



City of San Leandro

Meeting Date: February 17, 2015

Staff Report

File Number: 15-068 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.I.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Cynthia Battenberg
Community Development Director

FINANCE REVIEW: Not Applicable

TITLE: Staff Report for a Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between the City and the Association of Bay Area Governments (ABAG) for the East Bay Corridors Initiative

SUMMARY AND RECOMMENDATIONS

ABAG seeks to implement the East Bay Corridors Initiative (Initiative) to create a regional and coordinated approach to planning and investment along major transit-oriented areas, including East 14th Street and San Leandro Boulevard, in cities and unincorporated areas within Alameda, Contra Costa and Solano counties. There are two major corridors under the Initiative: the Oakland-Union City Corridor and the San Pablo Corridor. San Leandro falls under the former. The Oakland-Union City Corridor includes Oakland, San Leandro, Hayward, and Union City, as well as Alameda County. The San Pablo Corridor includes Oakland, Emeryville, Berkeley, Albany, El Cerrito, Richmond, San Pablo, Pinole, Hercules and Contra Costa County.

The purpose of the Memorandum of Understanding (MOU) is to define and formalize the working relationship among regional and local agencies. No funding commitment from participants is required to join the Initiative. Staff recommends that the City Council authorize the City Manager, or his designee, to execute the ABAG East Bay Corridor MOU.

BACKGROUND

ABAG and the Metropolitan Transportation Commission (MTC) adopted Plan Bay Area in the summer of 2013. Plan Bay Area is an integrated land use and transportation strategy to accommodate the region's projected population, housing and job growth between 2010 and 2040 to achieve State targets for reductions in greenhouse gas emissions. Plan Bay Area is based primarily on the Priority Development Areas (PDAs) in the nine county San Francisco Bay Region. PDAs are locally-driven land use planning programs administered by ABAG for sustainable development near transit-oriented areas.

Plan Bay Area projects that PDAs along major corridors will grow at a faster rate than the region as a whole. Many of the investments included in Plan Bay Area connect and/or serve the cities and counties within the East Bay Corridor. In addition, regional and State community development and transportation funding and resources have been, and continue to be, prioritized for PDAs throughout the State to further the Plan's goals.

Between 2000 and 2014, San Leandro and other localities such as Alameda, Albany, Berkeley, El Cerrito, Emeryville, Hayward, Hercules, Oakland, Pinole, Richmond, San Pablo, Union City, Alameda County and Contra Costa County adopted 25 land use plans to establish ABAG/MTC certified PDAs. All of these PDAs are located within the East Bay Corridor. San Leandro has two PDAs: Downtown San Leandro and East 14th Street.

The Downtown PDA conforms to the area established as a ½ mile radius around the San Leandro BART Station under the City's Downtown Transit-Oriented Development Strategy adopted in 2007. The East 14th Street PDA includes the entire length of East 14th Street from Bristol Boulevard to the north to Hesperian Boulevard to the south and was established under the East 14th Street South Area Strategy (2004) and the North Area Specific Plan (1991). The City received an MTC planning grant in the summer of 2014 to form a PDA and TOD specific plan for the area in and around the Bay Fair BART Station and Bayfair Center, which includes the adjacent portion of East 14th Street.

Analysis

In September 2013, the East Bay Corridor Initiative was presented to ABAG's Executive Board as a top implementation strategy for realizing Plan Bay Area. Since 2013, staff from East Bay Corridor jurisdictions (including San Leandro), ABAG, and other public agencies have met to identify 1) obstacles to achieving the level and quality of growth planned for PDAs in their jurisdictions and 2) preliminary inter-jurisdictional strategies for implementing local PDAs and regional planning objectives for each segment of the corridor.

Pursuant to the MOU, beginning in 2015, participating jurisdictions, ABAG and other public agencies will engage to solidify these mutually determined preliminary strategies. This will set the stage for further engagement with city leadership, development of partnerships with the non-profit and business communities, and obtaining funding to carry out the strategies.

Participants will undertake the following activities under the MOU:

1. Continue to coordinate with city and county staff the development of multi-jurisdictional strategies to create a network of thriving neighborhoods and downtowns within the East Bay Corridor.
2. Identify and develop funding sources to implement agreed upon strategies.
3. Endorse joint applications by participants for grants and other funding that support agreed upon multi-jurisdictional strategies.

