



# Mission Peak Lease Agreement

*November 15, 2022*

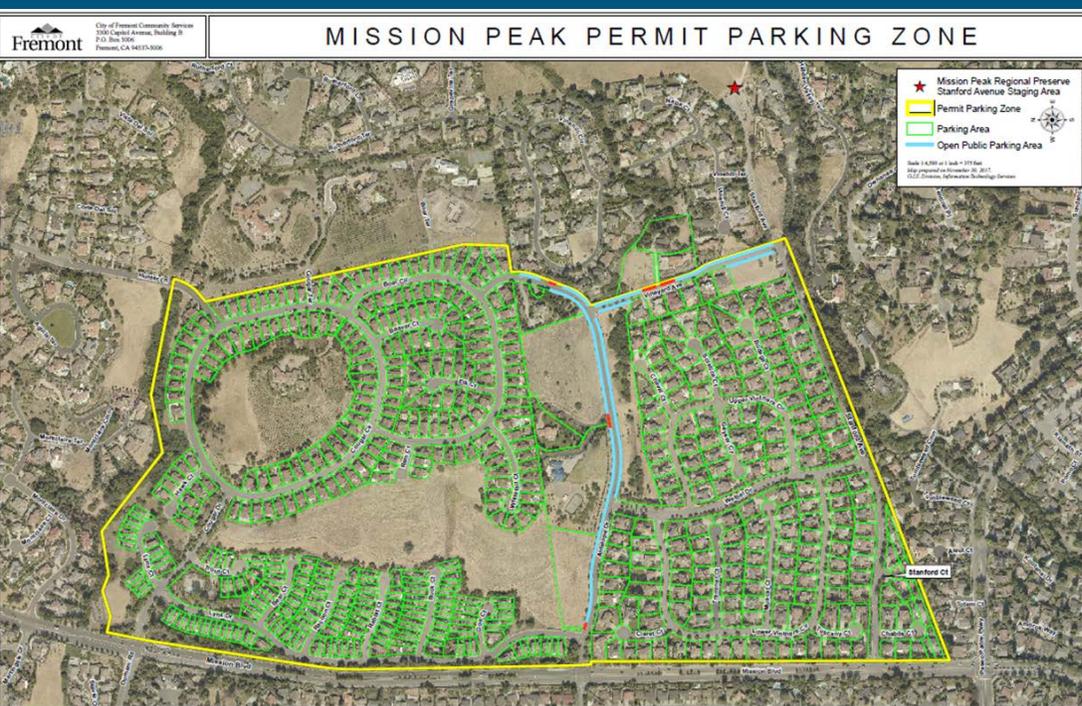
**City Council Presentation**





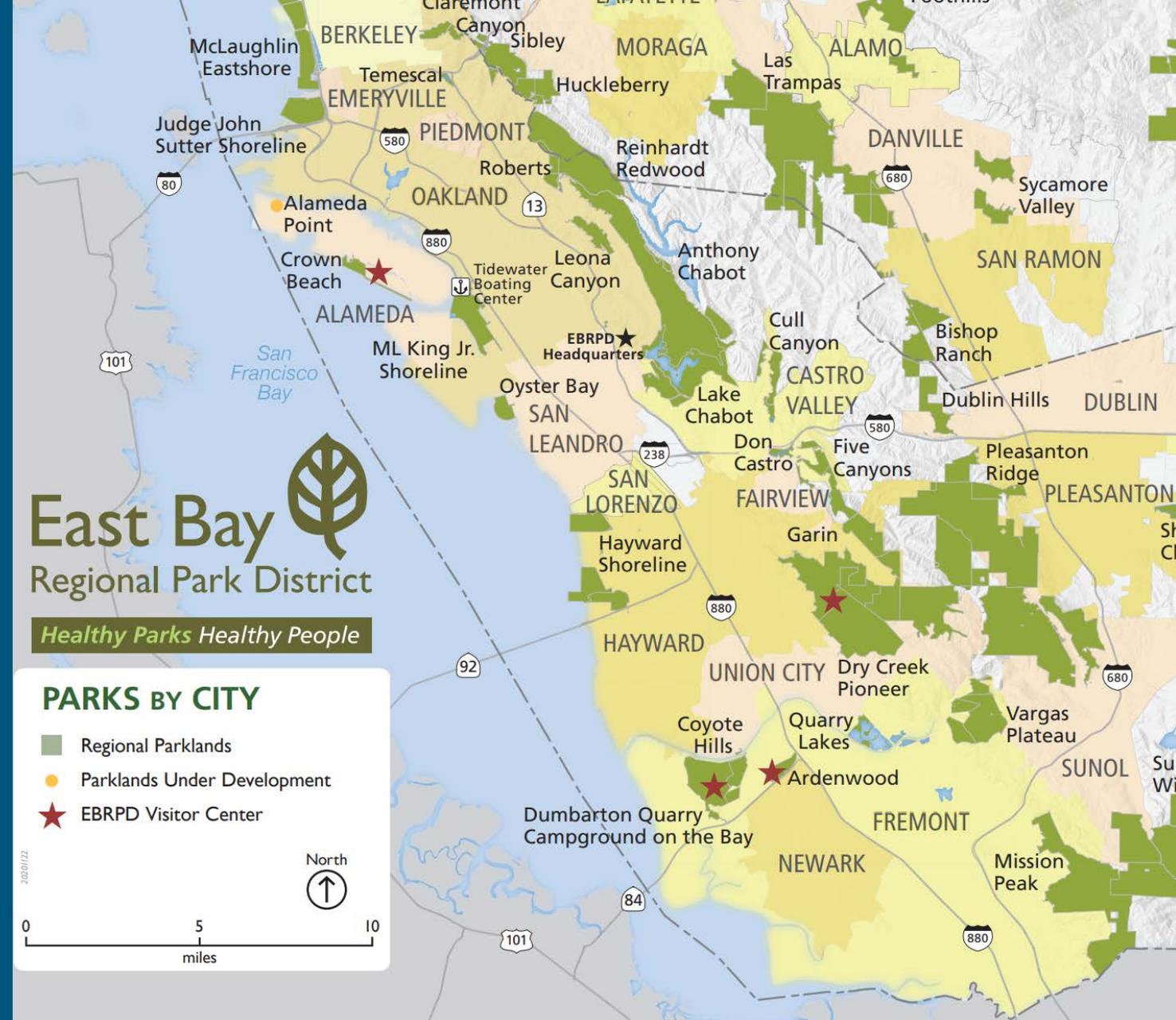
# Current Status

- 900 acres of Open Space Conservation Area leased to EBRPD to operate and maintain;
- The current lease agreement expired July 2020 and is currently month to month;
- The City and EBRPD both continue to promote Ohlone College as the main trail access point and parking lot;
- On May 17, 2016, the City Council created the Mission Peak Permit Parking Program.
- On May 19, 2020, the City Council adopted a three-year program extension that will expire on July 7, 2023. The Police Department plans to recommend a continuation of the program at a future City Council meeting.



# Seven (7) Regional Parks in Fremont operated by EBRPD

1. Alameda Creek Trail
2. Ardenwood
3. Coyote Hills
4. Dumbarton Quarry Campground
5. Quarry Lakes
6. Vargas Plateau
7. Mission Peak
  - Ohlone College Entrance
  - Stanford Staging Area

