

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH RINCON CONSULTANTS TO PREPARE AN UPDATE TO THE HOUSING ELEMENT, CLIMATE ACTION PLAN AND RELATED SAFETY AND ENVIRONMENTAL JUSTICE GENERAL PLAN UPDATES AND ASSOCIATED ENVIRONMENTAL IMPACT ANALYSIS FOR AN AMOUNT NOT-TO-EXCEED \$599,565.

WHEREAS, every eight years, the State Department of Housing and Community Development (HCD) calculates the housing need across the state as a whole, which is referred to as the Regional Housing Needs Allocation (RHNA). In this cycle, the Bay Area was allocated 441,176 units with about 26% allocated to Very Low Income, 15% to Low, 16% to Moderate and 43% to Above Moderate-income households; and

WHEREAS, in May 2021, the Association of Bay Area Government's (ABAG) Housing Methodology Committee released a Draft Regional Housing Allocation Plan for the nine county Bay Area, allocating 4,624 housing units to the City of Hayward. Of that total, 1,075 units are allocated to Very Low-Income Households, 617 units are allocated to Low Income Households, 817 units are allocated to Moderate Income Households and 2,115 units are allocated to Above Moderate-Income Households; and

WHEREAS, in accordance with State Law, every local jurisdiction shall update their Housing Element every eight years in conjunction with the RHNA allocation. The Housing Element shall include statutorily-required sections related to existing and projected housing needs with special attention to vulnerable populations; a site inventory and feasibility analysis providing an inventory of suitable land for a variety of housing types and income levels; a thorough analysis of potential and actual governmental constraints to development; objective goals for housing development which may align with or exceed the RHNA; programs and policies that affirmatively further fair housing; and timeframes for implementation plan to allow the City to achieve goals and objectives; and

WHEREAS, the City of Hayward adopted the 2015-2023 Housing Element on December 2, 2014, and the updated Housing Element 2023-2031 is due January 31, 2023; and

WHEREAS, in 2016, the California legislature adopted Senate Bill (SB) 1000 requiring local jurisdictions to review and update Safety Elements of the General Plan to address and update hazards related to flooding, fires and to include climate adaptation and resilience strategies. Further, SB 1000 added the topic of Environmental Justice to be addressed in local

jurisdictions' General Plans as a separate Element or addressed through related goals, policies and objectives within other Elements; and

WHEREAS, Hayward's Climate Action Plan (CAP) was adopted in 2009 and incorporated into the Hayward 2040 General Plan in 2014. While the current CAP includes greenhouse gas (GHG) reduction goals through 2045, it only identifies the policies and programs necessary to meet the 2020 goal. The City's Strategic Roadmap calls for the adoption of a 2030 GHG reduction goal and related policies and programs to achieve that goal; and

WHEREAS, in May 19, 2020, the City Council adopted Resolution No. 20-054 authorizing the City Manager to apply for a Local Early Action Planning (LEAP) Grant to fund the Housing Element and related General Plan Element Updates. On May 21, 2021, the City and State entered into an Agreement to provide a total of \$425,000 to Hayward's Housing Element and SB 1000 Updates. A 20% contingency totaling \$85,000 will be funded through the Development Services Department's Policy Planning fund which is a fee added to each building permit to fund large-scale policy initiatives; and

WHEREAS, the Public Works Department has earmarked a total of \$210,000 (\$175,000 plus \$35,000 contingency) to fund this effort from a combination of Recycling, Water and Sewer Funds, which will not impact the City's General Fund; and

WHEREAS, the Housing Element, Safety and Environmental Justice Updates to the General Plan are being combined with the Climate Action Plan Update because issues of housing, environmental justice, safety and hazard planning and climate change are inextricably linked. Further, conducting outreach and planning for these efforts simultaneously will result in a more comprehensive and holistic approach and will result in cost and time efficiencies related to outreach, environmental analysis and adoption and implementation efforts; and

WHEREAS, on May 28, 2021, the City released a detailed Request for Proposals (RFP) to conduct a Housing Element, Climate Action Plan, Environmental Justice & Safety Element Update and related environmental analysis, and received two qualified proposals; and

WHEREAS, a committee of Planning, Environmental Services and Housing Division staff reviewed the proposals, interviewed both firms, and determined that Rincon Consultants is the preferred candidate to complete the subject work; and

WHEREAS, the Scope of Work includes a budget of \$599,565 to complete the proposed project and related environmental analysis; and

WHEREAS, an approximately 20% contingency will be added to the project budget for a total project budget of \$720,000.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward, hereby authorizes the City Manager to negotiate and execute an Agreement with Rincon Consultants in a form approved by the City Attorney, for preparation of a comprehensive update of the Housing Element, Climate Action Plan, Safety and Environmental Justice Updates and related environmental analysis for an amount not-to-exceed \$599,565, and a term through January 31, 2023.

BE IT FURTHER RESOLVED, that a total project budget of \$720,000, including contingencies, is hereby approved.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2021

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward