



STAFF REPORT
5/13/2020

TO: Honorable Mayor and City Council Members

FROM: Luis Lopez, Development Services Director

SUBJECT: Professional Services Agreement with Arivitas Partners, LLC for 2020 HCD Planning Services in the amount of \$30,000.

STAFF RECOMMENDATION:

Staff recommends that the City Council authorize the attached Professional Services Agreement Letter with Arivitas Partners, LLC in an amount not to exceed \$30,000, to assist with the City's mandatory re-zoning efforts pursuant to the City's Vacant Land Inventory Program in the Coachella Certified 2013-2020 Housing Element.

BACKGROUND:

On February 27, 2019 the City Council authorized a Professional Services Agreement with Arivitas Partners, LLC to provide planning consultant services for the State Housing and Community Development (HCD) mandatory re-zoning program to accommodate capacity for very high-density residential developments pursuant to the City's 2013-2021 Housing Element. The City recently completed the Zona Central Re-zoning efforts which facilitated all of the 4th Cycle "carry over" density required under the Housing Element. Staff heard from HCD that there is additional work needed with respect to the Zona Central Ordinance, and that additional re-zoning is required prior to the end of the year so that the City's 5th Cycle RHNA numbers and related program is compliant.

DISCUSSION/ANALYSIS:

The attached agreement letter for professional services is a standard form used by the Development Services Department for staff consultant services. The term of this agreement will be from May 14, 2020 through December 31, 2020. The consultant will bill the City on a time and material basis with an hourly rate of \$125 per hour, and a total contract amount not to exceed \$30,000 unless approved in writing by both parties (any contract amendment to augment compensation is subject to City Council approval).

Mr. Kevin Maevers is an independent consultant that was involved in several private-sector projects in the City. In early 2018 he began a private practice and began assisting the City with Housing Element compliance work. In September 2018 the City used his services to commence

work with Peter Rabbit Farms on a major project (“Zona Central City-Initiated Zone Change”) for a conceptual mixed-use community plan and related CEQA documents, that re-zoned approximately 150 acres of vacant agricultural land to RM-PD (Multifamily Residential – Planned Unit Overlay) and CN-PD (Neighborhood Commercial-Planned Development Overlay) to create a mixed-use urban community with business park and neighborhood commercial uses on land located on the west side of Tyler Street south of Avenue 50.

During this calendar year, the City is required by HCD to continue with its re-zoning efforts to comply with the 5th Cycle Housing Element RHNA allocation as part of the City’s vacant land inventory program, showing vacant parcels that are candidates for very high density residential zoning. City staff and the consultant have identified four projects that qualify for re-zoning and are included in the scope of work for Arivitas Partners on this new consultant agreement. The scope of work would include all the technical and graphic work needed to process these change of zone ordinances, and the related CEQA documents for the projects. The zoning districts that are to be designated with very high density residential zoning, and the district must be ready for “plan check and development” without any further discretionary reviews by the City. As such, this requires that the proper zoning be in place, and that all CEQA environmental clearances are included for a builder to process administrative reviews and plan check/permitting for future development.

Grant Funding:

The entire scope of work included in the proposed Agreement with Arivitas Partners, LLC qualifies for grant funding under California HCD’s Local Early Action Planning (LEAP) Grants program, which is a non-competitive funding program. Staff would like to sole source this contract because the City is already using this consultant for the same services, and time is of the essence. Additionally, the grant allows the City to start incurring expenses immediately and the contract amount will have adequate grant funding so long as the contract extends past the date of the City’s standard agreement with HCD (estimated to be in late September 2020). Accordingly, the proposed consultant agreement is contingent upon grant funding being in place to pay for at least 75% of the award, even though the City has been assured that 100% of this work qualifies under the grant.

ALTERNATIVES:

- 1) Approve the attached Professional Services Agreement for \$30,000.00 for the 7-month term.
- 2) Approve the attached Professional Services Agreement with modified terms.
- 3) Take no action and provide staff with direction.

FISCAL IMPACT:

This contract would only have temporary nominal fiscal effects, because the expenses would be paid up front by the City and then reimbursed with grant funds on a periodic basis.

RECOMMENDED ALTERNATIVE(S):

Staff recommends Alternative #1 or #2 above.

Attachment: Standard Agreement Letter for Professional - Arivitas Partners, LLC