

City of Piedmont
COUNCIL AGENDA REPORT

DATE: December 15, 2025

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Consideration of a Memorandum of Agreement between the City of Piedmont and the City of Oakland Related to 30 Blair Place Regarding Jurisdiction for Planning and Building Purposes

RECOMMENDATION

Approve the attached Memorandum of Agreement between the City of Piedmont and the City of Oakland related to the property at 30 Blair Place and authorize the City Administrator to execute the agreement assigning approval authority to Piedmont for land use approvals for structures located on property in both Piedmont and Oakland.

EXECUTIVE SUMMARY

The owner of the residence at 30 Blair Place is interested in renovating and expanding the existing single-family residence and making several associated landscape and hardscape modifications. The goal of the attached Memorandum of Agreement (MOA) is to establish the jurisdictional relationship between the cities of Piedmont and Oakland for planning and permitting purposes for 30 Blair Place.

BACKGROUND

Dual-Jurisdiction Properties

When the City incorporated in 1907, the City boundaries were determined by using an existing sewer district map, which did not follow the boundaries of the underlying properties. The result is that more than 100 properties around the perimeter of the City are dual-jurisdiction properties: they are partly in Piedmont and partly in Oakland and pay taxes to both cities. Over the years, this has created difficulties in determining how municipal services (schools, public safety, trash service, etc.) are provided and how the properties are regulated for planning and building purposes. To address the need for a clear determination of which city would provide first responder services, the City of Piedmont and the City of Oakland created a list (known as the “911 List”) in the mid-1970s that divided the properties by jurisdiction, generally using frontage and access as the

primary determining factors. Except for school eligibility¹, a number of other municipal services, such as trash and recycling service, generally follow the 911 List.

For planning and building permits, the jurisdiction that issues approvals and permits is generally the jurisdiction in which a structure is located. In instances where a structure is located in both jurisdictions, both cities may legally exercise jurisdiction, and the decision over whether to exercise such jurisdiction has typically been made on a case-by-case basis, often determined by how much of the existing structure is in which city, where the majority of the work is proposed, and from which city the property receives 911 services. In those instances, Piedmont staff typically communicates with the City of Oakland to determine if it is beneficial for one city to cede jurisdiction to another, based on permit history, the receipt of services, and other relevant factors. This is obviously time-consuming and can be frustrating to applicants and staff, but unless undertaken, both cities would retain jurisdiction over a project, requiring applicants to seek approvals from both local governments.

30 Blair Place

As seen in the attached area map of Blair Avenue, Blair Place, and Harbord Drive (Attachment A, agenda report page 4), some of the properties in the vicinity are in Piedmont and some in Oakland. Most properties on Blair Avenue and Blair Place are entirely in Piedmont, but the city line crosses the 30 Blair Place property. For tax purposes, the property at 30 Blair Place Avenue is assessed all of the City of Piedmont special taxes, including the sewer and paramedic taxes. The Alameda County Tax Assessor has split the property on their Assessor Parcel Map for tax purposes at the city limit line, but the property at 30 Blair Place remains a single, developable lot.

The City of Piedmont has several records of building permits issued by the City of Piedmont for construction and repairs at 30 Blair Place and a previous MOA with Oakland was approved by the City Council in 2019, but this project was never constructed. Because the existing property has historically been considered to be a "Piedmont property," with prior building permits issued by Piedmont and inclusion on the 911 List as a Piedmont property, the Planning agencies of both Piedmont and Oakland agree that the renovations and expansions should be constructed under Piedmont planning and building permit authority. On December 2, 2025, the City of Oakland signed the MOA (Attachment B) ceding jurisdiction to Piedmont.

Memorandum of Agreement

The attached Memorandum of Agreement (MOA) establishes Piedmont as the approval authority for planning and building permits for the proposed renovation and expansion project. Piedmont will continue to provide 911 services to the residence and may assess fees for planning permits, building permits and sewer connections, etc. The property will remain a dual-jurisdiction property, and any future projects would be required to comply with the laws of both jurisdictions, as both cities retain jurisdiction for the enforcement of their own laws. Both cities mutually agree to indemnify and hold harmless the other city regarding approvals of a proposed project. Similar agreements have been adopted by the Piedmont City Council for other dual jurisdictional projects,

¹ The Piedmont Unified School District has separate and distinct criteria for determining eligibility for school services

with the most recent approved by the Council on September 2, 2025, for a dual jurisdiction property at 571 Crofton Avenue.

ENVIRONMENTAL REVIEW

The MOA is exempt from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the approval of the MOA would have a significant adverse effect on the environment (Public Resources Code section 21065; CEQA Guidelines, 14 Cal. Code of Regs. Sections 15061(b)(3)), and the MOA is not a project as the MOA modifies organizational or administrative activities that will not result in a direct or indirect physical changes to the environment (Public Resources Code section 21065; CEQA Guidelines, 14 Cal. Code of Regs. Sections 15061(b)(3)).

FISCAL IMPACT

The proposed MOA does not modify the property tax assessment for 30 Blair Place. Planning and building permit application fees will be collected to cover the cost of staff review in the Planning & Building Department.

NEXT STEPS

Pursuant to standard City of Piedmont procedures, the Piedmont City Council shall adopt a resolution authorizing the City Administrator to execute the agreement. Upon approval of the MOA by both cities, the City of Piedmont shall proceed with processing the applications for approval of permits for the renovation and expansion and other work at 30 Blair Place under Piedmont's planning and building code.

REVIEW BY CITY ATTORNEY

This report and the attached agreement have been reviewed and approved by the City Attorney.

By: Pierce Macdonald, Senior Planner

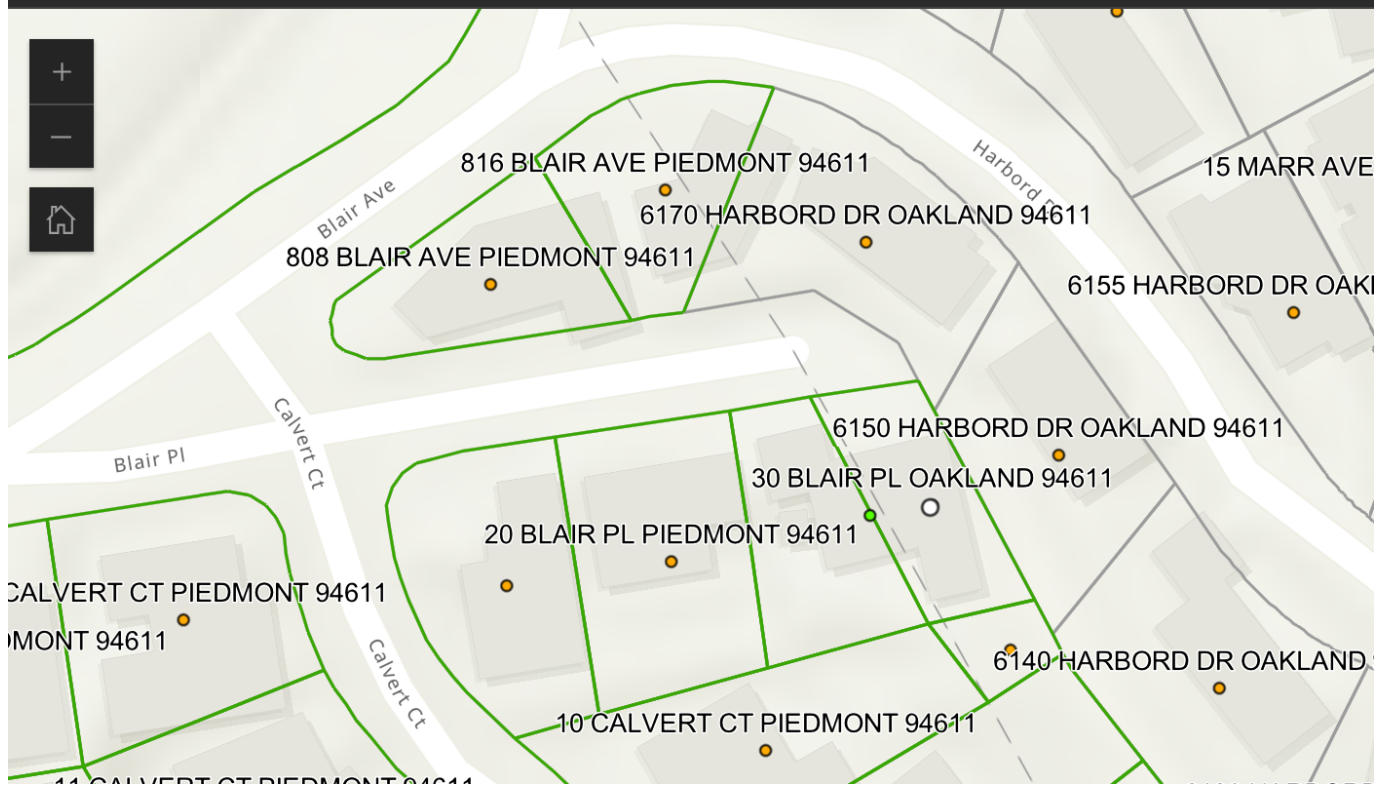
ATTACHMENTS:

Attachment A Page 4 Area Map Blair Place Vicinity Properties

Attachment B Pages 5 - 16 Project Plans for 30 Blair Place

Attachment C Pages 17 - 23 Memorandum of Agreement

Public Notification App



EXISTING SITE PHOTOGRAPHS



IMAGE 1



IMAGE 2



IMAGE 3



IMAGE 4



IMAGE 5



IMAGE 6



IMAGE 7



IMAGE 8



IMAGE 9

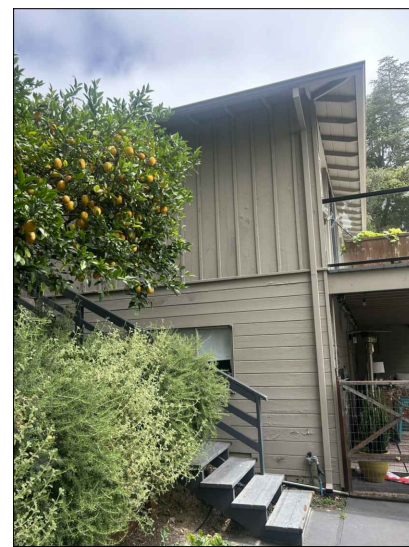
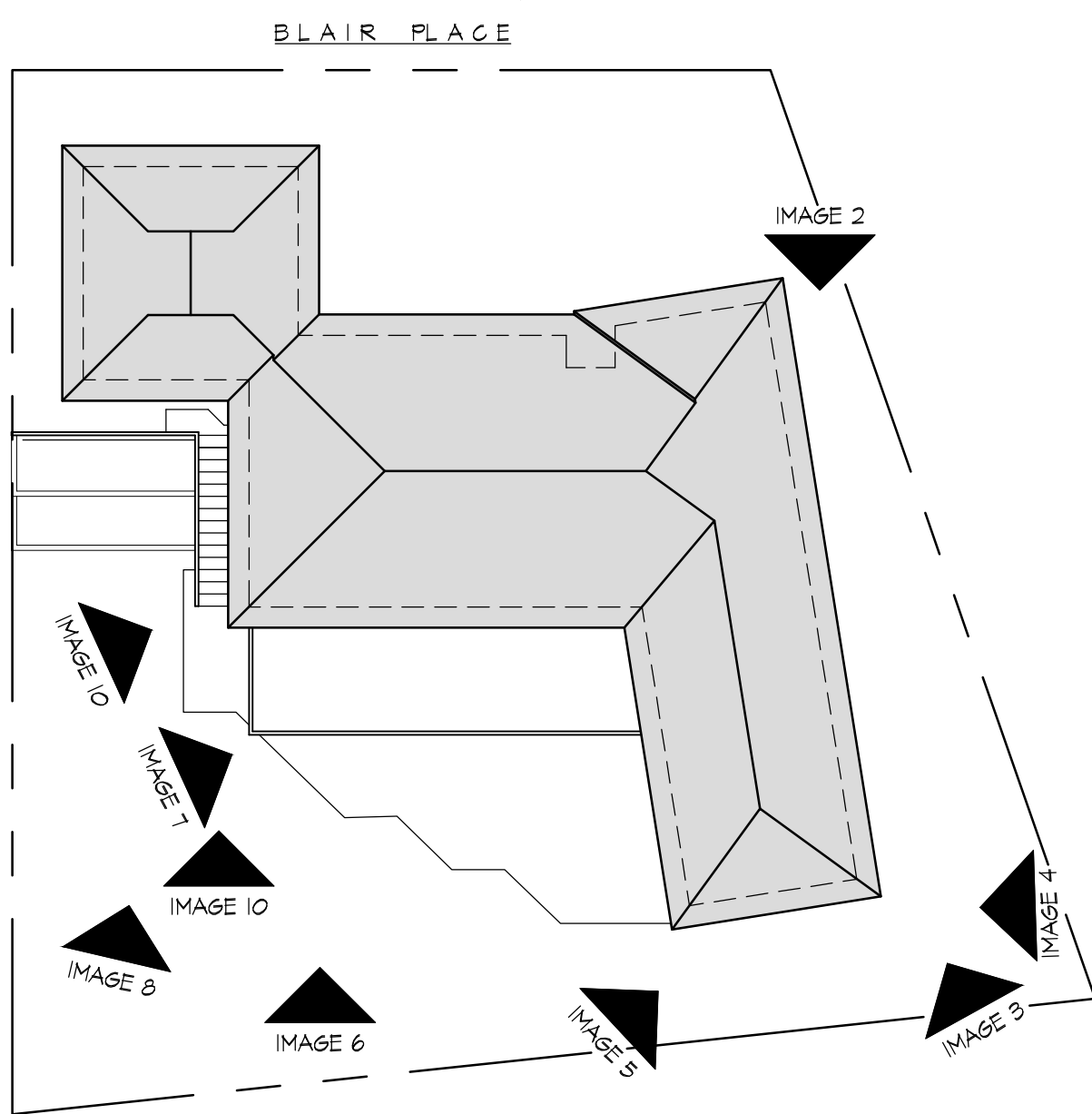


IMAGE 10



PROJECT INFORMATION

ASSESSORS PARCEL NUMBER: 51-4710-13			
ZONE:	A		
OCCUPANCY GROUP:	R-3	CONSTRUCTION TYPE:	V-B
AUTOMATIC RESIDENTIAL SPRINKLER:	NONE AT EXISTING BUILDING		
	EXISTING	PROPOSED	PERMITTED/REQUIRED
NUMBER OF DWELLING UNITS:	1	NO CHANGE	
NUMBER OF PARKING SPACES:	2	NO CHANGE	2 MINIMUM
NUMBER OF BEDROOMS:	4	NO CHANGE	
YARD SETBACK			
FRONT YARD (NORTH):	22'-2 1/2"	NO CHANGE	20'-0"
RIGHT SIDE YARD (EAST):	7'-6 1/2"	7'-3"	5'-0"
LEFT SIDE YARD (WEST):	13'-1"	NO CHANGE	5'-0"
REAR YARD (SOUTH):	22'-11"	NO CHANGE	5'-0"
AREAS			
LOT AREA:	8,415 SQ.FT.	NO CHANGE	
GROSS FLOOR AREA:			
MAIN LEVEL	1,799 SQ.FT.	+78 SQ.FT.	
LOWER LEVEL	650 SQ.FT.	+473 SQ.FT.	
TOTAL	2,449 SQ.FT.	3,000 SQ.FT. (+551 SQ.FT.)	
STRUCTURAL COVERAGE:	33%	34%	40% MAXIMUM
LANDSCAPE AREA:	55%	54%	30% MINIMUM

SHEET INDEX

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A3.5	PROPOSED BUILDING SECTIONS	

PROJECT DIRECTORY

CLIENT/ OWNER	ARCHITECT
CHRISTOPHER AND JUNE GROBOSKE 30 BLAIR PLACE PIEDMONT, CA 94611 v. 916.838.2105 e. CGROBOSKE@GMAIL.COM	JACK BACKUS ARCHITECTS 1057 HUBERT ROAD OAKLAND, CA 94610 v. 510.393.9699 e. JACK@JBACKUSARCHITECTS.COM
CONTACT: CHRISTOPHER GROBOSKE	CONTACT: JACK BACKUS

PROJECT SCOPE

RENOVATION/ ADDITION TO A TWO STORIES SINGLE FAMILY HOME.

MAIN LEVEL: RENOVATION/ ENLARGEMENT OF 1 BEDROOMS AND 2 BATHROOMS. REPLACING EXISTING WOOD DECK WITH NEW STONE PAVERS DECK. NEW WINDOWS. 78 SQ.FT. OF NEW HABITABLE SPACE TO BE ADDED.

