

RESOLUTION NO. 2011-275

Adopted by the Sacramento City Council

May 17, 2011

AUTHORIZING THE CITY MANAGER TO SIGN AN MOU WITH SACOG, SACOG MEMBERS, SHRA, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, URBAN LAND INSTITUTE, VALLEY VISION, INC., THE MCKINLEY GROU G AND THE REGIONAL WATER AUTHORITY TO PARTICIPATE IN A REGIONAL CONSORTIUM FOR PURPOSES OF IMPLEMENTING THE HUD SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT.

BACKGROUND

- A. In August 2010, the City of Sacramento entered into a memorandum of understanding with SACOG, Sacramento County and Valley Vision, Inc. for the purpose of forming a consortium to apply for a United States Department of Housing and Urban Development ("HUD") sustainable Communities Regional Planning Grant.
- B. In October 2010, the consortium, identified as the Sacramento Regional Consortium (the "Consortium") was notified that it received one of 42 grant awards out of 244 applicants. The amount of the grant awarded to the Consortium is 1.5 million dollars.
- C. The HUD Notice of Funding Availability ("NOFA") requires that a formal consortium agreement be executed no later than 120 days after the effective date of the grant award. SACOG wishes to form a consortium to comply with the NOFA requirements to implement the Sustainable Communities Regional Planning Grant to support Transit Priority Area Action Plans, Natural Resources Planning Integration, and Federal-Local Relations Recommendations.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Manager is authorized to execute a Memorandum of Understanding in substantially the form as attached Exhibit A with SACOG, SACOG member agencies, the Sacramento Housing and Redevelopment Agency, the Regents of the University of California, Urban Land Institute, Valley Vision, Inc., the McKinley Group and the Regional Water Authority for the purposes of forming a consortium to implement the HUD Sustainable Communities Regional Grant. Attached as Exhibit B is a list of the SACOG member agencies. The consortium will create the region's first Sustainable Communities Strategy and Regional Sustainable Development Plan.
- Section 2. Exhibits A and B are part of this resolution.

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EXHIBIT A: Memorandum of Understanding with SACOG

EXHIBIT B: List of SACOG member agencies

Adopted by the City of Sacramento City Council on May 17, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, McCarty, Schenirer, Sheedy, and Mayor Johnson.

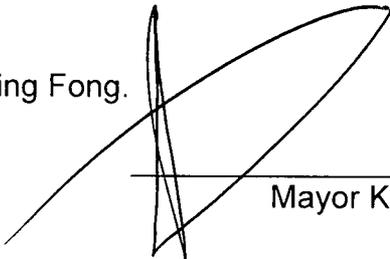
Noes: None.

Abstain: None.

Absent: Councilmembers Pannell and Robert King Fong.

Attest:


Shirley Concolino, City Clerk



Mayor Kevin Johnson

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
SACRAMENTO AREA COUNCIL OF GOVERNMENTS
CITY OF AUBURN
CITY OF CITRUS HEIGHTS
CITY OF COLFAX
CITY OF DAVIS
CITY OF ELK GROVE
CITY OF FOLSOM
CITY OF GALT
CITY OF ISLETON
CITY OF LINCOLN
CITY OF LIVE OAK
TOWN OF LOOMIS
CITY OF MARYSVILLE
CITY OF PLACERVILLE
CITY OF RANCHO CORDOVA
CITY OF ROCKLIN
CITY OF ROSEVILLE
CITY OF SACRAMENTO
CITY OF WEST SACRAMENTO
CITY OF WHEATLAND
CITY OF WINTERS
CITY OF WOODLAND
CITY OF YUBA CITY
COUNTY OF EL DORADO
COUNTY OF PLACER
COUNTY OF SACRAMENTO
COUNTY OF SUTTER
COUNTY OF YOLO
COUNTY OF YUBA
SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
URBAN LAND INSTITUTE
VALLEY VISION, INC.
THE MCKINLEY GROUP
REGIONAL WATER AUTHORITY**

