



# Monterey County

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## Board Report

Legistar File Number: 18-735

August 28, 2018

**Introduced:** 7/10/2018

**Current Status:** Consent Agenda

**Version:** 1

**Matter Type:** General Agenda Item

- a. Approve an agreement with LeSar Development Consultants for the period August 28, 2018 through February 29, 2020 and not to exceed \$195,100. to provide the technical assistance required to update the County's Affordable Housing Ordinance; and
- b. Authorize the County Contracts/Purchasing Officer to execute the Agreement and any amendments which do not alter the scope of work or increase the amount payable on the Agreement.

### **RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve an agreement with LeSar Development Consultants for the period August 28, 2018 through February 29, 2020 and not to exceed \$195,100. to provide the technical assistance required to update the County's Affordable Housing Ordinance; and
- b. Authorize the County Contracts/Purchasing Officer to execute the Agreement and any amendments which do not alter the scope of work or increase the amount payable on the Agreement.

### **SUMMARY:**

The County of Monterey adopted its first Inclusionary Housing Ordinance in 1980 and it was last updated in 2011. Since that time, the Ordinance has been amended and revised on ten occasions to reflect changes in County policies, update how in-lieu fees are calculated or in response to new state laws. The current Ordinance does not reflect 2010 General Plan or recent changes in state laws governing the development of affordable and inclusionary housing. The recommended actions will allow County staff to retain experts in the field of affordable housing policy, finance and law that are necessary to draft the Affordable Housing Ordinance required by the 2010 General Plan. The entire process to update the County's Affordable Housing Ordinance is anticipated to be complete by the end of September 2019 but the agreement allows for a maximum of approximately 18-months to allow for more public outreach if it is needed.

### **DISCUSSION:**

The 2010 General Plan, Land Use Policy LU-2.13 effectively retitled the County's existing Inclusionary Housing Ordinance as the Affordable Housing Ordinance.

In January 2018, the County issued Request for Proposals #10650 to identify organizations with the appropriate mix of policy development, legal analysis, and economic modeling as these skills related to affordable housing. The County received one proposal from LeSar Development Consultants in partnership with Keyser Marston Associates and Goldfarb Lipman Attorneys. Representatives from the Economic Development Department, Housing Advisory Committee and City of Salinas reviewed the proposal and interviewed representatives from the project team. The City of Salinas was included

in the review process because they completed an update of the City's Inclusionary Housing Ordinance in 2017.

Updating the County's Affordable Housing Ordinance is expected to take approximately 14-months. Under the proposed schedule, we will return to the Board of Supervisors by October 9, 2018, to provide a part overview of affordable housing. The first part will examine where current Inclusionary Ordinance is out of alignment with the 2010 General Plan and state law. The second part will provide insight into the cost of developing affordable housing, housing demand at different income levels, and options for housing very low, low, moderate, workforce I and workforce II-income households. This presentation will kick-off a six-month citizen involvement and community participation process. During this process, staff and the consulting team will meet with developers, Land Use Advisory Committees and Neighborhood Design Review Committees to explain the County's obligations under its General Plan, Housing Element, and state law and solicit input on how best to structure the affordable housing ordinance. Based on the City of Salinas' and consultant experience, this public outreach is essential to developing an affordable or inclusionary housing ordinance that most of the community will accept.

Barring unforeseen issues, the Board of Supervisors will be presented with an Affordable Housing Ordinance and implementing Administrative Manual for consideration in mid-September 2019. The Agreement goes through February 29, 2020, so that there is flexibility in the event additional time is needed at any stage.

**OTHER AGENCY INVOLVEMENT:**

County Counsel has reviewed the agreement as to form.

**FINANCING:**

There is no impact on the General Fund if the Board of Supervisors approves this agreement. The \$195,100 required for this agreement is included in the FY18/19 budget for the Inclusionary Housing Fund, Fund 009, Unit 8208, Appr Unit DEO002. The current Inclusionary Housing Ordinance specifically allows for the use of in-lieu fee income to be used for administrative costs.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

Drafting a new Affordable Housing Ordinance will support the implementation of the 2010 General Plan and facilitate the development of additional, income restricted housing units for Monterey County residents.

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: \_\_\_\_\_  
Nick Chiulos, Assistant County Administrative Officer, Ext. 5145

Attachments:

Board Report

LeSar Development Consultants Agreement - Affordable Housing Ordinance Technical support

Exhibit A - Scope of Services Payment Provisions

Exhibit A-1 - Scope of Services Payment Provisions

Exhibit B - RFP 10650

Exhibit C - LeSar Development Consultants Proposal Submitted