ABAG will coordinate the East Bay Corridors Initiative. However, each participating jurisdiction will assign a representative to the Initiative Steering Committee under the MOU to implement the Initiative. Each jurisdiction's appointee should have expertise and experience in land use and development and will in most cases be Planning Department staff.

Legal Analysis

The City Attorney's Office reviewed and approved the staff report and the MOU, the latter as to form.

Fiscal Impacts

There is no funding commitment required for the City to enter into and participate in the proposed activities under the MOU. However, each participating jurisdiction will appoint a staff person to be part of the Initiative Steering Committee.

ATTACHMENTS

Attachments to Resolution

- Exhibit A: East Bay Corridors Map
- Exhibit B: Memorandum of Understanding - East Bay Corridors Initiative

PREPARED BY: Tom Liao, Deputy Community Development Director, Community Development Department



City of San Leandro

Meeting Date: February 17, 2015

Resolution - Council

File Number: 15-069

Agenda Section: CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Cynthia Battenberg
Community Development Director

FINANCE REVIEW: Not Applicable

TITLE: RESOLUTION Authorizing the City Manager to Execute a Memorandum of Understanding Between the City and the Association of Bay Area Governments (ABAG) for the East Bay Corridors Initiative, to Coordinate a Regional Approach Towards Enhancing East Bay Priority Development Areas Under Plan Bay Area

WHEREAS, the City of San Leandro (City) applied to the Association of Bay Area Governments (ABAG), the Council of Government for the San Francisco Bay Area, for designation of the following neighborhoods in the City as Priority Development Areas (PDAs): Downtown San Leandro and East 14th Street; and

WHEREAS, ABAG designated these neighborhoods as PDAs and adopted Plan Bay Area, an integrated land use and transportation strategy to accommodate the region's projected population, housing and job growth between 2010 and 2040 based on PDAs; and

WHEREAS, the City and other Jurisdictions of Alameda, Solano and Contra Costa Counties (collectively, the Corridor Jurisdictions) have PDAs within their communities that form a geographical and land use alignment referred to as the East Bay Corridor (Exhibit A); and

WHEREAS, the staff of the Corridor Jurisdictions and ABAG have been collaborating to identify a preliminary set of inter-jurisdictional strategies for implementing local and regional planning objectives for each segment of the corridor in an effort referred to as the East Bay Corridors Initiative; and

WHEREAS, the staff of the Corridor Jurisdictions and ABAG recommend that the Corridor Jurisdictions and ABAG continue to coordinate on the development of multi-jurisdictional strategies to create a network of thriving neighborhoods and downtowns in Corridor PDAs, including but not limited to the subgroups that comprise the Oakland-Union City Corridor and the San Pablo Corridor; and

WHEREAS, staff from the respective Corridor Jurisdictions and ABAG recommend that the Corridor Jurisdictions and ABAG enter into a Memorandum of Understanding for the East Bay Corridors Initiative (MOU) to (1) continue the development of multi-jurisdictional strategies to create a network of thriving neighborhoods and downtowns in Corridor PDAs, (2) identify and develop funding sources to implement agreed upon strategies and (3) endorse joint applications by one or more Corridor Jurisdictions for grants and other funding that support agreed upon multi-jurisdictional strategies; and

WHEREAS, the MOU does not require the City to expend any funds or endorse or support any pre-determined project or strategy except as commonly agreed upon among the Corridor Jurisdictions and ABAG.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

1. The City Manager, or his designee, is hereby authorized and directed to enter into, execute, and deliver the MOU for the East Bay Corridors Initiative. A copy of the MOU is attached as Exhibit B; and
2. That the City Manager, or his designee, is authorized to execute the MOU, contingent upon the City Attorney's approval of the documents as to form.

**MEMORANDUM OF UNDERSTANDING
- EAST BAY CORRIDORS INITIATIVE -**

This Memorandum of Understanding (“MOU”) is entered into by and between the following participating entities (Participant; collectively, Participants):

Association of Bay Area Governments (ABAG)
City of Alameda (Alameda)
City of Albany (Albany)
City of Berkeley (Berkeley)
City of El Cerrito (El Cerrito)
City of Emeryville (Emeryville)
City of Hayward (Hayward)
City of Hercules (Hercules)
City of Oakland (Oakland)
City of Pinole (Pinole)
City of Richmond (Richmond)
City of San Leandro (San Leandro)
City of San Pablo (San Pablo)
City of Union City (Union City)
County of Alameda (Alameda County)
County of Contra Costa (Contra Costa)

A. Purpose. The activities undertaken under this MOU will constitute the East Bay Corridor Initiative (Initiative). The purpose of this MOU is to define and formalize the working relationship among regional and local agencies whose geographical boundaries include a portion or all of the East Bay Corridors, as further described below. This MOU defines the shared goals and objectives of these local and regional agencies working collaboratively to enhance livability, mobility and economic prosperity within the Corridors, and establishes the necessary administrative and governance structure to promote a cooperative relationship and for ensuring success of the Initiative.

