



Agenda Item No. 11.

Staff Report

Date: March 10, 2022

To: Mayor Robbins and Council Members

From: David Woltering, Interim Planning and Building Director
Matthew Weintraub, Planner

Subject: Consultant Services Agreement for Preparation of the 2023-2031 Town of Ross Housing Element Update and Budget Adjustments Recommended as a Result of This Agreement

Recommendation

It is recommended that the Town Council approve an agreement for Dyett & Bhatia Urban and Regional Planners to prepare the Town of Ross 2023-2031 General Plan Housing Element Update and related environmental assessment in an amount not to exceed \$356,815); and to adjust the current budget for Planning Consultants (account number 6460-35) from \$85,000 to \$285,000 for Dyett & Bhatia services to be incurred during the remainder of this fiscal year estimated to be \$200,000 and, additionally, to increase the current amount budgeted to be transferred from the General Plan Update Fund to the Operating Fund from \$30,000 to \$200,000 to provide funds for this expenditure.

Background

Each jurisdiction in the State of California is required to prepare and adopt a General Plan, which is a long-range planning guide for the physical growth of a community. The Town's General Plan is available at:

<https://www.townofross.org/sites/default/files/fileattachments/planning/page/241/gp-part-i.pdf>.

The Housing Element is one of the seven mandatory elements of a General Plan. The Housing Element, which must be updated regularly (currently every eight years), identifies local housing conditions, needs and constraints, and establishes goals, policies, programs, and strategies to facilitate the construction and preservation of housing for all income levels within a community. State law requires each local government to adequately plan for its share of housing needs, which is referred to as its Regional Housing Needs Allocation (RHNA).

The regional council of governments assigns each jurisdiction within its area a RHNA. The Association of Bay Area Governments (ABAG) is the regional council of governments for the nine-county Bay Area region. ABAG has assigned to each jurisdiction, including the Town of Ross, a minimum number of new housing units for the next planning cycle, 2022-2030, referred to as “Sixth Cycle”. The assigned Sixth Cycle RHNA for the Town of Ross is 111 new housing units, including 54 new units for low and very low-income households. The assigned RHNA for the Town of Ross in the prior cycle, 2015-2023, was 18 new units. The Sixth Cycle RHNA assignment is a significant increase over the prior cycle and is part of the State’s attempt to require local jurisdictions to do more to address the ongoing housing crisis in the State. The Regional Housing Needs Determination (RHND) for the San Francisco Bay Area for the Sixth Cycle, 2023-2031 is 441,176 units. This new requirement is more than double the requirement of the prior cycle, 2015-2023, which was 187,990 units.

To ensure an adequate inventory of viable sites to facilitate meeting the assigned Sixth Cycle RHNA of 111 new housing units, targeted areas within the Town may be rezoned as determined appropriate by the community. Additionally, other measures that may be adopted to address the Sixth Cycle RHNA target can include relaxing development standards, encouraging higher residential density at certain locations, and incentivizing duplex, multifamily, and accessory dwelling unit development.

Preparation of a Housing Element Update requires close coordination with the State Department of Housing and Community Development (HCD), which is charged with reviewing and certifying Housing Elements following State law. The Town’s current Housing Element was certified by HCD and is available at:

https://www.townofross.org/sites/default/files/fileattachments/planning/page/241/final_housing_element_2015-2023.pdf.

Failure to adopt a Housing Element and receive state certification can result in financial penalties, loss of grant funding eligibility, and/or legal challenges. In order to comply with the standard program schedule, the 2023-2031 Housing Element should be adopted by the Town Council and submitted to HCD by January 15, 2023. However, there is a 120-day grace period available to jurisdictions who need more time to complete the 2023-2031 Housing Element Update.

A Housing Element Update is an important and significant work effort, particularly given the ongoing state housing crisis, the recent passage of state housing laws that facilitate housing production and preservation, and changes to the methodology for determining the regional housing needs in the state since the last planning cycle. A Housing Element Update work effort involves many important tasks, including the following:

- Project management and coordination
- Community outreach and engagement
- Identifying special housing needs
- Identifying housing constraints

- Identifying suitable sites for housing
- Reviewing the successes and shortfalls of the existing Housing Element and proposing measures to address shortfalls and satisfy new requirements to facilitate achieving assigned housing targets
- Preparing for adoption/certification the necessary environmental assessment, i.e., California Environmental Quality Act (CEQA) document

Discussion

Given the breadth of tasks, skillsets required, and timeline for completion of the Housing Element Update, Town staff prepared, formally announced, and distributed a Request for Proposals (RFP) to qualified consultants to prepare the Housing Element Update and related tasks, including the environmental assessment. The RFP is included as **Attachment 2**. Three firms formally submitted proposals for consideration to complete this work as follows: Dyett & Bhatia Urban and Regional Planners; EMC Planning Group; and Realty Planners Group. Staff used a panel comprised of internal staff and qualified outside representatives to evaluate the proposals and interview the consultant teams. The panel used the following criteria to evaluate the proposals and teams:

- Firm qualifications
- Project team members' technical experience
- Project team members' graphic presentation
- Understanding of project issues and expected results
- Quality of proposed Work Plan
- Quality of references

The proposal by Dyett & Bhatia Urban and Regional Planners (which is included in **Attachment 1**) was ranked the highest, and in some areas significantly higher, by the four-member panel. The panel and staff were appreciative of the understanding that Dyett & Bhatia conveyed of satisfying HCD requirements while acknowledging the special local character of the Town of Ross. After the initial interview of the three proposing teams, staff conducted a follow-up interview with Andrew Hill, Principal and identified Project Manager with Dyett & Bhatia; requested and received refinements to the proposed scope of work, budget, and timeline from Dyett & Bhatia; and checked references for Dyett & Bhatia. The attached proposal from Dyett & Bhatia represents the firm's refined and updated proposal. Staff requested certain modifications, including assumption of the potential need for preparation of a focused Environmental Impact Report (EIR) for the project; and preparation of a Vehicle Miles Travel (VMT) analysis. The proposed budget for the updated proposal, including preparation of a focused EIR, is \$356,815. This compares with the other firms' proposed budgets as follows:

- EMC Planning Group: \$312,85 (**Without a CEQA budget**)
- Realty Planners Group: \$90,250 (**Substantially underestimated even with some optional tasks included**)

The reference check for Dyett & Bhatia was extremely positive. There were high marks given specifically to Andrew Hill, the Principal and assigned Project Manager for the Town of Ross Housing Element Update. Additionally, the firm's work on similar projects, including Sixth Cycle RHNA Housing Element Update work, for other communities in California, was characterized as "appropriately scoped", "work products submitted in a timely manner", "adhering to the agreed to budget", "attentive to public engagement needs", "responsive to staff requests", and "Owner/Principal-level involvement, as needed, to address questions and give comfort to decision-makers".

Costs being incurred by other nearby communities to prepare their Sixth Cycle Housing Element Updates consultants is as follows:

- City of Belvedere: \$434,402, assuming a Mitigated Negative Declaration rather than an Environmental Impact Report (EIR). Other optional costs, including preparation of an EIR, add substantial potential additional costs. The Dyett & Bhatia proposal includes preparation of a focused EIR.
- City of Larkspur: \$424,619, assuming a Mitigated Negative Declaration rather than an EIR. The Dyett & Bhatia proposal includes preparation of a focused EIR.

Fiscal Impacts

If approved, the \$356,814 cost of the agreement will be funded as follows:

- Local Early Action Planning (LEAP) Grant: \$65,000.
- Regional Early Action Planning (REAP) Grant: \$20,000.
- Transfer of Funds from the General Plan Update Fund: Current Balance is \$390,000.

If the agreement is approved by the Town Council, funding must be budgeted in the current and upcoming fiscal years. For the current Fiscal Year 2021-22 budget, it is recommended that the Town Council increase the Planning Consultants line item from \$85,000 to \$285,000 and increase the budgeted transfer from the General Plan Update Fund to the Operating Fund from \$30,000 to \$200,000. The remaining costs will be included in the draft Fiscal Year 2022-23 budget for Town Council consideration this spring.

Alternative actions

1. Direct staff to modify the current proposal being considered in some specified manner; or
2. Seek additional proposals to complete the Town's Housing Element Update.

Environmental Review

Staff anticipates the need to prepare a focused Environmental Impact Report (EIR) in accordance with provisions of the California Environmental Quality Act (CEQA) for the Town of Ross Sixth Cycle Housing Element Update.

Attachments

1. Consultant Services Agreement for Dyett & Bhatia Urban and Regional Partners to Prepare the Town of Ross 2023-2031 General Plan Housing Element Update

2. Town of Ross, California, Request for Proposals (RFP), January 7, 2022, for Consultant Services for the Preparation of an Update to the Housing Element of the Town's General Plan

ATTACHMENT 1

CONSULTANT SERVICES AGREEMENT

THIS AGREEMENT is made at Ross, California, as of March 10, 2022, by and between the Town of Ross, a municipal corporation (the "TOWN") and Dyett & Bhatia Urban and Regional Planners ("CONSULTANT"), who agree as follows:

1) **SERVICES**. Subject to the terms and conditions set forth in this Agreement, CONSULTANT shall provide to the TOWN Project Management, Planning, Environmental, and related services as described in Exhibit "A".

2) **PAYMENT**. TOWN shall pay CONSULTANT for services rendered pursuant to this Agreement at the times and in the manner set forth in Exhibit "B." The payments specified in Exhibit "B" shall be the only payments to be made to CONSULTANT for services rendered pursuant to this Agreement. CONSULTANT shall submit all billings for said services to the TOWN in the manner specified in Exhibit "B."

3) **GENERAL PROVISIONS**. The general provisions set forth in Exhibit "C" are part of this Agreement. In the event of any inconsistency between said general provisions and any other terms or conditions of this Agreement, the provisions set forth in Exhibit "C" shall control.

4) **INSURANCE REQUIREMENTS**. The insurance requirements set forth in Exhibit "D" are part of this Agreement. In the event of any inconsistency between said general provisions and any other terms or conditions of this Agreement, the requirements set forth in Exhibit "D" shall control.

5) **EXHIBITS**. All exhibits referenced in this Agreement are attached hereto and incorporated by reference herein.

6) **TERM**. This Agreement shall commence on March 11, 2022 and shall terminate on June 30, 2023 unless otherwise extended by the mutual written agreement of the parties, as provided in this Agreement.

EXECUTED as of the day first above-stated.

Town of Ross, a municipal corporation

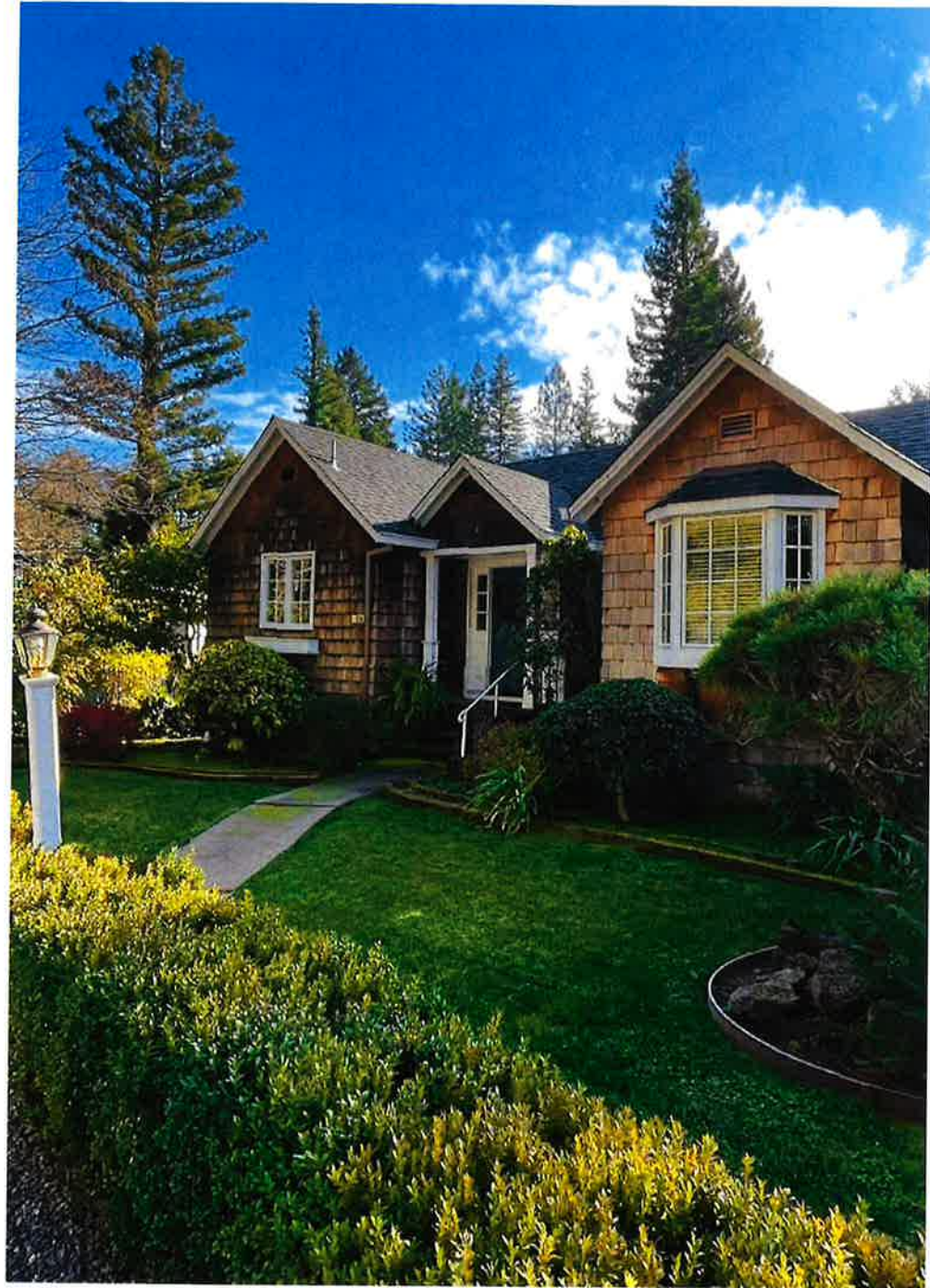
By: _____

CONSULTANT

By:



EXHIBIT "A"
SCOPE OF SERVICES



Proposal for the Town of Ross Housing Element Update

Submitted by:
DYETT & BHATIA
Urban and Regional Planners

Proposal resubmitted February 28, 2022

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DYETT & BHATIA
Urban and Regional Planners

1 COVER LETTER

January 28, 2022

Matthew Weintraub, Town Planner
Town of Ross
31 Sir Francis Drake Boulevard
Ross, CA, 94957

Dear Mr. Weintraub:

It is with great enthusiasm that we submit this proposal to assist the Town of Ross in preparing its Sixth Cycle Housing Element Update. This assignment interests us greatly because it builds upon our recent work in preparing Sixth Cycle elements for other similar California communities and offers the opportunity bring our extensive housing element and regulatory expertise to the Town of Ross.