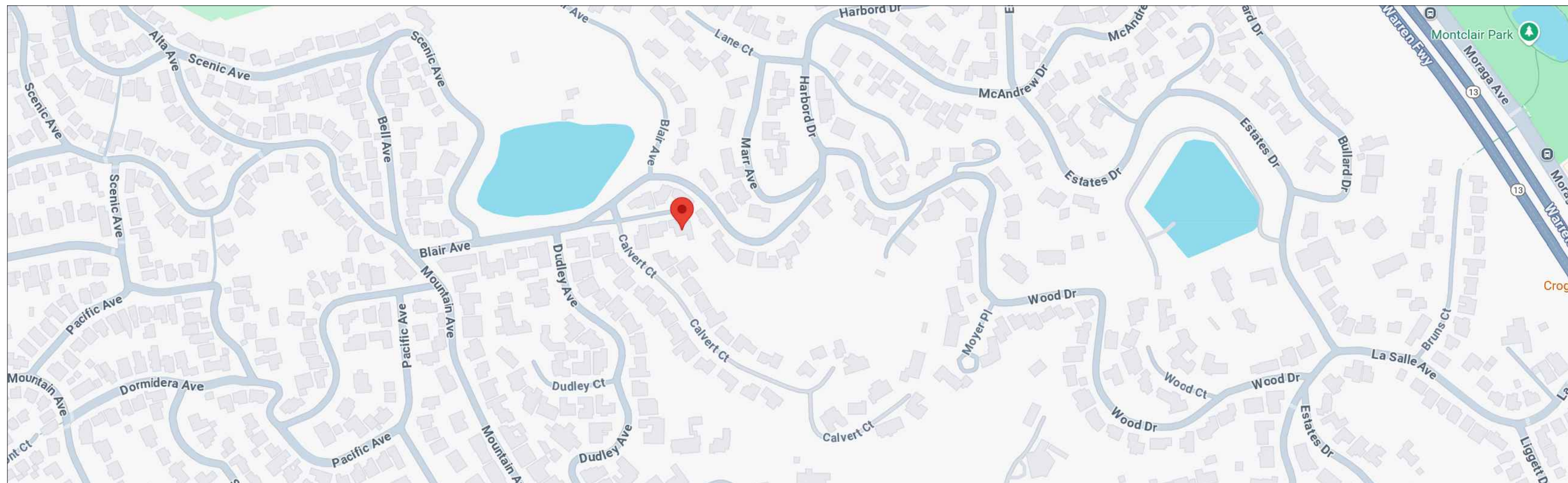
LOWER LEVEL: RENOVATE THE STAIRS CONNECTING THE MAIN AND LOWER LEVEL. CONVERT AN EXISTING BATHROOM TO A POWER ROOM. ADDING A NEW BATHROOM AND NEW BAR AREA. NEW WINDOWS AND DOORS. 473 SQ.FT. OF NEW HABITABLE SPACE TO BE ADDED.

CODE COMPLIANCE NOTES

ALL CONSTRUCTION, REGARDLESS OF DETAILS ON PLANS, SHALL COMPLY WITH 2022 CALIFORNIA BUILDING CODE, 2022 CALIFORNIA RESIDENTIAL CODE, 2022 CALIFORNIA PLUMBING CODE, 2022 CALIFORNIA MECHANICAL CODE, 2022 CALIFORNIA ELECTRICAL CODE, 2022 CALIFORNIA BUILDING ENERGY STANDARDS, 2022 CALIFORNIA GREEN AND MUNICIPAL CODE OF BERKELEY.

SEWER LATERAL CERTIFICATE WILL BE A DEFERRED PERMIT

VICINITY MAP



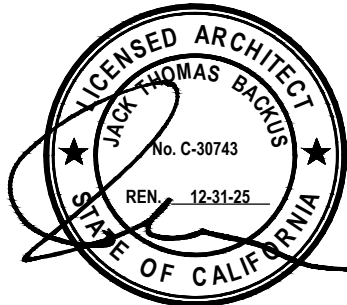
30 BLAIR
PLACE

ADDITION

30 Blair Place
Piedmont, CA 94611
APN: 51-4710-13

JACK BACKUS
ARCHITECTS

1057 Hubert Road
Oakland, CA 94610
ph. 510.393.9699



ISSUES AND REVISIONS

NO.	DATE	DESCRIPTION
1.	08.15.2025	OAKLAND PRE-APPLICATION SET

SHEET TITLE

PROJECT INFORMATION

SCALE

SHEET NUMBER

A0.1

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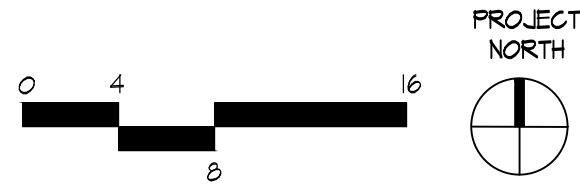
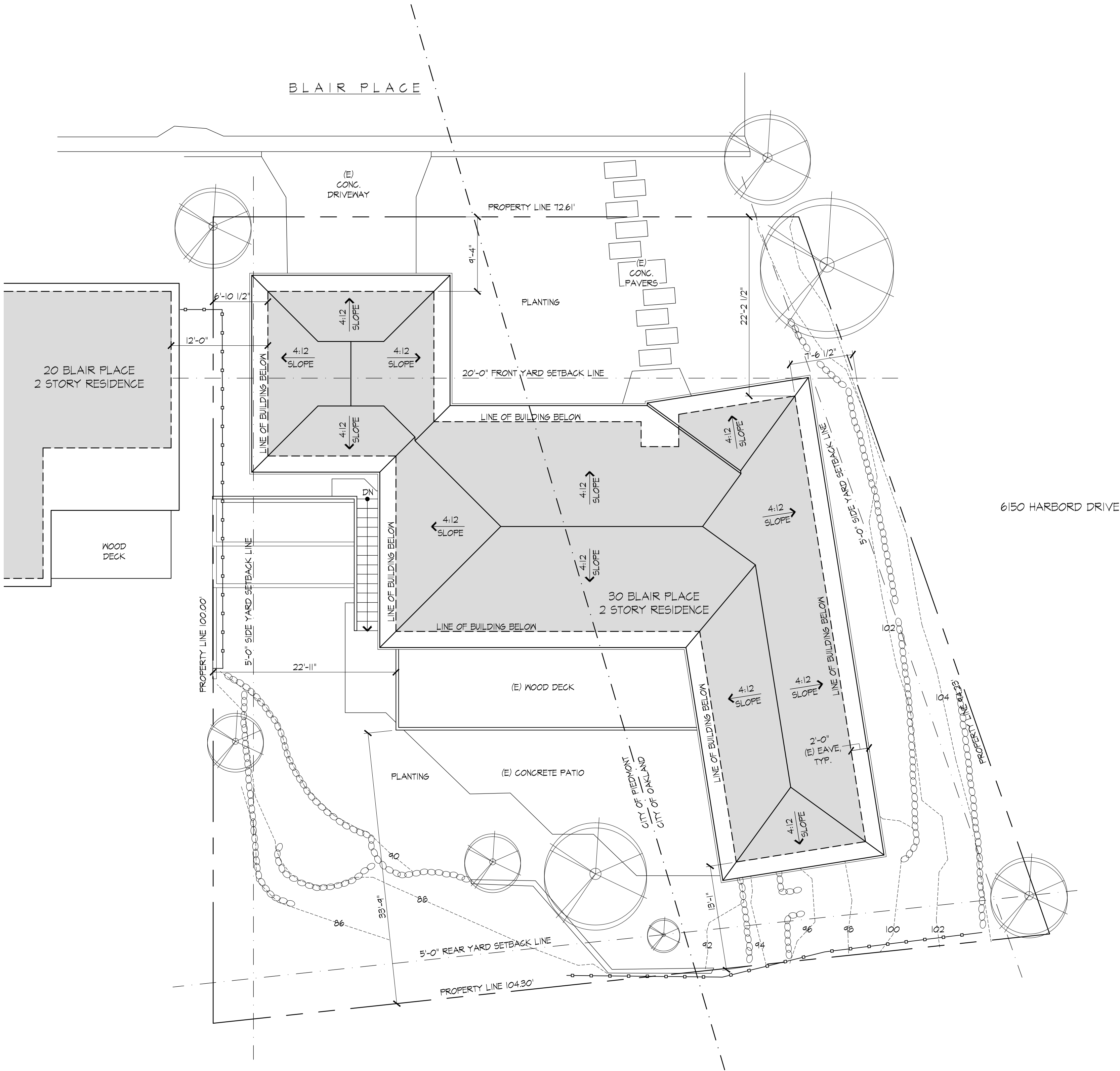
EXISTING SITE PLAN

SCALE

1/8" = 1'-0"

