

SPECIAL JOINT MEETING

**TOWN OF MORAGA
CITY OF LAFAYETTE AND CITY OF ORINDA
February 10, 2011
MINUTES**

7:00 P.M. Special Meeting

Saint Mary's College, Soda Center
1928 St. Mary's Road, Moraga, California 94556

I. CALL TO ORDER

The special meeting was called to order at 7:15 P.M. by **Mayor Karen Mendonca**.

ROLL CALL

MORAGA TOWN COUNCIL

Councilmembers present: Mayor Karen Mendonca, Vice Mayor Michael Metcalf, and Councilmembers Ken Chew, Howard Harpham, and Dave Trotter

Councilmembers absent: None

LAFAYETTE CITY COUNCIL

Councilmembers present: Mayor Carl Anduri, Vice Mayor Carol Federighi, and Councilmembers Mike Anderson, Brandt Andersson, and Don Tatzin

Councilmembers absent: None

ORINDA CITY COUNCIL

Councilmembers present: Mayor Victoria Smith, Vice Mayor Steve Glazer, and Councilmembers Dean Orr, and Amy Worth

Councilmembers excused: Councilmember Sue Severson

II. PLEDGE OF ALLEGIANCE

Mayor Mendonca led the Pledge of Allegiance.

III. ADOPTION OF MEETING AGENDA

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

ACTION: It was M/S unanimously to adopt the Meeting Agenda, as shown. Vote: 14-0-1. Orinda Councilmember Severson Excused

IV. PUBLIC COMMENTS

Jonathan Goodwin, Canyon, encouraged each Council to place the issue of Emergency Preparedness on their respective agendas.

V. NEW BUSINESS

A. Report on SB 375 Implementation and the Development of a Sustainable Communities Strategy (SCS).

MTC and ABAG are in the process of developing the 2013 Update to the Regional Transportation Plan (RTP). In response to SB 375, the regional agencies must develop an SCS - a feasible land use/transportation plan for the Bay Area - that will reduce greenhouse gas emissions from passenger vehicles. As the designated Congestion Management Agency for Contra Costa, CCTA staff is working with the regional transportation planning committees and local jurisdictions to inform them about the overall process. Presentation by Martin Engelmann, CCTA Deputy Executive Director, Planning. Staff from ABAG and MTC will also be available to provide updates on regional agency activities.

Randell Iwasaki, P.E., Executive Director, Contra Costa Transportation Agency (CCTA), explained that the CCTA was partnering with regional and local agencies to create a vision for the future which would set the course for growth in the region for the next 25 years and to ensure that vision was consistent with the voter approved Measure J Expenditure Plan.

Martin Engelmann, Deputy Executive Director, Planning, CCTA, reported that SB 375 was being implemented on a regional level in coordination with the following agencies: Association of Bay Area Governments (ABAG), Metropolitan Transportation Commission (MTC), Air Resources Board (ARB) and the San Francisco Bay Conservation and Development Commission (BCDC). The implementation of SB 375 would require regional agencies to prepare a Sustainable Communities Strategy (SCS), a feasible land use transportation plan for the Bay Area which would reduce greenhouse gas emissions (GHG) from passenger vehicles. He explained that AB 32, the Global Warming Solutions Act of 2006, was landmark legislation regulating greenhouse gas emissions and reaffirmed by voters by the defeat of Proposition 23, which set greenhouse gas emission limits for 2020 at the 1990 level, and which acknowledged that 2020 was not the endpoint while pointing the way towards 80 percent reduction by 2050. In response to AB 32, the ARB had adopted a comprehensive Scoping Plan to achieve the AB 32 GHG emission target through cleaner vehicles, cleaner fuels, and more sustainable communities.

SB 375 would direct the ARB to develop passenger vehicle GHG reduction targets for the 18 Metropolitan Planning Organizations (MPOs) for the years 2020 and 2035, add a SCS as a new element to the Regional Transportation Plans (RTPs) requiring a separate alternative planning strategy if the GHG targets were not met, provide the California Environmental Quality Act (CEQA) with streamlining incentives for projects consistent with the SCS and Alternative Planning Strategy (APS), and coordinate with the Regional Housing Needs Allocation (RHNA) with the regional transportation planning process.

