – FY 2020-2021

In addition, Resolution No. 88249, passed by the Oakland City Council on July 28, 2020, up to \$2,002,872 in AHIFs were awarded, as one of eight available sources listed. Funds for "Pre-Development" projects have been committed and have not yet been expended, except where Council has approved predevelopment loan expenditures. 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 15% to 70% of the Area Median Income. The project will include 28 units set aside as permanent supportive housing for homeless households, 2 additional units set aside as non-permanent supportive homeless housing, and 1 unrestricted on-site property manager's unit. The unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility.

Status: Planning and building entitlements secured, 100% of funds committed, construction underway as of October 2022 and scheduled for completion by the Summer of 2024.

Funds Committed: FY 2017-2018 AHIF in the amount of \$330,000 have been committed for this project.

FY 2021-2022 AHIF Project Expenditures: There were no expenditures in FY 2021-2022.

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 34 units set aside for permanent supportive homeless housing and 1 unrestricted on-site property manager's unit. The unit types will include 1, 2, and 3 bedrooms with accommodations for accessibility.

Status: Planning entitlements secured, building entitlements pending, closing the gap with 100% of funds committed is underway, and the estimated construction start is Winter 2024.

Funds Committed: A total of \$10,264,000 in AHIF funds have been committed for this project: \$1,024,500 of FY 2019-2020 AHIF funds, \$2,239,500 of FY 2020-2021 AHIF funds and an additional \$7,000,000 in AHIF funds were awarded to the project in June 2022.

FY 2021-2022 AHIF Project Expenditures: There were no expenditures in FY 2021-2022.

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 unrestricted 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: At the end of June 2022, Planning entitlements secured, building entitlements pending, the project had secured full funding and was working towards loan closing and starting construction. Construction commenced in August 2022, just outside of the reporting period.

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 AHIF allocation.

FY 2021-2022 AHIF Project Expenditures: Funds were expended at the beginning of FY 2021-2022 in the amount of \$63,652.

Prior Fiscal Year Awards – FY 2019-2020 and earlier

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. 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. One project has completed construction (Oak Hill/NOVA), the second is underway with construction (95th & International), and the third remains in predevelopment (Friendship Senior).

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

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) unrestricted 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: Construction was completed as of June 2021, the building is 100% occupied as of July 2021, and the permanent loan conversion was completed in April 2022.

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

FY 2021-2022 AHIF Project Expenditures: Permanent loan closing for this project occurred in April 2022, and the committed funds of \$1,600,000 were fully drawn down at that time.

b. **Project: 95th Avenue & International Blvd (CONSTRUCTION UNDERWAY)**

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 with 14 units set aside for persons homeless or at risk of homelessness. Fifty-four (54) units are designated affordable with one (1) unrestricted 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: Construction is now underway as of June 2021 and targeted for completion by early 2023.

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

FY 2021-2022 AHIF Project Expenditures: All committed AHIF funds were expended at the beginning of FY 2021-2022.

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 vouchers. Forty-seven (47) units are designated affordable with one (1) unit set aside as an on-site unrestricted property manager's unit. All unit types will include 1-bedroom units with accommodations for accessibility.

Status: Planning entitlements secured, building entitlements pending, closing the gap with 100% of funds committed is underway, and the estimated construction start is Spring 2023.

Funds Committed: AHIF funds in the amount of \$2,235,000 (\$1,885,000 in FY 2019-2020, and an additional \$350,000 in FY 2020-2021) have been committed for this project.

FY 2021-2022 AHIF Project Expenditures: There were no expenditures in FY 2021-2022.

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C. Jobs/Housing Impact Fee

1. The Amount of Jobs/Housing Impact Fee

Table 4. Jobs/Housing Impact Fees - Nonresidential (Fee Per Square Foot on Projects >25,000 sq. ft.)				
The Date is Based on When the Applicant Applies for Building Permit				
Nonresidential Use Type	Fiscal Year 7/1/16 – 6/30/19	Fiscal Year 7/1/19 – 6/30/20	Fiscal Year 7/1/20 – 6/30/21	Fiscal Year 7/1/21 – 6/30/22
Office	\$5.44	\$5.89	\$5.90	\$6.29
Warehouse	\$5.44	\$5.89	\$5.90	\$6.29

2. Fund Balance Summary

Table 5. Jobs/Housing Impact Fee, Fiscal Year 7/1/21 – 6/30/22	
Document Establishing Fee	Oakland Municipal Code Chapters 15.68 & 15.62
Project	N/A
Starting Balance	\$10,027,377
Fees Collected	\$2,089,819
Refunds	\$0
Interest Earned (Fund 1870)*	\$97,612.72
Expenditures	(\$225,465.79)
Ending Balance as of June 30, 2022	\$11,891,730.48
Sufficient Funds to Complete Project?	N/A
% of CIP Project Covered by Fees	N/A
Funds Committed as of June 30, 2022**	\$11,648,804
Funds Yet to be Committed as of June 30, 2022	\$242,926
*Interest is being accrued on these fees at the fund level and those funds are being allocated to the appropriate impact fee accounts. For AHIF and JHIF, the total interest was combined due to both fees sharing the same fund. Given the funding for each source component, it is estimated that \$66,846.47 is AHIF interest and \$30,766.25 is JHIF interest. **Funds have been committed to projects (see projects listed below), but those projects have either not yet closed their City loans, or are currently drawing other funding sources first, so this money is still in the fund balance at this time.	

3. Jobs/Housing Impact Fee Project Descriptions

As is the case for AHIF, Jobs/Housing Impact Fee allocations are critical sources of early funding for affordable housing projects – these commitments enable projects to secure other public and private dollars to highly leverage the City’s investment. Two projects were awarded JHIF funding for FY 2021 – 2022, with one project expecting to start construction in the next year. Of the projects that had received funding in prior years, two projects (Fruitvale Transit Village Phase II-B and 95th & International) are now underway with construction and spending their JHIF funding commitments. This report also includes updates on projects that were awarded JHIF Funds in prior fiscal years. City funding for new construction affordable housing rental developments is limited to 40% of total development costs from all City funding sources.