SHEET NUMBER

A1.1

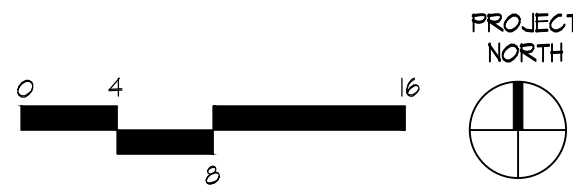
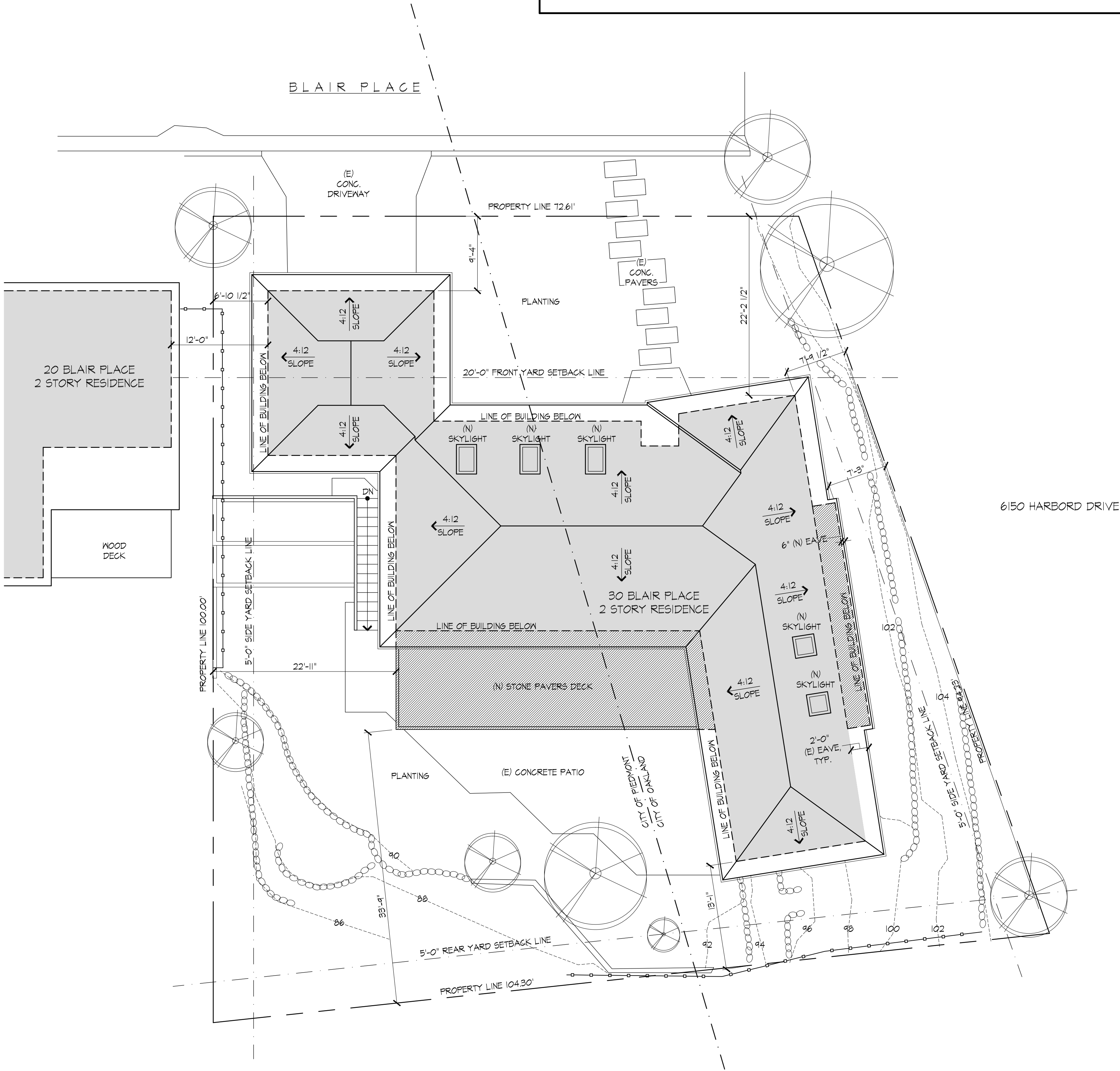


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LOWER LEVEL: RENOVATE THE STAIRS CONNECTING THE MAIN AND LOWER LEVEL. CONVERT AN EXISTING BATHROOM TO A POWER ROOM, ADDING A NEW BATHROOM AND NEW BAR AREA. NEW WINDOWS AND DOORS. 473 SQ.FT. OF NEW HABITABLE SPACE TO BE ADDED.



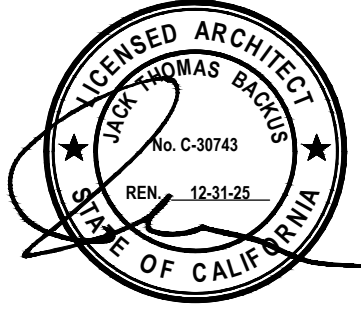
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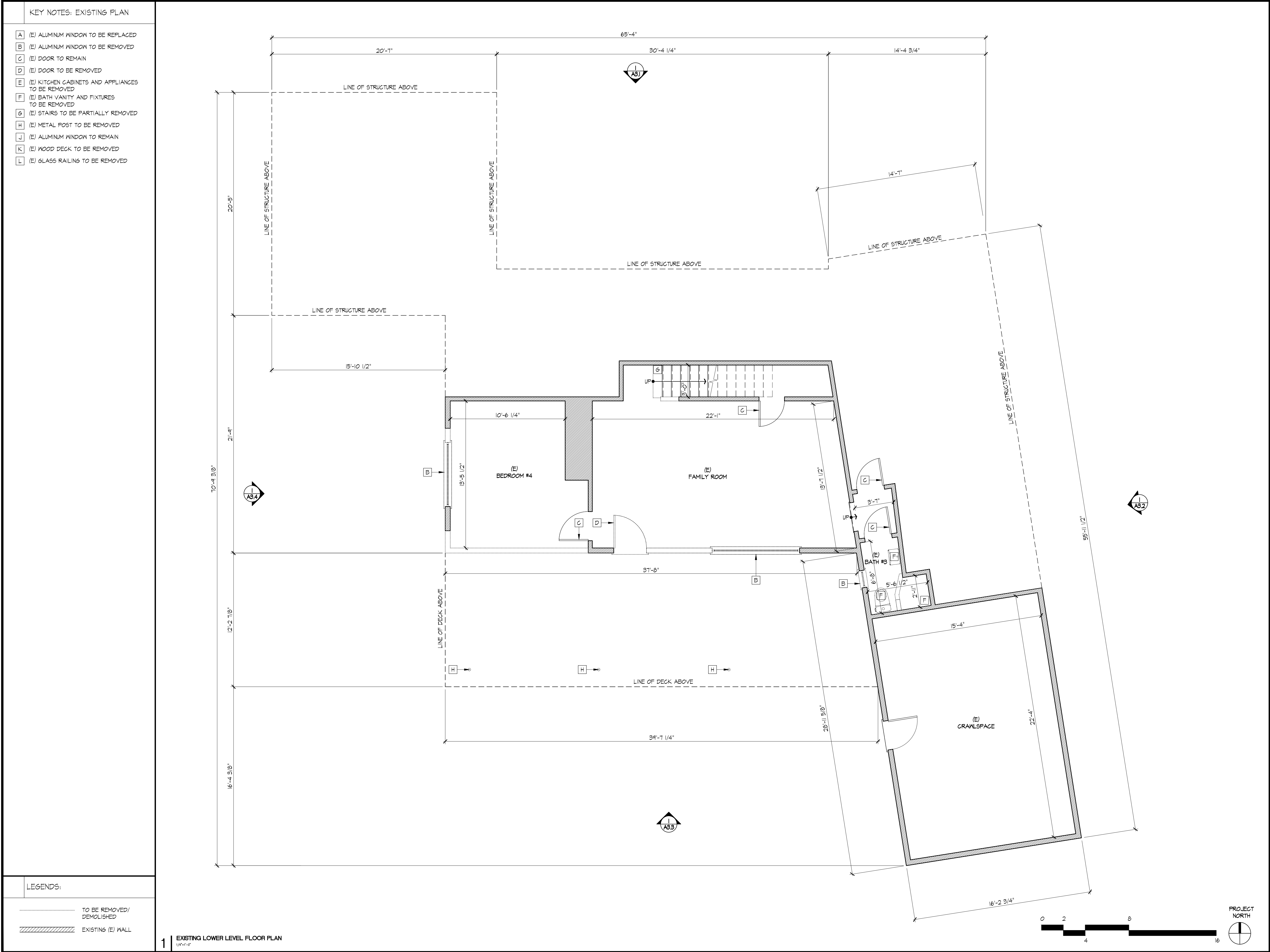
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NO.	DATE	DESCRIPTION
1.	08.15.2025	OAKLAND PRE-APPLICATION SET
2.	09.24.2025	OAKLAND PRE-APPLICATION REVISIONS

SHEET TITLE
PROPOSED SITE PLAN

SCALE
1/8" = 1'-0"

SHEET NUMBER

A1.1A



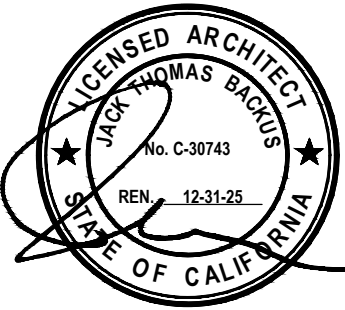
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SHEET TITLE
EXISTING LOWER LEVEL
FLOOR PLAN

SCALE
1/4" = 1'-0"