Mr. Engelmann explained that the planning scenarios would address the GHG targets through transportation demand management, road pricing, focused growth, or a combination thereof. He commented that compared to sprawl, compact development resulted in a 20 to 40 percent reduction in Vehicle Miles Traveled (VMT) that translated into carbon dioxide reductions. A model prepared by ABAG and MTC had shown a 10 percent reduction in GHGs based on specific criteria and the current recession. Maps for Shaping Our Future 2003, Priority Development Areas (PDAs), and SCSs current in Contra Costa County were displayed for informational purposes.

Miriam Chion, Principal Planner, Association of Bay Area Governments, (ABAG), explained that the next step for the SCS was that the initial Vision Scenario would be released on March 11, 2011 and assessed against the Performance Targets which had been proposed by the regional agencies with input from the local jurisdictions, with information on type of growth and where growth was expected to occur in the region. After the release of the initial Vision Scenario each city/town would define what sustainability meant for its area and the components needed to move toward a more sustainable path to improve the quality of the environment leading to the Detailed Scenarios. From April to December 2011, local input would be solicited on the Detailed Scenario(s) leading to a Preferred Scenario.

Ashley Nguyen, Senior Transportation Planner/Analyst, Metropolitan Transportation Commission (MTC), identified the planning process and timeline for the SCS which would take approximately three years to complete. She commented on the number of activities that were occurring. Phase I was near completion with the release of the Vision Scenario planned for March 11, 2011. Phase II was in process with the MTC recommending to the Congestion Management Agencies candidate transportation projects and programs to be considered in the SCS. The Preferred Scenario was anticipated to be completed by the end of 2011 or early 2012. Phase III would involve putting the SCS plan together along with a companion Environmental Impact Report (EIR). Also, as part of Phases I and III, ABAG would be analyzing the Regional Housing Needs Allocation (RHNA), a process which had already commenced. A Draft RHNA plan was expected to be available in early 2012 with a final plan to be adopted by ABAG in the fall of 2012. Phase IV would involve the more traditional public hearing processes leading to the adoption of the SCS and certification of the EIR in April 2013.

Mr. Engelmann spoke to how the regional agencies would have a dialogue with planning staff with standing monthly reports and action items through the Regional Transportation Planning Committees (RTPCs) of the four regions and a Planning Director's Forum which would meet quarterly.

Ms. Chion advised that the land use, transportation, and housing components were being coordinated with the local jurisdictions whereby MTC and ABAG had designed various groups and forums to facilitate that dialogue. The Regional Advisory Working Group would also meet along with MTC, ABAG staff, the CMAs, local officials, and stakeholders to provide feedback on the key issues of concern with meetings to be scheduled in March and April. There would be a collaborative website for each SCS County/Corridor Working Group in order to share information, collect feedback and facilitate engagement.

Lafayette Councilmember Tatzin referenced the lower job forecast for 2035 as opposed to 2009 and questioned the differences in populations in households. He also referenced the performance targets which were to be released in February 2011 and asked whether or not that information had been released.

Mr. Engelmann explained that ABAG had made a policy decision to not shake up the housing population forecast but it had changed the jobs forecast in the region for 2035, whereby twice as many individuals would be over 65 years of age with fewer employed residents per household as the number of retirees increased. The economic downturn affected, to a greater extent, the number of jobs and, to a lesser extent, the number of housing starts. An initial scenario had shown adding more housing over the current housing forecast, with new high density housing in Oakland, San Francisco, and San Jose. He stated that the performance targets had been adopted and copies could be provided to each Council.

Lafayette Councilmember Andersson questioned to what extent the Shaping our Future process and results in 2003 had informed the scenarios after which a new process had been adopted. He also spoke to the CCTA Principles for Collaborative Development, SCS, being

consistent with regional scenarios and local plans and asked whether the local agencies' assumptions were in agreement with the SCS scenarios if the collaboration process would push the local agencies toward a consistent position or if it would consider other ways of reaching a reduction in GHGs.