Located in the scenic Ross Valley, the Town of Ross is the smallest incorporated community in Marin County and a quiet residential community that takes pride in its historic character, small-town charm, tree-lined streets, and excellent school system. Along with other communities in the Bay Area region, the Town is required to have an adopted and certified Sixth Cycle Housing Element in place by January 2023. A key challenge for the upcoming cycle, will be accommodating a RHNA allocation of 111 housing units, a substantial number for a town with approximately 880 existing homes. Additionally, recent changes in State law have introduced more stringent criteria for the adequacy of sites included in the inventory of housing sites, and new requirements intended to ensure that local regulations do not unduly constrain housing development.

Dyett & Bhatia (D&B) brings a strong understanding of the housing issues faced by small, built-out communities and we have the skills and experience to help the Town efficiently navigate new Housing Element requirements and craft a thoughtful strategy for accommodating its RHNA while preserving aspects of community character that residents value so highly. Our strengths include:

- **Exceptional Housing Element Experience:** D&B has prepared housing elements in previous cycles for a dozen Bay Area cities, and in the Sixth Cycle our work has included Moreno Valley, Carson, and Oceanside in Southern California (all complete), as well as ongoing work in Fairfield, Oakland, and San Pablo in the Bay Area, and Turlock in the Central Valley. Our experience with housing elements in the Southern California Association of Governments (SCAG) region, that are a year ahead of the Bay Area in the housing cycle, has provided us with a familiarity with new Housing Element requirements and with HCD personnel and expectations.
- **Local Familiarity:** D&B brings a strong understanding and familiarity with local conditions and context from our prior work in Marin County, including preparation of Multi-family Design Standards and Guidelines for Marin County. We also have extensive experience working with distinctive North Bay communities, including recent and current general plans for St. Helena and Napa.
- **Effective Community Engagement:** We have proven expertise in making public participation successful, and we have developed a program of activities to inform, engage, and solicit input from a broad cross section of community members, decision-makers and other stakeholder throughout the process. Effective outreach will ensure the Housing Element reflects local priorities and preferences.

DYETT & BHATIA
Urban and Regional Planners

- **Expertise in Zoning and Development Regulations:** D&B has unparalleled California and national expertise in preparing Zoning Ordinances and development regulations for a wide variety of communities, including small and mid-size cities that value community character (e.g. Albany, Benicia, Beverly Hills, Burbank, Carmel, El Cerrito, Concord, Emeryville, Manhattan Beach, Morro Bay, Oceanside, Orinda, Palo Alto, Porterville, San Gabriel, Santa Barbara, and Santa Monica). Senior staff will be actively involved in reviewing Town regulations and developing Housing Element programs to ensure compliance with new State requirements.
- **State-of-the-Art Graphics, Geographic Information Systems (GIS), and Computer-Modeling Capabilities:** We produce top quality graphics, creating zoning maps and drawings that communicate complex information in a simple, concise, and attractive format.
- **Integrated Planning and Environmental Review:** D&B has extensive experience with environmental review at all scales, from EIRs to Initial Study/Mitigated Negative Declarations, Supplemental EIRs, and Addenda for planning projects. Our in-house expertise gives us the ability to seamlessly integrate planning and environmental review, which will also help ensure timely and on-budget completion of the project.

Senior Staff Commitment

Andrew Hill, Principal, will manage all aspects of the project and serve as the primary point of contact for the Town. He recently led preparation of the Moreno Valley Housing Element Update and is currently leading Sixth Cycle Housing Element updates for San Pablo and Turlock. A skilled facilitator, Andrew has demonstrated experience with community outreach and stakeholder involvement in a variety of setting, from stakeholder focus group discussion, to community workshops and public meetings. Andrew will be assisted by **Michael Dyett, FAICP**, a long-time Mill Valley resident, on zoning issues, and **Vivian Kahn, FAICP**, who is widely recognized as an expert in housing and development regulations and historic preservation. **Matt Alvarez-Nissen**, whose Sixth Cycle Housing Element experience includes work in Carson, Moreno Valley, Oakland, Fairfield, San Pablo, and Turlock, will serve as lead planner for the assignment.

We offer a commitment to innovative, community-based planning and a proven track record of taking plans to adoption within specified time frames and budgets. The caliber of our work is evidenced by our record of adopted plans and zoning ordinances and by 15 American Planning Association awards in the last five years. Our scope of work and cost proposal reflect our understanding of the RFP; we would be happy to modify any aspect of our proposal to better meet your needs.

Thank you for considering our proposal.

Cordially,

DYETT & BHATIA, Urban and Regional Planners



Andrew Hill, MUP, Principal



2 UNDERSTANDING AND APPROACH

UNDERSTANDING

Located in the scenic Ross Valley amid wooded hillsides and meandering creeks, the Town of Ross is a quiet residential community that takes pride in its historic character, small-town charm, tree-lined streets, and excellent school system. Existing residential development in Ross numbers approximately 880 homes. These are predominantly single-family residences, with some guest houses and accessory dwelling units on single-family properties. There is limited multi-family or mixed use residential development, generally in the downtown commercial area or on institutional properties such as the St. Anselm Church site, the Branson School site, and the Marin Art & Garden Center site. Since 2015, the Town has permitted 15 new homes and as of May 2021 was on track to meet its Fifth Cycle Regional Housing Needs Allocation (RHNA) of 18 units.

Along with other communities in the Bay Area region, the Town of Ross is required to have an adopted and certified Sixth Cycle Housing Element in place by January 2023, covering an 8-year period that runs until January 2030. A key challenge for the upcoming cycle, will be accommodating an anticipated RHNA allocation of 111 housing units, including 54 units affordable to low and very low income households. Additionally, recent changes in State law have introduced more stringent criteria for the adequacy of sites included in the inventory of opportunity sites in the Housing Element, particularly for Lower Income RHNA sites, and new requirements intended to ensure that local regulations do not unduly constrain housing development.

In this context, the Town is undertaking an update to the Housing Element, which will involve engaging with community members and Town decision-makers, coordinating with California Department of Housing and Community Development (HCD) staff, and developing a strategy to accommodate its RHNA share and ensure compliance with new State law.



KEY CONSIDERATIONS

Based on a careful review of the RFP and our extensive experience with similar projects, we anticipate that the following considerations will be central to the project:

THOUGHTFULLY ACCOMMODATING RHNA

The current Housing Element includes an inventory of 19 sites with a combined capacity of 44 units, and the analysis also identifies the potential for 90 accessory dwelling units (ADUs) on single-family properties. Based on the 2020 Annual Progress Report, as of May 2021 a total of 15 units at all income levels had been permitted between 2015 and 2020, plus an unspecified number of ADUs. This means that while there is likely still significant capacity remaining in the current inventory, it is nonetheless probable that some additional sites will need to be identified to accommodate the Sixth Cycle RHNA. In parallel, careful consideration should be given to safe harbors established under new State law for forecasting ADU production, which allow for projection based on the local trend in ADU construction since January 2018 or based on trends from regional production of ADUs. The potential effects of SB9, which enables homeowners to split their single-family residential lot into two separate lots and build up to two new housing units on each, should also be analyzed and factored into capacity calculations. These new laws facilitate the construction of smaller scale homes suitable for employees and caregivers and which may be considered “affordable by design.” As such, they offer an avenue that can allow Ross to accommodate its RHNA while still preserving aspects of community character that residents value so highly.

ENSURING ADEQUACY OF SITES

Recent State law has introduced new, more stringent eligibility criteria for opportunity sites included in the Housing Element and new requirements for demonstrating the feasibility of housing development. Notably, recent amendments to Housing Element law have introduced minimum and maximum site sizes for Lower Income RHNA sites in view of financial feasibility and concerns for the over-concentration of affordable housing. The Town’s current Housing Element includes several mixed use and multi-family sites less than 0.5 acres in size, which is below the newly established threshold for the minimum size of Lower Income RHNA sites. Additionally, new requirements stipulate that Lower Income sites be located outside of environmentally constrained areas, such as those subject to flooding, and there are new requirements for demonstrating the feasibility of development at densities assumed in the Housing Element



based on past performance. As such, careful analysis—including geospatial mapping—will be required to ensure that sites included on the inventory satisfy all legal requirements for adequacy.

ENGAGING STAKEHOLDERS

Starting early in the process, it will be important to engage a range of stakeholders to understand site-specific issues, as well as concerns, deal breakers, desirables, and the political factors that may come into play. We propose to conduct key informant interviews with property owners, elected officials, and others at the outset of the process to help daylight issues and ensure we explore feasible strategies with the potential for decision-maker support. Equally, implementing a community engagement program that continually informs, engages, and solicits input throughout the process will be essential for raising awareness of legal requirements, vetting potential strategies, and building understanding in the community. This will help smooth the way to adoption. Drawing on our award-winning expertise in community engagement, we have outlined a preliminary engagement strategy in Chapter 3 that incorporates a broad range of tested and proven methods, including in-person and online strategies.

OPTIMIZING THE PROJECT TIMELINE

The deadline for adoption and certification of Sixth Cycle Housing Element in the Bay Area is January 15, 2023. This leaves less than 11 months to update the Housing Element and complete environmental review. Additionally, under AB215, approved September 2021, the timeline must accommodate a 30-day public review period before the Draft Housing Element is sent to HCD for review as well as a 90-day HCR review period. Dyett & Bhatia staff has developed a thorough working knowledge of new State law and Housing Element requirements

gained from work on Sixth Cycle elements for Southern California communities (which are ahead of the Bay Area). We will leverage this know-how to help the Town navigate the process and complete the project within the established timeframe. We have structured the work program to streamline the process. For example, using the 90-day HCD review period to complete environmental review will allow us to make optimal use of time available.

APPROACH

Dyett & Bhatia specializes in General Plans, Housing Elements, and Zoning. Over the years, we have honed processes and methods to deliver the highest quality of product on time and on budget. We provide value to clients by leveraging our extensive experience on similar projects in distinctive communities like Ross, including recent work on Sixth Cycle Housing Elements in Southern California. Key aspects of our approach to assignments include:

LEVERAGING REGULATORY EXPERTISE

State law requires an analysis of governmental constraints to housing development, which may include local land use controls, processing and permit procedures, building code enforcement programs, on and off site improvement requirements, fees, and other exactions. Our approach incorporates a careful audit of Town regulations by senior staff with unparalleled expertise and at-the-counter experience with zoning and development regulations. We will leverage this expertise and work with staff to identify necessary amendments and craft programs for the Housing Element to ensure compliance with State law and expedite certification from HCD.

WORKING GRAPHICALLY

We believe strongly that depicting information graphically with maps and images makes the work more easily understood, more engaging for participants, and more concise. We use maps, aerial photos (colored and annotated), photos, visual simulations, and other graphics



that clearly communicate ideas in an easy-to-understand fashion. We have skilled staff in-house with strong graphic design, GIS, and modeling capabilities that allows us to prepare high-quality visual plans, work products, and outreach materials.

EFFECTIVELY MANAGING THE PROCESS

Dyett & Bhatia has a proven track record of successfully completing planning and zoning projects on time and on budget. We will leverage our extensive experience to help Town staff navigate the process and ensure adoption and certification by January 2023. Our approach to project management is predicated on close coordination with staff and decision-makers over the full term of the project. We have programmed regular status meetings into the work plan and will make use of project management tools, including critical path schedules; action items lists; file sharing platforms; and monthly progress reports that document tasks completed and detail upcoming meetings and deliverables. We have also structured the work plan to integrate planning and environmental review and incorporate ABAG data sets in order to streamline the timeline for completion.

ENSURING QUALITY CONTROL

Senior D&B staff hold overall responsibility for all products. Our internal processes incorporate review and revisions prior to submittal to Town staff or incorporation in larger documents. This ensures that work by different team members is fully integrated prior to review. At the outset of the project, D&B will establish the overall project graphic style and prepare a document style template customized for the project as the first products are prepared. The styles and templates will be submitted to Town staff for approval. All products will be processed for graphic design and style consistency. Each product will be reviewed in entirety by a senior staff member to ensure similar "voice" and error-free products.





3 FIRM INTRODUCTION AND EXPERIENCE

This chapter provides an introduction to Dyett & Bhatia, including our relevant experience, qualifications, and key personnel for the project. References are also included in this chapter.

DYETT & BHATIA FIRM OVERVIEW

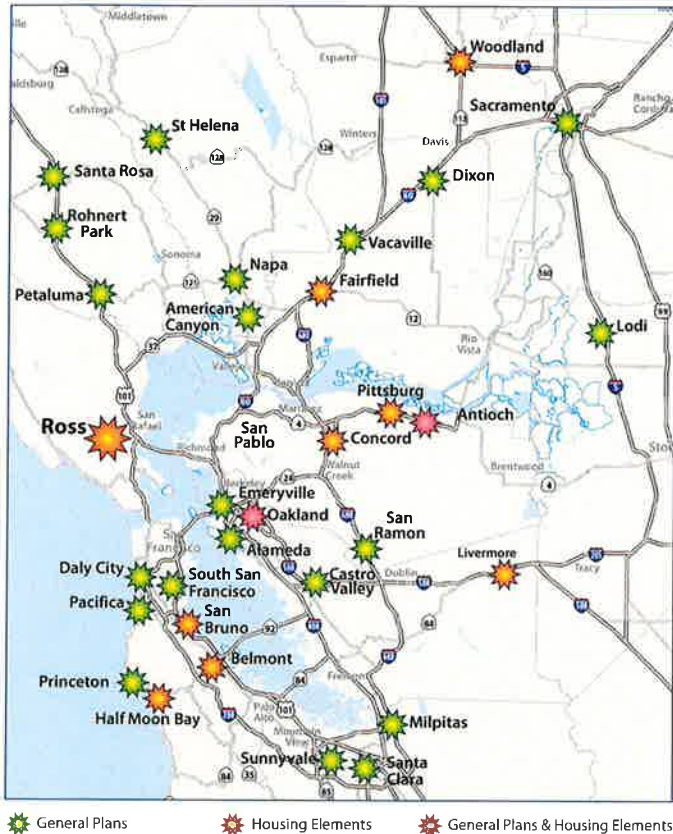
Dyett & Bhatia is a California corporation based in Oakland, operating for the past 40 years. Working out of a single office with a close-knit team of 20 planners, designers, and support staff allows us to be nimble and responsive in our work, communication, and outreach. We conduct analysis and develop policies on a range of planning topics from land use and community character, to housing development, parking management, and environmental sustainability. The professional services we offer are focused on planning, design, and public outreach:

- General Plans and Housing Elements;
- Development codes and zoning ordinances;
- Environmental planning and assessment;
- Urban design, specific plans, and downtown plans;
- Public participation and facilitation;
- Geographic information systems, three-dimensional computer modeling, and visual simulation; and
- Graphic design.

We see policy-making, land use planning, physical design, and implementation as inter-related activities. The diversity of our practice helps us clearly define issues and identify practical courses of action. The majority of our work is for cities, counties, transit authorities, regional governments and other public agencies. We believe that plan-making is a collaborative effort involving a diversity of stakeholders, and are committed to active community participation in the planning process. Dyett & Bhatia has won 15 awards in the last five years alone from the American Planning Association—including national awards for sustainability and for innovative outreach for general plans—for the relatively small volume of work produced.

Year	Award for Dyett & Bhatia
2021	APA California Award of Merit: Hard-Won Victories Award Half Moon Bay Local Coastal Land Use Plan Update
2020	APA Comprehensive Plan Award: Large Jurisdiction Mission Valley Community Plan APA San Diego Section Award of Excellence Mission Valley Community Plan
2018	APA Northern California Section Comprehensive Plan Award of Excellence: Small Jurisdiction Belmont General Plan, Village Specific Plan, & EIR APA Comprehensive Plan Award of Excellence: Small Jurisdiction Belmont General Plan, Village Specific Plan, & EIR APA California Sacramento Valley Section Comprehensive Plan Award of Excellence: Small Jurisdiction Woodland General Plan APA California Northern Section Award of Merit for Comprehensive Planning Redwood City El Camino Real Corridor Plan APA California Inland Empire Section Comprehensive Plan Award of Excellence: Small Jurisdiction Redlands General Plan, CAP, and EIR APA California San Diego Section Award of Excellence: Best Practices Grantville Trolley Station / Alvarado Creek Revitalization Study
2017	APA California Northern Section Award of Merit Richmond Zoning and Subdivision Regulations APA San Diego Section Award of Merit for Comprehensive Planning Carlsbad General Plan and EIR
2016	APA Northern California Section Award of Excellence Redwood City Community Benefits APA California Chapter Award of Excellence Redwood City Community Benefits APA San Diego Section Award for Comprehensive Planning Southeastern & Encanto Community Plans APA Hawaii Chapter Award for Urban Design Downtown and Kalihi Neighborhood TOD Plans

Dyett & Bhatia General Plans and Housing Elements



HOUSING ELEMENTS

Dyett & Bhatia has extensive experience in preparing housing elements. We have traditionally been selective about the Housing Element work we undertake, preparing housing elements in conjunction with comprehensive General Plan updates, for clients for whom we previously prepared General Plans, or where unique circumstances require a carefully tailored approach. D&B prepared or assisted client with six HCD-certified housing elements in the Fifth Cycle for jurisdictions throughout California, including Half Moon Bay, San Bruno, Palo Alto, Antioch, Redlands, Carlsbad, Turlock, and Woodland. Our Sixth Cycle Housing Element work includes Moreno Valley, Carson, and Oceanside in Southern California, as well as ongoing work in Fairfield, San Pablo and Oakland in the Bay Area, and Turlock in the Central Valley. Our experience with housing elements in the Southern California Association of Governments (SCAG) region, that are a year ahead of the Bay Area in the housing cycle, has provided us with a familiarity with new Housing Element requirements and with HCD personnel and expectations. D&B's extensive community outreach and stakeholder participation experience, together with distinguished in-house graphic design, GIS, and mapping capabilities supplement housing element work. Relevant project examples are included at the end of this section.

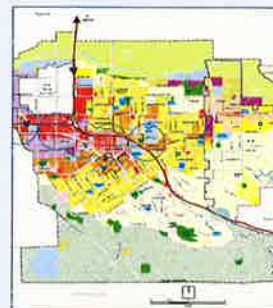
D&B Representative Housing Elements



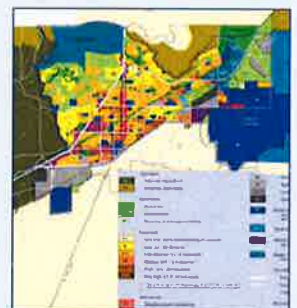
Antioch



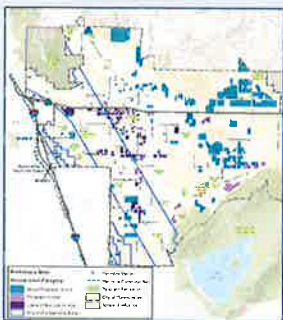
Carson



Redlands



Fairfield



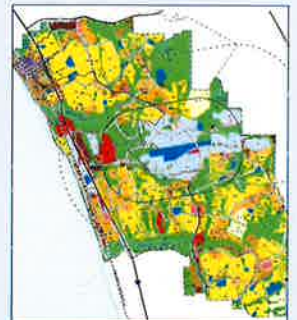
Moreno Valley



San Pablo



Turlock



Carlsbad

OTHER AREAS OF EXPERTISE

General Plans

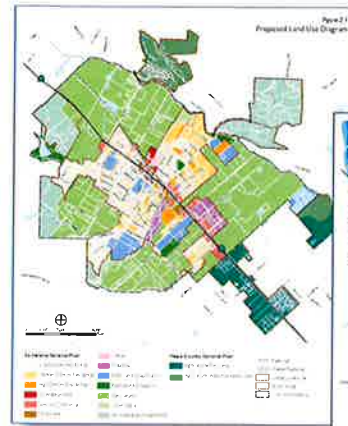
General plans are a specialty for Dyett & Bhatia, and we have prepared general plans for over 65 California cities and counties, including 25 Bay Area communities — more than any other firm. D&B is currently leading some of the most prominent general plan assignments in Northern California, and we have prepared general plans for some of the Bay Areas most distinctive communities, including Napa, St. Helena, Petaluma and Half Moon Bay. The firm has unsurpassed experience in all aspects of general plan work—from conducting meetings and surveys, to analysis and plan writing, and preparing associated environmental documentation.

Development Codes and Zoning Ordinances

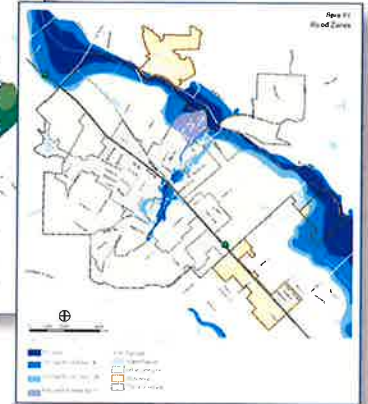
Dyett & Bhatia has unsurpassed experience in preparing comprehensive zoning regulations for cities and counties in California and the southwest, as well as nationwide and abroad. Our current zoning work involves a broad array of implementation concepts, including traditional development and form-based codes, pedestrian-friendly and transit-oriented districts, mixed-use development, green building, and best practices for neighborhood design, parking, landscaping and lighting. We also know how zoning works “at the counter” through our Principals’ experience heading planning departments and current planning divisions and our experience teaching courses for planning professionals.

Environmental Planning And Assessment

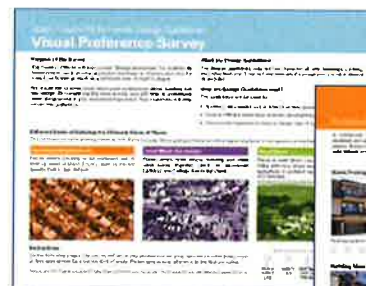
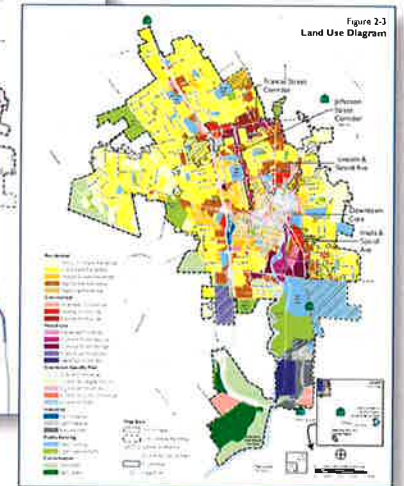
D&B has extensive program and project level experience with environmental review pursuant to the California Environmental Quality Act (CEQA). We recognize CEQA as an integral part of the planning process and an opportunity to streamline implementation. Our experience includes EIRs for over 50 citywide/countywide planning efforts, several Bay Area regional transportation plans and programs, and four Bay Area Regional Transportation Plans (for Metropolitan Transportation Commission). We have also prepared Initial Study/Mitigated Negative Declarations, Supplemental EIRs, and Addenda for planning projects. We bring a thorough understanding of the requirements for CEQA compliance and opportunities for exemptions and streamlining, which is integrated into our overall project approach.



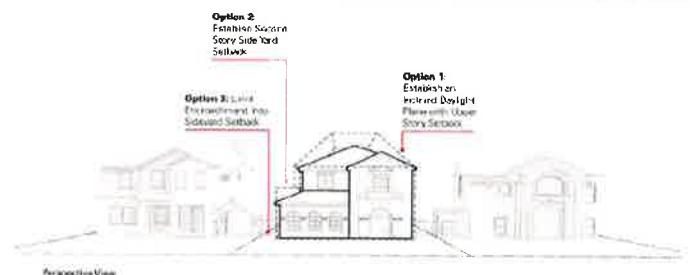
St. Helena General Plan



Napa General Plan



Marin County Design Guidelines



Beverly Hills Zoning Code and Single-Family Standards

GIS, Graphic Design & Computer Modeling

Dyett & Bhatia maintains leading computer resources, and a highly skilled technical staff trained in Geographic Information Systems (GIS), cartography, visual simulation, three-dimensional (3-D) computer modeling, and graphic design. We are adept at an array of modeling and information-integration software, with programs that include ArcGIS 10 3D Analyst with Spatial and Network Analysis extensions; Autodesk Map 3D 2010 (with GIS interface capability); SketchUp 8.0; Adobe Creative Suite 6 (CS6); Freehand; and 3D Studio Max—all of which will contribute to the high graphic standards of our plans.

Geographic Information Systems

Dyett & Bhatia has full ArcGIS (previously ArcInfo and ArcView) capabilities, including the Network Analyst, Spatial Analyst, and 3-D Analyst extensions. Dyett & Bhatia has developed custom indicators that enable efficient and accurate testing of development scenarios and real time evaluation of alternative land use patterns, development assumptions, and projected impacts.

Three-Dimensional Computer Modeling & Visual Simulation

Dyett & Bhatia has expertise in preparing 3-D models of large urban areas, which can be viewed from any angle, or viewed in a walk-through or fly-by mode. We modeled the entire 1,500-acre downtown area of San Diego and the entire City of Emeryville along with the East Bay hills. These models are used for massing and visual studies for

design of new buildings and to study shadow impacts for different time periods. Using SketchUp, 3-D models can also be linked to GIS databases.

Graphic Design

Dyett & Bhatia takes pride in our reputation for high-quality graphic design, reflected not only in the finished plans we prepare but also in our public outreach materials and presentations. Our highly skilled in-house team of designers is adept at using Adobe Create Suite software and other platforms to custom design materials that reflect the values and the vision of the communities we work in.