As of the writing of this report, a Notice of Funding Availability (NOFA) for New Construction of Affordable Rental Housing is planned for release in early 2023, with funding awards projected to go to City Council for approval in Spring 2023. In addition, new State funding from the \$1.75 billion California Housing Accelerator fund should propel several projects in pre-development (including Friendship Senior Housing and Phoenix) into construction over the next two months to one year. (As noted above, West Grand & Brush started construction in FY 2022-2023, outside of the current reporting period.)

Awarding Future Projects

Resolution No. 89241 C.M.S., passed by the Oakland City Council on June 7, 2022, authorized awarding Affordable Housing Trust Funds to various projects. The following projects were awarded funds from the Affordable Housing Trust Fund from the JHIF in FY 2021-2022.

a. **Project: 3050 International (PRE-DEVELOPMENT)**

Description: Located at 3050 International in the Fruitvale neighborhood, the proposed project includes 75 total units of multifamily affordable rental housing with 75 units for extremely low to low-income households from 20% to 60% of the Area Median Income. The project will include 31 units set aside as special needs housing, and 1 unrestricted on-site property manager’s unit. The unit types will include 1, 2, and 3 bedrooms with accommodations for accessibility.

Status: In predevelopment, seeking additional funding commitments.

Funds Committed: FY 2021-2022 JHIF in the amount of \$2,077,870 have been committed for this project.

FY 2021-2022 JHIF Project Expenditures: There were no expenditures in FY 2021-2022.

b. **Project: 34th & San Pablo (PRE-DEVELOPMENT)**

Description: Located at 3419-3441 San Pablo Avenue in the West Oakland neighborhood, the proposed project includes 60 total units of multifamily affordable rental housing with 59 units for extremely low to low-income households from 15% to 80% of the Area Median Income. The project will include 30 units set aside as permanent supportive housing for homeless households, and 1 unrestricted on-site property manager’s unit. The unit types will include studios, 1, and 2 bedrooms with accommodations for accessibility.

Status: In predevelopment, seeking additional funding commitments.

Funds Committed: A mixture of JHIF from FY 2020-2021 and FY 2021-2022 in the amount of \$3,472,130 have been committed for this project.

FY 2021-2022 JHIF Project Expenditures: There were no expenditures in FY 2021-2022.

Prior Fiscal Year Awards – FY 2020-2021

Resolution No. 88249 C.M.S., passed by the Oakland City Council on July 28, 2020, authorized awarding up to \$4,813,327 in JHIF funds to 2020 New Construction NOFA projects. The two projects that received JHIF funds, the Phoenix and Friendship Senior projects, are described below.

c. **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 with a 50% set aside for persons formerly homeless. One hundred (100) units are designated affordable with one (1) on-site unrestricted 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. Planning

entitlements secured, building entitlements pending, closing the gap with 100% of funds committed is underway, and the estimated construction start is Spring 2023.

Funds Committed: FY 2021-2022 JHIF funds in the amount of \$2,175,000 have been committed for this project. There were no expenditures in FY 2021-2022.

d. **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 vouchers. Forty-seven (47) units are designated affordable with one (1) unit set aside as an on-site unrestricted property manager’s unit. All unit types will include 1-bedroom units with accommodations for accessibility.

Status Update: Planning entitlements secured, building entitlements pending, closing the gap with 100% of funds committed is underway, and the estimated construction start is Spring 2023.

Funds Committed: JHIF funds in the amount of \$1,825,000 have been committed for this project.

FY 2021-2022 JHIF Project Expenditures: There were no expenditures in FY 2021-2022.

Prior Fiscal Year Awards – FY 2019-2020 and earlier

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 August 2021, one project is now underway with construction and the other is in pre-development awaiting additional funding.

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

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 with a 20% set aside for persons formerly homeless. One hundred seventy-nine (179) units are designated affordable with two (2) on-site unrestricted units for property management. Unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility.

Status: Construction is now underway as of August 2021 and targeted for completion by spring of 2023.

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

FY 2021-2022 JHIF Project Expenditures: All JHIF funds for Fruitvale Transit Village IIB (\$1,604,123) were expended in June 2021, so there were no further expenditures in FY 2021-2022.

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 15% to 70% of the Area Median Income. Fifty-eight (58) units are designated affordable with one (1) unrestricted on-site property manager’s unit. The project will include 28 units set aside as permanent supportive housing for homeless households and 2 additional units set aside as non-permanent supportive homeless housing. The unit types will include studios, 1, 2, and 3 bedrooms with accommodations for accessibility.

Status: Planning and building entitlements secured, 100% of funds committed, construction underway as of October 2022 and scheduled for completion by the Summer of 2024.

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

FY 2021-2022 JHIF Project Expenditures: There were no expenditures in FY 2021-2022.

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 and is now underway with construction as of June 2021.

- a. **Project: 95th Avenue & International Blvd (CONSTRUCTION UNDERWAY)**
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 with 14 units set aside for persons homeless or at risk of homelessness. Fifty-four (54) units are designated affordable with one (1) unrestricted 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: Construction is now underway as of June 2021 and targeted for completion by early 2023.
Funds Committed: JHIF funds in the amount of \$129,681 have been committed for this project.
FY 2021-2022 JHIF Project Expenditures: All JHIF funds were expended at the beginning of FY 2021-2022.

In addition to the projects funded with JHIF’s, on December 11, 2018, City Council approved replenishing the City’s Affordable Housing Predevelopment Loan Program with \$400,000 in JHIF funding, per City Council Resolution No. 87472 C.M.S. The funds were made available starting in FY 2019-2020. This program was not included in prior Annual Impact Fee reports, which focused on project construction/permanent loans.

Program: Predevelopment Loan Program

Description: The City has long had a minor pre-development loan (current limits: \$50,000 per loan) for non-profit sponsors to cover some of their predevelopment costs associated with due diligence on potential affordable housing developments.

Status: Over the counter.

Funds Committed: JHIF funds in the amount of \$400,000 have been committed for this program.

FY 2020-2021 JHIF Project Expenditures: There were an estimated \$95,784.79 in JHIF expenditures in FY 2020-2021, as well as an estimated \$166,041.68 in JHIF expenditures in FY 2019-2020.

Note that HCD staff is seeking separation of the fund components in Fund 1870 – which currently includes AHIF, JHIF and Boomerang funding, to make expenditure reporting from each component source clearer.