Mr. Engelmann explained that the Shaping our Future process had been a leap forward, per the Shaping our Future Map as compared to the PDA map. As to the collaboration process, there was no intent to push a local jurisdiction in a specific direction. The regional agency had no authority to change a local jurisdiction's General Plan. The regional agencies did have authority over SCS to make certain assumptions that could be different from the General Plans and where certain geographic areas of the SCS could be different from the General Plans. The intent was to facilitate discussions between the regional agencies and local jurisdictions to develop new ideas that would work. Where there were differences between the General Plans and SCS, it would likely be addressed through the RHNA forecast and zoning. He did not foresee a lot of pressure to accept a lot of housing that was not desired. Under the existing law, it was permissible to have conflicts between the SCS and the cities/towns General Plans with no requirement to change the General Plans within the region.

Orinda Mayor Smith requested clarification on whether the same factors that had led CCTA to make the decrease in jobs assessment had caused them to change the RHNA analysis, i.e., although there were fewer jobs, they were not forecasting fewer housing needs. In response, Ms. Nguyen explained that ABAG had gone through a different methodology to determine job growth for the region with a shift share to account for the recession which was different from a regional than a national level. There had been no change to the methodology for accounting for population growth for the next 25 years. The RHNA population had determined housing needs, not necessarily jobs.

Ms. Chion added that they were facing an economic crisis that had not been seen before, with no major change in the demographic patterns in the region compounded with the aging population which had resulted in more housing needs and fewer people per household. ABAG had not settled on the final numbers, which would be addressed through the detailed scenarios, and ABAG would be taking input and assessing whether or not the jobs and housing forecast were on target. She clarified that both jobs and housing needs had increased, but that the pace of job growth expected was a bit lower.

Orinda Mayor Smith suggested it would be helpful to have more detailed information.

PUBLIC COMMENTS OPENED

Jonathan Goodwin, Canyon, commended ABAG's efforts and asked whether or not ABAG funding could be lost in the present situation. He noted that Moraga and Canyon were far from BART and he asked about the funding opportunities to address that situation, and asked whether or not the number of vehicle trips taking children to and from school had been included in the traffic concerns as part of the discussion on land use and housing.

Ms. Nguyen suggested that there would be benefits to support local jurisdictions that were taking on more growth in the PDA or opportunities in their communities. ABAG and MTC were considering block grants toward transportation projects that supported growth. MTC would be reviewing the transportation revenues available to the region over the next 25 years where in a block grant style local jurisdictions could take those monies, subject to certain criteria, and flexibly use those funds to build the kind of transportation infrastructure to support development, a conversation that would commence as part of the release of the Vision Scenario in March and continue through the conversations on the Detailed Scenarios. She further commented on MTC's Climate Initiatives Program which funded safe routes to schools.

Ms. Chion added that ABAG, which received its funding through local contributions, state, federal funds and a number of grants, was struggling financially, but had been able to fund some of its major efforts.

Mr. Engelmann reported that the CCTA had undertaken a Master Plan for Safe Routes to Schools and had received federal monies from MTC and under Measure C. The Lamorinda School Bus Program and the San Ramon Valley School Bus Program continued under Measure J.

PUBLIC COMMENTS CLOSED

Moraga Councilmember Trotter commented on the importance of the Moraga Town Council to remain vigilant on what was desired for development in the Town while recognizing the challenges of the regional initiatives.

B. Road Repair Strategies in Lafayette, Moraga, and Orinda

Lafayette Mayor Anduri provided an update on the City of Lafayette's \$15.5 million residential road backlog. He reported that the Lafayette City Council would like to consider definite funding over a definite period of time for failed road repairs and for the funding of repairs. In order to achieve that and because of substantial budget cuts, the City Council must decide how much of its budget reserves could be allocated for failed roads and at the same time Lafayette citizens would be asked to consider the passage of an approximate \$97 a year, 10-year maximum parcel tax to make up the difference. A meeting had been scheduled for March 1 for those residents who resided on the failed roads to determine the level of support for the parcel tax measure. If a parcel tax were supported, it would be placed on the November ballot.

Lafayette Councilmember Tatzin also added that in addition to Measure J funds, the City of Lafayette transferred \$1 million a year from its General Fund for its road maintenance and repair budget, which process would continue.