Pacifica Sharp Park Specific Plan



San Diego Downtown Community Plan

COMMUNITY ENGAGEMENT EXPERTISE

Dyett & Bhatia is well-versed in a wide variety of engagement techniques including traditional and online/digital tools. Examples of this include:

In-Person Meetings and Engagement

Dyett & Bhatia has broad experience with large-format community workshops and open houses, stakeholder interviews and focus groups, interactive visioning exercises, “go to them” meetings, outreach to hard to reach constituencies, simultaneous multilingual outreach, etc. Some of the large community workshops we run have had participation rates in the hundreds. We are adept at ensuring that people’s voices are heard, participants are able to contribute effectively and meaningfully in often compressed time frames, and results are clearly synthesized and are actionable.

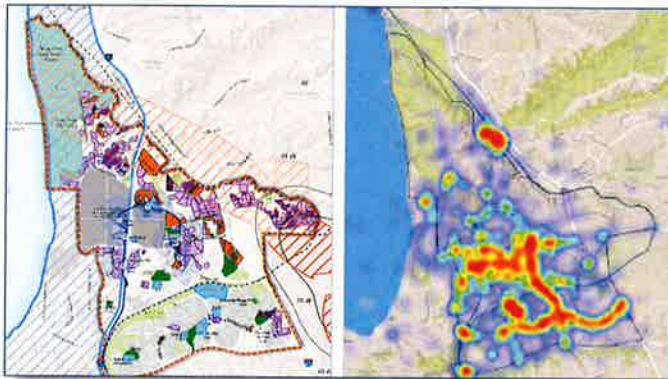


Online Engagement

Dyett & Bhatia has extensive experience in online community engagement, with in-house expertise with web design, managing mailing lists, etc. Some of the map-based surveys we have conducted have had responses in the thousands, with participants able to readily draw on maps and share place-rich information with the planning team. In the present COVID-19 situation, we have conducted virtually the entire spectrum of large and small-group engagement online, including virtual Advisory Committee meetings, stakeholder focus groups, live interactive town hall meetings and webinars, digital story maps and walkthroughs, as well as narrated presentations and videos. Some examples of these are in the adjoining images.



City of Napa Urban Tech Talk



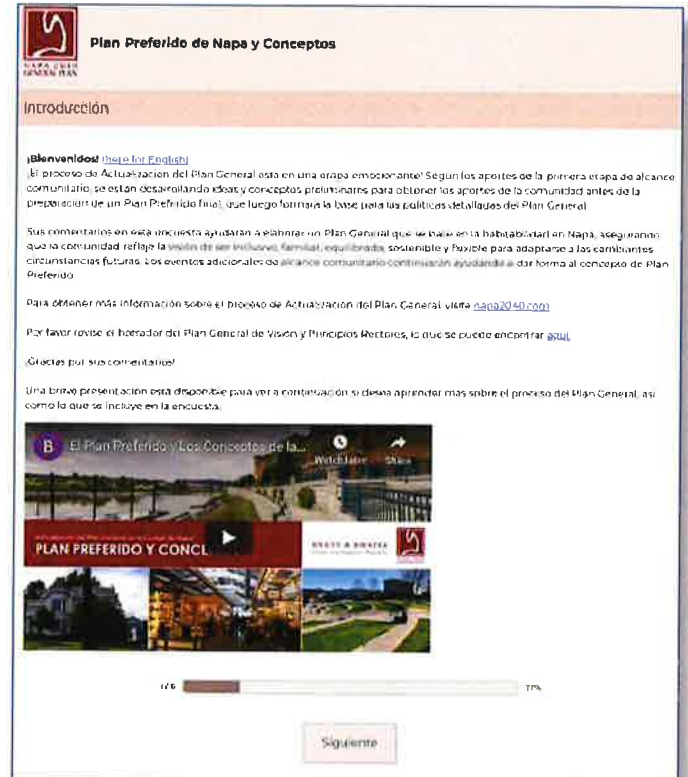
Online survey for University City in San Diego by D&B that generated participation by over 1,600 persons – the highest ever for any done by the City.



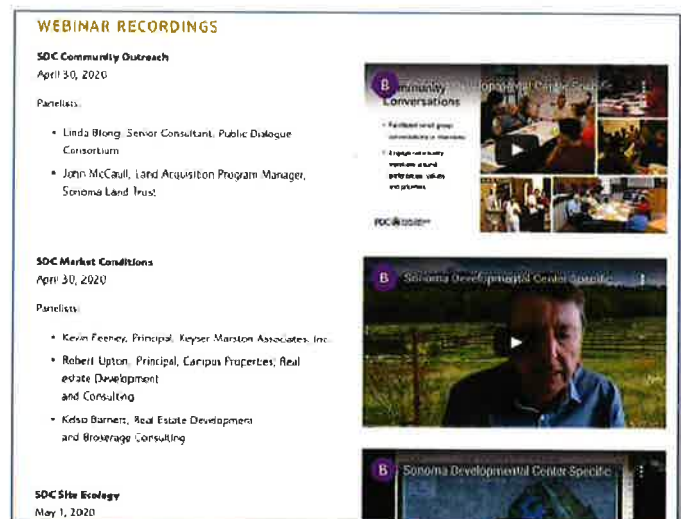
Sonoma Developmental Center Virtual "Walking Tour"



Sacramento General Plan Virtual Community Workshop



Napa General Plan Online Presentation and Survey



Sonoma Developmental Center Webinars

PROJECT EXPERIENCE

Relevant sample projects are described in the following pages in this order:

- San Pablo Housing Element Update
- Moreno Valley Housing Element Update
- Fairfield Housing Element Update
- Oakland Housing Element Update
- Turlock Housing Element Update
- Carlsbad Housing Element Update
- San Bruno Housing Element Update
- Half Moon Bay Housing Element Update
- Antioch Housing Element Update and Zoning Amendments
- Carlsbad Housing Element Update
- Redlands Housing Element Update

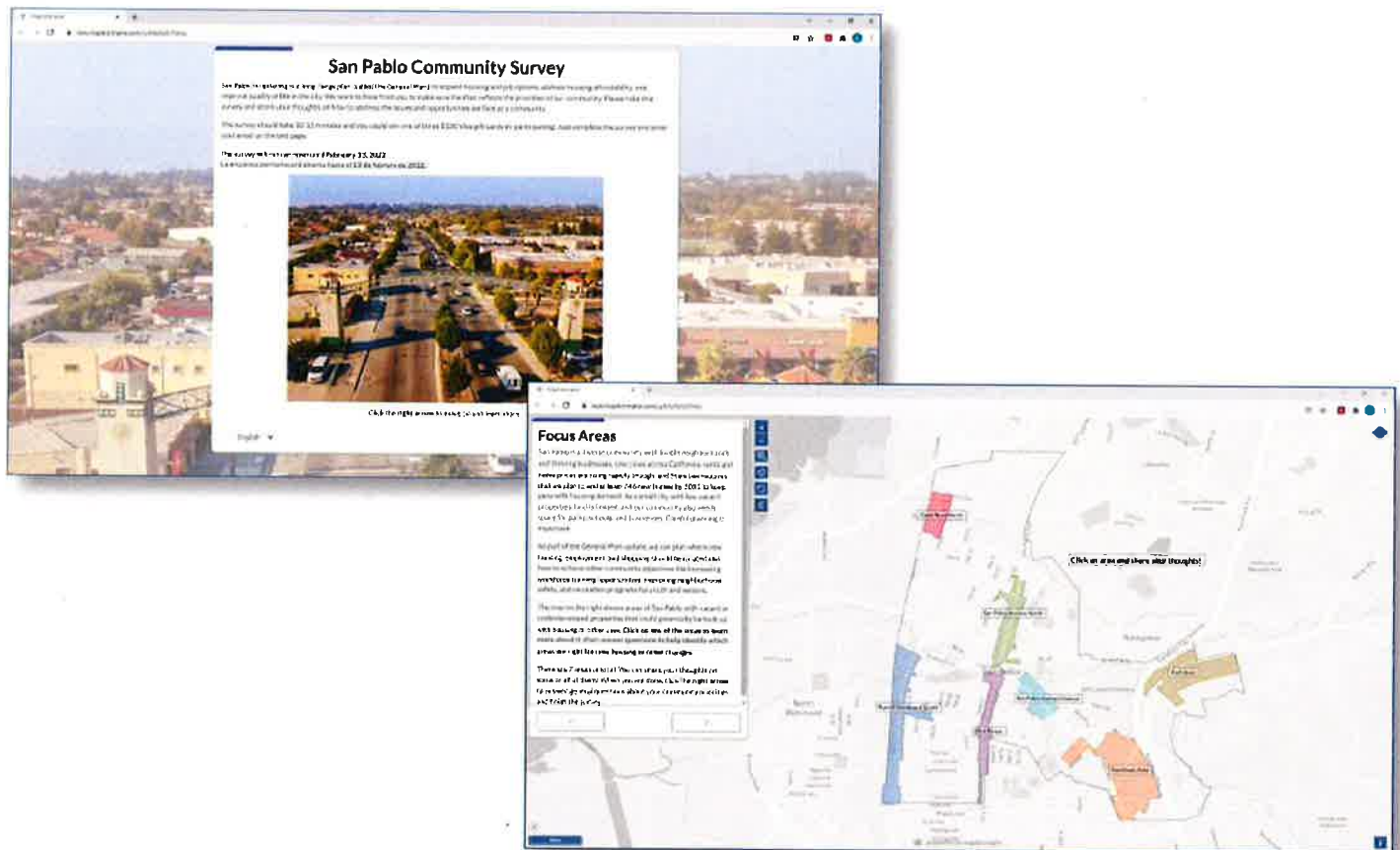
SAN PABLO HOUSING ELEMENT UPDATE

Contact:

ONGOING

Elizabeth "Libby" Tyler, Ph.D., FAICP
Community Development Director
LibbyT@sanpabloca.gov
(510) 215-3036

Dyett & Bhatia is currently preparing the City of San Pablo's sixth cycle Housing Element update, focused on developing and implementing strategies that promote higher density infill development, "missing middle" housing options, and accessory dwelling units (ADUs) in single-family areas. Dyett & Bhatia previously prepared the City's fourth cycle Housing Element. The ongoing project involves a comprehensive community engagement strategy that features an interactive map-based online survey, pop up outreach at events around the community, housing stakeholder focus groups, and community meetings. Background research completed to date includes a housing needs assessment and an analysis of fair housing issues using a variety of publicly available data sources. The ongoing Update has also triggered updates to the Land Use and Safety Elements of the General Plan and preparation of a new Environmental Justice Element, which Dyett & Bhatia is preparing in parallel with the Housing Element. Dyett & Bhatia is preparing a focused EIR for the project, tiering from the 2011 General Plan EIR.



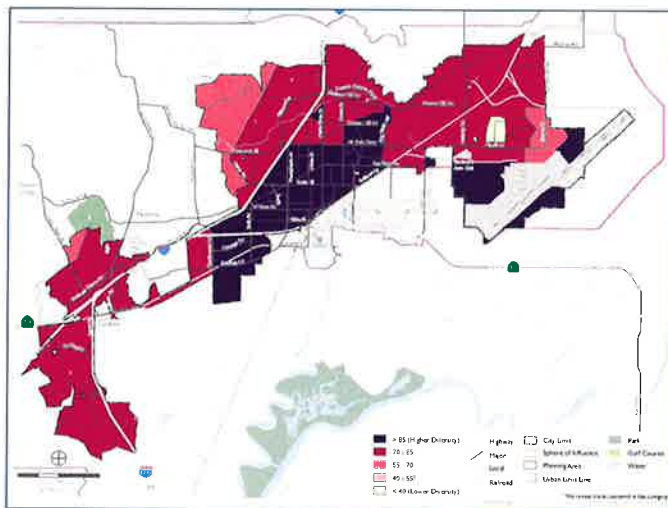
FAIRFIELD HOUSING ELEMENT UPDATE

Contact:

ONGOING

Dave Feinstein
Planning Manager
dfeinstein@fairfield.ca.gov
(707) 428-7448

Dyett & Bhatia is currently preparing the City of Fairfield's sixth cycle Housing Element update concurrently with a comprehensive update to the City's General Plan. The Element is focused on identifying opportunities and strategies to promote higher density development at all income levels in the City's specific plan areas and infill sites, while considering potential environmental constraints. Public outreach for the Housing Element is incorporated as part of a comprehensive community engagement plan for the update to the General Plan, including housing stakeholder meetings and study sessions with the Planning Commission and City Council, as well as neighborhood and pop-up outreach and online engagement. Background research completed to date includes a detailed assessment of fair housing, housing needs, housing constraints, and a preliminary housing sites inventory using a variety of publicly available data sources.



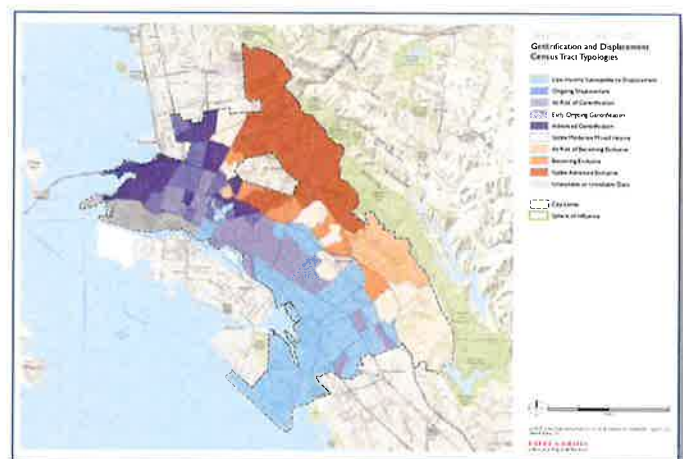
OAKLAND HOUSING ELEMENT UPDATE

Contact:

ONGOING

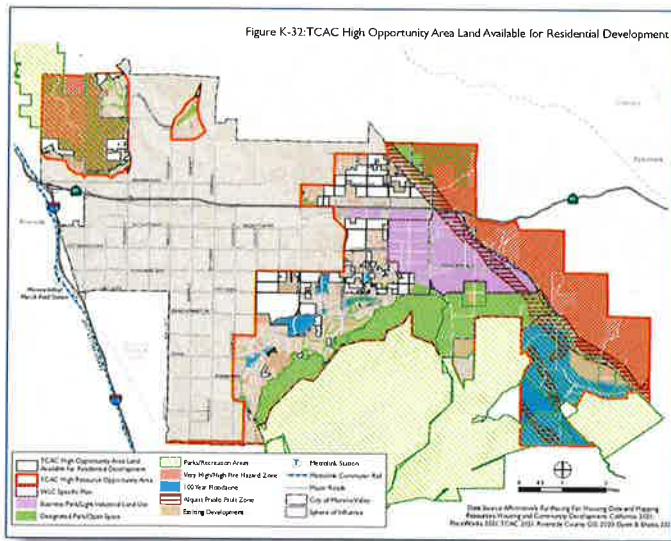
Lakshmi Rajagopalan, AICP
Planner IV
lrajagopalan@oaklandca.gov
(510) 238-6751

Dyett & Bhatia is currently preparing the City of Oakland's sixth cycle Housing Element update, focused on promoting strategies to meet the housing needs of various income groups in a mostly built-out urban area, especially through infill development and the identification of sites without existing environmental constraints. Lower- and moderate-income housing need is a major priority, and the housing sites inventory will rely in part on accessory dwelling units and SB 9 lot splits to meet the regional housing need allocation. Dyett & Bhatia is also working in partnership with the Community Consultant to implement a comprehensive community outreach program which will include advisory group meetings, decision-maker meetings, "go-to" outreach, interest-based focus group meetings, neighborhood workshops, and online engagement (including interactive mapping and an online survey). The Housing Element update is part of Phase I of the General Plan update, which also includes the preparation of the Environmental Justice Element and Safety Element and is expected to be adopted by late January 2023.



Chris Ormsby
Senior Planner
Community Development Department
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(951) 413-3229

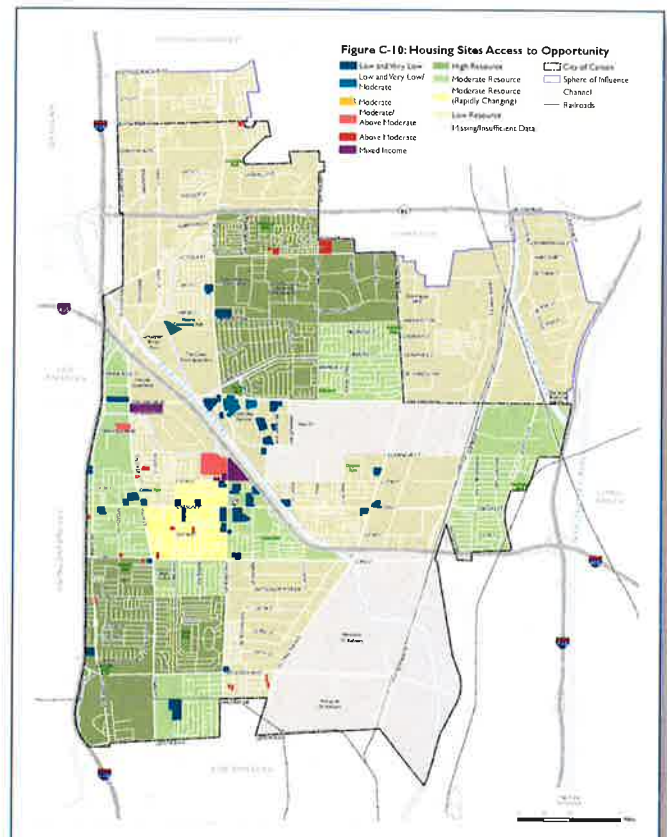
Dyett & Bhatia prepared the City of Moreno Valley's sixth cycle Housing Element update as part of a comprehensive update to the City's 2006 General Plan. Outreach for the Housing Element involved a series of stakeholder interviews with housing developers, real estate brokers, and service providers to understand specific local issues and inform development of programs in the Housing Element as well as a Facebook Live virtual town hall event conducted during the Covid-19 pandemic. As part of the project, Dyett & Bhatia completed a detailed analysis of fair housing issues and incorporated strategies to encourage high-quality infill development along key corridors and in the Moreno Valley Mall. Dyett & Bhatia also worked closely with HCD staff to understand and address State comments on the Draft Housing Element. HCD review of the revised draft is ongoing and certification is anticipated in the spring of 2022.



CARSON HOUSING ELEMENT UPDATE

Alvie Betancourt
Planning Manager
abetancourt@carsonca.gov
(310) 830-7600 ext. 1365

Dyett & Bhatia prepared the City of Carson's sixth cycle Housing Element update as part of a comprehensive update to the City's 2004 General Plan. The housing sites inventory relies partly on accessory dwelling units to meet the needs of various income levels in the city. An assessment of housing needs and constraints, as well as fair housing, was prepared to identify appropriate programs and zoning actions for the City to take during the planning period. This analysis was informed by public outreach, including stakeholder interviews with housing developers and advocates, as well as outreach conducted during the General Plan update process. Dyett & Bhatia worked with HCD staff to address State comments on the Draft Housing Element, and expects the revised draft to be adopted by City Council in February 2022. State certification is expected during summer 2022.



TURLOCK HOUSING ELEMENT UPDATE

Contact:

Katie Quintero
Deputy Director Development
Services /Planning Manager
KQuintero@turlock.ca.us
(209) 668-5640

**FIFTH CYCLE
ADOPTED 2015**
**SIXTH CYCLE
ONGOING**

Dyett & Bhatia has a long-standing relationship with the City of Turlock, having prepared the award-winning 1992 and 2014 General Plans for the City as well as the City's fifth cycle Housing Element, adopted in 2015. In 2021, the City again retained Dyett & Bhatia to prepare its sixth cycle Housing Element and associated zoning amendments ensure compliance with new State law and expedite processing of development applications. As an initial step, Dyett & Bhatia had prepared a Draft Accessory Dwelling Unit (ADU) Ordinance to assist the City in processing an increasing number of inquiries and applications. Analysis underway includes a housing needs assessment, a housing constraints evaluation, and an analysis of fair housing issues based on locally available data. The project also involves an update to the Safety Element to ensure compliance with new State law and preparation of a new Environmental Justice Element as well as environmental review.



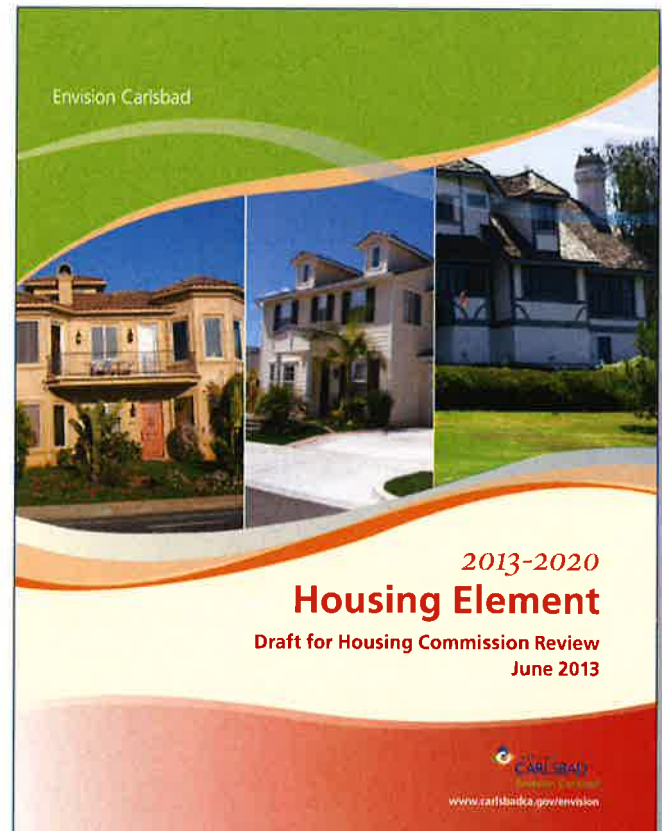
CARLSBAD HOUSING ELEMENT UPDATE

Contact:

Jennifer Jesser
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jennifer.jesser@carlsbadca.gov
(760) 602-4637

ADOPTED 2017

Dyett & Bhatia prepared the fifth cycle Housing Element for Carlsbad, a distinctive community of 104,000 located amid beaches, bluffs, and rolling landscape on the northern coast of San Diego County. The city is a major employment hub and visitor destination, with a general aviation airport, three lagoons, beaches, Legoland, and numerous resorts. The Housing Element was prepared as part of a comprehensive General Plan Update, and Dyett & Bhatia conducted capacity calculations for sites, evaluating additional sites for housing as part of General Plan alternatives. The inventory accommodated 4,999 housing units while navigating the requirements of Proposition E, the City's Growth Management Ordinance, which limits the number of total housing units within each quadrant of the city, as well as overall citywide. Previously subject to a four-year update due to failure to adopt a Housing Element by 2013, Dyett & Bhatia helped the City achieve HCD certification in 2017 and return to an 8-year cycle.



SAN BRUNO HOUSING ELEMENT UPDATE

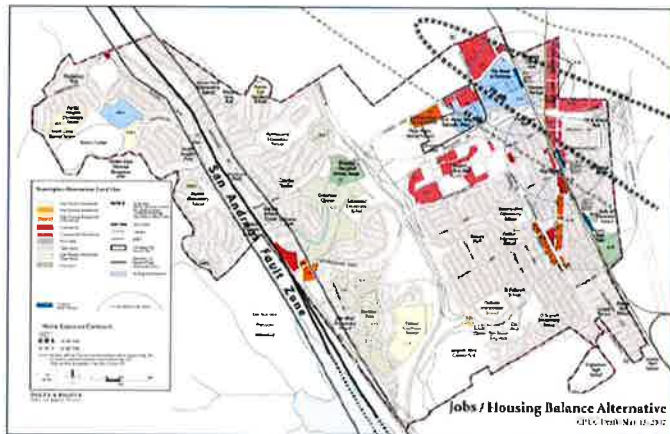
Contact:

Aaron Akin
Former Director of Community Development
aaron@goodcityco.com
(415) 845-8344

FOURTH CYCLE
ADOPTED 2003

FIFTH CYCLE
ADOPTED 2010

San Bruno was founded as a railroad suburb to San Francisco in 1914, and enjoys a central Peninsula location and enviable regional connections. Dyett & Bhatia prepared the City of San Bruno's fourth and fifth cycle housing elements, adopted in 2003 and 2010 respectively. The fifth cycle Housing Element was prepared as part of the first comprehensive overhaul of the General Plan, which established a new vision for the city, fostering transit-oriented mixed-use development along the principal corridors, reinforcing downtown as the heart of the community, outlining strategies for conserving establishing neighborhoods, expanding the city's affordable housing stock, and improving bicycle and pedestrian connections between residences, activity centers, and transit stations.



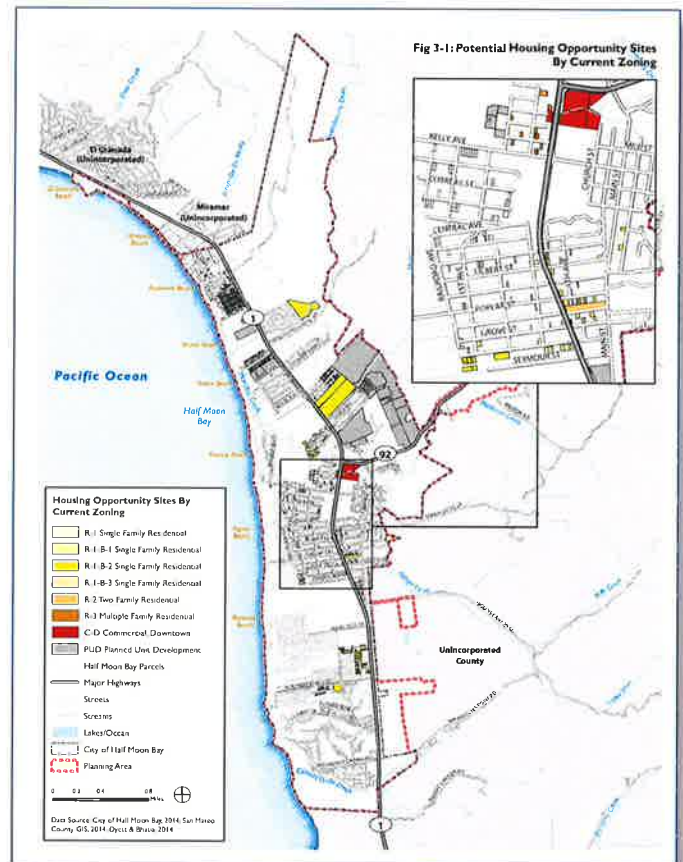
HALF MOON BAY HOUSING ELEMENT UPDATE

Contact:

Jill Ekas
Community Development
Director
jekas@hmbcity.com
(650) 726-8264

ADOPTED 2015

Perched against a backdrop of the Pacific Coast, open bluffs and forested hills, Half Moon Bay is the oldest town in San Mateo County, featuring a traditional Main Street-oriented downtown, and a unique agricultural heritage that is knit into the local culture and the economy. Dyett & Bhatia prepared the City's fifth cycle Housing Element, working closely with City staff to ensure that the planning process responded to the needs of the community, through "community conversations," stakeholder interviews, a citywide mail-in survey, and multiple iterative workshops and community forums. Certified by HCD in 2015, the Housing Element Update was prepared as part of General Plan Update. Dyett & Bhatia also prepared zoning amendments to implement the Housing Element and a Negative Declaration pursuant to CEQA.



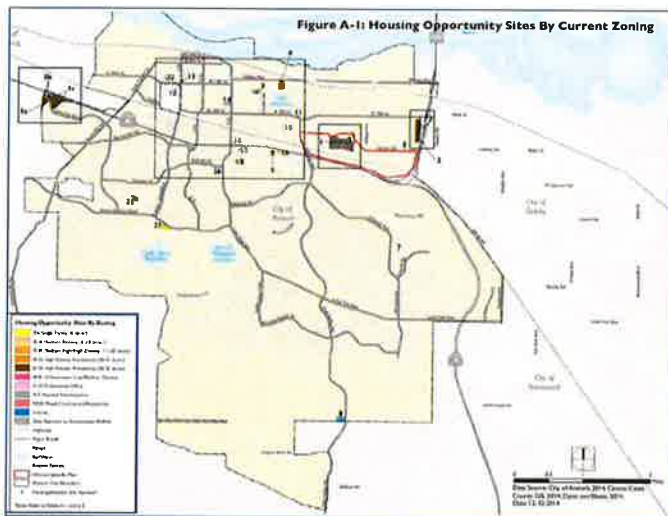
ANTIOCH HOUSING ELEMENT UPDATE AND ZONING AMENDMENTS

Contact:

ADOPTED 2015

Tina Wehrmeister
Formerly Antioch Community Development Director
twehrmeister@pacifica.gov
(650) 738-7341

Dyett & Bhatia prepared the City's fifth cycle Housing Element and associated zoning amendments needed to ensure that the City had adequately zoned sites to meet its Regional Housing Needs Allocation and comply with other critical aspects of State housing law. Drawing on an in-depth understanding of housing-related challenges in the community, Dyett & Bhatia prepared zoning amendments to bring the City into full compliance in each of the policy areas necessary to qualify for HCD streamlined review in the following Housing Element update cycle.



REDLANDS HOUSING ELEMENT UPDATE

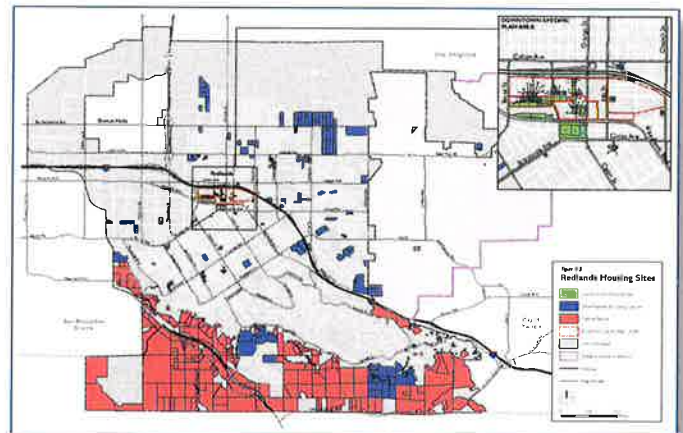
Contact:

FOURTH CYCLE
ADOPTED 2010

FIFTH CYCLE
ADOPTED 2014

Troy Clark
Formerly Project Manager
tclark@29palms.org
(760) 333-5200

The City of Redlands is known for its unique and historic character, enviable quality of life, and beautiful natural setting. Over the years, successful planning efforts have resulted in the development and preservation of desirable neighborhoods. Dyett & Bhatia prepared both the City's fifth cycle Housing Element, which was adopted in 2014, and the City's fourth cycle Housing Element, adopted in 2010. The fifth cycle element was completed as part of a comprehensive General Plan Update, which incorporated strategies for accommodating higher density housing near planned Metrolink Transit stations in the City. The principal focus of the Housing Element Update revolve around changes to State Housing Element law, incorporating information from the 2010 Census (which was not available in time for the previous update), reflecting the new eight-year cycle, and updating information on housing sites, particularly around the five Metrolink stations. A Negative Declaration was prepared to provide CEQA clearance.



DYETT & BHATIA KEY STAFF

Key staff for the project are listed below and shown in an organization chart at the end of this section.

ANDREW HILL

Andrew Hill will serve as Principal in Charge and Project Manager. Andrew is an award-winning urban planner with 15 years' experience and expertise in land use, housing, community engagement, and environmental review. Innovative and collaborative, his work is rooted in a strong commitment to sustainable placemaking and meaningful stakeholder involvement. He has extensive experience leading preparation comprehensive planning projects and environmental review for communities throughout California. He lead preparation the Sixth Cycle Moreno Valley Housing Element, anticipated for HCD certification later this year, and he is currently leading preparation of Housing Element Updates for the Cities of San Pablo and Turlock. This experience gives him a thorough working knowledge of new requirements for housing elements to complement expertise in planning for infill housing development. A particular focus of Andrew's recent work has been on innovative approaches to community outreach, and he has developed videos, interactive online activities, outreach toolkits and other methods specifically tailored to the needs of the community.

Andrew will serve as the primary point of contact for the Town. In addition to overall project management responsibilities, he will be actively involved in analyzing conditions and constraints, developing programs and strategies, conducting community engagement, drafting text for the Element, and coordinating environmental review. Andrew is an experienced facilitator who has led community workshops and public meetings in a variety of settings on comprehensive planning projects throughout the state.

MICHAEL V. DYETT, FAICP, PARTICIPATING PRINCIPAL

Michael Dyett specializes in zoning and subdivision regulations, comprehensive planning, urban design, form-based codes, growth management and implementation systems design. He has unparalleled urban design and zoning expertise, having personally written 32 ordinances in over four decades of professional planning experience. He is an expert in tailoring standards to a community's needs, and his unique approach to design standards and zoning emphasizes clear, quantifiable, and objective standards and the nexus zoning must have with plan policies.

He believes that design standards in zoning can be a positive, form-shaping element in the community, not a negative influence on development patterns. He recently led zoning work for Richmond, Fresno, and Placer County and previously prepared Multi-family Design Standards and Guidelines for Marin County. He is currently leading work on the San Joaquin County Development Title Update and General Plan Revisions project.

VIVIAN KAHN, FAICP

Widely recognized as an expert in preparation and administration of land use and development regulations, Vivian Kahn will serve as a Participating Principal, advising on zoning amendments and housing element programs to address regulatory constraints. Vivian has more than 45 years of professional planning experience in the public and private sectors. Before joining Dyett & Bhatia in 2001, she was Acting Deputy Director for the City of Berkeley's Department of Planning and Development and served from 1987 to 1995 as Berkeley's Current Planning Manager and Zoning Officer. She writes on planning and housing issues for City and Planning magazines and consults on the development of regulatory approaches to promoting affordable housing for public agencies and affordable housing developers.

MATT ALVAREZ-NISSEN

Matt Alvarez-Nissen will serve as Lead Planner on the project. Matt specializes in comprehensive planning and analysis with an emphasis on housing. He has been the lead planner on five sixth cycle housing elements statewide. Matt incorporates data analysis into his work, including through Excel and the open-source software R. He has developed several tools to help expedite data processing and visualization in the preparation of housing elements. His interests include housing justice, land use, and developing creative and innovative approaches to RHNA compliance.

LAUREN PEPE

Lauren Pepe has experience in general plan, specific plan, and climate action plan preparation, with a focus on housing, sustainability, environmental justice, land use and active transportation. Her work includes report writing, data analysis, community outreach, zoning code amendments, policy development and mapping. Drawing on her background in psychology and neuroscience, Lauren recognizes the influence of the built and natural environment on physical and mental health and strives to plan healthy, equitable, and sustainable communities.

CLARE KUCERA

Clare Kucera is a multidisciplinary planner with an emphasis on environmental review, climate change resilience, and physical planning and design. Clare is dedicated to connecting ecology and social sciences to sustainably and equitably integrate humans into natural systems. She has expertise in producing research and written chapters of technical background reports, climate change action plans, housing elements, and environmental analysis for a variety of projects across California, addressing topics including utilities, geology, population, housing, land use, recreation, greenhouse gas emissions, and air quality.

ISHA BHATTARAI

Isha Bhattarai brings more than 10 years of experience working with GIS in the field of Urban Planning. She is our in-house expert on ESRI's ArcGIS, Spatial Analyst, 3D Analyst, Network Analyst, 3D Visualization and Modeling, ArcGIS Online, Google, Sketchup, AutoCAD and Adobe Illustrator. Isha has prepared graphic displays and maps for many of the award winning projects led by Dyett & Bhatia. Her ability to create clear, detailed and beautiful maps using ArcGIS has been appreciated by our clients.

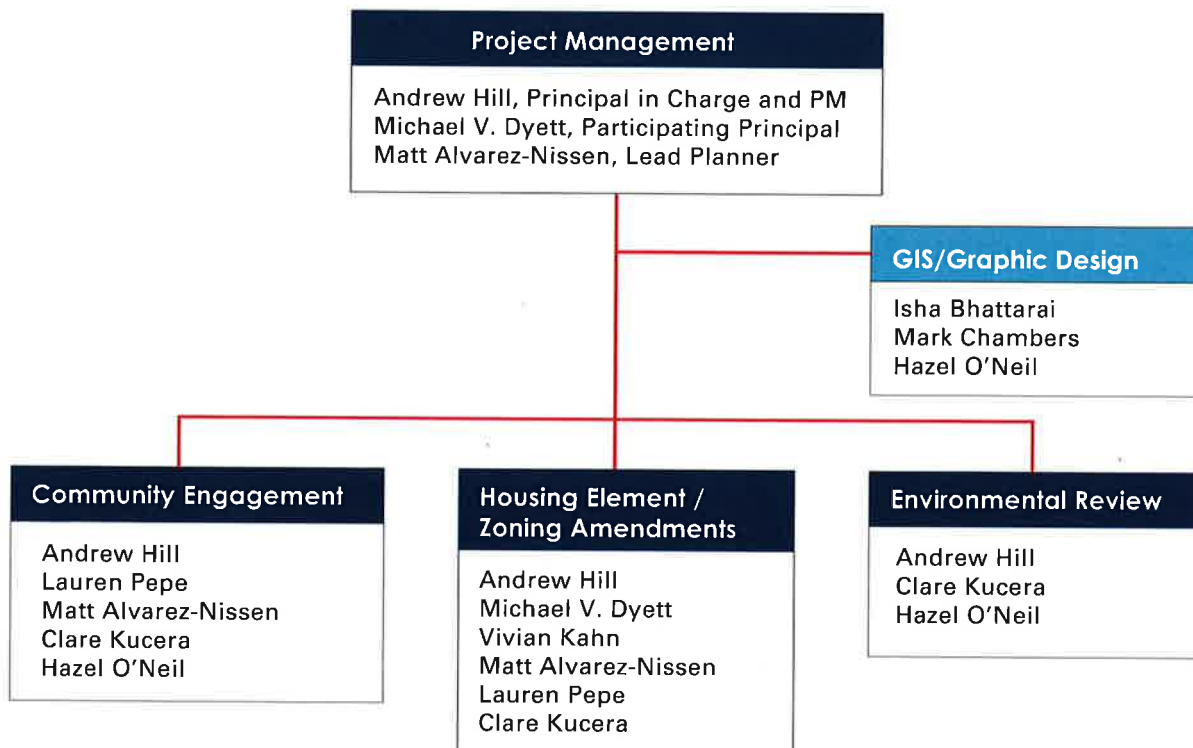
MARK CHAMBERS

Mark Chambers is one of the most experienced computer-based cartographers in California and has prepared computer-based mapping and analysis for all of Dyett & Bhatia's recent general plans, community and design plans, zoning ordinances, and EIRs. He has over 30 years of cartographic experience and is skilled in using computer graphics software, including MAPublisher, Adobe Illustrator, and Photoshop to translate GIS data and planning concepts into effective graphics that support projects from initial vision through adoption.

HAZEL O'NEIL

Hazel O'Neil specializes in graphic design, community engagement, and environmental review. She has expertise in creating and strategizing multimedia outreach materials that make the planning process accessible to the general public, including videos, flyers, social media posts, postcards, and websites. Hazel has facilitated virtual meetings, contributed research, and written chapters of technical background reports, survey reports, and environmental analysis for a variety of projects across California.

PROJECT ORGANIZATION CHART



REFERENCES

Elizabeth "Libby" Tyler, Ph.D., FAICP
Community Development Director
City of San Pablo
LibbyT@sanpabloca.gov
(510) 215-3036

Chris Ormsby
Senior Planner, Community Development Department
City of Moreno Valley
chriso@moval.org
(951) 413-3229

Katie Quintero
Deputy Director Development Services/Planning Manager
City of Turlock
KQuintero@turlock.ca.us
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Dave Feinstein
Planning Manager
City of Fairfield
dfeinstein@fairfield.ca.gov
(707) 428-7448

Alvie Betancourt
Planning Manager
City of Carson
abetancourt@carsonca.gov
(310) 830-7600 ext. 1365

Noah Housh
Community Development Director
City of Cotati
(former City of St. Helena Planning & Building Director)
nhoush@cotaticity.org
(707) 665-3636





4 WORK PLAN AND SCHEDULE

This chapter presents the proposed Scope of Work for the project, highlighting meetings and deliverables. The timing and sequence of tasks is shown on the schedule at the end of this chapter.

