



## Legislation Details (With Text)

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**Title:** Interim Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 210402B with BAE Urban Economics, increasing the total contract amount by \$81,780 for a new maximum of \$849,032, and amending the scope of work to include additional support for the preparation of the Housing Element & Safety Element Updates.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement

Date	Ver.	Action By	Action	Result
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**TO:** Board of Supervisors

**FROM:** Brian Bordona - Interim Director of Planning, Building & Environmental Services

**REPORT BY:** Trevor Hawkes - Supervising Planner - (707) 253-4388

**SUBJECT:** Approval of an Amendment No. 2 to Agreement No. 210402B for Preparation of an Update to the Napa County Housing and Safety Elements.

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### RECOMMENDATION

Interim Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 2 to Agreement No. 210402B with BAE Urban Economics, increasing the total contract amount by \$81,780 for a new maximum of \$849,032, and amending the scope of work to include additional support for the preparation of the Housing Element & Safety Element Updates.

### EXECUTIVE SUMMARY

On June 22, 2021, the Board of Supervisors approved a Professional Services Agreement (PSA) with BAE Urban Economics for purposes of assisting Napa County in preparing an update to the General Plan Housing Element, Safety Element, and environmental analysis of the updated elements. The PSA was later amended on June 21, 2022, to add services to support project management, public outreach and engagement, housing sites

inventory analysis and coordination, as well as mapping and graphic presentation. This amendment to the contract recognizes the additional effort needed to complete these General Plan amendments subsequent to the California State Department of Housing and Community Development's review letter of the County's Draft Housing Element Update. This amendment would correspondingly increase the contract amount from its current limit of \$767,312 to a new limit of \$849,032.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	The PBES budget unit (General Plan subdivision) includes funding for maintenance of the General Plan. The funding derives from the general fund as well as from a 3.3% surcharge that is applied to applications processed by the department. Additional funding will come from State and ABAG/MTC
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The Sixth Cycle Housing Element Update is mandated by the State and must be completed by January 2023. Hiring a consultant to assist in preparation of the update is discretionary. The consultant team has expertise in Housing Element updates including successfully supporting the County's two previous housing cycle updates.
Is the general fund affected?	Yes
Future fiscal impact:	This amendment will provide the funding necessary to preparing the State-required Housing Element Update and Safety Element.
Consequences if not approved:	Not approving the amendment would impact the County's ability to finish the updates to the Housing and Safety Elements. County's consultant team which is working with County Staff would likely not be able to finish tasks as funds were depleted ahead of completion of the final drafts of the documents.
County Strategic Plan pillar addressed:	Effective and Open Government
Additional Information	Housing Element Update addresses multiple pillars of County Strategic Plan

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action to amend a PSA is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. Future actions by the Planning Commission and the Board of Supervisors to adopt the updates to the Housing and Safety Elements will be subject to the process of environmental analysis prescribed by CEQA.

### **BACKGROUND AND DISCUSSION**

Staff issued a Request for Proposals (RFP) in February 2021 to solicit proposals from qualified consultants for the preparation of a comprehensive update to the Housing Element (HEU) and the associated updates to other

elements as well as environmental impact analysis. In late April 2021, BAE Urban Economics, in partnership with Environmental Science Associates (ESA), were interviewed by Staff and deemed qualified for the project. Over the course of May 2021, the scope of the contract was refined to include updates to the Safety Element (SEU). On June 2, 2021, the County entered into a PSA (210402B) with BAE Urban Economics and ESA for the purposes of preparing the targeted updates to the Housing and Safety Elements and preparing the environmental impact analysis associated with the updates. Work on the updates and environmental analysis is currently in progress and will continue through January 2023.

On June 21, 2022, the PSA was amended by Contract Amendment No. 1 to add services to support project management, public outreach and engagement, housing sites inventory analysis and coordination, as well as mapping and graphic presentation.

On August 8th, 2022, the County submitted a Draft of the HEU to the California State Department of Housing and Community Development (HCD) in compliance with Section 65585 of the California Government Code, which requires jurisdictions to submit revisions to their Housing Elements to HCD at least 90 prior to adoption. On November 7, 2022, the County received a letter reporting on HCD's review of the County's draft HEU, addressing necessary changes in order for the draft HEU to be compliant with State Housing Element Law. As with most other jurisdictions that have submitted housing elements to HCD for review in the 6th Cycle, HCD's review of Napa County's Draft HEU represented an unprecedented level of scrutiny and detail in the level of revisions that HCD staff have requested. BAE Urban Economics and ESA request the following augments to the original scope of work and budget to complete remaining tasks and prepare final revisions to the Housing and Safety Element updates.

## Existing Task 2: Project Management

In order to sufficiently support the additional efforts described in this proposal, BAE Urban Economics and ESA will require more time for project management tasks. The consultant team will coordinate as needed with County staff and other consultant team members through the process of revisions, public review, finalization of the Housing Element Update, and submittal to HCD for certification review.

## Existing Task 9.6: Final Draft Safety Element Update

In order to complete the County's Safety Element Update (SEU), concurrent with the 6th Cycle Housing Element Update, ESA requests augments to the existing scope for new tasks that have been identified during the public review of the draft SEU, and tasks related to out of scope work while preparing revisions and information requests for the State Board of Forestry prior to their review of the Draft SEU on January 17, 2023.

## New Task 11: Response to HCD Review Letter

This new task provides for a higher level of effort to develop revisions in response to HCD's comment letter on the Draft Housing Element. The budget for this task will provide BAE Urban Economics and ESA with additional staff time to review and analyze HCD's November 7, 2022 comment letter, coordinate with County staff and the consultant team to determine necessary revisions, collect additional information, and draft revisions to the Housing Element to respond to HCD's comments in conformance with State law.