Orinda Mayor Smith reported that the City of Orinda had considered two bond measures over the last four years for road repairs which had proven unsuccessful. Since that time, Orinda's Citizen's Infrastructure Oversight Commission, an advisory body to the Council, had considered road repair strategies. Orinda's scarce funds were being spent on arterials and collectors although the roads were not being repaired fast enough. The City Council had an annual approved list of projects to be considered as part of its Pavement Management and Annual Drainage Projects with at least 10 percent or more of Orinda's operating budget spent on road repairs. She reported that work that had been done in the downtown area, with the assistance of grants, had reduced the City's number of arterials and collectors which were in poor condition from 43 to 34 roads. Orinda continued to search for funds with no plans for a future bond measure given the current economic pressures facing local jurisdictions and the state.

Moraga Mayor Mendonca reported that the Town of Moraga had formed a Revenue Enhancement Committee (REC) which had produced a report on the infrastructure needs in Moraga including the fact that the Town had a revenue, not spending, problem. A Revenue Enhancement Community Outreach to Neighborhoods (RECON) committee had been formed to provide outreach to Moraga's neighborhoods to find answers to how to fix its roads, which had allowed the opportunity for citizen participation.

Moraga Vice Mayor Metcalf added that the RECON Committee would be making a presentation to the Moraga Town Council in the near future. He commented on the background of the RECON which had identified significant issues with the Town's road and storm drains.

Discussions were held on outlining the Town's expenditures and the need to find alternative sources of funding given that Measure J funds had proven to be inadequate and grant opportunities were limited. He also reported that Moraga had conducted a number of professionally facilitated focus group sessions in the summer of 2010 and conducted an online survey which had garnered 700 responses. He added that the outcome of Measure O, the Vehicle Registration Fee, although unsuccessful, had been passed by the voters in the Lamorinda area.

Moraga Councilmember Trotter asked for clarification from the City of Lafayette if the parcel tax under consideration were to be successful if that meant the City's roads not being repaired in the next 10 years would continue to deteriorate.

Lafayette Mayor Anduri clarified that the intent of the parcel tax, if passed, was that approximately \$600,000 would be added to the road repair budget each year. He commented that Lafayette had a true two-tier road repair system, roads that were repaired and those that had not been repaired in many years, with little in between. The intent was to keep the repairs on fixed roads.

Moraga Councilmember Chew commended Lafayette's efforts for a potential parcel tax, although he questioned how the City had been able to solicit enthusiasm from petitioners for such a proposal.

Lafayette Mayor Anduri reiterated that the issue would be discussed with the public during the Lafayette Council meeting scheduled for March 1.

Lafayette Vice Mayor Federighi also commented that the nucleus of the efforts in the past had been from those residents who resided on the failed roads. Past efforts, while ultimately unsuccessful, had been close.

Orinda Councilmember Orr asked whether there was a way to be more creative in the issuance of Public Works projects, such as through a joint effort of the three Lamorinda communities where construction dollars could be better leveraged towards larger paving projects.

Moraga Vice Mayor Metcalf suggested that the staff of the three communities should be relied upon given that they worked closely together, an effort that had worked well in the past and which could be used as a model of operation. He cited East Bay Municipal Utility District (EBMUD) projects on Moraga and St. Mary's Roads where the three communities Public Works Directors had worked together to address all issues. That same approach could be taken in this instance and he would like the Town/City Managers and Public Works Directors to work collaboratively.

PUBLIC COMMENTS OPENED

Jonathan Goodwin, Canyon, urged each Council to consider all alternatives or options for road repair and maintenance.

C. Community Development and Downtown Revitalization Updates from Lafayette, Moraga, and Orinda

Orinda Mayor Smith updated the Councils on the Wilder Project which consisted of approximately 1,600 acres with 240 acres of open footprint, 245 single-family home sites with three model homes currently under construction. The Orinda Design Review Board (DRB) had approved approximately 60 home sites and three ball fields with two of the ball fields to be

completed in June 2011. No dog parks had been approved as part of that development. The downtown Pulte Project consisted of 14 acres, including 73-residences, 8-affordable units with 7 open acres. All land use entitlements had been approved for this development with the developer waiting for the housing market to rebound before commencing with the development. The Senior Affordable Housing Project was in the pipeline on the former City-owned library site. Architectural plans were due to go before the DRB in the next few months, however, this project would likely go through several years of funding requests before all of the funds were in place. She noted that Orinda's Planning Process Review Task Force had met for the past two years and recommendations had been forwarded through the Planning Commission in 2010, with a great deal of public interest on the process. Additional public workshops had been held in the fall of 2010 and a consultant would be making a presentation on its recommendations to the Town Council in March.

