



# San Bernardino County

## Legislation Text

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**File #: 3660, Agenda Item #: 38**

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### **REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO AND RECORD OF ACTION**

**February 9, 2021**

#### **FROM**

**TERRI RAHHAL, Director, Land Use Services Department**

#### **SUBJECT**

Contract with PlaceWorks, Inc. to Prepare the Housing Element and Other Related Work, Utilizing Local Early Action Planning Grant Funding

#### **RECOMMENDATION(S)**

1. Approve contract with PlaceWorks, Inc. to prepare the 6<sup>th</sup> Cycle Housing Element and other land use and infrastructure planning for the community of Bloomington, in an amount not to exceed \$637,500, for the period of February 15, 2021 through June 30, 2024, with a one-year option to extend.
  2. Designate the Director of Land Use Services as authorized to approve and sign non-substantive amendments to the contract, subject to County Counsel review.
  3. Direct the Director of Land Use Services to transmit copies of all documents and amendments in relation to this contract to the Clerk of the Board of Supervisors within 30 days of execution.
- (Presenter: Terri Rahhal, Director, 387-4431)

#### **COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Promote the Countywide Vision.**

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

#### **FINANCIAL IMPACT**

Approval of this contract will not result in the use of additional Discretionary General Funding (Net County Cost). The total not-to-exceed contract amount of \$637,500 is funded by the Local Early Action Planning (LEAP) Grants Program Funds (Grant No. 20-LEAP-15357) provided by the California Department of Housing and Community Development (HCD). No local matching funds are required for use of LEAP Grant Program Funds. This grant also covers research and administration costs provided by County of San Bernardino (County) staff. Necessary appropriation and revenue adjustments will be included in the Land Use Services (LUS) Planning Division 2020-21 budget via the second quarter countywide budget report and will be included in future recommended budgets.

#### **BACKGROUND INFORMATION**

On August 25, 2020 (Item No. 30), the Board of Supervisors (Board) adopted modified Resolution 2020-167, as part of the application for the LEAP Grant Program per HCD requirements. On October 6, 2020, the County received formal notice of approval of the LEAP Grant Program Funding in the amount of \$750,000. LEAP provides one-time grant funding to cities and counties to update their general plan housing elements and implement process improvements that will facilitate and accelerate housing construction. On December 15,

2020, the Director of LUS executed the Standard Agreement to accept the grant award pursuant to Resolution 2020-167. The LEAP Grant was awarded for the preparation of the 6<sup>th</sup> Cycle Countywide Housing Element, along with additional land use and infrastructure planning to expand housing development opportunities in the Bloomington and other communities.

The County is required to include, as a mandatory element of its general plan, a housing element. The purpose of the housing element is, among other things, to ensure that the County contribute to attainment of state housing goals. Provisions in the housing element are more specific and directive than other general plan elements. The law requires that HCD review and certify the housing element, which must be revised and submitted periodically on either a four, five, or eight year cycle, depending on various factors. The Countywide Plan (CWP) identifies Bloomington as a growth focus area and mobility focus area with potential for additional housing growth. LEAP funding will also be used for land use and infrastructure planning needed to accelerate housing construction in unincorporated communities, including Bloomington.

Staff recommends PlaceWorks, Inc. (PlaceWorks) to conduct the services described in the LEAP Grant, as an extension of the work it performed on the CWP. Approval of Recommendations No. 2 and No. 3 will authorize the Director of LUS to sign documents of non-substantive changes related to the contract subject to review by County Counsel, and transmit such documents to the Clerk of the Board within 30 days of execution. Authorizing the Director to sign future documents will allow LUS to respond in a timely manner to critical service issues that may arise during the contract period and comply with mandatory deadlines for the review and certification of the housing element.

Per County Policy No. 11-05, the proposed contract contains a non-standard indemnification clause. The potential impact of the non-standard term would limit the County's ability to be indemnified for claims that were not caused by a negligent act, omission, or error of PlaceWorks. Given the specialized expertise and experience of PlaceWorks, LUS recommends entering into the contract notwithstanding the modified non-standard term.

### **PROCUREMENT**

This is a non-competitive contract due to PlaceWorks' specialized expertise and experience from previous work and continued support for the CWP, the previous County housing element update, and the Valley Corridor Specific Plan. The housing element is also required to be internally consistent with other elements of the CWP previously prepared by PlaceWorks. The proposed scope of the contract will build on the extensive work PlaceWorks has done on the CWP and in the Bloomington community planning area. County Purchasing recognizes the specialized expertise and experience of PlaceWorks and supports the non-competitive procurement of these services from PlaceWorks.

### **REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Jason Searles, Deputy County Counsel, 387-5455) on January 19, 2021; Purchasing (Bruce Cole, Supervising Buyer, 387-2148) on October 2, 2020; Finance (Kathleen Gonzalez, Administrative Analyst III, 387-5412) on January 21, 2021; County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on January 22, 2021.