SHEET NUMBER

A2.1

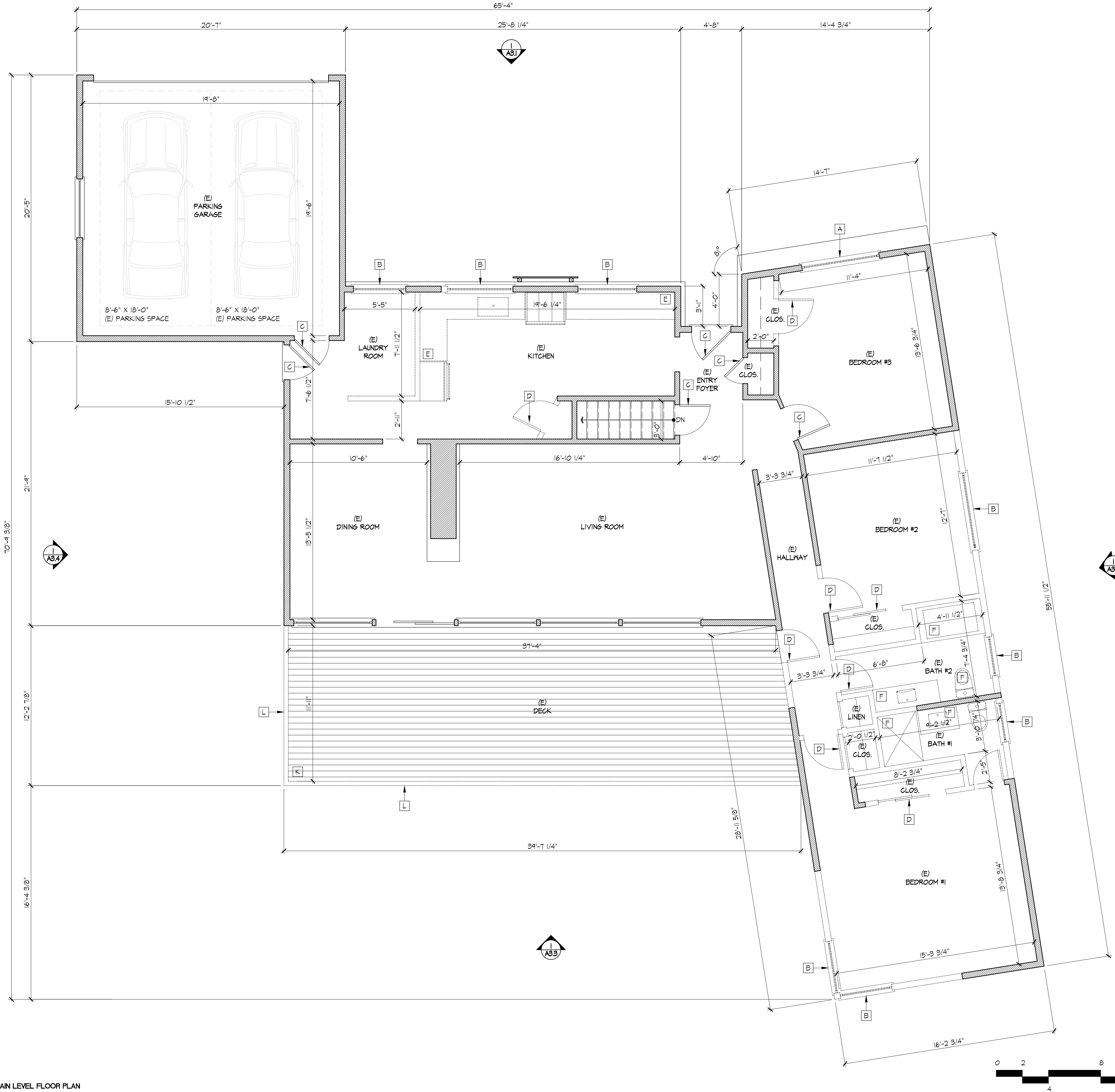
A2.1A

KEY NOTES: EXISTING PLAN

- (A) (E) ALUMINUM WINDOW TO BE REPLACED
- (B) (E) ALUMINUM WINDOW TO BE REMOVED
- (C) (E) DOOR TO REMAIN
- (D) (E) DOOR TO BE REMOVED
- (E) (E) KITCHEN CABINETS AND APPLIANCES TO BE REMOVED
- (F) (E) BATH VANITY AND FIXTURES TO BE REMOVED
- (G) (E) STAIRS TO BE PARTIALLY REMOVED
- (H) (E) METAL POST TO BE REMOVED
- (J) (E) ALUMINUM WINDOW TO REMAIN
- (K) (E) WOOD DECK TO BE REMOVED
- (L) (E) GLASS RAILING TO BE REMOVED

LEGENDS:

- TO BE REMOVED/DEMOLISHED
- EXISTING (E) WALL



1 | EXISTING MAIN LEVEL FLOOR PLAN

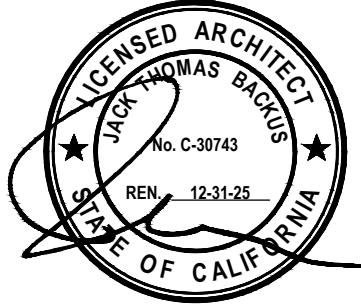
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SHEET TITLE
EXISTING MAIN LEVEL
FLOOR PLAN

SCALE
1/4" = 1'-0"

SHEET NUMBER

A2.2

KEY NOTES: PROPOSED PLAN

1

(N) WOOD GLAD WINDOW TO MATCH EXISTING

2

(N) WOOD WOOD GLAD DOOR. THE LANDING OR FLOOR ON THE EXTERIOR SIDE SHALL NOT BE MORE THAN 1 3/4" BELOW THE TOP OF THE THRESHOLD PROVIDED

3

(N) INTERIOR WOOD DOOR TO MATCH EXISTING

4

(N) KITCHEN CABINETS AND APPLIANCES

5

(N) BATHROOM VANITY AND FIXTURES

6

(N) SHOWER CURB. SEE DETAIL BELOW

7

(N) SKYLIGHT ABOVE

8

(N) TILE DECK

9

(N) GLASS GUARDRAIL

EXISTING (E) WALL

PROPOSED (N) WALL

NEW INTERIOR DOOR

HEIGHT IN INCHES

WIDTH IN INCHES

AREA OF NEW 14 SQ.FT. ADDITION

LATEX

MODIFIED THIN-SET

WATERPROOF MEMBRANE

LATH AND MORTAR

SUBSTRATE 1/4" PER FOOT SLOPED TO DRAIN

PLYWOOD SUBFLOOR (3) 2X4'S

NOT TO SCALE

(N) SKYLIGHT ABOVE

(N) TILE DECK

(N) GLASS GUARDRAIL

PROPOSED NEW EXTERIOR WINDOWS SCHEDULE

WINDOWS REFER TO ELEVATIONS FOR OPERATION (STATIONARY VS. OPERATING) AND DIRECTION OF OPERATION. ALL WINDOW TO BE DOUBLE PANE. INTERIOR SIDE PANE TO BE TEMPERED GLASS, U.O.N.

ALL DIMENSIONS TO BE VERIFY BY GENERAL CONTRACTOR

1 1/4"

RECESS TO MATCH (E) WINDOW

DOUBLE PANE GLAZING WINDOW UNIT

WOOD SILL

(E) 2x FRAMING

(E) WOOD SIDING

ENLARGED EXTERIOR WINDOW SECTION DETAIL (NOT TO SCALE)

WINDOW #	LOCATION	OPERABLE TYPE	MATERIAL	DIMENSION	DIVIDED LIGHT	SASH SIZE	RECESS
(N)101	KITCHEN	AWING	WOOD CLAD	4'-0"X 3'-0"	NO	2 3/32"	1 1/4"
(N)102	KITCHEN	AWING	WOOD CLAD	4'-0"X 3'-0"	NO	2 3/32"	1 1/4"
(N)104	BEDROOM #3	DOUBLE CASEMENT	WOOD CLAD	6'-0"X 4'-10"	NO	2 3/32"	1 1/4"
(N)105	BEDROOM #2	DOUBLE CASEMENT	WOOD CLAD	6'-0"X 4'-10"	NO	2 3/32"	1 1/4"
(N)106	BATH #2	AWING	WOOD CLAD	3'-0"X 2'-0"	NO	2 3/32"	1 1/4"
(N)107	BATH #1	AWING	WOOD CLAD	2'-0"X 2'-0"	NO	2 3/32"	1 1/4"
(N)108	BEDROOM #1	CASEMENT /FIXED	WOOD CLAD	9'-6"X 4'-0"	NO	2 3/32"	1 1/4"
(N)109	BEDROOM #1	CASEMENT /FIXED	WOOD CLAD	9'-6"X 4'-0"	NO	2 3/32"	1 1/4"
(E)110	LIVING	FIXED	WOOD	6'-0"X 1'-0"	NO	NO	1 1/4"
(E)111	LIVING	FIXED	WOOD	6'-0"X 1'-0"	NO	NO	1 1/4"
(E)112	LIVING	FIXED	WOOD	6'-0"X 1'-0"	NO	NO	1 1/4"
(E)113	DINING	FIXED	WOOD	6'-0"X 1'-0"	NO	NO	1 1/4"
(E)114	GARAGE	FIXED	ALUMINUM	4'-6"X 2'-0"	NO	2"	1 1/4"
(N)115	BATH #1	FIXED SKYLIGHT	FRE MANUFAC.	2'-0"X 2'-0"	NO	NO	NO
(N)116	BATH #2	FIXED SKYLIGHT	FRE MANUFAC.	2'-0"X 2'-0"	NO	NO	NO
(N)117	KITCHEN	FIXED SKYLIGHT	FRE MANUFAC.	2'-0"X 3'-0"	NO	NO	NO
(N)118	KITCHEN	FIXED SKYLIGHT	FRE MANUFAC.	2'-0"X 3'-0"	NO	NO	NO
(N)119	KITCHEN	FIXED SKYLIGHT	FRE MANUFAC.	2'-0"X 3'-0"	NO	NO	NO