TASK 1: START UP AND ONGOING MANAGEMENT

Objective: Initiate and manage the project, maintaining continuous and effective coordination with Town staff.

KICK OFF MEETING AND SITE TOUR

At the outset of the project, D&B will meet with Town staff to review project objectives, refine the work plan, clarify responsibilities and expectations, and establish communication protocols. Prior to the meeting, D&B will review relevant background information, plans, and other documentation. We will also assemble a list of GIS, data, and information requests to review at the kick-off meeting. Following the kick off meeting, D&B will conduct a windshield/walking survey of the Planning Area to familiarize ourselves with areas and issues discussed at the kick off meeting. Town staff is welcome to join us if time permits.

GIS DATABASE PREPARATION

Using information from the Town and the County Assessor, D&B will compile a GIS database with information on parcels, land uses, key natural features, environmental conditions, and other information germane to the project. A Planning Area base map will also be created for use throughout the project.

PROJECT MANAGEMENT

Project management and tracking will take place on an ongoing basis and will include regular meetings with Town staff, coordination among consultant staff, and formal monthly progress reports to the Town. In addition to the kick off meeting, we anticipate 10 working meetings with staff throughout the process to plan for outreach activities, review and discuss draft products, and prepare for/debrief from meetings with HCD and Town

decision-makers. Outside of these calls and scheduled meetings, D&B project manager and principal in charge will be available to Town staff by email or phone. As part of this task, D&B will maintain a schedule that clearly identifies project milestones and provides a breakdown of work tasks, durations, responsibilities, and linked actions.

Deliverables: Schedule, Data Needs List, Kick Off Meeting Summary.

Meetings: Kick Off Meeting, Ongoing Coordination Meetings.

TASK 2: COMMUNITY ENGAGEMENT

Objective: Implement a comprehensive strategy to inform, engage, and solicit input from a broad range of community members and stakeholders throughout the process. Raise awareness of Housing Element requirements in the community and use input received to shape housing strategies incorporated into the Housing Element Update, ensuring it reflects community values and priorities.

We understand that successful outreach meets people where they are and provides meaningful opportunities for input that influences outcomes. A preliminary approach to community engagement is presented below. The principal components are outlined below and the timing is shown on the schedule at the end of this section. This is a suggested program that includes a broad range of tested and proven methods, including stakeholder interviews, focus group discussions, community meetings, online and social media engagement, and public meetings. As one of the first steps after award of contract, we will work with Town staff to refine the strategy and tailor it for the Town of Ross Housing Element Update.

KEY INFORMANT INTERVIEWS (10)

D&B and other team members will conduct 10 face-to-face interviews in small groups over two days at the outset of the project. These may include property owners, community group representatives, public agency staff, and/or elected officials. The interviews, held either virtually

or face-to-face, will be structured as informal discussions meant to elicit candid input on planning issues and give us a broad sense of the community, major issues of concern, deal breakers, desirables, and the political factors that may come into play. The list of interviewees will be developed in consultation with Town staff.

HOUSING FORUM (1)

State law requires that communities reach out to groups most affected by housing supply and cost. To help comply with this requirement, D&B will conduct a housing forum with stakeholders including affordable housing developers and social service providers. The forum will be an opportunity to gather information regarding actions the Town can take to affirmatively further fair housing consistent with AB68 and to underpin the realistic capacity assumptions used to demonstrate how the Town will meet its RHNA obligations for all income categories. We anticipate the forum will be conducted virtually via Zoom or a similar platform to flexibly accommodate participant schedules and ensure compliance with Covid-19 public health guidelines. D&B will prepare meeting materials, facilitate discussion at the housing forum, and prepare a meeting summary to document input received.

TOWN COUNCIL MEETING #1

D&B will prepare presentation materials and facilitate an initial meeting with the Town Council to provide background information on legal requirements for the Housing Element and considerations for Ross, and to present an overview of the process and approach for the Housing Element Update. We anticipate this meeting will be held on March 15 over Zoom. D&B will prepare a PowerPoint presentation, reviewed with Town staff and revised once prior to the Council meeting.

TOWN COUNCIL MEETING #2

D&B will prepare presentation materials and facilitate a meeting with the Town Council to present the findings of initial analysis, including potential housing opportunity sites and strategies for satisfying RHNA requirements. The meeting will be an opportunity to receive preliminary feedback from decision-makers prior to launch of the communitywide survey. We anticipate a PowerPoint presentation, reviewed with Town staff and revised once prior to the Council meeting.

TOWNWIDE POSTCARDS/MAILERS (3)

D&B will design, print, and mail up to three (3) town-wide mailers throughout the course of the project. The purpose of the mailers will be to raise awareness of the project and the process and keep community members informed of status and key dates. The mailers will be used to announce the dates/times of community open house meetings, pop up events, and Town Council meetings and to invite participation in the online survey.

COMMUNITY OPEN HOUSE MEETINGS (3)

D&B will plan and host two community meetings over the course of the project, structured in an open house format with stations so that participants can circulate, review information, and provide input on a variety of topics. Maps, charts, and illustrations will be used to present concepts in way that are engaging and easy to understand. Summaries of each event summaries will be prepared and may be posted to the Town website. Timing and objectives will be as follows:

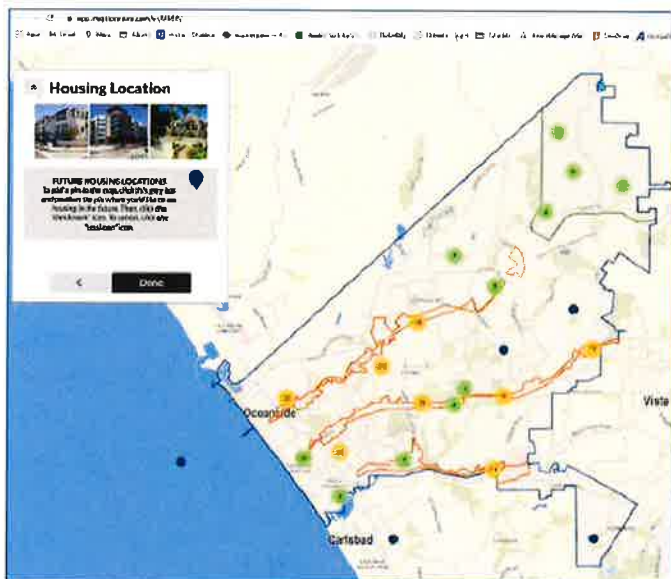
- **Open House #1:** held early in the process, this event will include stations designed to provide background information on legal requirements, local conditions, and community needs, and to present potential opportunity sites for public comment. Input from this event will inform development of the sites inventory and key strategies for the Housing Element Update. This meeting may be held in person, or as warranted by Covid-19 public health considerations, it may be combined with the online survey and structured as a "virtual" event.
- **Open House #2:** held within the 30-day public comment period, this will be hosted as a virtual open house that allows participants to review and share input on the content of the Draft Element. We anticipate use of a software platform which allows for incorporation of maps and visuals and facilitates public comment on Draft content. Community input from this virtual meeting would be presented to decision-makers at Town Council Meeting #3, which will also provide a forum for community members to comment in person.
- **Open House #3:** held after HCD review of the Draft Element is complete and at least 2 weeks prior to the final Town Council adoption hearing, the purpose of this community meeting will be present any revisions to the Draft Element requested by HCD to the community and allow for questions before the formal adoption hearing. We recommend this meeting be structured as an open house with stations staffed by City and Consultant team members so as to maximize opportunities for community questions and comments.

ONLINE SURVEY (1)

Knowing that many Ross residents lead busy lives and may not be able to set aside time to participate in person, D&B will design and host a community-wide, web-based survey to collect public input on potential opportunity sites and key strategies for the House Element Update. We propose to use an interactive, map-based platform such as Maptionnaire, which has the ability to integrate images, video, text, and maps, allowing participants to engage with and comment directly on the material presented. D&B has used this tool on numerous planning projects, including very recently for the Oceanside General Plan Update where over 650 people participated and for the San Pablo Housing Element Update, which is [currently live](#) and garnered over 150 responses in the first week after launch. We will draft content and revise it based on staff feedback prior to launch. Feedback from Town Council Meeting #1 will be used to inform development of the survey, which will be conducted in parallel with Community Open House #1 and will be accessed from the Town website.

POP UP OUTREACH (3 EVENTS)

Using a “go to them” strategy to raise awareness of the project and provide community members with additional in-person opportunities for input, D&B will conduct pop up events at locations around town where community members gather, such as the Town Post Office. These will be structured as “chalk board chats” that provide community members with opportunities to learn about the project and share quick feedback. We will conduct up to three (3) of these events throughout the process. Timing and location of events will be determined in consultation with Town staff.



City of Oceanside housing survey on Maptionnaire

STAKEHOLDER PRESENTATIONS (6)

D&B will make presentations before community groups to introduce the project and the process, highlighting opportunities for community input. We anticipate a total of 6 presentations before groups such as the Ross Property Owners Association and the Age-Friendly Task Force at their regularly scheduled meetings. Stakeholder groups will be determined in consultation with Town staff.

INTERNET AND SOCIAL MEDIA OUTREACH (6 POSTS)

To help raise awareness of the project and provide contextual information on legal requirements and key concepts, D&B will prepare content that the Town can post to its website and publish through established social media channels. Content can be structured a “5-minute” surveys to solicit quick feedback on topics and gauge support. We will prepare materials for up to six posts throughout the course of the project, providing Town staff with the opportunity to review and comment on draft materials once before finalizing for publication.

Deliverables: Townwide mailers; meeting summaries; open house materials; stakeholder presentation materials; online survey; internet and social media materials.

Meetings: Key Informant Interviews (10); Housing Forum (1); stakeholder group meetings (6); pop up events (3); Town Council Meetings (2); Community Open House Meetings (2); Community Open House Meetings (3).

TASK 3: DRAFT HOUSING ELEMENT PREPARATION

Objective: Complete the required analysis and prepare a legally-compliant Draft Housing Element Update, incorporating input from community and stakeholder outreach. Develop and deliver draft sections incrementally to optimize the timeline for completion of this task and allow sufficient time for Town staff review.

REVIEW OF FIFTH CYCLE HOUSING ELEMENT

To kick off the Housing Element update, we will review and evaluate the Town’s progress in implementing the 2015-2023 Housing Element. We will prepare an audit tool and work with staff to evaluate the effectiveness of existing housing policies and programs, assess accomplishments under the current housing element, and identify the reasons for falling short on anticipated goals. We will also review compliance with new State laws that

have come into force since the certification of the Fifth Cycle Housing Element and assess the need for edits and additions to housing programs.

We anticipate one meeting with staff to review and discuss the results of the audit and to identify necessary revisions to existing programs. The meeting will also be an opportunity to discuss the 2020 Housing Element Annual Progress Report (APR) and any subsequent permitting and development activity by affordability levels. Based on the discussion, we will prepare an update to the 2020 APR. Our approach to recommending modifications to the housing programs takes into consideration the ease of reporting in future APRs.

NEEDS ASSESSMENT

We will prepare a complete housing assessment and needs analysis consistent with State Housing Element law and HCD's Completeness Review Checklist. The Housing Needs Assessment will contain the following topics to satisfy Government Code Section 65583(a) requirements. Specifically, the current Housing Element was prepared with data from the 2010 Census and the 2007-2011 American Community Survey. The Needs Assessment will be comprehensively updated with the most recent American Community Survey (ACS) and housing market data, drawing on jurisdiction-specific data and information available from the Association of Bay Area Government's (ABAG) Regional Housing Technical Assistance Program to the extent possible to streamline the effort.

- **Demographics, Income, and Employment Trends:** This section includes information on the population growth trends, along with income distribution and employment trends.
- **Household Characteristics:** This section will discuss household characteristics such as size, tenure, composition, and overcrowding conditions that may impact housing needs.
- **Housing Stock Characteristics:** An analysis of the condition of the existing housing stock as well as cost and affordability, including discussions on cost burden (overpayment).
- **At-Risk Housing Analysis:** This section will also include an analysis of existing assisted housing developments which are eligible to change from low-income housing uses during the next 10 years (i.e. at-risk housing), including housing units deed-restricted as low-income housing as a result of public assistance, density bonus requirements, and inclusionary housing program. As of 2015, the current Housing Element indicates that the Town does not have any assisted housing developments

as defined in California Gov. Code section 65583. This will be confirmed with staff and updated as appropriate.

- **Analysis of Special Housing Needs:** Special housing needs of seniors, large households, female-headed households, persons with disabilities (including persons with developmental disabilities), the homeless, farm-workers, and extremely low-income households.
- **Disparities in Access to Opportunities:** New Housing Element law requires jurisdictions to examine barriers to fair housing and ensure housing programs are implemented in a manner to affirmatively further fair housing.

HOUSING RESOURCES AND OPPORTUNITIES

Starting from the sites identified for housing production as part of the general plan update, we will prepare a parcel-specific inventory of housing sites. Consistent with the requirements of State law (Government Code 65583.2) and HCD's Housing Element Site Inventory Guidebook, each site will be analyzed for adequacy in consideration of size, presence of environmental constraints, ratio of vacant to non-vacant sites, and standards for reusing vacant and underutilized sites that have been included on prior inventories. Additionally, the suitability of Lower Income RHNA sites will be analyzed for consistency with best practices recommended by HCD, including proximity to transit routes, schools, jobs, parks and daily services. Through this process, we will confirm the adequacy of all sites to be included on the inventory and populate the newly developed HCD spreadsheet template.

