

**COOPERATIVE AGREEMENT BETWEEN
CITY/COUNTY ASSOCIATION OF GOVERNMENTS
OF SAN MATEO COUNTY
AND SAN MATEO COUNTY (DEPARTMENT OF HOUSING)**

This Cooperative Agreement (“Agreement”), effective as of July 1, 2021, is by and between the City/County Association of Governments of San Mateo County, a joint powers agency hereinafter called "C/CAG" and the County of San Mateo, by and through its Department of Housing, hereinafter called "DOH".

W I T N E S S E T H

Whereas, for nearly twenty years C/CAG has taken a leadership role in conducting or sponsoring countywide projects related to the housing/transportation/land-use nexus, including the 21 Elements project through which all C/CAG member jurisdictions cooperated to meet State Housing Element update requirements in a more timely and cost-effective manner and share “best practices” around housing and transit-oriented development; and

Whereas, C/CAG and the San Mateo County Department of Housing (DOH) have coordinated workplans on, among others, the 21 Elements Project (the “21 Elements Project”); and

Whereas, DOH has entered into four multi-year contracts with Baird + Driskell Community Planning (“Baird + Driskell”) to conduct the 21 Elements Project beginning in 2012 with each subsequent contract increasing in scope and budget; and

Whereas, C/CAG contributed funds to each of the four multi-year contracts with Baird + Driskell to sponsor the 21 Elements Project and most recently contributed \$150,000 of “Congestion Relief Plan – Linking Housing with Transportation” funds for fiscal year 2020-21 of the 21 Elements Project; and

Whereas, C/CAG wishes to continue to partner with DOH for the first year of DOH’s fiscal year 2021-22 contract with Baird + Driskell for the purpose of supporting the 21 Elements Project; and

Whereas, C/CAG now desires to program \$150,000 of “Congestion Relief Plan—Linking Housing with Transportation” funds to continue to sponsor the 21 Elements Project in fiscal year 2021-22.

NOW, THEREFORE, IT IS HEREBY AGREED by the parties as follows:

1. **Services and Activities.**

A. DOH will coordinate and cooperate with C/CAG to conduct the 21 Elements Project. The services will be performed by Baird + Driskell Community Planning (Baird + Driskell) under contract with, and supervision of, DOH. The scope of services to be provided by Baird + Driskell for the 21 Elements Project is described in Exhibit A, which is attached hereto and incorporated by reference.

2. **Payments.**

B. C/CAG will reimburse DOH for direct costs related to the Project. Such direct costs shall include the costs incurred by DOH as payments to consultants, including Baird + Driskell, provided C/CAG's Executive Director has given prior written approval of such consultant costs. Reimbursement to DOH by C/CAG pursuant to this Agreement shall not exceed \$150,000 for fiscal year 2021-22 which begins July 1, 2021.

C. DOH will submit quarterly invoices to C/CAG for reimbursement of Project costs, beginning on or around October 2021.

3. **Relationship of the Parties.**

The parties will cooperate and undertake activities in their mutual interest, but it is understood and agreed that this is an Agreement by and between independent contractor(s) and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship whatsoever other than that of independent contractors.

4. **Contract Term.** This Cooperative Agreement shall be in effect as of July 1, 2021 and shall terminate on June 30, 2022. The parties may extend, renew or amend the terms hereof, by mutual agreement in writing and signed by the parties.

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Scope of Services

The scope of services for the 21 Elements Project in fiscal year 2021-2022 is based on review and direction of drafts of the work plan provided by C/CAG and San Mateo County Department of Housing (DOH) staff.

A. Housing Elements and Regional Housing Needs Allocation (RHNA)

A1. Assist jurisdictions in completing Housing Elements

A2. Assist with Sites Inventory – One-on-one-work with jurisdictions within San Mateo County (collectively, “Jurisdictions”), to analyze available sites. Additional one-on-one work with Jurisdictions, as needed. Produce material that is applicable to all Jurisdictions. Budget for this item includes access to data and sub consultants.

A3. Additional Housing Element Outreach – Expand the Let’s Talk Housing outreach effort to include an additional series of meetings and grants to nonprofits. Grants will be closely coordinated with Jurisdiction staff. Budget for this item includes grants to nonprofits.

A4. General Assistance with Housing Element – Additional hours to assist Jurisdictions with Housing Element needs, for example, city council presentations, one-on-one meetings with Jurisdictions’ staff, or additional analysis about select topics.

A5. Assist Jurisdictions on Housing Element Annual Progress Reports (APRs) — Assist Jurisdictions in compiling information and completing their APRs that are due to State HCD by April 1st of each year. Completion of APRs is necessary in order for Jurisdictions to receive State HCD funding and to comply with other State HCD requirements. Assistance may include trainings, memos, useful definitions, data sources, etc.

