

**RESOLUTION NO. 21-\_\_\_**

**Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A Professional Services Contract With PlaceWorks To Prepare The 2023-2031 Housing Element Of The Emeryville General Plan In An Amount Not To Exceed \$171,837 And Appropriating \$106,837 From The General Plan Maintenance Fund Balance (Fund 225) To Account 80050, Professional Services, In the Fund 225 General Plan Maintenance Budget**

**WHEREAS**, State law requires local agencies to adopt a Housing Element as part of the General Plan; and

**WHEREAS**, State law also requires a local agency to revise and update its Housing Element on a periodic basis and send those updates to the State Housing and Community Development Department (HCD) for review and certification; and

**WHEREAS**, the next update to Emeryville's Housing Element is due to HCD by January 2023; and

**WHEREAS**, complying with this requirement will require preparation of an updated Housing Element as well as a series of meetings and reviews that will take over a year; and

**WHEREAS**, in order to carry out this process and produce the updated Housing Element document in a timely fashion, the City requires professional services; and

**WHEREAS**, on November 2, 2020, the City issued a Request for Proposals ("RFP") for professional services to prepare the Housing Element, and PlaceWorks submitted a proposal in response to the RFP on or before the required submittal deadline of December 3, 2020; and

**WHEREAS**, staff of the Planning and Economic Development and Housing divisions reviewed the proposal and determined that PlaceWorks is exceptionally well-qualified to prepare the City's Housing Element; and

**WHEREAS**, PlaceWorks has submitted a proposal to prepare the Housing Element for a fee not to exceed \$171,837; and

**WHEREAS**, the City has received a \$65,000 Local Early Action Planning (LEAP) grant from HCD for preparation of the Housing Element; and

**WHEREAS**, the City has applied for a non-competitive Regional Early Action Planning (REAP) grant and a competitive REAP grant from ABAG/MTC to cover the remaining \$106,837 cost of the Housing Element; and

**WHEREAS**, the public interest will be served by this agreement; now, therefore, be it

**RESOLVED**, that the City Council of the City of Emeryville hereby authorizes the City Manager to execute a Professional Services Contract between the City of Emeryville and PlaceWorks, in substantial form as attached as Exhibit A to this Resolution, with a term from March 16, 2021 to June 30, 2024 in an amount not to exceed \$171,837; and be it further

**RESOLVED**, that the City Council hereby appropriates \$106,837 from the General Plan Maintenance Fund balance (Fund 225) to Account 80050, Professional Services, in the Fund 225 General Plan Maintenance budget; and be it further

**RESOLVED**, that, should the City receive either or both of the two REAP grants that the City has applied for to cover the cost of the Housing Element, the City Council authorizes the City Manager to transfer the grant(s) received up to \$106,837 from the Grant Fund Housing Element (Fund 254, project 21254006) to the use of fund balance in the General Plan Maintenance Fund (225) by the grant(s) received; and be it further

**RESOLVED**, that the City Council hereby authorizes the City Manager to execute amendments to the Professional Services Contract with PlaceWorks not involving additional compensation, as may be necessary to ensure completion of the Housing Element for the City.

**ADOPTED** by the City Council of the City of Emeryville at a regular meeting held on Tuesday, March 16, 2021 by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR  
APPROVED AS TO FORM:  
  
\_\_\_\_\_  
CITY ATTORNEY