

ITEM 10.I.

MOORPARK CITY COUNCIL AGENDA REPORT

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director 
Joseph R. Vacca, Principal Planner 

DATE: July 31, 2012 (CC Meeting of 09/19/12)

SUBJECT: Consider a Professional Services Agreement to Prepare 2014-2021 Update to the City's Housing Element of the General Plan

BACKGROUND / DISCUSSION

State law requires cities in the Southern California Association of Governments region to complete updates to the Housing Elements of their General Plans and have them approved by the State Housing and Community Development Department (HCD) by October, 2013. The Housing Element requirements, unlike requirements for other General Plan elements, are very detailed, requiring specialized expertise for successful completion of an element that would achieve HCD approval. The Housing Element update has been included in the Fiscal Year 2012-2013 Goals and Objectives as part of a Top Ten Priority calling for a comprehensive General Plan update. The FY 2012-2013 budget includes \$20,000.00 for this task.

The most recent Housing Element Update was completed by Mr. John Douglas, AICP, Principal of J. H. Douglas and Associates for \$38,925.00, approximately \$2,500.00 under budget. Staff was very satisfied with the work performed by Mr. Douglas and had asked him for a proposal to complete the 2014-2021 update. Because of his work on the City's current Housing Element and familiarity with Moorpark, he would be able to complete the 2014-2021 update without extensive upfront costs, at an estimated cost of \$19,680.00, approximately half that spent on the current Housing Element. The tasks and timeline identified in the proposal meet the needs of the City to complete the Housing Element in a manner that would satisfy State law.

FISCAL IMPACT

Funding for this work is included in the Fiscal Year 2012-2013 budget.

STAFF RECOMMENDATION

Authorize the City Manager to negotiate and execute a Professional Services Agreement with J. H. Douglas and Associates for the preparation of the 2014-2021 Housing Element update, subject to final language approval of City Manager and City Attorney.

ATTACHMENT:

1. J. H. Douglas and Associates proposal to prepare the 2014-2021 Housing Element update

CITY OF MOORPARK

Proposal to Prepare the 2013-2021 Housing Element Update



Submitted to:

David Bobardt, AICP
Community Development Director
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021



Submitted by:

J.H. Douglas & Associates

April 2, 2012

Table of Contents

1.	Project Understanding and Approach	1
2.	Scope of Work and Schedule	3
3.	Qualifications and References.....	11
4.	Proposed Budget.....	15

J. H. Douglas & Associates
Planning Consultants

April 2, 2012

David Bobardt, AICP
Community Development Director
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

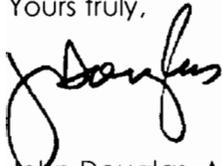
Dear Mr. Bobardt,

I appreciate the opportunity to submit this proposal to again assist you with the City's Housing Element update. Based on my familiarity with your current circumstances and experience with many other jurisdictions in Ventura County and throughout California, I believe I can help you prepare the required 2013 update in a very efficient manner.

As we approach completion of the 2008-2014 Housing Element and SCAG's adoption of the new RHNA allocations, the City is in a good position to complete the 2013 update within the state-mandated timeframe of October 2013.

I have enjoyed working with you on the 2008 Housing Element and hope that you find this proposal responsive to your needs. If you have any questions please give me a call at 714-628-0464.

Yours truly,



John Douglas, AICP
Principal

1. *Project Understanding and Approach*

Under state law, all jurisdictions in the Southern California Association of Governments (SCAG) region must complete their next housing element update by October 2013. The new Housing Element will cover the projection period January 1, 2014 through October 1, 2021. SCAG's draft Regional Housing Needs Assessment (RHNA) allocation for Moorpark is 1,164 units, with 486 of those in the very-low- and low-income categories. This allocation is subject to public review, appeals, and final approval by SCAG's Regional Council, anticipated in late 2012.

The new Draft RHNA is significantly lower than the 1,617 units allocated in the previous planning period. However, it will be essential for the City to finalize the 2008 Housing Element and adoption of the zoning amendments called for in Program 3 in order to avoid a carryover of a portion of the previous RHNA to the new period.

In the previous Housing Element cycle, demonstrating to HCD that the City had adequate sites to accommodate the RHNA has been the most challenging aspect of the process. If the City can complete the zone changes prior to the end of this planning period, the sites inventory should not be such a difficult issue with the new Housing Element.

