



*City of Arts & Innovation*

# City Council Memorandum

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**TO: HONORABLE MAYOR AND CITY COUNCIL      DATE: SEPTEMBER 15, 2020**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT      WARDS: ALL**  
**DEPARTMENT**

**SUBJECT: MEASURE Z - RFP NO. 2023 - PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH HOUSEAL-LAVIGNE ASSOCIATES, LLC TO PREPARE THE SIXTH-CYCLE GENERAL PLAN 2025 HOUSING ELEMENT UPDATE, PUBLIC SAFETY ELEMENT UPDATE, ENVIRONMENTAL JUSTICE POLICIES, REZONING PROGRAM AND PROGRAM ENVIRONMENTAL IMPACT REPORT**

## **ISSUE:**

Approve a Professional Consultant Services Agreement with Houseal-Lavigne Associates, LLC, as the Prime Consultant to update the General Plan 2025 to comply with applicable State law including the 2021-2029 Sixth-Cycle Housing Element Update, Public Safety Element update, Environmental Justice policies, Rezoning Program and Program Environmental Impact Report, for a total amount of \$1,149,812 plus a 10% contingency in the amount of \$114,981, not to exceed \$1,264,793.

## **RECOMMENDATIONS:**

That the City Council:

1. Approve a Professional Consultant Services Agreement with Houseal-Lavigne Associates, LLC to update the General Plan 2025 Housing Element, Public Safety Element and Environmental Justice policies, complete the Rezoning Program and prepare a Program Environmental Impact Report for an amount of \$1,149,812;
2. Authorize a 10% contingency in the amount of \$114,981, resulting in a contract amount not to exceed \$1,264,793; and
3. Authorize the City Manager, or his designee, to execute the Professional Consultant Services Agreement with Houseal-Lavigne Associates, LLC, including minor and non-substantive changes.

## **BACKGROUND:**

On June 8, 2020, the Purchasing Division, on behalf of Community & Economic Development Department (CEDD), released Request for Proposals (RFP) No. 2023 Housing & Public Safety Element, Environmental Justice Approach, Zoning Amendments and Environmental Impact Report for professional consulting services to assist with the Phase 1 General Plan 2025 update (Phase 1 Project). Specifically, the Phase 1 Project includes:

1. A California Department of Housing and Community Development (HCD)-certified update of the Housing Element;
2. A California Department of Conservation and State Board of Forestry and Fire Protection-approved update of Public Safety Element;
3. Environmental justice policies that are either developed as a separate Element or woven into other Elements of the General Plan;
4. An update to Title 19 (Zoning) of the Municipal Code and any applicable Specific Plans to implement the Housing Element program, including any necessary rezoning;
5. Completion of the required Program EIR; and
6. Citywide vehicle data collection, including 24-hour roadway vehicle classification and turning movement counts, pedestrian and bicycle counts and furnishing data to the City to be used in future mobility planning efforts.

The Phase 1 Project RFP was developed with input from City departments and emphasized the need to meet the City's expected Regional Housing Needs Allocation (RHNA) of over 18,000 units for the Sixth Cycle Housing Element Update. Further comprehensive updates to the General Plan 2025, Zoning Code, Specific Plans and parallel climate-related planning efforts will be undertaken with the Phase 2 General Plan Update project (Phase 2 Project) in the near future. A separate RFP Process will be conducted for the Phase 2 Project.

At the close of the RFP period on July 8, 2020, 53 Consultants had accessed the RFP and the City received two (2) proposals from qualified consulting teams: Houseal-Lavigne Associates, LLC and Kimley-Horn. An Evaluation Committee, including staff from Planning, the Office of Sustainability, the Housing Authority, the Public Works Department and the Emergency Operations Center, evaluated the proposals and conducted interviews for both Consultants based on the criteria outlined in the RFP. The evaluation process determined Houseal-Lavigne Associates, LLC as the lowest-cost, most responsive responsible bidder.

