



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: March 16, 2021

TO: Christine Daniel, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: **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**

RECOMMENDATION

Staff recommends that the City Council adopt the above-entitled resolution authorizing the City Manager to execute a Professional Services Contract with PlaceWorks to provide professional services to prepare the 2023-2031 Housing Element over a term from March 16, 2021 to June 30, 2024, for a contract 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.

BACKGROUND

Every California city is required to adopt a General Plan, which is the city's comprehensive, long-term plan for its development. A General Plan consists of mandatory and optional elements. The Housing Element is a mandatory element which identifies and analyzes existing and projected housing needs; the Housing Element also establishes goals, policies, resources and programs for the preservation, improvement, and development of housing.

State law requires each 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. The next update to Emeryville's Housing Element is due to HCD by January 2023. Complying with this requirement enables a city to qualify for various types of funding, avoids lawsuits, and certifies the Housing Element for eight years.

DISCUSSION

The Housing Element planning process includes development of updates to the Housing Element, as well as a series of meetings and reviews that will take over a year. These include multiple meetings with the Housing Committee, Planning Commission and City Council, and review by HCD. In order to carry out this process and produce the Housing Element document in a timely manner, staff proposes to hire a consultant to prepare the Housing Element, and issued a Request for Proposals (RFP) on November 2, 2020 with a due date of December 3, 2020 (see Attachment 1). One proposal was received by the due day, from PlaceWorks.

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. PlaceWorks has extensive experience preparing Housing Elements; a clear understanding of the project; an efficient, focused team; a realistic budget and timeline; and a clear, succinct proposal. Staff has worked with PlaceWorks in the past and PlaceWorks has recently prepared many other cities' Housing Elements. Over the past 25 years PlaceWorks has developed a good working relationship with HCD. PlaceWorks will provide advice and expertise on current HCD requirements for this round of Housing Element updates, as well as ideas for improving the Housing Element process and document.

During the discussion on "Reach Codes" at the March 2, 2021 City Council meeting, it was noted that Reach Codes could potentially pose a constraint on housing production, and should be examined in the context of the Housing Element process. As required by State law, the attached contract with PlaceWorks has a section on Housing Constraints (Task 3.5), which includes the following: "PlaceWorks will update the analysis of potential and actual governmental and nongovernmental constraints to meeting housing needs, including ... development of housing (pursuant to Government Code Section 65583(a)(4,5)). Potential constraints to be reviewed include ... permit processing procedures, building codes and code enforcement We will identify potential programs and strategies to reduce or remove identified constraints. This task will include all the analysis needed to comply with recent updates to state housing law." The potential effects of Reach Codes on housing production will be included in this analysis.

FISCAL IMPACT

The proposed contract is for an amount not to exceed \$171,837. The City has received a Local Early Action Planning (LEAP) grant in the amount of \$65,000 from HCD for preparation of the Housing Element. The City has also applied for both a competitive Regional Early Action Planning (REAP) grant and a non-competitive REAP grant from MTC/ABAG that, combined, would cover the entire cost of the contract. Because the REAP grants have not yet been received, an appropriation of \$106,837 is needed from the General Plan Maintenance Fund (225-80050), Professional Services, to cover the remaining cost of the proposed contract not covered by the LEAP grant. The General Plan Maintenance Fund has a sufficient fund balance to cover this expense.

Should the City receive either or both of the REAP grants, a transfer from the Grant Fund Housing Element (Fund 254, project 21254006) will need to be made to the General Plan Maintenance Fund (225) reducing the use of fund balance within the General Plan Maintenance Fund.

STAFF COMMUNICATION WITH THE PUBLIC

Staff has had no communication with the public regarding the proposed contract.

CONCLUSION

Staff recommends that the City Council adopt the attached Resolution authorizing the City Manager to execute a Professional Services Contract with PlaceWorks in substantial form as attached as Exhibit A to the Resolution 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.

PREPARED BY: Navarre Oaks, Associate Planner

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

ATTACHMENTS:

- Request for Proposals
- Draft Resolution, Including Exhibit A, Professional Services Contract with PlaceWorks