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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	7/1/20-9/19/21	9/20/21-6/30/22
Multi-family	Zone 1	\$750	\$750	\$750	\$750	\$750	\$790
	Zone 2	\$750	\$750	\$750	\$750	\$750	\$790
	Zone 3	\$750	\$750	\$750	\$750	\$750	\$790
Townhome	Zone 1	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,053
	Zone 2	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,053
	Zone 3	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,053
Single-family	Zone 1	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,053
	Zone 2	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,053
	Zone 3	\$1,000	\$1,000	\$1,000	\$1,000	\$1,000	\$1,053

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	7/1/20-6/30/21	7/1/21-6/30/22
Office	\$0.85	\$0.85	\$1.00	\$1.00	\$2.00	\$2.11
Retail, Freestanding	\$0.75	\$0.75	\$0.75	\$0.75	\$0.75	\$0.79
Retail, Ground Floor	\$0.75	\$0.75	\$0.75	\$0.75	\$0.75	\$0.79
Industrial	\$0.55	\$0.55	\$0.55	\$0.55	\$0.55	\$0.58
Warehouse	\$0.35	\$0.35	\$0.35	\$0.35	\$0.35	\$0.37
Hotel/Motel	\$0.65	\$0.65	\$0.65	\$0.65	\$0.65	\$0.68
Institutional	\$1.20	\$1.20	\$2.00	\$2.00	\$3.00	\$3.16

2. Fund Balance Summary

Table 7. Transportation Impact Fees, Fiscal Year 7/1/21– 6/30/22	
Document Establishing Fee	Oakland Municipal Code Chapter 15.74
Project	N/A
Starting Balance*	\$7,160,896.40
Fees Collected	\$1,203,660.76
Refunds	\$19,000
Interest Earned**	\$23,348.65
Expenditures	\$0
Ending Balance as of June 30, 2022***	\$8,254,810.18
Sufficient Funds to Complete Project?	N/A
% of CIP Project Covered by Fees	N/A
Funds Committed as of June 30, 2022****	\$6,866,548
Funds Yet to be Committed as of June 30, 2022	\$1,388,262.18
<p>*The starting balance for FY 2021-2022 was adjusted from the reported FY 2020-2021 ending balance of \$6,899,652 to \$7,160,896 as reflected in Oracle Trial Balance Fund 2420 FY 2021-2022 period 13 report, TIF revenue FM 450 FY 2021-2022 period 13 and Funds Available FM 300R FY 2021-2022 period 13. Amount reflected in this table may differ if there is a difference between Oracle and Accela.</p> <p>**Interest is being accrued on this fee at the fund level and is being allocated to the transportation impact fee account.</p> <p>*** Unrealized loss of \$114,095.63 in market is accounted for in total ending balance.</p> <p>****Funds have been committed to projects (see projects listed below), but some projects are not at the point yet when they receive the funds, so this money is still in the fund balance at this time.</p>	

3. Transportation Impact Fees Project Descriptions

The Department of Transportation (OakDOT) budgets funds from the Transportation Impact Fees (TIF) to capital projects ¹in each two-year budget, as applicable, and to prioritize CEQA cumulative mitigation measures, as mandated by Oakland Municipal Code Chapter 15.74 (Ordinance No. 12442 C.M.S.).

The Capital Improvement Program (CIP), approved every two years, programs a portion of TIF funds to eligible capital projects, and plays a role assessing alignment of existing capital projects and cumulative mitigation measures to ensure TIF funding is best utilized and impact from future developments are addressed. Several policy documents guided the overall preparation of the City’s Fiscal Year 2021-2023 CIP for transportation assets. These include:

- 2022 Infrastructure Bond, Measure KK (Resolution 89021 C.M.S., 2022)
- 2021 Measure KK Reallocation from OPW to OakDOT (Resolution 88651 C.M.S., 2021)
- 2020 Infrastructure Bond, Measure KK (Resolution 87981 C.M.S., 2020)
- 2019 Infrastructure Bond, Approved CIP Projects (Resolution 87981 C.M.S., 2019)
- 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)

¹ Capital projects included in a CIP are defined as any long-term investment that builds, replaces, or improves an asset, such as buildings, roads, parks, traffic signals, sewers and drainage lines. CIP projects typically have a useful design life of at least ten years and a minimum cost of approximately \$100,000.

- Five Year Pavement Program (Resolution 85227 C.M.S., 2014)
- Sidewalk Prioritization Program (Resolution 81751 C.M.S., 2009)

TIF Project Eligibility Criteria

Funds deposited into the Transportation Impact Fee Fund, and all interest and investment earnings thereon, are used to pay for improvements within the public right-of-way for pedestrians, bicyclists and/or motor vehicles. Transportation Impact Fees 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 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’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’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.

TIF-Funded Projects

As shown in Table 7, there has been no expenditures in Transportation Impact Fees (TIFs) for the July 1, 2021 to June 30, 2022 fiscal year. This report also includes updates on two existing projects that had received funding in prior years, Trash Capture Devices and Traffic Signals.

TIF Projects with Prior Fiscal Year Awards

For Fiscal Year 2020-2021, the City of Oakland Department of Transportation appropriated up to \$2,100,000 in TIF funds for the following project:

- Project: Public Improvements at 24th Street, Harrison Street, Bay Place and 27th Street**
Description: This public improvement project will address pedestrian safety, bicycling and traffic concerns realigning a five-way intersection to a four-way intersection, shortening the traffic signal cycle length, reducing vehicle delay, reducing the crossing distance for pedestrians and bicyclists, providing continuous bike lanes, as well as creating a public plaza. These intersection improvements are a cumulative mitigation measures identified in the 2013 Broadway Valdes District Specific Plan Environmental Impact Report, and therefore, meets funding eligibility as per existing TIF criteria detailed above. The project received City Council approval on October 20, 2021, to enter into a Public Improvements Reimbursement Agreement with Holland 24th & Harrison Investors, allocate TIF funding, waive advertising and competitive bidding for construction, and adopt appropriate California Environmental Quality Act (“CEQA”) findings. This project was previously discussed in the fiscal year 2018-2019 Annual Impact Fee Report.
Status: The project began construction in June 2022 and is expected to be completed by Spring 2025.
Funds Committed: an amount not to exceed \$2,100,000 in TIF funding has been appropriated to this project. This funding covers 100% of total capital improvements for this project.
FY 2021-2022 TIF Project Expenditures: There were no expenditures during FY 2021-2022. However, a total of \$732,787.13 is expected to be paid to contractor by the end of 2022 to be reflected in FY 2022-2023.