B. Background. Plan Bay Area is an integrated land use and transportation strategy to accommodate the region’s projected population, housing and job growth between 2010 and 2040 which, if implemented, would achieve State targets for reductions in greenhouse gas emissions. Plan Bay Area is based primarily on the PDAs in the nine county San Francisco Bay Region, including those in the East Bay Corridor (Corridor PDAs). ABAG and the Metropolitan Transportation Commission (MTC) adopted Plan Bay Area in 2013. The strategy for implementation of Plan Bay Area includes investment of existing and anticipated resources in PDAs.

Reflecting strong transit access and a local commitment to planning and investment, Plan Bay Area projects that Corridor PDAs will grow at a faster rate than the region as a whole. Many of the investments included in Plan Bay Area connect and/or serve the cities and counties within the Corridor (Corridor Jurisdictions).

Compared to the region as a whole, residents of Corridor PDAs have lower household incomes; suffer more from poor air quality and other adverse environmental impacts; are at a higher risk during natural disasters; and are subject to displacement risk from rising housing costs. Many Corridor PDAs face obstacles to realizing the development envisioned in adopted plans. These range from limited local resources to build infrastructure and public spaces to a lack of funding for affordable housing and difficulties attracting private investment. At the same time, the Corridor PDAs are located in close proximity to jobs and institutions of higher education. Further, numerous economic clusters appear to be growing in, or near the Corridor PDAs. Given this opportunity, the potential positive impact of a complementary approach to planning and investment is substantial, and can potentially provide a model for other Bay Area sub-regions with similar challenges.

Between 2000 and 2014, Alameda, Albany, Berkeley, El Cerrito, Emeryville, Hayward, Hercules, Oakland, Pinole, Richmond, San Leandro, San Pablo, Union City, Alameda County and Contra Costa (Corridor Jurisdictions) have adopted 25 land use plans for Priority Development Areas (PDAs), a locally-driven land use planning program of ABAG for sustainable development. All of these PDAs are located within the geography of East Bay Corridor (see Attachment 1).

In September 2013, the East Bay Corridors Initiative was presented to ABAG's Executive Board as a top implementation strategy for realizing Plan Bay Area. Between September and November 2013, staff from Participants, ABAG, and other public agencies met to identify obstacles to achieving the level and quality of growth planned for PDAs in these jurisdictions. To develop strategies, the group divided the East Bay Corridor into two segments: the Oakland-Union City Corridor and the San Pablo Corridor (see Attachment 1). The Oakland-Union City Corridor includes Oakland, San Leandro, Hayward, and Union City, as well as the Alameda County. The San Pablo Corridor includes Oakland, Emeryville, Berkeley, Albany, El Cerrito, Richmond, San Pablo, Pinole, Hercules and Contra Costa.

During 2014, staff from Participant jurisdictions, ABAG and other public agencies held workshops to identify a preliminary set of inter-jurisdictional strategies for implementing local PDAs and regional planning objectives for each segment of the corridor. In 2015, Participants, ABAG and other public agencies will engage in working groups to solidify these strategies. This will set the stage for engagement with city leadership, development of partnerships with the non-profit and business communities, and obtaining funding to carry out the strategies.

C. Proposed Activities. The Participants will undertake the following activities.

1. Continue to coordinate with Planning and Community Development Directors the development of multi-jurisdictional strategies to create a network of thriving neighborhoods and downtowns in Corridor PDAs. This coordination can include all Participants or subgroups, including but not limited to the subgroups that comprise the Oakland-Union City Corridor and the San Pablo Corridor.
2. Identify and develop funding sources to implement agreed upon strategies.
3. Endorse joint applications by Participants for grants and other funding that support agreed upon multi-jurisdictional strategies.

D. Responsibilities. Each Participant will have the following responsibilities:

1. Each Participant will assign a representative to the Steering Committee.
2. Each Participant will participate in the development and/or review of relevant multi-jurisdiction strategies.
3. ABAG will coordinate the East Bay Corridors Initiative. This will not limit or supersede any other activities undertaken collaboratively by Participants.