The floor plan illustrates the layout of the proposed main level. Key features include a two-car garage at the rear, a central living and dining area with a fireplace, a kitchen with a breakfast nook, and three bedrooms. Bathrooms are located near the bedrooms. The plan includes numerous dimensions for walls, windows, and furniture placement. Annotations such as '2 A31', '2 A32', '2 A33', '2 A34', and '2 A35' are placed throughout the plan. A north arrow and a graphic scale bar (0 to 16 feet) are located in the bottom right corner.

1 PROPOSED MAIN LEVEL FLOOR PLAN

30 BLAIR PLACE

ADDITION

30 Blair Place

Piedmont, CA 94611

APN: 51-4710-13

JACK BACKUS ARCHITECTS

1057 Hubert Road

Oakland, CA 94610

ph. 510.393.9699

LICENSED ARCHITECT

JOHN THOMAS BACKUS

No. C-36743

REN. 123123

STATE OF CALIFORNIA

ISSUES AND REVISIONS

NO.	DATE	DESCRIPTION
1.	08.15.2025	OAKLAND PRE-APPLICATION SET
2.	09.24.2025	OAKLAND PRE-APPLICATION REVISIONS

SHEET TITLE

PROPOSED MAIN LEVEL FLOOR PLAN

SCALE

1/4" = 1'-0"

SHEET NUMBER

A2.2A

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT WRITTEN CONSENT OF THE ARCHITECT



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LICENSED ARCHITECT
JACK BACKUS
No. C-38743
Exp. 12/31/25
STATE OF CALIFORNIA

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SHEET TITLE

EXISTING AND PROPOSED NORTH ELEVATION

SCALE
1/4" = 1'-0"

SHEET NUMBER

A3.1



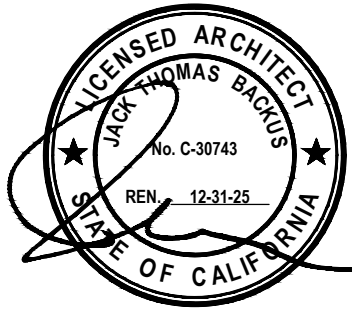
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EXISTING AND PROPOSED EAST ELEVATION

SCALE
1/4" = 1'-0"

SHEET NUMBER

A3.2



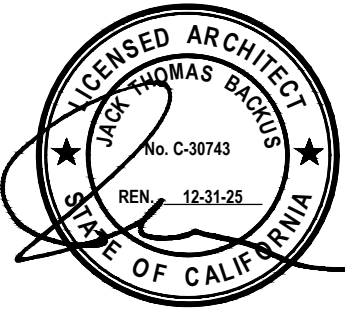
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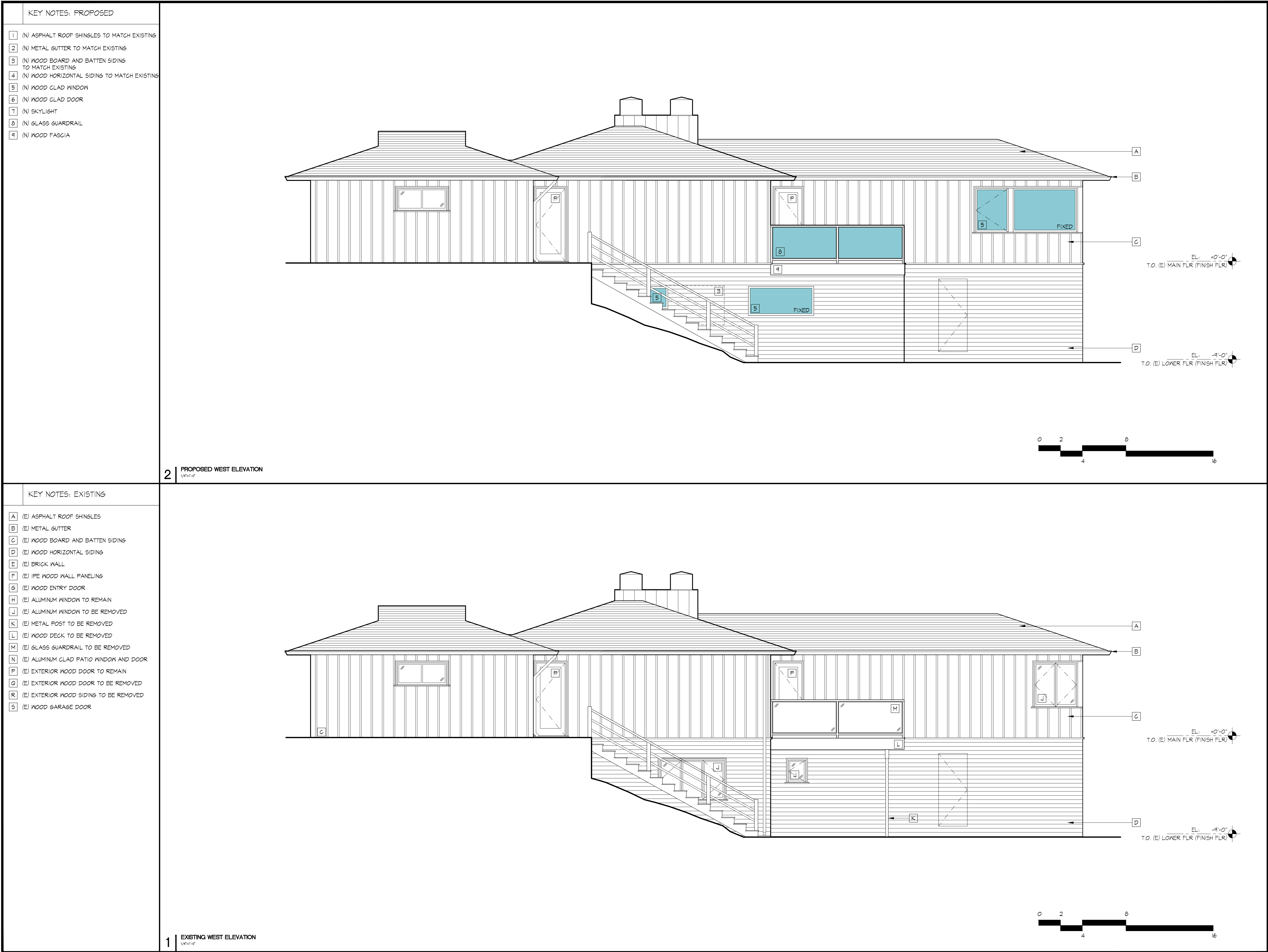
EXISTING AND PROPOSED SOUTH ELEVATION

SCALE

1/4" = 1'-0"

SHEET NUMBER

A3.3



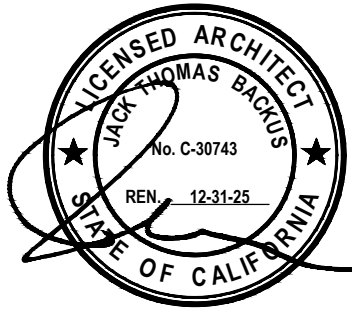
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ISSUES AND REVISIONS		
NO.	DATE	DESCRIPTION
1.	08.15.2028	EXHIBITING PRELIMINARY SET

SHEET TITLE
EXISTING AND PROPOSED
WEST ELEVATION

SCALE
1/4" = 1'-0"

SHEET NUMBER

A3.4

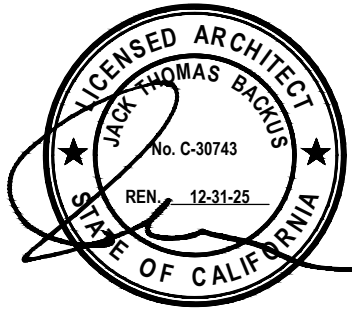
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ARCHITECTS