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 Corridors²**

Description: Trash capture devices are mandated under the Municipal Separate Storm Sewer Systems (MS4) Permits in the Storm Water Trash Implementation Program. This project was included in the Fiscal Year 2019-20 CIP Street Resurfacing Program to address a requirement to install trash capture devices on applicable corridors. These devices will prevent trash pollution in storm and non-storm water runoff.

Status: This project was found to not be eligible for TIF funding in FY 2020-21. OakDOT is committed to identifying future alternative funding for this project. Cost estimates for this project were assessed at a range of \$750,000 to \$2,000,000. TIF funding for this project was estimated to cover approximately 33% of total project costs, with additional costs to be covered by the CIP Street Resurfacing Program.

Funds Committed: A total of \$250,000 committed by City Council will be returned to the TIF fund balance. A budget amendment to re-allocate this amount to the TIF fund balance will be forthcoming in early 2023.

FY 2020-2021 TIF Project Expenditures: Not applicable

b. **Project: Traffic Signals**

Description: To respond to safety concerns occurring at or near high injury corridors, the Fiscal Year 2021-2023 Adopted CIP identified the *Garfield Elementary School Safe Routes to School* project as a funding priority to utilize the \$1,000,000 in TIF funding programmed during Fiscal Year 2019-21 CIP, listed under the Traffic Management Program, a process that also coincides with the Biennial and Mid-Cycle Budget processes. The *Garfield Elementary Pedestrian Improvements* project scored 70 out of 100 in the CIP prioritization process and is included under the CIP Neighborhood Traffic Calming Program.

Garfield Elementary Pedestrian Improvements

(Location: Foothill Boulevard at the intersections with 22nd Avenue and Munson Way)

The project will improve safety and walkability at two intersections adjacent to Garfield Elementary School. These intersections are on the travel paths of students walking to and from school and have a history of collisions, including a tragic fatality in October 2020. Together, these project elements will eliminate a barrier to safe, comfortable travel between Garfield Elementary School and destinations south of Foothill Boulevard, where most students live, and will connect people with businesses, gathering places, and high-quality transit.

The project will improve signal visibility, eliminate conflicts between left-turning vehicles and pedestrians, and install leading pedestrian intervals, and accessible pedestrian signals (APS) while modernizing signal equipment at the intersection of 22nd Avenue and Foothill Boulevard. It will also install a concrete median island at the intersection of Foothill Boulevard and Munson Way.

Status: The project is currently undergoing conceptual design and expects to be completed by Winter 2025.

Funds Committed: An amount not to exceed \$1,000,000 has been committed to this project in fiscal years 2021-23 for construction and surveying related expenses. This funding covers 100% of total capital

² The Trash Capture project was inadvertently allocated to the TIF. Oakland’s City Attorney’s Office found this project to be not eligible for TIF.

improvements for this project.

FY 2020-2021 TIF Project Expenditures: There were no expenditures during FY 2021-2022.

Expenditures will be incurred during construction and surveying.

TIF-Future Projects

OakDOT continues to evaluate eligible TIF listed projects to ensure that projects align with evolving state goals and policies, as well as department priorities, the OakDOT Strategic Plan and the City Council-adopted CIP Prioritization Process. During Fiscal Year 2021-2022, OakDOT conducted an analysis of all existing cumulative mitigation measures. Most projects on the list were generated based on level of service design criteria from CEQA as a means to mitigate environmental impacts associated with future development. Since the passage of Senate Bill 743 (Steinberg, 2013), California has moved toward requiring transportation impact fees to implement and prioritize multimodal measures that result in driving less, as opposed to using level of service criteria.

While more than 20% of listed projects were found to either be “completed”, “almost completed” or “taken by the developer”, less than 1% of cumulative mitigation measures were found to comply with Senate Bill 743 or with OakDOT priorities. In early 2023, OakDOT will be proposing updates to the TIF Project Eligibility Criteria to better align with City, regional and state goals. For FY 2023-2025, OakDOT anticipates funding approximately \$3.8 million to projects within TIF eligible CIP programmatic categories³. Projects with scores of 50 or above in the CIP Prioritization Process (Resolution 87376 C.M.S., 2018) that demonstrate a funding need, project readiness and ability to spend down within the next 5 years while also advancing equity and safety for Oaklanders will be considered for TIF funding in FY 2023-2025 CIP. Projects that score less than 50 must include additional elements that increase ADA accessibility, universal mobility, transit access, citywide transportation network connectivity, traffic safety, and climate adaptation, and/or be community-driven in order to be included in the TIF alternative project list.

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³ The following CIP programmatic categories can be eligible for TIF: Bike & Pedestrian Plan Implementation, Complete Streets, Curb Ramps/ADA, Sidewalk, Intersection Safety Improvements, Neighborhood Traffic Safety, Traffic Signal Management, Unfunded Capital Projects.

E. Capital Improvements Impact Fees

1. The Amount of Capital Improvements Impact Fees

Table 8. Capital Improvement 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 - 6/30/21	7/1/21 - 6/30/22
Multi-family	Zone 1	\$750	\$750	\$1,250	\$1,250	\$1,515
	Zone 2	\$250	\$500	\$750	\$750	\$909
	Zone 3	\$0	\$0	\$0	\$750	\$303
Townhome	Zone 1	\$1,000	\$1,000	\$3,000	\$3,000	\$3,635
	Zone 2	\$1,000	\$1,000	\$2,000	\$2,000	\$2,423
	Zone 3	\$0	\$0	\$1,000	\$1,000	\$1,212
Single family	Zone 1	\$1,500	\$2,000	\$4,000	\$4,000	\$4,846
	Zone 2	\$1,000	\$1,500	\$3,000	\$3,000	\$3,635
	Zone 3	\$0	\$0	\$1,000	\$1,000	\$1,212