Our experience preparing Housing Elements and working with HCD in over 50 jurisdictions throughout California during the past 30 years has given us a thorough understanding of the legal requirements and land use policy issues involved in obtaining state certification. This knowledge, combined with our local familiarity gained from preparing the current Moorpark Housing Element, makes us uniquely well qualified for this assignment. The following section provides a detailed description of the tasks we propose to carry out as part of this project.

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2. Scope of Work and Schedule

The following section outlines the specific tasks, deliverables and schedule we propose for the 2013 Housing Element update. Other optional tasks can also be provided if desired.

Task 1 **Housing Element** **Preparation**

Task 1 entails the research, analysis, writing and production of the new Housing Element document for review by City staff, decision-makers, the public, and State HCD. The ultimate goal is the adoption of a Housing Element that achieves the City's policy objectives while also receiving HCD certification. The 2013 element will include a comprehensive update of all sections as necessary in order to reflect the City's accomplishments since the previous element was prepared, new demographic and housing data, any recent changes in policies and regulations, an updated RHNA analysis, and new or revised implementation programs.

1.1 Administrative **Draft Housing** **Element**

An Administrative Draft Housing Element will be prepared to reflect current conditions, goals, policies, quantified objectives, and implementation programs describing the City's housing strategy for the 2013-2021 planning period. Policies and programs will be updated based on lessons learned during the previous planning period and where appropriate, refinements will be recommended.

The draft Housing Element will include all of the items required by state law, as described below. The budget assumes that staff comments will be incorporated into the complete Administrative Draft Element, with one subsequent review of the complete document.

Evaluation of the Previous Housing Element. This task involves the review and evaluation of the previous Housing Element, including appropriateness of goals and policies, the effectiveness of programs, and the City's progress in meeting quantified objectives. Since much of the information needed for this evaluation is contained in City records, the budget assumes that City staff will provide the required information regarding program accomplishments in the previous planning period.

Needs Assessment. A fundamental component of the Housing Element is an identification of the community's needs. Data sources to be utilized include the U.S. Census, state Department of Finance population and housing trends, state Employment Development Department job statistics and forecasts, the County's most recent available Point-in-Time homeless survey, and real estate market data. The Regional Housing Needs Assessment prepared by SCAG will identify growth needs for the new planning period. The needs assessment will include all of the items required by California Government Code §65583(a) and Department of Housing and Community Development "Building Blocks" guidelines. The budget assumes that City staff will assist in identifying the current inventory of assisted housing projects (if any) and their eligibility to convert to market rate. If it is determined that there are units "at risk", the

required analysis will be conducted. The budget assumes that adequate information regarding the number of housing units in need of rehabilitation or replacement can be obtained from the observations and professional judgment of Code Enforcement, Planning and Building Department staff rather than a new field survey. HCD generally does not require a new field survey of housing conditions. However, if it is determined that field work is necessary, it can be completed as an optional task, or City staff can conduct the survey under our guidance.

Resources and Opportunities. The analysis of resources and opportunities will focus on the following topics.

- ♦ Land inventory/site analysis and an evaluation of the relationship of zoning and public facilities to serve these sites.
- ♦ Financial and administrative resources, including federal, state and local housing assistance programs.
- ♦ Analysis of opportunities for energy conservation.

It is expected that SCAG's Regional Council will adopt the new RHNA allocations by October 2012. The draft RHNA allocation for Moorpark for the 2014-2021 planning period is 1,164 units, with 486 of those in the very-low- and low-income categories. Based on state law (AB 2348 of 2004), a "default density" of 20 units/acre is assumed to be necessary to facilitate lower-income housing development. It is assumed that City staff will assist us in identifying any changes to the inventory of parcels with the potential for housing development as well as specific site information needed to prepare the land inventory (e.g., parcel ID numbers, parcel size, General Plan/zoning designations, entitlement status, and information regarding development interest and timing).

If appropriate, this section of the Housing Element will also examine the potential for satisfying a portion of the RHNA through committed assistance for the rehabilitation, conservation or conversion of existing affordable units under the "Alternate Sites" provisions of state law (*Government Code §65583.1.c*).

Constraints. The constraints analysis will include the following issues:

- ♦ **Governmental constraints**, including land use plans and regulations, zoning districts, development standards, improvement requirements, fees, and processing procedures will be analyzed. The budget assumes that City staff will assist in this process by identifying any changes to plans, regulations, procedures, standards, fees, and other potential governmental constraints that have occurred since the previous Housing Element was prepared.
- ♦ **Non-governmental constraints** will be evaluated, including land and construction cost, financing cost and availability, environmental conditions (e.g., flood hazards, geotechnical problems, sensitive biological habitat) and infrastructure (particularly water and wastewater treatment capacity). It is assumed that the City's Public Works/Engineering staff will

provide the information needed to assess infrastructure capacity constraints.