1057 Hubert Road
Oakland, CA 94610
ph. 510.393.9699



ISSUES AND REVISIONS

NO.	DATE	DESCRIPTION
1.	08.15.2025	OAKLAND PRE-APPLICATION SET

SHEET TITLE

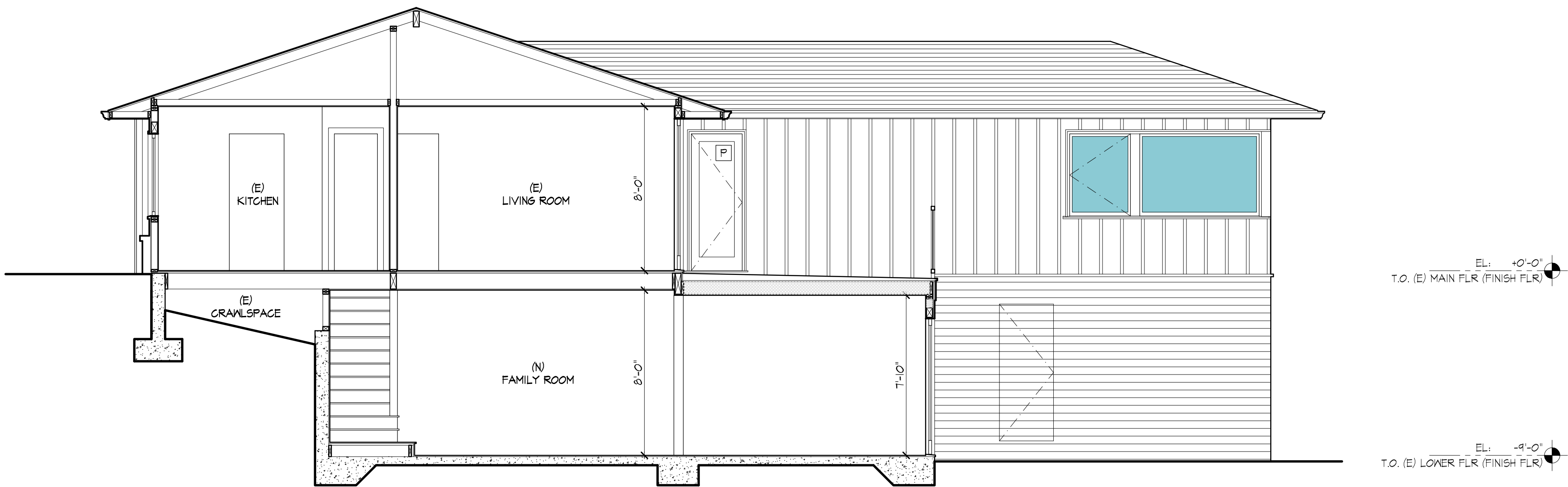
EXISTING AND PROPOSED
GARAGE NORTH ELEVATION AND SECTION

SCALE

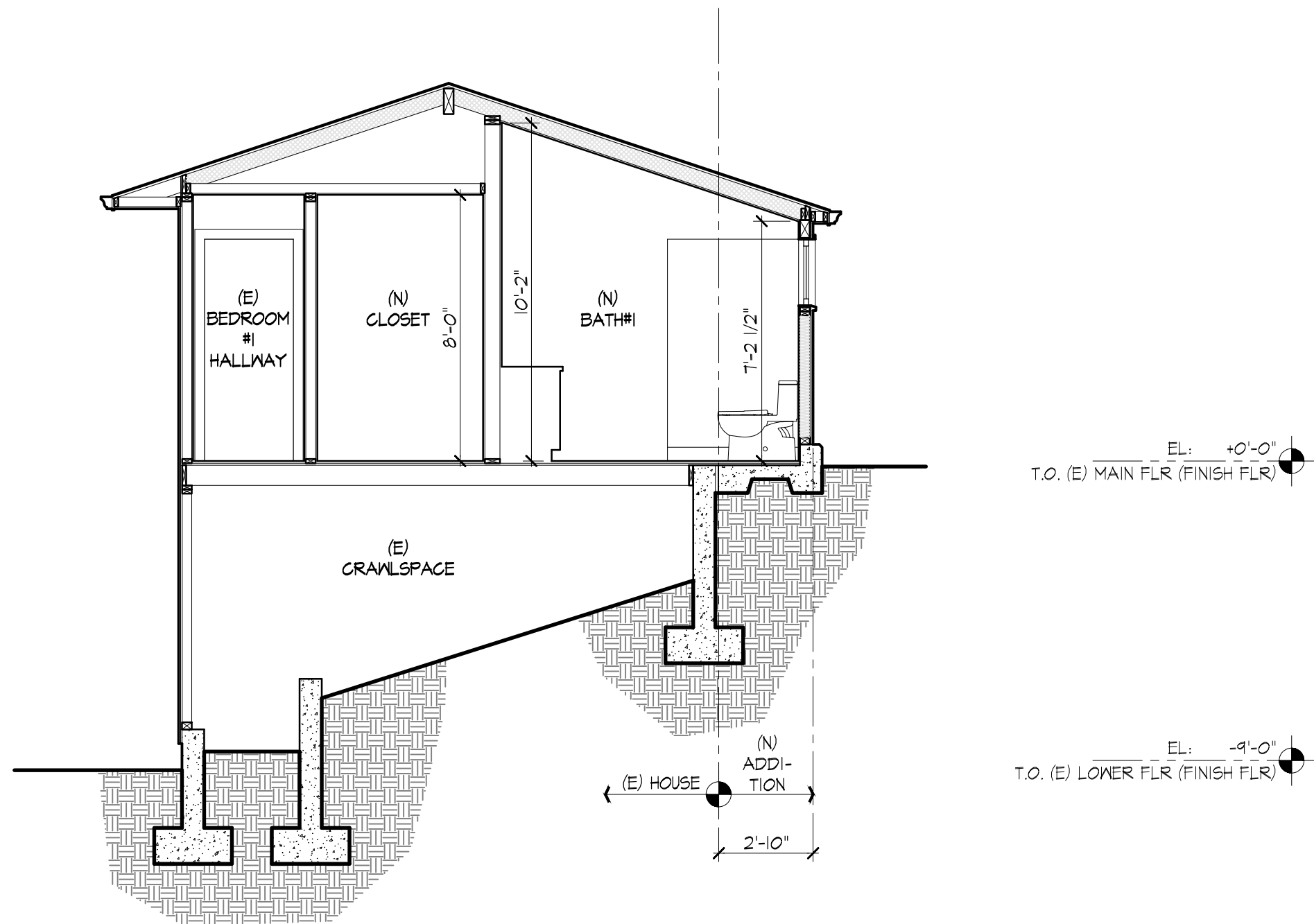
1/4" = 1'-0"

SHEET NUMBER

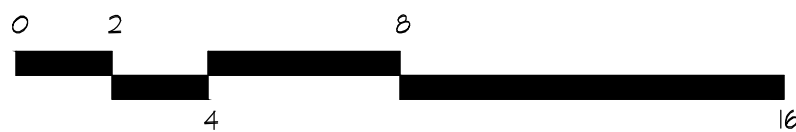
A3.5



2 | PROPOSED BUILDING SECTION
1/4"=1'-0"



1 | PROPOSED BUILDING SECTION
1/4"=1'-0"



MEMORANDUM OF AGREEMENT

This MEMORANDUM OF AGREEMENT ("MOA"), dated as of this ____ day of ____, 2025 ("Effective Date"), is entered into by and between the City of Piedmont, a municipal corporation ("Piedmont") and the City of Oakland, a municipal corporation ("Oakland"), (collectively "Cities") with reference to the following facts and circumstances:

RECITALS

- A. The property located at 30 Blair Place (the "Property") consists of one lot, comprised of two tax parcels (APN Nos. 051-4710-13 and 051-4710-14), that straddles the Piedmont/Oakland border. The Property is depicted in Exhibit A (Legal Description and Assessor Parcel Map) attached hereto and incorporated herein. The Property is generally bounded by Blair Place on the North, a single-family home at 10 Calvert Court (Piedmont) on the South, a single-family home at 20 Blair Place (Piedmont) on the West, a single-family home at 6150 Harbord Drive (Oakland) predominately on the East, and by 6170 Harbord Drive (Oakland) on the remaining Northern East corner. The Property consists of 8,415 square feet (determined by survey), approximately 4,665 square feet or 55% of which is located in Piedmont, and approximately 3,788 square feet or 45% of which is located in Oakland. An existing single-family residence is built on both portions of the lot, across the cities' shared border, and fronts Blair Place. The lot slopes down from Blair Place to a single-family residence at 10 Calvert Court.
- B. When considering properties intersected by the border between the Cities of Piedmont and Oakland, by long-standing arrangement between the cities, certain properties are considered Piedmont properties for the purposes of providing 911 and other municipal services, and certain properties are considered Oakland properties for the purposes of providing 911 and other municipal services. The Property is considered a Piedmont property eligible for Piedmont 911 services, municipal waste removal services, access to the Piedmont Unified School District schools, and other municipal services. The residences which have vehicular and pedestrian access to Blair Place, are also considered Piedmont properties for those same services.
- C. Jack Backus Architects ("Applicant") representing the owners desires to remodel the existing residential structure and construct a 551 square-foot addition to the home, including 473 square-feet on the lower level under the deck and 78 square-feet along the side (collectively, "Project").
- D. Currently, the existing single-family home is partially within the City of Piedmont and partially within the City of Oakland. The proposed Project would be partially located within the City of Piedmont (333 square-feet) and partially within the City of Oakland (220 square-feet).
- E. A search of records at the City of Piedmont reveals that during the past 65 years several building permits were issued by the City of Piedmont for the property at 30 Blair Place, including a 1953 permit to construct a one-story, six room residence with garage, a permit for a 1970 remodel, a permit for a 1978 roof replacement, a 1979 permit for repairs, a 1984 permit for a new furnace, a 1984 permit for deck repairs, a 1992 permit for termite repairs, a 1995 permit for stair repairs, a 2000 permit for a new roof, a 2003 permit for underground utility repairs, a 2016 permit for sewer repairs, and a 2017 permit for sidewalk repairs.