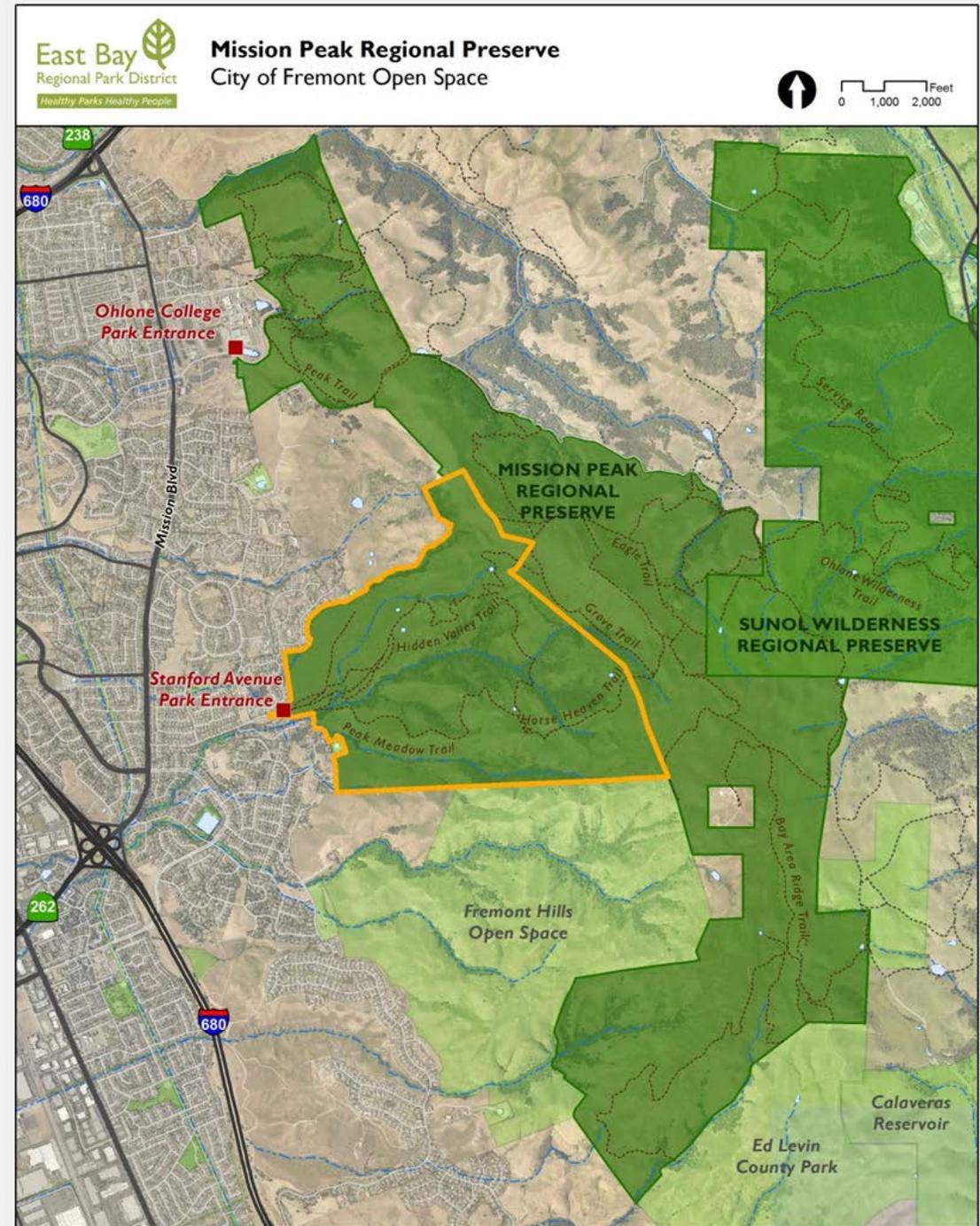


## Ohlone College Entrance

- 900 spaces
- Parking Fee \$4
- **Hours:** 6:00 am – 11:00 pm

## Stanford Avenue Entrance

- 43 spaces at Staging Area parking lot
- 150 street spaces
- **Winter Hours:** 6:30 am – 8:00 pm
- **Spring, Summer & Fall Hours:** 6:30 am – 9:00 pm



## Staging Area

- All requested improvements must be approved or denied by the City with approval dates extended to 60 days for small projects and 120 days for improvements that require permits.
- Added that City may select to host a community meeting before determining whether to proceed or not with a capital project that requires a permit issued by the City.
- Ohlone identified as the primary parking and entrance. Both agencies will continue to promote (market, website, social media, maps, signage other documents) the main trail access point and parking lot as Ohlone College.
- Neither agency supports charging fees at the Stanford Staging parking lot at this time, so that the neighborhood will have fewer parking impacts.

# Overview of REVISED Proposed Lease Agreement



## Operational Oversight

- EBRPD sets hours and has operational control.
- EBRPD will notify City of any changes to operating hours 30 days prior; City to hold community meeting in Fremont; community comment at EBRPD Committee meeting.
- Specified hours as listed in the agreement will be posted at the entrance to the Stanford Staging Area on a permanent sign.
- Updated EBRPD's Grazing Management lease.

# Overview of REVISED Proposed Lease Agreement



Park curfew 9:00 pm to 6:30 am strictly enforced. Subject to \$300 fine.



## Police and Fire

- EBRPD provides police and fire protection at the same level as other EBRPD parks.
- The area leased by the City is to be maintained and operated in a similar nature to all the other regional parks operated within the by EBRPD.
- EBRPD provides patrol of leased area, including the parking lot (43 spaces), City provides patrol of neighborhood permit parking area (approximately 150 spaces).
- Agreed upon road closure language if the City exercises its police powers and closes street for more than 24 hours.

# Overview of REVISED Proposed Lease Agreement



## Lease

- Can be terminated within 90 days of a breach or within 30 days of written notice by either party.
- Indemnity language, non-discrimination language, and insurance language are updated.
- Twenty (20) years, through January 1, 2043, with an option to renew for an additional 20 years. This is a partnership lease agreement with a cooperation paragraph added.
- Side Letter has been received and represents no construction of an additional parking lot of 300 spaces as allowed in EIR during the term of the lease.

# Overview of REVISED Proposed Lease Agreement



1. Authorize the City Manager to execute a lease agreement with EBRPD to include 900 acres at Stanford Staging Area and the larger Mission Peak Area for the purpose of public park, recreation, and open space.
2. Find that continuation of the lease of 900 acres at Mission Peak to EBRPD would be exempt from the requirements of CEQA, as stated in the Council report.

# Staff Recommendations



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