Table 8a. Capital Improvements 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	7/1/19 - 6/30/21	7/1/21 - 6/30/22
Office	\$0.00	\$0.00	\$1.00	\$1.00	\$1.00	\$2.43
Retail, Freestanding	\$0.00	\$0.15	\$0.25	\$0.25	\$0.25	\$0.61
Retail, Ground Floor	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Industrial	\$0.40	\$0.40	\$0.75	\$0.75	\$0.75	\$1.21
Warehouse	\$0.65	\$0.90	\$1.00	\$1.00	\$1.00	\$1.21
Hotel/Motel	\$0.10	\$0.20	\$0.35	\$0.35	\$0.35	\$0.73
Institutional	\$2.50	\$2.50	\$2.50	\$2.50	\$2.50	\$3.64

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2. Fund Balance Summary

Table 9. Capital Improvement Impact Fees, Fiscal Year 7/1/21– 6/30/22	
Document Establishing Fee	Oakland Municipal Code Chapter 15.74
Project	N/A
Starting Balance	\$3,811,992
Fees Collected***	\$1,447,618
Refunds*	\$33,000
Interest Earned**	\$12,840
Expenditures	\$714,254
Ending Balance as of June 30, 2022	\$4,461,782
Sufficient Funds to Complete Project?	N/A
% Of CIP Project Covered by Fees	N/A
Funds Committed as of June 30, 2022****	\$3,200,048
Funds Yet to be Committed as of June 30, 2022	\$1,261,734
*The refund amount reflected in this table may differ if there is a difference between Oracle and Accela. **Interest is being accrued on these fees at the fund level and those funds are being allocated to the appropriate impact fee accounts. ***Unrealized gain/loss of in market is not included. Additional fees of \$150,000 collected specifically for Mosswood Recreation Center Expansion. ****Funds have been committed to projects (see projects listed below), but those projects are not at the point yet when they receive the funds, so this money is still in the fund balance at this time.	

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 2021-2023 CIP. 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)
- 2020 Infrastructure Bond, Measure KK (Resolution 87981 C.M.S., 2020)
- 2022 Infrastructure Bond, Measure KK (Resolution 89021 C.M.S., 2022)

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.

The table below includes one capital projects (Item #1) to be funded by Fund 2421 in Fiscal Year 2022-2023 in accordance with City Council approved budget. Projects listed in Items #2-4 reflect some, but not all, sample projects that could be funded by the fund balance of \$1,261,734. The actual projects and their scopes that will be funded by the \$1,261,734 fund balance will be clarified and developed prior to project implementation.

Item #	Fund	Dept.	Description (Include Job Class & FTE)	FY 2022-2023 One-Time	FY 2022-2023 Total	Notes
1	2421	OPW	Mosswood Recreation Center Expansion	\$125,000	\$125,000	
2	2421	OPW	Holly Mini Park	\$250,000	\$250,000	Sample project
3	2421	OPW	Fire Station 10	\$218,000	\$218,000	Sample project
4	2421	OPW	Mosswood Recreation Center Expansion	\$668,734	\$668,734	Sample project
Subtotal of Expenditure Additions				\$1,261,734	\$1,261,734	

Prior Fiscal Year Awards

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

- 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: Currently in process. 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 2021-2022 CIF Project Expenditures: Total amount of \$18,538 was expended in FY 2021-2022.

- 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 with an additional \$691,000.00 added in FY 2020-

2021, to make improvements to existing facilities to accommodate fire operations and improve ADA accessibility.

FY 2021-2022 CIF Project Expenditures: Total amount of \$649,387 was expended in FY 2021-2022.

- 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 2021-2022 CIF Project Expenditures: No funds were expended in FY 2021-2022.

- 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 2021-2022 CIF Project Expenditures: No funds were expended in FY 2021-2022.

- e. **Project:** Malonga Center Feasibility Study
Description: Expanding security system and prepare a facility feasibility study.
Status: The project is currently receiving proposals for the security system replacement. The consultant RFP is in process anticipated to be completed by January 2023 with consultant kickoff in March 2023.
Funds Committed: Funding in the amount of \$500,000 was allocated to this project in FY 2021-2022.
FY 2021-2022 CIF Project Expenditures: Total amount of \$19,127 was expended in FY 2021-2022.

- f. **Project:** Mosswood Recreation Center Expansion
Description: Rebuilding and expanding a new community center that was destroyed by fire in 2016. The center includes a new Social hall, kitchen, classrooms, computer lab and maker space, offices, and other support spaces to help increases services for the community.
Status: The project has been advertised on November 18, 2022 with bids due on January 26, 2023.
Funds Committed: Funding in the amount of \$125,000 was allocated to this existing project in FY 2021-2022. 100% of this project will be funded by the CIIF.
FY 2021-2022 CIF Project Expenditures: Total amount of \$27,202 was expended in FY 2021-2022.

- g. **Project:** Redwood Heights Park Tot Lot & Park Expansion
Description: Install sunshade at park to enhance usage during warm days as well as improve the overall façade of the park.
Status: Project scope was changed after the quote was received; the original request was for a 16' x 16' awning. The new request is for a 18' x 24' shade structure with a concrete base/pad and electrical outlets. Awaiting new quote to proceed.
Funds Committed: Funding in the amount of \$100,000 was allocated to this project in FY 2021-2022. 100% of this project will be funded by the CIIF.
FY 2021-2022 CIF Project Expenditures: No funds were expended in FY 2021-2022.

- h. **Project:** Junior Science Center
Description: Install CCTV and Burglar alarm system
Status: The building was initially damaged in a fire in March of 2021, it sustained additional damage in a second fire in March of 2022. This caused the project scope to increase and the completion date to be

extended. The funds are needed to add a burglar alarm system and a CCTV system as part of the restoration since the center previously did not have these systems. This project is currently in process of being vetted by the City Attorney’s Office as an eligible CIPF project. No funds will be expended until further is clarified.

The City’s Risk Department is coordinating with the City’s Insurance Company’s Restoration vendor who is handling the restoration project. Project completion is currently 6-9 months out.

Funds Committed: Funding in the amount of \$40,000 was allocated to this project in FY 2021-2022.

