



# City of Woodland

## REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR  
AND CITY COUNCIL

DATE: November 6, 2007

SUBJECT: Housing Element Update Contract for Services

### **Report in Brief**

The City released a Request for Proposal on August 10, 2007 to qualified consulting firms to prepare Woodland's updated Housing Element. The Housing Element Update for the 2008-2013 period is due to the Department of Housing and Community Development (HCD) on or before June 30, 2008. The City is seeking a document that will reflect current state policy and law and that will provide local decision makers, developers, and the public with information needed for future housing policy decisions.

Staff recommends that the City Council approve the Contract for Services with Wildan to update the General Plan Housing Element in order to meet requirements of State Law at an amount not to exceed \$89,000 and authorize the City Manager to execute the agreement.

### **Background**

All localities are required to prepare and adopt a housing element as part of their General Plan. The Housing Element must include, among other things, identification and analysis of existing and projected housing needs, an identification of resources and constraints to address these needs, and goals, policies and scheduled programs for the maintenance, improvement and development of housing for all economic segments of the community.

The City's Housing Element was last updated and adopted in October 2003. State law, Government Code sections 65580-65589.8; require that Housing Elements be updated every five years and, in addition to other state mandates, that the element include analysis and provision of the regional fair share housing (RHNA) allocation. Since the last update there have been numerous legislative updates to the housing law. Some of the key statutory changes include the following:

- AB 2348 (Mullin) 2004: Requires more detailed inventory of sites to accommodate projected housing needs and provide greater development and housing element review certainty.
- AB 2364 (Lieber) 2006: Requires quantification and analysis of existing and projected housing needs of extremely low-income households. Elements must also identify zoning to encourage and facilitate supportive housing and single-room occupancy units.
- AB 2511 (Jones) 2006: Amended several sections of general plan and housing laws. Includes provisions strengthening anti-NIMBY protections and no-net loss requirements. Added potential penalties for non-reporting of annual general plan progress report.
- AB 1233(Jones) 2005: Requires sites to be rezoned by prescribed deadlines when a jurisdiction fails to adopt an adequate housing element or fails to implement programs in its housing element to satisfy its RHNA.

#### Public Outreach

Housing element law requires public participation and outreach to all economic segments in the community. Public input also helps to understand the community's needs and priorities. A public outreach plan that involves aggressive outreach, a community workshop and a Planning Commission/City Council study session are proposed.

#### Environmental Review

Prior to adoption, appropriate environmental review will be required in compliance with the California Environmental Quality Act (CEQA). At this time it is anticipated that a negative declaration will be the environmental review document. However, based on input and analysis, if significant land use changes are required to meet adequate sites for housing then a mitigated negative declaration or focused EIR may be required. As the type of CEQA document has not been determined at this time, a scope of work and budget for environmental review will be provided when more information regarding sites and constraints is known. An estimated \$20,000 has been included in the contract, the final amount will be determined after completion of an administrative draft.

#### Consultant Proposals

The City received five (5) proposals in response to the Request for Proposal (RFP). Of the five, three consultant teams were interviewed on September 25. Based on responsiveness to the RFP and team strength, staff is recommending that a Contract for Services be entered into with Wildan.

The proposal amounts ranged from \$68,870 to \$109,995 see Attachment 1. The Wildan proposal was \$68,870. This amount includes an optional \$15,000 for a housing survey. It is recommended that the contract be set for \$89,000 and that staff be allowed to authorize amendments up to an additional \$20,000. This will allow for CEQA compliance and contingencies.

#### Contract Authorization

Due to the amount, scope and nature of the contract, the City Council is required to authorize the contract for Scope of Services.

**Discussion**

If the contract is approved at this meeting, the consultant team and City staff will immediately initiate a kick off meeting. Starting as soon as possible allows the element to be completed within an approximate 8 month time frame. Delay raises concern that the element may not be completed by the required statutory deadline.

There are significant consequences if the Housing Element is not in compliance with HCD legislative requirements by the June 30, 2008 deadline including:

- If not in compliance this puts the City at risk of having its General Plan deemed inadequate, and therefore invalid;
- The potential loss of access to beneficial funding sources such as; gas tax funds, the California Infrastructure and Economic Development Bank, as well as HOME and CDBG funds.
- A community can be issued court orders restricting development and/or approving affordable housing.
- Possible loss of general funds from attorney fees if cases are brought against the City due to lack of compliance.

**Fiscal Impact**

If the Housing Element is not in compliance with State requirements the City could lose revenue access to multiple funding sources including Workforce Housing funds, Transit Oriented Development Implementation funds, Enterprise funds, CDBG (\$600,000/yr), HOME (\$600,000), Cal HOME as well as multi-family bond funds (\$4M). Loss of these funds would be significant.

The proposed contract is proposed as a not to exceed amount of \$89,000. Funds toward the General Plan update, of which the Housing Element is a required element, were included in the Capital Improvement budget (CIP) in the amount of \$750,000 for FY 07-08.

**Public Contact**

Posting of the City Council agenda

**Recommendation for Action**

Staff recommends that the City Council approve the Contract for Services with Wildan to update the General Plan Housing Element in order to meet requirements of State Law at an amount not to exceed \$89,000 and authorize the City Manager to execute the agreement.

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Director

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City Manager

**Attachments:**

1. Summary Review of Proposals Received
2. Contract for Services with Wildan