- F. Both the City of Piedmont and the City of Oakland desire to see this site's use compatible with the surrounding properties and consistent with the cities' land use regulations and plans.
- G. In order to efficiently consider the Project, the Cities desire to enter into this MOA to memorialize the designation of Piedmont as the lead agency for the purposes of both land use approvals and building inspection of the Project, including but not limited to issuance of building and occupancy permits, and the provision of 911 and other municipal services to the Project. consistent with the terms and conditions contained in this MOA.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

I. Lead Agency under CEQA

The City of Piedmont shall serve as Lead Agency for purposes of review under the California Environmental Quality Act (CEQA).

II. Planning Approval Process

The City of Piedmont will be the approval authority for all land use approvals regarding the Property, including but not limited to zoning approvals, variances, and issuance of conditional use permits or the like, to the extent any such approvals may be necessary. The City of Piedmont shall apply its land use regulations, except as may be otherwise stated in this MOA.

- A. Applications. Applicant will submit a planning application for this Project to the City of Piedmont. A notice regarding the project will be sent to the City of Oakland at the same time as the notices are sent to neighbors as required by the City of Piedmont Planning Code. Any staff reports will be sent to the City of Oakland prior to a Planning Commission hearing at the same time the report is made available to the public.
- B. Noticing. In undertaking noticing for actions by the City of Piedmont, all property owners within a 100-foot radius of the Property will be notified to ensure that neighbors from both jurisdictions are notified of the project.
- C. Conditions of Approval. The City of Piedmont will provide the City of Oakland a copy of the Conditions of Approval for the Project if and when the Project is approved.

D. Ongoing Jurisdiction. Both the City of Piedmont and the City of Oakland understand that, by virtue of the proposed location of this Project, a portion of the Project, if approved, will be constructed within the City of Piedmont. and a portion of the Project will be constructed within the City of Oakland. As a consequence, except as otherwise provided in this MOA, the Property is subject to the laws of both cities.

- The City of Oakland acknowledges the continuing jurisdiction of the City of Piedmont and its Municipal Code within those portions of the Property located within the City of Piedmont, and will not undertake any action or approval that will result in any intentional violation of any of those laws. The City of Piedmont acknowledges the continuing jurisdiction of the City of Oakland, its Charter, and Municipal Code within those portions of the Property located within the City of Oakland and will not undertake any action or approval that will result in any intentional violation of those laws, except as may regard planning or building approvals for buildings on the Property. The City of Piedmont shall have jurisdiction over planning and building approvals for the Property.
- The City of Oakland and the City of Piedmont both reserve the right to take such actions as necessary to enforce the laws, conditions, or requirements within each city. Both cities agree to cooperate with the other city in any action undertaken to enforce any condition or requirement imposed on the Project.

III. Building and Permit Issues

- A. Building Permit and Plan Check. The City of Piedmont will be responsible for building permit issuance, plan check, issuance of certificates of occupancy, building inspections, and similar activities for the entire Project consistent with the appropriate procedures, fees, and standards of the City of Piedmont. Except as set forth elsewhere in this MOA, inspections of the Project will be conducted by the City of Piedmont. Prior to the issuance of a building permit, the City of Piedmont Fire Department shall review and approve the fire and life safety systems including, but not limited to, fire hydrants, fire sprinkler systems, fire alarm systems, fire department access, and water distribution systems. In addition, prior to the issuance of a building permit, the City of Piedmont Planning & Building Department shall review the building permit plans to ensure compliance with the approved Conditions of Approval, if any. The City of Piedmont retains the authority to issue future building permits for buildings on the Property located either partially or wholly within its Jurisdiction.
- B. Building Address. The residence will retain the address of 30 Blair Place, Piedmont,.

IV. Emergency Services

The City of Piedmont Fire Department shall be responsible for the provision of emergency and public safety services to the Project, including those portions located in the City of Oakland. Each City shall provide reciprocal response assistance as needed.

IV. Fees

- A. Public Improvement Fees. The Applicant shall be responsible for paying any public Improvement fees required for the Project in the City of Piedmont including sewer connection fees and sewer user fees as applicable. The Applicant shall be continue to be responsible for paying sewer connection fees to the City of Piedmont. The sewer user fees are collected by East Bay Municipal Utility District as a part of monthly water bills.
- B. Other Fees. The Applicant shall be responsible for paying any fees required by the City of Piedmont for staff review of encroachment permits, building permit plans, public improvement plans, and subdivision maps for consistency with Project approvals and city design standards.
- C. Not Comprehensive. The listing of specified fees in this Section V is not intended to serve as a comprehensive list of applicable fees from either jurisdiction.

V. Indemnification

- A. No Liability To Third Parties. Nothing in this MOA shall be deemed to create rights or obligations in the Applicant or third parties not signatories to this MOA.
- B. Indemnification.
- City of Oakland. The City of Oakland shall defend, indemnify and hold harmless The City of Piedmont from and against any and all liability, loss, expense (including reasonable attorneys' fees) or claims for injury or damage arising out of the performance of this MOA or arising from or connected to the approval process or relating to the Project, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or the result of the negligent or Intentional acts or omissions of the City of Oakland, its officers, agents or employees.
 - City of Piedmont. The City of Piedmont shall defend, indemnify and hold harmless the City of Oakland from and against any and all liability, loss, expense (including reasonable attorneys' fees) or claims for injury or damage arising out of the performance of this MOA or arising from or connected to the approval process or relating to the Project, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or the result of the negligent or intentional acts or omissions of the City of Piedmont, its officers, agents or employees.

VI. Miscellaneous Provisions.

- A. Notices. For any action related to this MOA, each City shall be sent notices at the following addresses:

To Piedmont:

City of Piedmont
120 Vista Avenue
Piedmont, CA 94611
Attention: Kevin Jackson, Planning & Building Director
Phone: (510) 420-3050 FAX: (510) 658-3167
Email: kjackson@piedmont.ca.gov

With a copy to:

City of Piedmont
Attention: City Attorney
120 Vista Avenue
Piedmont, CA 94611
Phone: (510) 273-8780 FAX: (510) 839-9104

To Oakland:

City of Oakland
Dept. of Planning and Building
250 Frank H. Ogawa Plaza, Suite 2114
Oakland, CA 94612
Attention: Heather Klein
Phone: (510) 238-3659
FAX: (510) 238-6538
Email: hklein@oaklandca.gov

With a copy to:

Office of the City Attorney
1 Frank H. Ogawa Plaza, Sixth Floor
Oakland, CA 94612
Attention: Tarisha K. Bal
Phone: (510) 238-7682 FAX: (510) 238-6500
Email: tbal@oaklandcityattorney.org

- B. Headings. The headings in this MOA are for reference and convenience of the parties and do not represent substantive provisions of this MOA.
- C. Governing Law. This MOA shall be governed by the laws of the State of California.
- D. Modifications. Any modification of or amendment to this MOA will be effective only if it is in writing and signed by all parties.
- E. Counterparts. This MOA may be executed in any number of counterparts (including by fax, PDF, or other electronic means), each of which shall be deemed an original, but all of which shall constitute one and the same instrument.
- F. Project Permit File. This MOA shall be kept and maintained at all times in the Property's Planning Permit file with the City of Piedmont Planning & Building Department. The City of Oakland shall be provided a copy of this MOA upon request.

[Signatures on Following Page]

DRAFT

IN WITNESS WHEREOF, the City of Piedmont and the City of Oakland have each caused this MOA to be duly executed on its behalf as of the Effective Date.

City of Piedmont

By: _____

Name: _____

Title: _____

Approved as to form and legality

By: _____

Name: _____

Title: _____

City of Oakland

Authorized by Resolution No. _____

Adopted _____

By: _____

Name: _____

Title: _____

Approved as to form and legality

By: _____

Name: _____

Title: _____