FY 2021-2022 CIF Project Expenditures: No funds were expended in FY 2021-2022.

- i. **Project:** West Oakland Youth Center
Description: Landscape/Building Improvements.
Status: There was no scope identified for this project, OPW is meeting with OPRYD and the Non-Profit tenant organization to identify building needs and identify a project scope.
Funds Committed: Funding in the amount of \$50,000 was allocated to this project in FY 2021-2022.
FY 2021-2022 CIF Project Expenditures: No funds were expended in FY 2021-2022.

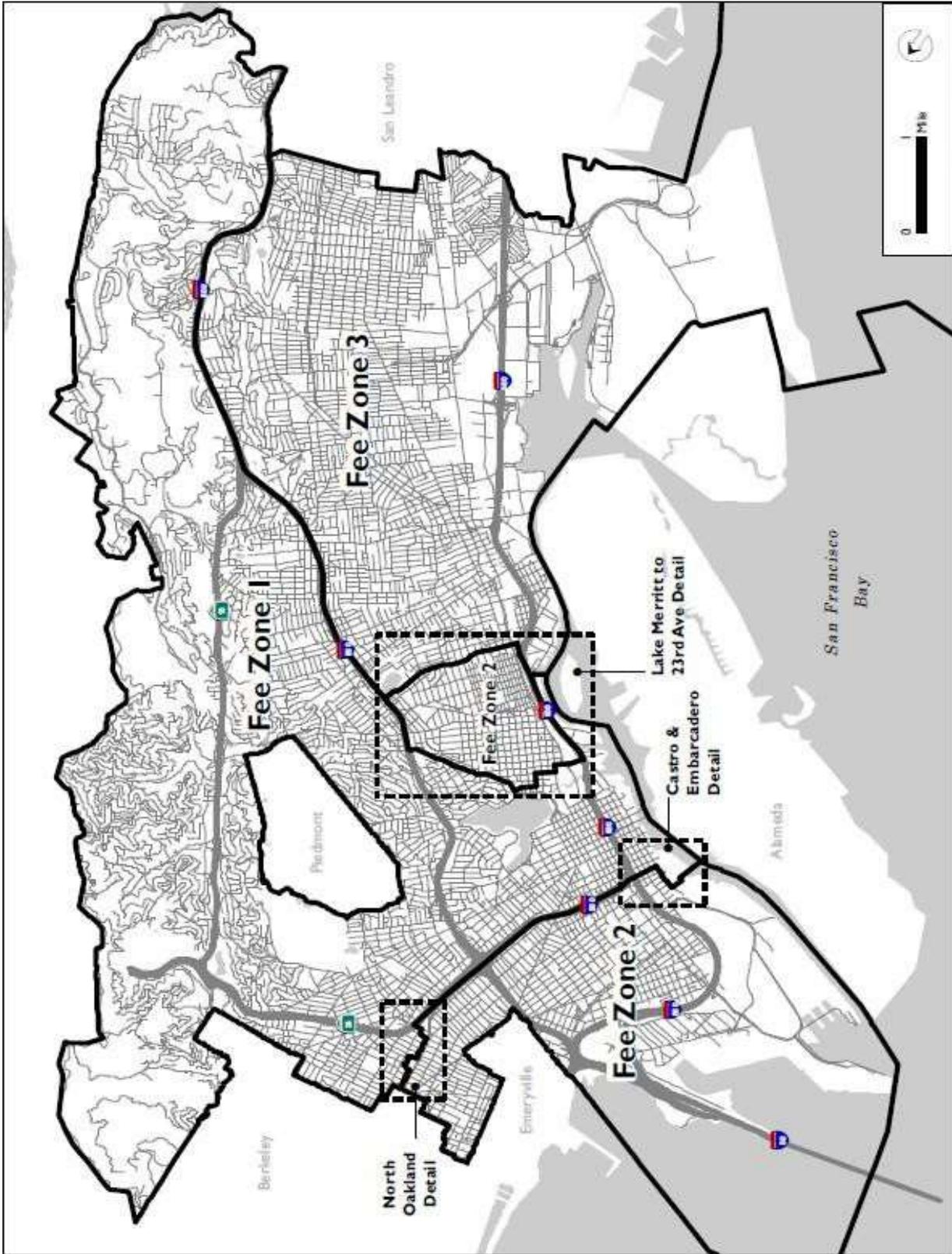
- j. **Project:** District 3 Community Center CIP
Description: Community Center Improvements
Status: These funds were initially set aside by CM/ District 3 for building improvements at a non-City of Oakland facility. The CM wanted to repurpose the funds to the deFremery Recreation Center for facility improvements.
Funds Committed: Funding in the amount of \$96,000 was allocated to this project in FY 2021-2022.
FY 2021-2022 CIF Project Expenditures: No funds were expended in FY 2021-2022.

- k. **Project:** Kono Signage/Archway
Description: Design and construct an archway along Telegraph.
Status: The project was added by Council supplemental list during the FY21-23 cycle but is currently on hold as City Attorney confirmed this is not eligible for TIIIF or CIIF funding. Funding should be re-programmed and alternate funding source identified. The total project cost is estimated at \$1.2m.
Funds Committed: Funding in the amount of \$125,000 was allocated to this project in FY 2021-2022.
FY 2021-2022 CIF Project Expenditures: No funds were expended in FY 2021-2022.

- l. **Project:** Arroyo Viejo Park
Description: Install grease trap system in Recreation Center Kitchen.
Status: The project is currently on hold awaiting larger site remodel, including construction and expansion of a commercial kitchen.
Funds Committed: Funding in the amount of \$25,000 was allocated to this project in FY 2021-2022.
FY 2021-2022 CIF Project Expenditures: No funds were expended in FY 2021-2022.

- m. **Project:** Feasibility Study for 1310 Oak Street Fire Alarm Building
Description: The City needs to preserve access to the fiber optic lines at the Oakland Fire Alarm Building at 1310 Oak Street for maintenance and operational purposes. The professional services required from the consultant will be to locate and delineate all fiber optic lines within the property limits and to generate a report associated with the necessary costs for relocation or creation of new public easements for fiber optic lines within the proposed footprint of Museum of Jazz and Art to ensure City access.
Status: The consultant is preparing a proposal including scope of work for the site and utility investigation.
Funds Committed: Funding in the amount of \$30,000 was allocated to this project in FY 2021-2022.
FY 2021-2022 CIF Project Expenditures: No funds were expended in FY 2021-2022.