## **DISCUSSION:**

### **Housing Element**

California Government Code section 65300 et seq. requires all cities and counties in the State of California to adopt a General Plan, which establishes the long-range vision and policy framework for future growth and physical development. The Housing Element is a required element, or chapter, of a General Plan, and is one of 12 elements of the City's General Plan 2025. The Housing Element identifies existing and projected housing needs for all income levels. Its purpose is to provide objectives, goals and policies to facilitate the planning, development, improvement, and preservation of housing for people of all income levels and socio-economic backgrounds in a just and equitable manner. The Housing Element must:

1. Identify adequate sites for a range of housing opportunities;
2. Assist in the development of adequate and affordable housing;
3. Address constraints to meeting the City's housing needs;
4. Conserve and improve the condition of housing; and
5. Promote housing opportunities for all residents.

The Housing Element requires approval by the California Department of Housing and Community Development (HCD) and must be updated every eight years, also called Cycles. The 2014-2021 Fifth Cycle Housing Element was adopted by the City Council on October 10, 2017. The Sixth

Cycle Housing Element Update covers the period from 2021-2029 and must be adopted by October 15, 2021.

For each Housing Element Cycle, HCD makes a determination of the State's expected housing production need as well as what share of that need is to be borne by various parts of the State. In turn, the regional Metropolitan Planning Organizations (MPOs) devise a methodology for allocating their share of the statewide need among their constituent jurisdictions.

Riverside's MPO is the Southern California Association of Governments (SCAG), which determines each jurisdiction's share of the RHNA requirement for the six-county SCAG region. SCAG is expected to finalize this allocation methodology by October of 2020; however, based on the recommended formula endorsed by SCAG leadership in March 2020, the City expects a RHNA allocation of approximately 18,400 units for the Sixth Cycle Housing Element. Within this total, there will be an allocation for each income category, including lower, moderate and above moderate incomes. The update Housing Element must address the City's strategies for accommodating the RHNA allocation for the Sixth Cycle and plan for monitoring and reporting progress in meeting this goal.

### Public Safety Element

General Plans must also contain a Public Safety Element. The Public Safety Element establishes objectives, goals and policies to ensure the city takes all necessary proactive measures to reduce the risk of natural and man-made hazards and adequately, expediently and efficiently respond to immediate threats to public safety. In 2013, the State adopted Senate Bill (SB) 1241, which requires all cities and counties to update the Safety element concurrently with any update to the Housing Element adopted after January 1, 2014.

### Environmental Justice Policies

SB 1000, adopted by the Legislature in 2016, added a requirement for General Plans to either a) contain an Environmental Justice (EJ) Element; or b) incorporate EJ objectives, goals and policies throughout the other elements in the General Plan. The EJ element or EJ objectives, goals and policies must:

1. Identify disadvantaged communities within the City;
2. Reduce unique or compounded environmental health risks in disadvantaged communities;
3. Promote civil engagement in the public decision-making process; and
4. Prioritize improvements and programs that address the needs of disadvantaged communities.

The EJ Element or EJ objectives, goals and policies are required to be adopted or reviewed whenever two or more other elements are adopted or amended concurrently after January 1, 2018.

### Funding

In November 2016, Riverside voters passed Measure Z, a one-cent local transaction and use tax measure to help pay for critical unfunded City programs and services. The 2018-2023 Measure Z Spending Plan, adopted by the City Council in June 2018, includes \$5,000,000 under the category of Critical Operating Needs to fund a General Plan Update and Zoning Code Changes to streamline regulations and incentivize investment in the City. From this fund, \$569,793 will be for

the Phase 1 Project.

SB 2, the Building Homes and Jobs Act, signed into law in 2017, authorized non-competitive planning grants for local jurisdictions, based on size, to pursue planning projects that will accelerate housing production. The City will receive \$625,000 in SB 2 grant funding, of which \$125,000 will be used to fund the Phase 1 Project.

The Local Early Action Planning (LEAP) grant program, established in the 2019-2020 California State budget, also provides one-time, non-competitive grant funding of up to \$750,000 to cities and counties to update plans and improve processes to accelerate housing production. The City has applied for and expects to receive the full \$750,000 grant, of which \$570,000 will fund the Phase 1 Project. HCD is expected to notify the City of the award in August/September 2020.