Housing Plan. The analysis of needs, resources, opportunities and constraints, together with the evaluation of the previous Housing Element, will provide guidance in identifying areas where policies and programs should be refined to better accomplish the City's objectives or address changes in state law. We will work with staff and decision-makers to identify policy options and refine the goals, policies, and programs as necessary. The experience of City staff who are involved in program implementation will be especially valuable in this regard

Products

- ♦ Administrative Draft Housing Element document (2 hard copies + electronic file)

(Note: If desired, additional copies of documents can be provided on a time-and-materials basis)

1.2 Public Review Draft Housing Element

A Public Review Draft Element will then be prepared incorporating staff comments. One round of review is assumed. If additional rounds of review are requested on the Draft Element at this stage, or if late comments must be incorporated after the Public Review Draft is completed, they will be provided on a time-and-materials basis. It is assumed that the Public Review Draft Element will be made available to the public and submitted to HCD for review.

Products

- ♦ Public Review Draft Housing Element (1 master copy + electronic file)

1.3 Proposed Final Housing Element

The ultimate goal of the Housing Element update process is to adopt and implement an element that meets City objectives while also receiving a finding of substantial compliance ("certification") by HCD. Certification of the Housing Element is important for several reasons – to maintain eligibility for grant funds, to ensure a legally adequate General Plan, to maintain local control of the land use planning process, to avoid a RHNA carryover to the next planning period, and to avoid a 4-year update schedule under SB 375.

After receipt of HCD's comments on the Public Review Draft Housing Element, we will work with staff to revise the element as necessary to address the state's concerns. We will prepare a summary matrix following the points raised in HCD's review letter along with a tracked version of the revised draft element so that all parties can easily see the City's responses to HCD comments.

Based on our experience preparing the previous Housing Element in Moorpark and many other jurisdictions throughout California, we anticipate that HCD approval will be received in not more than two official submittals. Our strategy is to schedule a conference call with HCD's reviewer midway through the 60-day review period to allow refinements prior to receiving HCD's review letter. The budget

assumes a total of up to 16 hours for responding to HCD comments and preparing the revised draft element. However, if HCD comments require significantly more time and effort than assumed in the budget, we will advise the City's project manager and a mutually acceptable approach will be devised to successfully complete the required work.

Products

- ♦ Review and analysis of HCD comments
- ♦ Meetings/conference calls to review HCD comments with City and HCD staff
- ♦ Matrix summarizing HCD comments and proposed changes to the Draft Housing Element (electronic file)
- ♦ Preparation of a Revised Draft Housing Element for consideration by decision-makers (1 master copy + electronic file)

1.4 Final Housing Element

Following acceptance of the revised draft element by HCD, public hearings will be held by the Planning Commission and City Council for final adoption. We will make any additional revisions to the document to address Planning Commission comments prior to consideration by the City Council. Further refinements, if necessary, will be made to respond to City Council direction. The adopted element will then be submitted to HCD for final certification.

Products

- ♦ Planning Commission: Proposed Final Housing Element document (electronic file)
- ♦ City Council: Final Housing Element document (electronic file)

Note: While our goal is to help the City produce a Housing Element that receives certification by HCD, it is possible that unresolved policy differences between City decision-makers and HCD could hinder certification efforts.

Task 2 Public Participation

State Housing Element law¹ requires a diligent effort to involve interested persons and organizations representing all economic segments of the community in the preparation of Housing Elements. The budget assumes that the public involvement process will include one public hearing each with the Planning Commission and City Council. We will assist City staff in compiling a public notification list of interested parties and preparing public notices. We will also assist the City in preparing staff reports and will give a presentation at each meeting. Additional public meetings or materials (e.g., flyers, FAQs, press releases) can be provided on a time-and-materials basis if desired.

Our objectives are to satisfy all legal requirements for public

¹ Cal. Govt. Code §65583(C)(6)

involvement, ensure that City decision-makers have the benefit of transparent and vigorous civic participation in the development of City housing policy, and that interested parties can see how their input has been incorporated into the final Housing Element.