E. Structure and Governance. For ease of formation and administration and to maintain flexibility, the East Bay Corridor Initiative is structured as an unincorporated association of local and regional public entities. The Participants agree that this MOU is independent of any other contract(s) or agreement(s) between or among the Participants, or the contract(s) or agreement(s) between or among any Corridor Jurisdiction that are promulgated to implement a grant or local PDA plan.

A Steering Committee made up of one representative from each Participant will coordinate activities undertaken pursuant to this MOU. Every Participant will appoint as its representative(s) to the Steering committee or any subcommittee, a staff person with expertise and experience land use planning and development, presumably the local Planning Director. The Steering Committee may establish subcommittees to undertake activities that advance the East Bay Corridor Initiative that affect less than all Participants.

Through a unanimous vote of all Steering Committee representatives, the Steering Committee may establish rules related to decision-making for the entire Steering Committee or Subcommittees, including but not limited to voting and participation.

Every Participant also has the right, but not the obligation, to appoint an alternate to the Steering Committee or subcommittee. The alternate may attend any meeting of the Steering Committee or subcommittee. However, the alternate is not included in the quorum count, is not entitled to vote and may not participate in the deliberations of the Steering Committee or subcommittee, except in the absence of the representative for whom he/she is an alternate.

F. Participant Resources. The Participants acknowledge that the East Bay Corridor Initiative is likely to require some investment of resource for it to be effective. Each Participant will assign staff, at no cost, to act as its representative to the Steering Committee and any relevant subcommittee.

G. Other Matters. Each Participant shall indemnify and hold harmless the other Participants from the indemnifying Participant's share of liability, as determined by a court of law, for any and all claims, costs and liability for any damage caused by the negligence or willful misconduct of the indemnifying Participant and its officers, employees or agents in the indemnifying Participant's performance under this MOU. The obligations of the indemnifying Participant under this section shall not apply to any claim, cost or liability caused by the negligence or willful misconduct of any other Participant. Under no circumstances shall the indemnifying Participant be liable to any other Participant or any other person or entity for consequential or special damages, or for any damages based on loss of use, revenue, profits or business

opportunities arising from or in any way relating to performance of the indemnifying Participant under this MOU.

H. Withdrawal and Termination. This MOU will continue until terminated by majority vote of the Steering Committee, but Participants may withdraw from this MOU on 60 days’ notice to other Participants. New Participants may be added by majority vote of the current Participants.

I. Amendments. This MOU may be amended by a written agreement executed by the Participant in the same manner as this MOU.

J. Counterparts. This MOU may be executed in counterparts, each of which is an original and all of which constitute one and the same instrument.

K. Effective Date. This MOU is effective upon the date a minimum of nine Participants have executed the MOU.

IN WITNESS WHEREOF, the Participants have caused this Memorandum of Understanding to be effective with the approval of their authorized representatives on the dates indicated below.

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| _____ | _____ | _____ | _____ |
| City of San Leandro | City of Alameda | City of Albany | City of Berkeley |

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| _____ | _____ | _____ | _____ |
| City of El Cerrito | City of Emeryville | City of Hayward | City of Hercules |

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|-----------------|----------------|------------------|---------------------|
| _____ | _____ | _____ | _____ |
| City of Oakland | City of Pinole | City of Richmond | City of San Leandro |