### Consultant Evaluation

The Houseal Lavigne Associates, LLC team includes:

1. Veronica Tam & Associates, whom have completed over 100 Housing Element updates throughout the State, leading the Housing Element Update and Rezoning Program;
2. Arellano Associates, leading public outreach and communication;
3. ICF leading the Public Safety Element, Environmental Justice Policies and PEIR;
4. Fehr & Peers leading the transportation analysis and the Citywide vehicle data efforts; and
5. Best, Best & Krieger, assisting with land development regulations and legal requirements.

The expertise and experience of the Houseal Lavigne Associates, LLC team will enable the City meet the October 2021 State deadline for a fully compliant Housing Element, Public Safety Element and Environmental Justice policies while ensuring a robust community engagement program and full compliance with CEQA. The proposed scope of work includes the following tasks (Note: several tasks overlap):

1. Task 1 – Project Start-up and Visioning: Kick-off meetings, tours of the City, background data, key issues and themes identified, and visioning sessions (2 months).
2. Task 2 – Community Engagement: Communication strategy, on-line engagement, focus/working groups, meetings, a social media campaign and Native American tribal consultation (ongoing throughout project).
3. Task 3 – Data Collection and Analysis: Best practices, analysis of existing Housing Element and Public Safety Element policies, fire/police/EMS staffing facilities, services, Environmental Justice health per SB 1000 toolkit, State requirements and environmental conditions (4 months).
4. Task 4 - Housing Element Update, Public Safety Element Update and Environmental Justice Policies: Evaluation of 5<sup>th</sup> Cycle policies/programs, housing assessment, potential housing element sites, potential resources and opportunities, regulatory and non-regulatory constraints, goals and policies, zoning changes, coordination with HCD, certification/adoption (6 months).
5. Task 5 – New and Revised Policies, Programs and Maps: Draft and Final Plans, maps, graphics and implementation program (6 months)
6. Task 6 – Zoning Code Update: Zoning code update, objective design standards for multi-family housing, updated zoning maps, draft and final changes, CEQA clearance (4 months).
7. Task 7 – Program Environmental Impact Report: Notice of preparation, scoping, agency

coordination, thresholds of significance, project description, project alternatives, Draft and Final EIR, mitigation monitoring program, notice of availability, responses to comments (6 months).

8. Task 8 – Plan Adoption: Planning Commission recommendation and City Council adoption (3 months).
9. Task 9 – Traffic Counts: 24-hour turning movement and roadway vehicle class counts, cell network data collection for vehicles (3 months).

The Purchasing Manager concurs that this purchase is in compliance with the City of Riverside’s Purchasing Resolution 23256.

**FISCAL IMPACT:**

The total cost for the Phase 1 Project is \$1,264,793, which includes a 10% contingency on the fee proposed by Houseal-Lavigne Associates, LLC. The Phase 1 Project will be funded from several sources including:

- Measure Z funds allocated for the General Plan update will fund \$569,793 of the Phase 1 Project. The expenditure account for this funding is 8001901-421000.
- SB2 funding in the amount of \$125,000 was received from the State for the Phase 1 Project. The expenditure account for this funding is 9340650-440210.
- The City has applied for a Local Early Action Planning (LEAP) grant from the State in the amount of \$570,000 for the Phase 1 Project and a decision is expected in August/September 2020. The expenditure account for this funding was established when the City applied for this Grant in June 2020 and is 9341700-440210. If this grant is not secured, sufficient Measure Z funds exist in Account 8001901-421000 to cover the balance of the expected grant award.

Prepared by: David Welch, Community & Economic Development Director  
Certified as to  
availability of funds: Edward Enriquez, Chief Financial Officer/City Treasurer  
Approved by: Rafael Guzman, Assistant City Manager  
Approved as to form: Gary G. Geuss, City Attorney

Attachment:

1. Professional Consultant Services Agreement
2. Award Recommendation
3. Presentation