Products

- ♦ Assist staff in preparing a notification list and public notices
- ♦ Attend and give presentations at two public meetings and assist with preparation of staff reports

Task 3
Project
Management

Our approach to project management is to anticipate the City's needs and take personal responsibility for the final success of the project. We maintain regular contact with City staff, and make ourselves available in whatever capacity is desired by the City. While we expect that most communications will occur via telephone and e-mail, on-site working meetings with staff at critical stages of the project are assumed in the budget. We believe our gray hairs and "battle scars" have provided us with a deep appreciation for the political sensitivities of the planning process, which helps us anticipate problems and avoid unpleasant surprises. We take pride in the high level of service we provide, and encourage the City to contact our previous clients for reference.

Products

- ♦ Regular coordination with City staff via telephone or e-mail
- ♦ On-site working meetings, as necessary

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Schedule

The following proposed timeline identifies anticipated milestones for the major components of the Housing Element update. Obtaining state HCD approval generally requires a significant portion of the overall schedule, which is affected by the specific issues raised during the review process. Recent experience has shown that most jurisdictions require at least two rounds of HCD review prior to obtaining draft certification. Our typical approach has been to work informally with HCD staff during the 60-day review period to address concerns prior to issuance of their review letter. At the project outset we will review the schedule with City staff and make refinements as appropriate.

We believe the keys to schedule (and budget) control are 1) a clear understanding of issues, 2) close coordination between the consultant and City staff, and 3) an experienced consulting team. Mr. Douglas has managed numerous Housing Element projects and is committed to providing the City with excellent service.

September 2012	Administrative Draft Housing Element to staff for review
October 2012	Staff review of Administrative Draft Housing Element
November 2012	Preparation of Public Review Draft Housing Element
December 2012	Release Public Review Draft 2013 Housing Element
January 2013	Submit Draft Housing Element to HCD (60-day review)
March 2013	HCD comments on Draft Housing Element
April 2013	Prepare responses to HCD comments and submit Revised Draft Housing Element to HCD
June 2013	HCD comments on Revised Draft Housing Element ("Draft In Compliance" letter)
July - August 2013	Planning Commission & City Council adoption hearings; submit adopted element to HCD for certification

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3. *Qualifications and References*

J.H. Douglas & Associates is an urban and environmental planning consulting firm formed in 1998. Founding principal **John Douglas, AICP** brings over 35 years of diverse planning experience to the firm, which has given him a broad understanding of land use planning and analysis, environmental planning and CEQA documentation, housing policy and implementation, demographic and market analysis, entitlement processing, public participation and conflict resolution.

During the last Housing Element cycle our team assisted over 30 jurisdictions throughout California with their updates. Mr. Douglas is also a certified mediator with a background in helping to find solutions to difficult land use and public policy issues. He holds a Certificate in Conflict Management and Alternative Dispute Resolution from the University of California, Irvine and is a lecturer in the Graduate Program in Urban and Regional Planning at UCI where he has taught seminars in housing and collaborative planning.

Two key principles guide our approach to all our planning projects. First, we are a small firm with only seasoned professionals. There are no junior planners-in-training here. Because we have worked as senior staff on "both sides of the counter," we understand the needs of our clients and don't spin our wheels. We have excellent communication skills and we do quality work the first time, without the need for extensive revisions.

Second, we approach each Housing Element update as a team effort – while we have special expertise in preparing Housing Elements, we also recognize that the City's staff, officials and community stakeholders have a thorough understanding of local conditions, information sources, and priorities that are essential to a successful project. In the kickoff meeting we will exchange information about the City's important issues and how the Housing Element can best meet the City's objectives while also satisfying legal requirements

Obtaining state certification of the Housing Element can be a challenging task, and we are especially well-qualified to help cities in this regard. During the past three decades Mr. Douglas has worked with management and senior staff at state HCD as both a local government planner and consultant to resolve Housing Element issues and help cities and counties obtain certification. His long experience and relationships with HCD staff enable him to identify workable solutions to issues raised during the review process.

Since the passage of AB 2348 in 2004, the sites inventory analysis has been the single most difficult challenge to HCD certification.

Housing Elements have become an exercise in land use planning, and our broad experience with general plans, specific plans, zoning regulations and entitlement processing has been especially valuable in preparing a sites inventory that meets HCD requirements.

Local control of land use is of paramount importance to city elected officials, and the state's role in certifying housing elements can be very difficult for decision-makers to accept. Our knowledge of housing issues, clear presentation style, and background in consensus building strategies can help overcome these obstacles and achieve successful solutions.

Mr. Douglas will serve as Principal-in-Charge and Project Manager for the Housing Element update, will oversee preparation of all Housing Element documents, and will be responsible for cost, schedule and quality control. John will be the day-to-day contact with City staff and make presentations at public workshops and hearings.