Lafayette City Manager Steve Falk reported on Lafayette's plans over the past five years to develop a Downtown Specific Plan. Lafayette's Planning Commission was working on final recommendations regarding the goals and policies of the plan and staff was preparing a draft plan. He commented on the numerous Planning Commission and public meetings that had been held on the Downtown Specific Plan, with a great deal of interest on parking, density, building height, preservation of the character of the downtown or whether or not it should be changed, and whether or not there should be districts in the downtown. The new Downtown Specific Plan would include a long-term vision for the downtown, limits on height and density, an implementation plan for achieving the downtown plan's goals, a set of commercial design guidelines, design review findings specific to the downtown and a comprehensive parking strategy. The Downtown Specific Plan was due to go before the Lafayette City Council in July or August 2011.

Mr. Falk also provided updates on recent developments in the Lafayette downtown, including the Downtown Library Project and a number of new businesses, on the approved plan for the Woodbury 70-unit condominium project located behind the Veteran's Building, the Town Center Parcel C under consideration for development by KB Homes for 80-units, a proposal for a 70-unit Senior Assisted Living Facility to be located at the corner of Second Street and Mt. Diablo Boulevard, a proposal from Eton Housing for a Senior Affordable Independent Living Facility adjacent to the former used car lot, and approval for a condominium project to be located on Mt. Diablo Court which had been approved although was currently in real estate market limbo. A 25-unit townhome proposal on the former Hungry Hunter site had recently been considered jointly by the Planning Commission and the DRB. Further, the Lafayette City Council had directed the purchase of 941 Moraga Road for the purpose of public parking. The status of the old Lafayette Library would be considered by the City Council this year.

Lafayette Mayor Anduri reported that the Eton Housing project plans had been approved and the project was ready to proceed pending approval of a portion of the funding package anticipated through the State Department of Housing and Urban Development (HUD). In addition, the City had plans for a beautification project along Mt. Diablo Boulevard.

Moraga Mayor Mendonca reported that the Moraga Center Specific Plan (MCSP) had been adopted in 2010 after a lengthy seven-year planning process. Moraga's Housing Element had been certified by the State Department of Housing and Community Development (HCD) in 2010. In addition, the Town had created a team of three volunteers to serve as Economic Development Team for the Town. The Economic Development Team was in the process of starting a visioning process with the community to enhance the Rheem Center and to develop a retail ordinance to streamline the types of businesses desired in the center. Additionally, the Town and the Economic Development Team was working on the implementation of the MCSP.

Moraga Town Manager Jill Keimach acknowledged the Town was excited about the Economic Development Team. She otherwise reported that the Rancho Laguna II development had been approved subject to concessions on both sides and the Town had a few new businesses coming to the Rheem Valley Shopping Center. An application for a 40-unit apartment building to be located on the former bowling alley site had recently been considered by the Planning Commission during a study session.

Moraga Councilmember Trotter asked Lafayette City Manager Falk whether or not Lafayette had encumbered the rest of its unallocated Redevelopment funds, or "free cash," given that many of its projects were located in a Redevelopment Area.

In response, Mr. Falk reported that the City did not have free cash to encumber. He noted that the timing of the Governor's proposal to eliminate Redevelopment Agencies in California was a concern given that Lafayette had bonded everything it had to a maximum capacity. The loss to the Agency would be large and the City had forecast over the second half of its Redevelopment Agency's 30-year life that it would receive \$15 million for projects and \$35 million for affordable housing. With the Governor's proposal, those funds would be in jeopardy.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

Moraga Mayor Mendonca thanked everyone for their attendance and comments and allowing the Town of Moraga to host the Tri-City meeting.

VI. ADJOURNMENT

ACTION: It was M/S unanimously to adjourn the meeting at 9:07 P.M.

Respectfully submitted by:


Marty C. McInturf, Town Clerk

Approved by the Town Council:


Karen Mendonca, Mayor