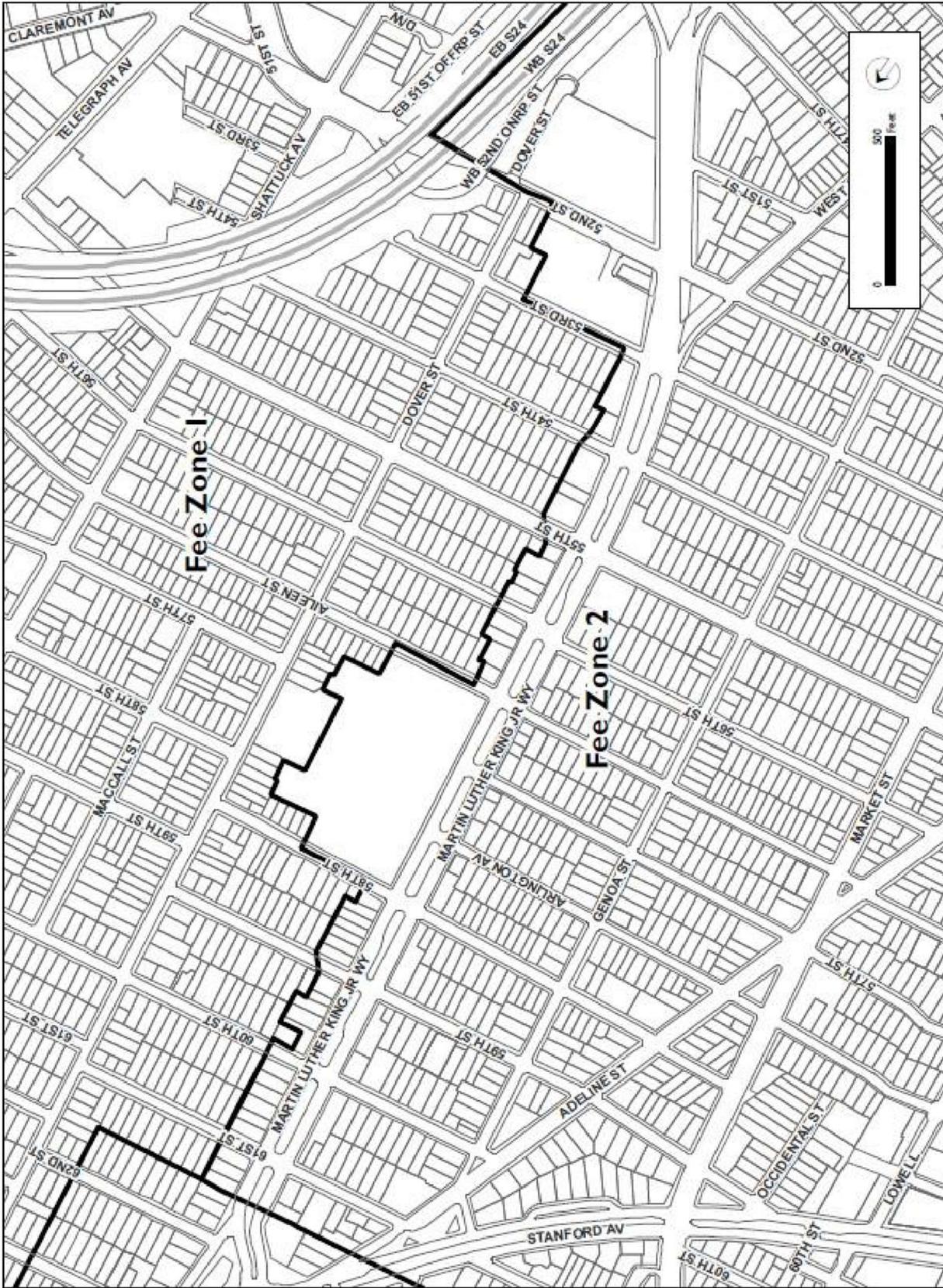
IV. IMPACT FEE ZONE MAPS



Planning & Building Department
April 20, 2016

Impact Fee Zones for Residential Projects

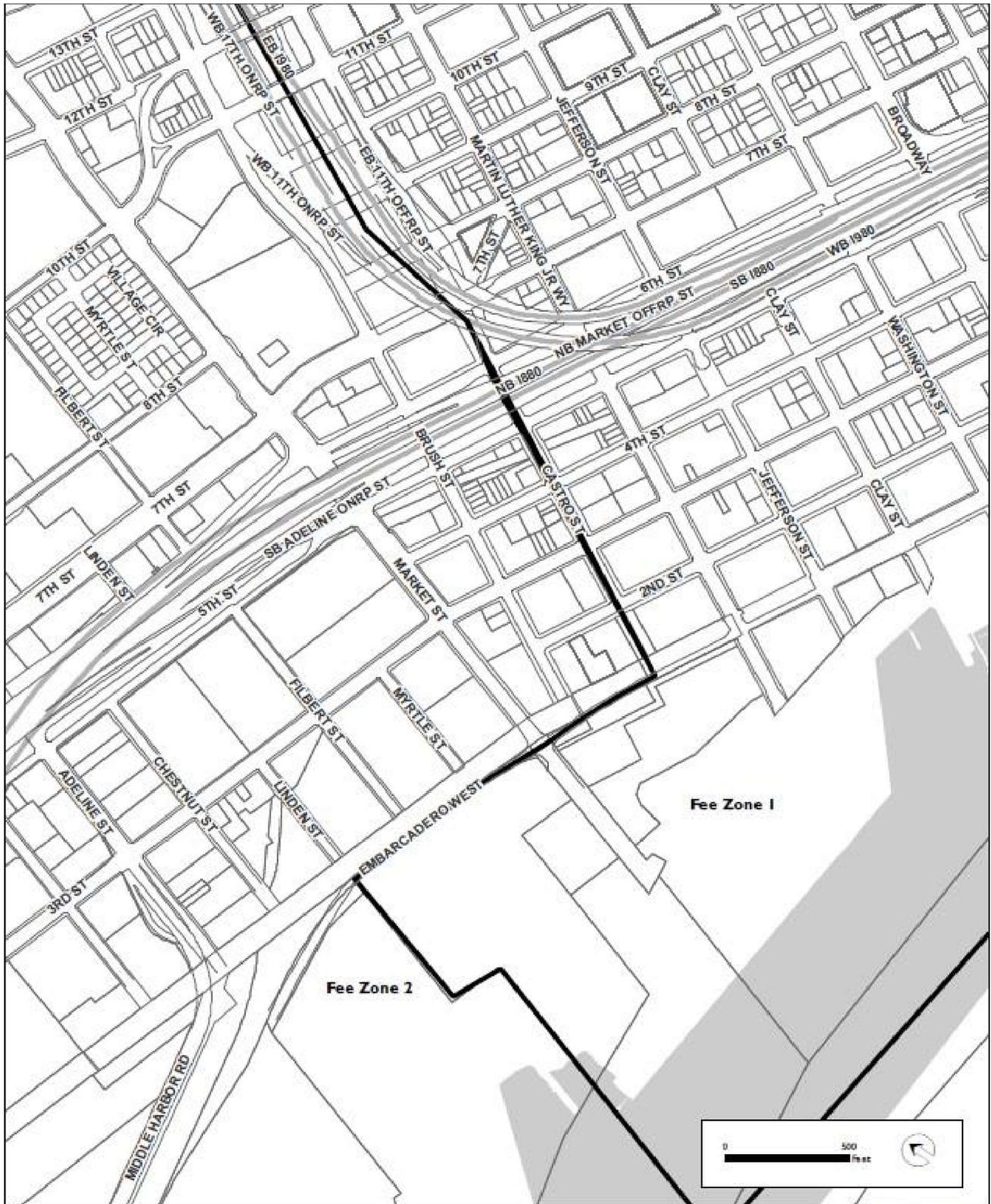




Planning & Building Department
March 10, 2018

Impact Fee Zones for Residential Projects - North Oakland Detail

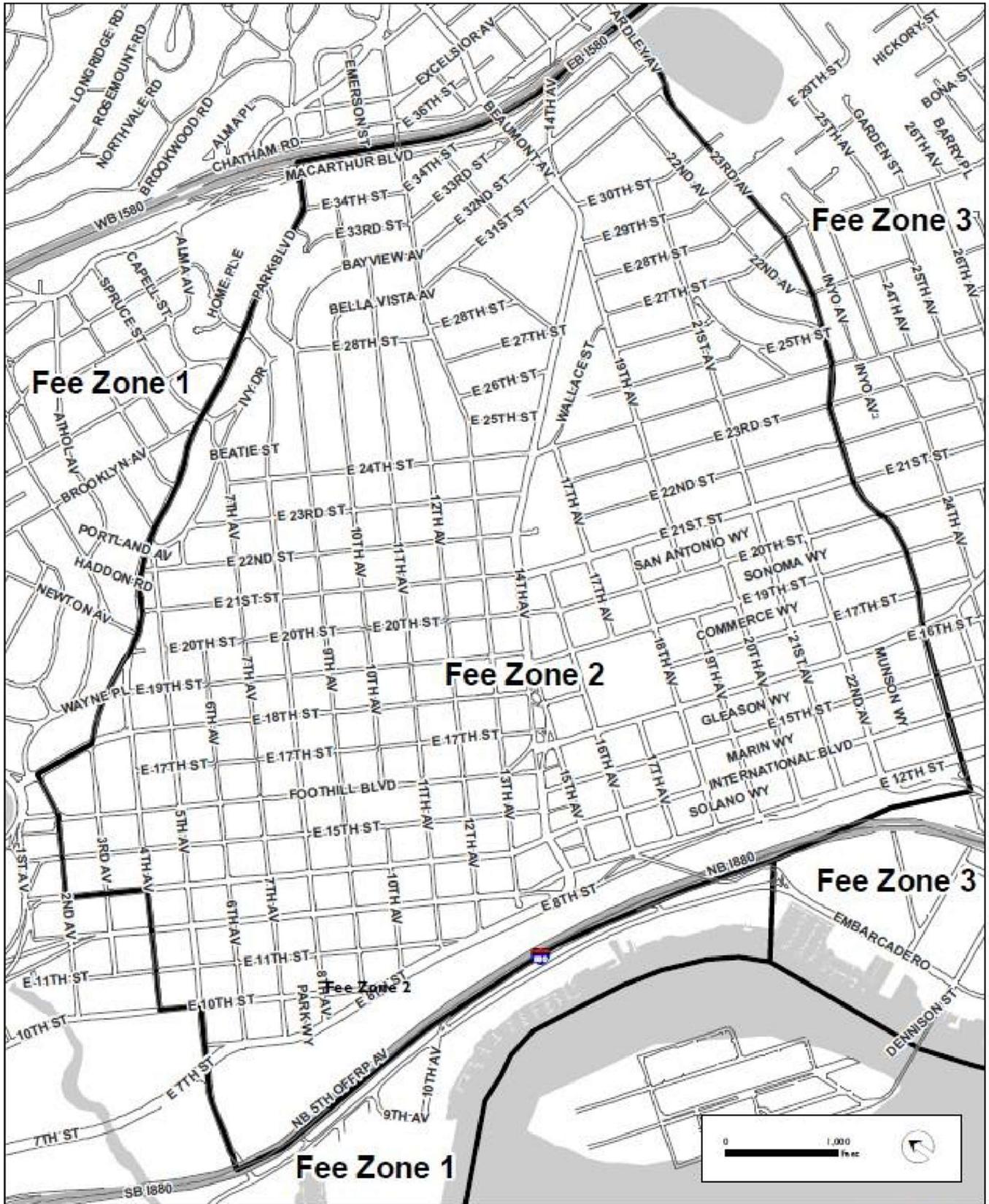




Planning & Building Department
March 10, 2016



Impact Fee Zones for Residential Projects- Castro St & Embarcadero Detail



Impact Fee Zones for Residential Projects - Lake Merritt to 23rd Ave Detail

Planning & Building Department
March 10, 2016

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