

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION: A) AUTHORIZING A WAIVER OF THE REQUEST FOR PROPOSALS PROCESS AND APPROVING THE EXECUTION OF AN AGREEMENT WITH BAIRD + DRISKELL COMMUNITY PLANNING TO CONDUCT THE 21 ELEMENTS PROJECT, IN A TOTAL AMOUNT NOT TO EXCEED \$1,158,794 FOR THE TERM OF JULY 1, 2021 THROUGH JUNE 30, 2023; AND B) APPROVING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS (C/CAG) FOR RECEIPT OF \$150,000 OF C/CAG FUNDS FOR REIMBURSEMENT OF PROJECT COSTS INCURRED IN FY 2021-22

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, since 2008, the Department of Housing (“DOH”) and the City/County Association of Governments of San Mateo County (“C/CAG”) have co-sponsored a multi-year project called the 21 Elements Project (the “Project”) through which all twenty-one jurisdictions in San Mateo County (collectively, “Jurisdictions”) have been cooperating to sub-allocate the County’s share of planned regional housing growth and update their respective local Housing Elements; and

WHEREAS, the Project has proceeded through a number of phases, providing important benefits to Jurisdictions, including cost savings in preparation and successful certification of their respective Housing Elements; and

WHEREAS, Baird + Driskell Community Planning (“BDGP”) has rendered consulting services to the Project from its outset; and

WHEREAS, on July 23, 2019, the Board of Supervisors approved a two-year Agreement with BDCP to conduct the fifth two-year phase of the Project of the Project in order to assist participating jurisdictions with updates to their respective inclusionary housing Ordinances and accessory dwelling unit ordinances as well as develop or revise other housing-related policies and programs; and

WHEREAS, in 2020, the Project facilitated the drafting of eviction moratorium policies for Jurisdictions in connection with the COVID-19 pandemic, facilitated conversations on federal aid received by the Jurisdictions for the purposes of COVID-19-related housing needs, and other COVID-19-related needs of the Jurisdictions; and

WHEREAS, DOH recommends that the Board waive the Request for Proposals (“RFP”) requirement for this agreement because the best interest of the County would be served without engaging in the RFP process; and

WHEREAS, BDCP has developed strong relationships with members of each of the 21 jurisdictions since the 21 Elements Project began in 2008; and

WHEREAS, BDCP possesses the background and expertise necessary to address the unique housing challenges in San Mateo County, both of which are critical to the success of the 21 Elements Project; and

WHEREAS, as part of the sixth cycle of the State’s Regional Housing Needs Allocation process (“RHNA”), the Jurisdictions are preparing their Housing Elements, which are due to the State in January of 2023 and in order to comply with State law and

receive funding from the State, Jurisdictions must have a State certified Housing Element; and

WHEREAS, through the Project, BDCP is supporting Jurisdictions in the preparation of their Housing Elements, and to procure a new consultant for the Project, which would include supporting Jurisdictions with the completion of the RHNA process, would jeopardize the successful certification of each Jurisdiction's Housing Element; and

WHEREAS, DOH wishes to retain the services of BDCP for FYs 2021-23 continue the cost-effective, successful and collaborative work of the Project; and

WHEREAS, C/CAG contributed \$150,000 to DOH for Project costs in each of the two fiscal years 2019-20 and 2020-21; and

WHEREAS, on June 10, 2021, the C/CAG board authorized the use of \$150,000 in Congestion Relief Plan –Linking Housing with transportation funds for FY 2021-22 for reimbursement of Projects incurred in FY 2021-22; and

WHEREAS, the State's 2019-20 Budget Act allocated \$250 million for all regions, cities, and counties within the State to fund planning activities, like the Project, that accelerate housing production to meet identified needs of every community; and

WHEREAS, the State's Housing and Community Development Department ("HCD") established the Regional Early Action Planning Grant Program ("REAP") with \$125 million to regions; and

WHEREAS, REAP provides one-time grant funding to regional governments and regional entities for planning activities that will accelerate housing production and facilitate compliance in implementing the sixth cycle of the RHNA; and

WHEREAS, San Mateo County will receive \$807,375 over a period of three years from 2021 to 2023 for its portion of State REAP funding; and

WHEREAS, for FY 2021-22, Jurisdictions, other than the County are expected to contribute approximately \$45,600 in aggregate each year to partially defray the costs of the Project, and C/CAG and DOH intend to jointly contribute \$320,272 each year to cover Project costs, with \$150,00 coming from C/CAG funds and \$160,272 from County funds under a Memorandum of Understanding between C/CAG and DOH; and

WHEREAS, REAP program funds will be used to fund \$269,125 each year to cover Project costs.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board of Supervisors be and is hereby authorized and directed to waive the County's requirement for Request for Proposals and execute said agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

BE IT FURTHER RESOLVED that the Director of the Department of Housing, or designee, is authorized to execute contract amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the contract and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

BE IT FURTHER RESOLVED that the President of the Board of Supervisors is hereby authorized and directed to execute a memorandum of understanding (MOU) with the City/County Association of Governments (C/CAG) for the receipt of \$150,000 of C/CAG funds for reimbursement of 21 Elements Project costs incurred in FY 2021-22.

BE IT FURTHER RESOLVED that the Director of the Department of Housing, or designee, is authorized to execute MOU amendments which modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the MOU and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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