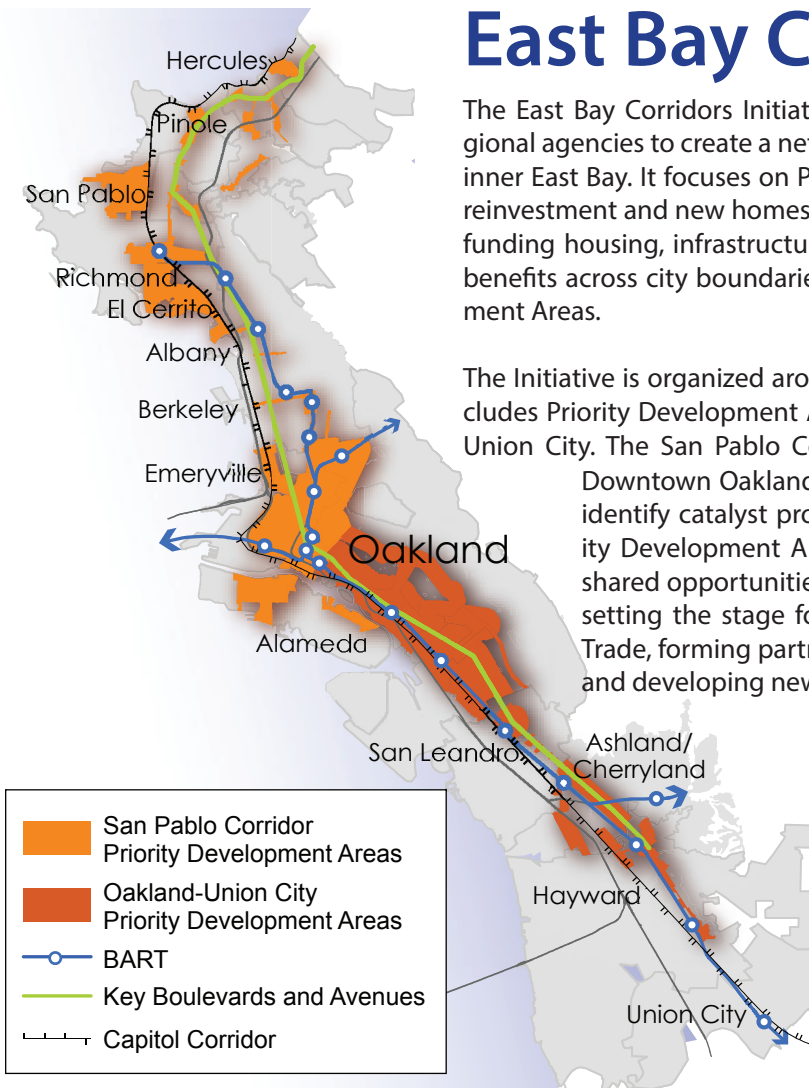
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| City of Union City | County of Alameda | County of Contra Costa | Association of Bay Area Governments |

East Bay Corridors Initiative

The East Bay Corridors Initiative is a collaboration between cities, counties and regional agencies to create a network of thriving neighborhoods and downtowns in the inner East Bay. It focuses on Priority Development Areas, places planned by cities for reinvestment and new homes and jobs. The Initiative is a platform for prioritizing and funding housing, infrastructure, and community development projects that provide benefits across city boundaries while implementing local plans for Priority Development Areas.

The Initiative is organized around two corridors. The Oakland-Union City Corridor includes Priority Development Areas between International Boulevard in Oakland and Union City. The San Pablo Corridor includes Priority Development Areas between

Downtown Oakland and Hercules. Cities are currently working together to identify catalyst projects that build on the unique assets of corridor Priority Development Areas to address common challenges and capitalize on shared opportunities. During 2015, the Initiative will solidify these projects, setting the stage for pursuing existing funding sources as state Cap and Trade, forming partnerships with the business and non-profit communities, and developing new funding sources.



Timeline

1995-Today

- Corridor jurisdictions adopt plans for 26 Priority Development Areas

2013

- Plan Bay Area adopted, region's first integrated housing, jobs and transportation plan; growth and investment focused in the inner East Bay
- ABAG Executive Board prioritizes implementation of local plans and regional goals in the East Bay Corridors

2014

- Workshops held to identify key challenges and opportunities related to realizing local PDA plans
- Working groups create draft implementation priorities and catalyst projects

Next Steps

Q1 2015

- Solidify priorities and catalyst projects
- Create partnerships and identify funders

Q2 2015

- Pursue immediate funding opportunities such as Cap & Trade and federal grants

Q3 2015-

- Integrate corridor priorities into regional Land Use Strategy and Plan Bay Area update
- Continue to pursue funding; initiate and complete projects

Oakland-Union City Corridor Jurisdictions

- Oakland
- San Leandro
- Unincorporated Alameda County (Ashland/Cherryland)
- Hayward
- Union City

San Pablo Corridor Jurisdictions

- Oakland
- Emeryville
- Berkeley
- Alameda
- Albany
- El Cerrito
- Richmond
- San Pablo
- Pinole
- Hercules
- Unincorporated Contra Costa County

Regional and County Partners

- Alameda and County Public Health Department
- Alameda and Contra Costa County Transportation Authorities
- Alameda-Contra Costa Transit District (AC Transit)
- Association of Bay Area Governments
- Bay Area Air Quality Management District
- Bay Area Rapid Transit (BART)
- Contra Costa Health Services
- Western Contra Costa County Transit Authority (WestCAT)