Client References

John, thank you so much for all of your efforts with regard to our Housing Element. I know how well you and Randy worked together to prepare the document and all of the issues you faced along the way. In the end, you put together a good document which will guide us with our efforts for the next 5 years. Your presentation to the City Council was exceptional. It was succinct, told a story, and hit on the major points.

Bob Burrow, AICP
Community Dev. Director
City of Camarillo

We have an extraordinary depth of experience preparing Housing Elements in a wide variety of communities. We encourage City staff to contact these recent Housing Element clients for references.

City of Culver City

Sol Blumenfeld, Community Development Director
310-253-5700 sol.blumenfeld@culvercity.org
Susan Yun, Senior Planner
310-253-5755 susan.yun@culvercity.org

City of Malibu

Joyce Parker-Bozylinski, AICP, Planning Director
310-456-2489 x265 JParker-Bozylinski@malibucity.org

City of Diamond Bar

Greg Gubman, AICP, Planning Director
909-839-7065 GGubman@DiamondBarCA.gov

City of Hermosa Beach

Pam Townsend, AICP, Senior Planner
310-318-0240 ptownsend@hermosabch.org

City of Santa Paula

Janna Minsk, AICP, Planning Director
805-933-4244 JMinsk@spcity.org

RESUME

John H. Douglas, AICP

Principal

Qualifications Mr. Douglas has over 35 years experience in the planning field, including 15 years of management-level positions in city and county planning agencies. John manages the firm's practice in general plans, housing elements, CEQA/NEPA analysis, demographic analysis, public outreach programs and conflict resolution. John's previous consulting experience includes Principal of Conexus, Director of Planning for Civic Solutions, Inc. and senior consultant with The Planning Center. From 1991–1998 John served as Principal Planner for the City of Newport Beach where his duties included advance planning, economic development, annexations, CDBG administration, managing the entitlement and CEQA review process, and coordination with the California Coastal Commission on permitting issues. From 1981-1991 he was employed at the Orange County Environmental Management Agency where he supervised staff in the areas of advance planning, demographic forecasting, housing, CEQA compliance and entitlement processing. From 1977-1981 he was a housing market analyst for a private consulting firm. His planning experience began in 1974 with the City of Fresno.

Highlights of Experience John's extensive background in local government has given him a broad understanding of the practical aspects of planning. He has managed numerous General Plan projects, Housing Elements, zoning code amendments, EIRs, and entitlement processes for both private and public projects. His special areas of expertise are housing, CEQA compliance, and public policy consensus building strategies. He holds a certificate in Conflict Management from the University of California, Irvine and is a state-certified mediator with considerable experience working with groups and committees to find common ground on complex and controversial issues. He has taught courses on Housing Elements and Collaborative Planning in the graduate program in Urban and Regional Planning at the University of California, Irvine and has been a frequent speaker at professional conferences and universities.

Education

- ♦ B.A., University of California, Los Angeles, Geography, 1974
- ♦ Graduate Studies, San Diego State University, City Planning, 1976-78
- ♦ Certificate in Alternative Dispute Resolution, UCI, 2000

Professional Affiliations

- ♦ Lecturer, Graduate Program in Urban & Regional Planning, University of California, Irvine
- ♦ American Institute of Certified Planners
- ♦ Charter Member, American Planning Association

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4. Proposed Budget

Our proposed budget for the Housing Element update is provided below. Additional tasks can be provided on a time-and-materials basis. Reimbursable expenses are billed at actual cost with no surcharge. No mileage or travel expenses will be charged. Travel time to/from meetings is included in the budget for each meeting. Our current schedule of rates is provided in the proposed budget table below.

Task	Description	JD	WP	Total Hours	Cost
1.0	Housing Element Preparation				
	-Admin. Draft Housing Element	80	8	88	\$10,520
	-Public Review Draft Housing Element	16	2	18	\$2,130
	-Proposed Final Housing Element	16			\$2,000
	-Final Housing Element	6	2		\$880
2.0	Public Participation				
	-PC and CC meetings (1 each)	28		28	\$3,500
3.0	Project Management	4		4	\$500
Total Labor		150	12	162	\$19,530
Hourly Rate		\$125	\$65		
Reimbursable Expenses		(See table below)			\$150
Total Labor + Expenses					\$19,680

JD = John Douglas, AICP, Project Manager
 WP = Word Processing/graphics tech

Estimated Reimbursable Expenses	
Travel/mileage	No charge
Printing/graphics/supplies	\$100
Postage/deliveries	\$50
Total	\$150