B. Assist Jurisdictions with New State Laws and Requirements

B1. Assist Jurisdictions with SB 35 and Housing Accountability Act (HAA) Implementation — Assist Jurisdictions with implementing SB 35 (Streamlined Ministerial Approval Process) and HAA requirements; including summary memos, sample staff reports, presentations, objective development standards, processing questions, etc. Assistance may include the provision of written materials, training and presentations.

B2. Assist Jurisdictions and C/CAG with New State Laws — Assist jurisdictions with analysis and implementation of any new State laws related to land use, housing and other inter-related items. Assistance may include the provision of written materials, training and presentations, including a summary of new laws and bills.

Participate in C/CAG and DOH staff and public meetings, particularly in the context of new housing laws and proposals.

C. Accessory Dwelling Units (ADUs)

C1. Improve ADU Approval Process — Work with up to four Jurisdictions to identify and reduce friction points between homeowners/designers/builders and Jurisdiction rules, materials, regulations and interactions during the ADU information gathering, review, approval, construction and final occupancy process.

C2. Conduct Outreach to Promote New ADUs — Work with Home for All, HEART, Jurisdictions and others to promote new ADUs. This may include coordination, meetings, preparation of materials, tours, workshops, presentations and participation in other actions and activities.

C3. Conduct Additional ADU Tasks/Products — Undertake a number of other tasks to support the creation of ADUs, including, for example, refreshing the existing ADU workbook and website.

D. Promoting New Housing

D1. Collect Countywide Data — Produce a summary of housing and transportation trends in the county. Information will include housing units produced or proposed, impact fee collected, and new policies adopted. This task also includes an update of the parking standards survey.

D2. Assist C/CAG with Updating the PDA Strategy — Assist C/CAG as needed in coordinating with MTC on updating the San Mateo County Priority Development Area (PDA) Investment & Growth Strategy to respond to new requirements. Tasks will be limited, but may include, among items identified by C/CAG staff, data collection, written materials, presentation materials and attendance and presentations at C/CAG meetings.

D3. Prepare Materials to Increase Community Understanding — In coordination with Home for All, produce materials to address community concerns and acceptance of affordable housing opportunities and new State laws related to density and development approvals.

E. Promoting Affordable Housing

E1. Assist Jurisdictions with Accessing Funding Sources — Assist with the preparation of materials and coordination efforts to better position the County to

receive funding related to transportation, housing and land use, including SB2. Budget for this item may include a topic specialist sub-consultant.

E2. Impact Fees and Inclusionary – Produce material to help Jurisdictions complete five-year reports and assist Jurisdictions in completing annual reports. Update 21 Elements' summary of inclusionary zoning and impact fee policies for San Mateo.

E3. Support Doorway/DAHLIA Implementation — Support the San Mateo County rollout and implementation of Doorway. This includes facilitating meetings, interviews with stakeholders, raising funds for Doorway, etc.

E4. Affirmatively Furthering Fair Housing — Produce material to help Jurisdictions understand the new state law regarding Affirmatively Furthering Fair Housing. Budget for this item may include a sub-consultant.

E5. Launch Workgroup on Affordable Housing Management Best Practices – Work with Jurisdictions to identify key affordable housing management best practices and identify opportunities to better manage the existing and future stock of affordable housing. Conduct a document search to try to find affordable units that are currently being rented at market prices. Budget for this item may include a subject matter expert sub-consultant.

E6. Assist with Housing Trust Fund Management – Work with jurisdictions and DOH to help Jurisdictions prioritize and spend their affordable housing trust fund dollars. Budget for this line item will be for a subject matter expert sub-consultant.

F. Meetings, Coordination and Organizational Development

F1. Support Planning Commissioner Trainings and Planning Directors

Meetings— Host 2-3 Planning Commissioner Trainings, including one on housing and one on transportation. Additional work may include writing a Planning Commissioners Manual. Continue to support a regular meeting of Community Development Directors to discuss housing and related topics.

F2. Trainings and Other Meetings— As issues arise, prepare and implement materials for webinar training and information sharing. Host three peer learning events and three 21 Elements meetings, topics to be determined.

F3. Coordinate with Others - As appropriate, attend and participate in Home for All Work Group and Steering Committee meetings, C/CAG meetings, etc. This will include participation in ADU implementation coordination meetings.

F4. Respond to Cities Requests - Provide easy and direct access for Jurisdictions to ask questions, distribute information, query other jurisdictions, obtain updated information on State laws and particular items of importance, etc.

F5. Organizational Development - Maintain the 21 Elements website, including linkages with other county and city initiatives, updates to contact list, managing day-to-day operations, etc.