**FOR THE PURPOSE OF CREATING A CONSORTIUM
TO DEVELOP A REGIONAL PLAN FOR SUSTAINABLE DEVELOPMENT**

This Memorandum of Understanding (“MOU”) is made effective _____, by and between the Sacramento Area Council of Governments, City of Auburn, City of Citrus Heights, City of Colfax, City of Davis, City of Elk Grove, City of Folsom, City of Galt, City of Isleton, City of Lincoln, City of Live Oak, Town of Loomis, City of Marysville, City of Placerville, City of Rancho Cordova, City of Rocklin, City of Roseville, City of Sacramento, City of West Sacramento, City of Wheatland, City of Winters, City of Woodland, City of Yuba City, County of El Dorado, County of Placer, County of Sacramento, County of Sutter, County of Yolo, County of Yuba, Sacramento Housing and Redevelopment Agency, The Regents of the University of California, Urban Land Institute, Valley

Vision, Inc., The McKinley Group, and Regional Water Authority, (collectively the “Parties” or “Consortium”).

WHEREAS, City of Auburn, City of Citrus Heights, City of Colfax, City of Davis, City of Elk Grove, City of Folsom, City of Galt, City of Isleton, City of Lincoln, City of Live Oak, Town of Loomis, City of Marysville, City of Placerville, City of Rancho Cordova, City of Rocklin, City of Roseville, City of Sacramento, City of West Sacramento, City of Wheatland, City of Winters, City of Woodland, City of Yuba City, County of El Dorado, County of Placer, County of Sacramento, County of Sutter, County of Yolo, and County of Yuba are members of SACOG and, through SACOG, have worked together with other local governments and their representatives since 1981 to discuss and study area wide problems of mutual interest and concern and facilitate the development of policies and action recommendations for the solution of such problems; and

WHEREAS, SACOG, as a council of governments and MPO, provides services on behalf of the six counties and 22 cities in the greater Sacramento region (referred to collectively as “Members” and individually as “Member”), and each local government Member appoints at least one representative of its elected council or board to make decisions as a SACOG Board member; and

WHEREAS, SACOG and Sacramento Housing and Redevelopment Agency, a joint powers agency, have worked closely to develop the application for the U.S. Housing and Urban Development’s Fiscal Year 2010 Sustainable Communities Regional Planning Grant (“HUD grant project”) and are specially trained and/or have the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, Valley Vision is a California non-profit corporation established for the public benefit and tax exempt pursuant to IRC Section 501(c)(3); and represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, Regional Water Authority is a joint powers authority; and represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, The Regents of the University of California, (“University” or “Contractor”) acting by and through its UC Davis campus Center for Regional Change, represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, the McKinley Group, a California Sole Proprietorship, represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, the Urban Land Institute is a 501(c)(3) nonprofit research and education organization and represents that it is specially trained and/or has the experience and expertise necessary to competently perform services related to the HUD grant project, and

WHEREAS, it is in the best interest of the Parties to coordinate housing, land use, economic and workforce development, transportation, and infrastructure investments in a manner that empowers jurisdictions to consider the interdependent challenges of: (1) economic competitiveness and revitalization; (2) social equity, inclusion, and access to opportunity; (3) energy use and climate change; and (4) public health and environmental impact; and

WHEREAS, SACOG has agreed to bring together other public, private and nonprofit entities in the region to expand the Metropolitan Transportation Plan into a Regional Plan for Sustainable Development (“RPSD”) that aligns with the Livability Principles articulated by the federal Partnership for Sustainable Communities, and then work with such entities in the implementation of the RPSD; and

WHEREAS, the Parties wish to engage in an active working relationship, recognizing local and regional needs for planning and implementation of sustainable communities principles.

NOW, THEREFORE, the Parties agree as follows:

1. The Parties hereby establish a Consortium for the purposes of the U.S. Department of Housing and Urban Development (“HUD”) Fiscal Year 2010 Sustainable Communities Regional Planning Grant Program (“Program”) and adopt the Consortium Responsibilities and Governance Structure set forth in Attachment “A,” attached hereto and incorporated herein. As detailed in Attachment “A,” SACOG shall act in the representative capacity with HUD on behalf of the Consortium and assume administrative responsibility for ensuring that the Consortium’s program is carried out in compliance with all HUD requirements.
2. The Parties agree to the following general principles:
 - a. The work performed under this MOU is for the benefit of all Members of SACOG and, by extension, the entire population of the greater Sacramento region;
 - b. The Parties will rely on SACOG’s advisory committees and community outreach and involvement activities articulated in its Public Participation Plan described in Attachment C, along with stakeholder involvement strategies guided by the Consortium and generally described in Section 5 below, to ensure that a wide range of input is given in the development of the Regional Plan for Sustainable Development (“RPSD”);
 - c. The Joint Powers Agreement for the Sacramento Area Council of Governments, effective July 2003, and the Rules for the Sacramento Area Council of Governments, effective July 2005, will serve as the governance structure for all financial and policy decisions of the Consortium, as further described in Section 5 of Attachment “A”;
 - d. The Parties shall settle any disputes among themselves pursuant to the Dispute Resolution provision set forth in Section 6 of Attachment “A”;
 - e. The Parties acknowledge local authority over land use and other issues and will involve SACOG Members throughout the RPSD process to ensure the work performed meets local needs for sustainable communities;
 - f. The Parties intend that this MOU shall not supersede the exercise of those powers within the exclusive jurisdiction of the City of Auburn, City of Citrus Heights, City of Colfax, City of Davis, City of Elk Grove, City of Folsom, City of Galt, City of Isleton, City of Lincoln, City of Live Oak, Town of Loomis, City of Marysville, City of Placerville, City of Rancho Cordova, City of Rocklin, City of Roseville, City of Sacramento, City of West Sacramento, City of Wheatland, City of Winters, City of Woodland, City of Yuba City, County of El Dorado, County of Placer, County of Sacramento, County of Sutter, County of Yolo, County of Yuba, which shall continue to be subject to their governance.
 - g. SACOG and the Sacramento Housing and Redevelopment Agency, will work within the Consortium as members of a steering committee to facilitate collaboration between regional public housing authorities, jurisdictions, and the broader housing community to conduct the analysis of impediments to fair housing and most of the work elements needed to complete the Enhanced Regional Housing Plan with full details of their work shown in Attachment B.
 - h. SACOG and the Regional Water Authority will work within the Consortium as members of a steering committee to facilitate participation from water purveyors, the sanitation districts, electric utilities, as well as city and county jurisdictions in support of assessing adequate infrastructure and investment for high levels of service to all parties in Transit Priority Areas (TPAs) to encourage private and public investment in the RPSD with full details of their work shown in Attachment B.
 - i. SACOG and the University of California Davis campus Center for Regional Change will work within the Consortium as members of a steering committee to provide guidance, analysis and recommendations for social equity performance measures, appropriate material development, and assistance in the development of public workshops that are meaningful, engaging, and inclusive of the hardest to reach populations with full details of their work shown in Attachment B.
 - j. SACOG and the Urban Land Institute will work within the Consortium as members of a steering committee to ensure broad representation and active engagement of stakeholders with the highest level of education around critical issues related to healthy communities from both the private

development and public community perspectives. They will also publish the results of the TPA screening process and TPA Action Plan Development as a case study with full details of their work shown in Attachment B.

- k. SACOG and Valley Vision will work within the Consortium as members of a steering committee to regularly update the public and other interested entities about the work of the Consortium and its progress in developing and implementing an RPSD through various communications channels with full details of their work shown in Attachment B. SACOG shall take the lead role in regularly updating the public on the work of the Consortium.
 - l. SACOG and the McKinley Group will work within the Consortium as members of a steering committee to obtain final approval for the Six County Aquatic Resources Database, facilitate discussions on the Sustainable Communities Strategies (SCS)/Metropolitan Transportation Plan (MTP) environmental review with the Federal and State regulatory agencies, and help with the development of mitigation measures for the MTP Environmental Impact Report (EIR) with full details of their work shown in Attachment B.
3. The Parties agree that the purpose of this MOU is to continue and expand cooperation among the Parties, as well as among: (a) All SACOG Members; (b) The Federal Government, its agencies or departments, or entities established by the Federal Government, in particular members of the Interagency Partnership for Sustainable Communities and the Partnership itself; (c) The State of California, its agencies or departments, or entities established by the State; (d) Metropolitan planning organizations, councils of governments, rural planning organizations, or local or regional transportation agencies, either working in the region or within the State of California; (e) Public housing agencies; (f) Special districts; (g) Unified school districts; (h) Indian tribes; (i) Nonprofit organizations, foundations, and educational institutions; and (j) Other public authorities, districts, business leadership groups, or regional governmental organizations working to further the sustainability of the greater Sacramento region.
 4. The Parties will seek formal and informal agreements with the entities described in Section 3 above to gather public input and enhance the work on the RPSD, building on SACOG's integration of input from SACOG's Members, the Consortium and public into the RPSD.
 5. The Parties shall, to the extent practicable, recruit and work with a broad cross-section of public, nonprofit, educational, and private sector entities and individuals in the region through four working groups: Economic Development; Social Equity, Housing and Health; Natural Resources; and Infrastructure.
 6. Each Party shall provide leadership and support for the development and implementation of the RPSD within their respective communities and across jurisdictional boundaries. This may include, but shall not be limited to, encouraging public awareness and public involvement in the planning process, informing SACOG of conflicting regulatory schedules and requirements that increase planning and development costs for member jurisdictions, providing comment on the RPSD recommendations that could lead to legislative proposals for more efficient regulatory processes, and using the recommendations in the RPSD to improve planning processes.
 7. This MOU is intended to facilitate further agreements between the Parties, each of which is expected to be more specific as development of the RPSD progresses and becomes more focused.
 8. This MOU acknowledges that HUD's new Preferred Sustainability Status will provide additional points on grant applications to HUD through the process outlined in Attachment A.
 9. Any notice under this MOU shall be in writing and either personally delivered or sent by First Class U.S. Mail, postage pre-paid, addressed as follows:

SACOG:
Mike McKeever
Chief Executive Officer

Sacramento Area Council of Governments
1415 L Street, Suite 300
Sacramento, CA 95814

10. The persons signing on behalf of the Parties to this MOU each warrant they have the legal authority to execute this MOU.
11. This MOU may be signed in one or more counterparts, each of which will constitute an original and all of which taken together shall constitute one and the same instrument.

**MEMORANDUM OF UNDERSTANDING
FOR THE PURPOSE OF CREATING A CONSORTIUM
TO DEVELOP A REGIONAL PLAN FOR SUSTAINABLE DEVELOPMENT**

Mike McKeever, Chief Executive Officer
SACOG

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Robert Richardson, City Manager
City of Auburn

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Henry Tingle, City Manager
City of Citrus Heights

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Bruce Kranz, City Manager
City of Colfax

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Paul Navazio, Interim City Manager
City of Davis

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Laura Gill, City Manager
City of Elk Grove

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Kerry Miller, City Manager
City of Folsom

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Jason Behrmann, City Manager
City of Galt

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Bruce Pope, City Manager
City of Isleton

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Jim Estep, City Manager
City of Lincoln

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Jim Goodwin, City Manager
City of Live Oak

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Perry Beck, Town Manager
Town of Loomis

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Steve Casey, City Manager
City of Marysville

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M. Cleve Morris, City Manager
City of Placerville

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Ted Gaebler, City Manager
City of Rancho Cordova

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Ricky A. Horst, City Manager
City of Rocklin

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Ray Kerridge, City Manager
City of Roseville

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Bill Edgar, Interim City Manager
City of Sacramento

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Toby Ross, City Manager
City of West Sacramento

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Stephen L. Wright, City Manager
City of Wheatland

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John W. Donlevy, City Manager
City of Winters

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Mark Deven, City Manager
City of Woodland

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Steven R. Jepsen, City Manager
City of Yuba City

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Terri Daly, Chief Administrative Officer
County of El Dorado

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Thomas M. Miller, County Executive
County of Placer

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Steven C. Szalay, Interim County Executive
County of Sacramento

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Stephanie Larsen, County Administrator
County of Sutter

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Patrick S. Blacklock, County Administrator
County of Yolo

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Robert Bendorf, County Administrator
County of Yuba

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LaShelle Dozier, Executive Director
Sacramento Housing & Redevelopment Agency

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John Woodling, Executive Director
Regional Water Authority

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Kathleen P. Nolan, J.D., Associate Director
Sponsored Programs, University of California

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Patrick Phillips, CEO
Urban Land Institute

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Bill Mueller, CEO
Valley Vision

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Stacey McKinley, Principal
The McKinley Group

Exhibit B

SACOG Member Agencies

CITY OF AUBURN
CITY OF CITRUS HEIGHTS
CITY OF COLFAX
CITY OF DAVIS
CITY OF ELK GROVE
CITY OF FOLSOM
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