Next, we will evaluate the realistic development capacity for each site with reference to demonstrated development trends, drawing on input from the Housing Forum and the Town's recent APRs. Documenting the number of ADUs developed in recent years and prior to 2018 will be an important consideration, as HCD guidance allows jurisdictions to project based on past trends with adjustments that account for new laws that significantly increase the potential for ADU development. Capacity calculations will also consider the potential for lot splits permitted under SB9. Based on this evaluation, sufficient sites to satisfy the Sixth Cycle RHNA for all income levels will be included on the inventory. We will discuss with staff the need for a sites inventory "buffer" in order to ensure the Town can navigate the no-net loss provisions of State Housing Element law and have continued ability to meet the RHNA by income group throughout the planning period. Included in Section 65583.2 of the State Housing Element law, "No Net Loss" provisions require that a jurisdiction may not reduce residential density or allow development at a lower residential density unless the jurisdiction makes findings supported by substantial

evidence that the reduction is consistent with the general plan and there are remaining sites identified in the housing element adequate to meet the Town's outstanding RHNA. Further, amendments to the law that came into force in 2018 require cities that allow development at reduced densities now be prepared to meet remaining unmet RHNA need by income category within 180 days. If the remaining sites in the inventory cannot accommodate the unmet RHNA by income category, the Town must be prepared to rezone other sites where residential development is allowed regardless of any growth management restriction or open space preservation policies.

In addition to the sites inventory, we will also discuss other resources such as funding available and partnership opportunities, as well as opportunities for energy conservation.

ZONING MAP AMENDMENTS

Based on the sites inventory and capacity calculations developed, D&B will assess the need for rezoning to accommodate RHNA and work with staff to identify potential sites, taking into account input from Key Informant Interviews conducted as part of Task 2.

HOUSING CONSTRAINTS

As required under State law, we will review factors that may potentially constrain the development, improvement, and preservation of housing. Factors to be reviewed include market, governmental, environmental, and infrastructure-related constraints. New Housing Element laws also require the assessment of non-governmental constraints, including NIMBYism, lending practices, shortage of labor, and other economic factors. We will draw on information obtained during the Housing Forum to inform the analysis of housing constraints and focus this effort on factors where additional further assessment is needed.

HOUSING GOALS, POLICIES, AND QUANTIFIED OBJECTIVES

Based upon the analyses and research conducted in the previous tasks, we will update the Housing Element. The updated Housing Element will include all required components under State law, along with relevant appendices. For each program included in the Housing Element, we will establish the timeframe for implementation, specific objectives, funding sources, and responsible agencies. The programs will satisfy requirements of Government Code Sections 65583(b) and (c). We will review and revise, as appropriate, housing goals, policies, and quantified objectives regarding the production, conservation, maintenance, preservation, and improvement of housing, cross checking

with the adopted General Plan to ensure consistency. This update will reflect the current and projected market conditions, the Town's specific challenges, and funding capacity to ensure the housing objectives are realistic.

We will prepare an administrative draft Housing Element and submit to Town staff for review. Following receipt of comments on the administrative draft, D&B will complete revisions and prepare a public review draft. We will provide one screen check draft in electronic format prior to finalization. The purpose of the screen check draft is to allow Town staff to confirm comments on the administrative draft have been adequately addressed. Therefore, we assume that only minor edits will be needed to access staff comments on the screen check draft, rather than substantive changes to the content.

Deliverables: Opportunity sites map; Housing needs assessment; constraints analysis; Housing Element (Admin, public review, HCD review, hearing draft, final); zoning map amendments list.

TSK 4: SAFETY ELEMENT UPDATE

Objective: Review the Safety Element of the General Plan to ensure compliance with current General Plan.

Part IV of the Town of Ross 2025 General Plan, adopted in 2007, addresses the health and safety of the community. It includes an assessment of risks related to wildfire, geologic conditions, slope stability, flooding, and emergency evacuation and it incorporates goals and policies to address related local conditions. The Town of Ross Local Hazard Mitigation Plan (LHMP), updated most recently in 2017, includes additional analysis and evaluation of hazards and vulnerabilities together with mitigation strategies. Together, these documents largely satisfy the statutory requirements for the Safety Element, as defined in 65301.(g)(2) through (4). However, the update to the Housing Element triggers the need to identify any residential developments in hazard areas that do not have at least 2 emergency evacuation routes, pursuant to 65301.(g)(5).

As part of this task, D&B will review the 2025 General Plan and 2017 LHMP and identify necessary updates to ensure consistency the statutory requirements. At a minimum, a reference to the 2017 LHMP should be added and maps of flooding and fire hazard areas will be updated with the latest publicly available data from federal and State sources if necessary. Additionally, to satisfy the requirements of 65301.(g)(5), we will conduct a GIS-based analysis of existing residential developments in flood, wildfire, and landslide hazard areas to confirm

adequate emergency evacuation routes. A summary of the results will be incorporated into Part IV of the General Plan together with a reference to related analysis and mitigation in the LHMP. If necessary, new policies will be proposed.

Given that the Town has adopted a local hazard mitigation plan, no updates to the General Plan are needed for compliance with Assembly Bill 747 at this time. If needed, updates for compliance with that statute may be fulfilled upon the next update to the LHMP, as provided for under State law.

Deliverables: Safety Element (Admin, public review, final)

TASK 5: ENVIRONMENTAL REVIEW

Objective: Prepare a robust initial study to identify the potentially significant impacts of the Draft Housing Element and assist in determining the appropriate level of CEQA analysis. Assess opportunities for CEQA exemptions and streamlining permitted under State law to optimize the environmental review process.

ENVIRONMENTAL REVIEW START UP

D&B will meet with Town staff to clarify and confirm the approach to the CEQA analysis. This meeting will also be an opportunity to confirm the milestones and schedule for CEQA review.

NATIVE AMERICAN CONSULTATION

Pursuant to SB18 and AB52, we will assist the Town with tribal consultation, notifying the NAHC of the planning process and contacting tribal representatives in the planning area.

TECHNICAL ANALYSIS

The D&B team will perform technical and specialized analysis to support environmental review for the Housing Element Update. As detailed below, this technical analysis will be summarized in a series of standalone reports on transportation and traffic, air quality, greenhouse gas emissions, and noise. An administrative draft of each report will be submitted electronically to Town staff for review, with modeling data and supporting information provided in an appendix. We will respond to one round of comments from Town staff to finalize the technical reports. All submittals will be electronic. In the event an EIR is prepared, the technical reports will be provided on CD attached to the back flap of any print copies of the EIR.

- **Transportation/Vehicle Miles Travelled (VMT) Study:**

Using the TAM Marin Travel Model, Fehr & Peers will prepare VMT forecasts for the purposes of environmental review of the Housing Element Update. Coordinating with D&B and Town staff, we will obtain data on the location and type of new housing units as well as any background data on new resident demographics that is available. It is understood that this will involve the addition of 111 units that may be in some combination of ADUs, lot splits, and units in the downtown area. This scope of work assumes that a standalone model run will be conducted that will involve adding the new Ross housing units to the current 2040 TAM model scenario that does not reflect all the new RHNA housing allocations for other jurisdictions in Marin County, as such data is not expected to be available in the required timeframe. We will develop demographic forecasts for the new household populations and will incorporate the added Ross household data into the current 2040 model scenario for the Marin Travel Model and prepare an updated set of cumulative forecasts that reflects the added units in Ross. We will extract VMT and population data for the Town of Ross model zones for the 2015 base year, 2040 without new housing scenario, and 2040 with new housing scenarios. The first two of these scenarios are from the current versions of the TAM model. We will also extract/provide VMT per capita data for the nine-county bay area region for the 2015 base year. This data will be used to provide Total VMT per capita and Residential VMT per resident for the scenarios to allow for a CEQA impact determination.

The results of this analysis will be summarized in a technical memorandum, which will also include a VMT impact determination and mitigation measures needed to address significant impacts, if any. Significance thresholds used for the purpose of environmental review will be established in consultation with D&B and Town staff, consistent with State law and OPR SB 743 Guidelines. Fehr & Peers will complete the VMT forecasts within six weeks of receiving project description information on the location and type of new housing units as well as any background data on new resident demographics that is available. An administrative draft of the technical memo will be submitted, and we will revise it once in response to comments from Town staff and D&B for inclusion in the Focused EIR.

- **Air Quality Analysis:** D&B will prepare an air quality report to address the environmental review requirements of CEQA. The analysis will focus on potential changes in air quality from the proposed net change in construc-



tion activity and potential operational emissions including vehicular (increase in vehicle miles traveled (VMT)) and other non-vehicle emission sources associated with the Housing Element Update. The analysis will include a discussion of the federal, state, regional and local air quality setting as it pertains to the project, as well as identify and briefly summarize pollutant monitoring data, the regional attainment status, existing air quality attainment plans and any recent critical changes in the regulatory background. We will identify and discuss all rules and regulations that would be applicable to the project, including applicable Bay Area Air Quality Management District (BAAQMD) policies, rules and guidance documentation. Air quality sensitive receptors that could be affected by the project will be identified and characterized.

The air quality analysis will be conducted in accordance with the recommended methodologies of the BAAQMD May 2017 CEQA Air Quality Guidelines. Both temporary construction effects and long-term regional effects will be considered. The analysis will summarize state/federal air pollution regulations and standards, discuss current and future air quality within the Town of Ross and the Bay Area region, and conduct air quality modeling using both the California Emissions Estimator Model (CalE-EMod) and the EMFAC 2017 model related to the construction and operational emissions associated with the net change in buildout. The analysis will compare the net increase in air pollutant emissions modeling data to applicable BAAQMD thresholds and will also identify potential air quality conformity measures. The analysis will also assess the potential for odor impacts. All emission estimates will be assessed against the significance thresholds defined by the BAAQMD. If impacts are identified, we will also recommend mitigation measures necessary to reduce impacts to a less than significant level.

- **Greenhouse Gas Emissions Analysis:** D&B will prepare a GHG analysis to address the potential net increase of GHG emissions during construction and operation activities associated with the proposed project. The study will include an overview of the types and sources of GHGs based on similar data to that required for the air quality analysis, described in detail above, and the potential environmental effects of GHGs. We will provide an overview of the current regulatory framework regarding GHGs/climate change, including but not limited to the California's Global Warming Solutions Act of 2006 (AB 32), Senate Bill (SB) 97, SB 375, SB 32, Executive Order B-55-18, the CEQA Guidelines, and any policies or measures contained in the Town's Climate Action Plan (CAP). The analysis will quantify carbon dioxide equivalent (CO₂e) units associated with construction and operational emissions attributable to the net change of housing units that may be associated with the proposed project. Emission factors and methodologies will use the most recent versions of CARB's Orion 2018 database, the latest version of EMFAC2017 air pollutant emissions database to calculate GHG emissions utilizing VMT data, as described more fully under the air quality analysis above, and the CalEEMod emissions model (for non-transportation related emissions). We will consult with Town staff during the preparation of this analysis to determine the applicable threshold(s) for this project. If any significant impacts are determined by our analysis, we will prepare appropriate mitigation measures to reduce impacts to a less than significant level.
- **Noise Analysis and Contour Maps:** Charles M. Salter Associates (CSA) will prepare noise measurements, traffic noise analysis, development of noise contour maps to support the environmental analysis. Efforts include the following:
 - Conduct long-term (e.g., 72-hour) continuous noise measurements at up to four locations in the plan area, working with the team to identify preferred measurement locations.
 - Analyze the measurement data and calculate daily noise levels. Use the results to calibrate traffic noise analysis. Provide the results of the traffic noise analysis in electronic spreadsheet format. Calculate traffic noise levels based on provided existing and future traffic volumes, speeds, and truck percentages for each roadway segment to be included in the model.
 - Prepare one noise contour map for existing conditions (using provided GIS data for roadway segments). Provide noise contours in electronic format to scale (e.g., ArcView shapefile).

- Prepare one noise contour map for the future “with project” scenario (based on future traffic data provided).
- The contours would be limited to the major transportation corridors in the plan area. CSA would provide the contours in both PDF and ArcView shapefile. To complete the analysis, the following would be needed: Existing and future traffic volumes, speeds, and truck percentages for the roadway segments to be included in the model.

ADMINISTRATIVE DRAFT INITIAL STUDY

Drawing on the findings of the technical analysis outlined above, D&B will prepare an administrative draft initial study, evaluating all resource categories required under CEQA to determine whether the Draft Housing Element would result in significant environmental impacts. The initial study will also consider the potential to take advantage of CEQA exemptions and streamlining opportunities under CEQA in view of the draft housing sites inventory and factors including parcel size, housing yield, location, consistency with Town of Ross General Plan and Zoning regulations, and prior environmental review. The following resource categories identified in the CEQA Appendix G checklist will be evaluated in the initial study:

- Aesthetics and Visual resources
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural and Tribal Cultural Resources
- Geology, Soils and Seismicity,
- Energy and Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use, Population, and Housing
- Mineral Resources
- Noise
- Public Services and Recreation
- Transportation
- Utilities and Service Systems
- Wildfire
- Mandatory Findings of Significance

Upon completion of the administrative draft initial study, D&B will recommend the appropriate level of subsequent CEQA analysis. If mitigation is available to reduce any significant impacts identified to a less than significant level, a mitigated negative declaration may be appropriate; however, if one or more impacts would remain significant and unavoidable even after application of all available mitigation measures, then an Environmental Impact Report (EIR) would be required.

FOCUSED EIR

Given the potential for significant impacts related to transportation, air quality, GHG emissions, noise and wildfire hazards, this scope of work assumes that a Focused EIR will be the appropriate level of environmental analysis. The initial study will be used to “scope out” categories/criteria for which it can be clearly demonstrated that there would be no significant impacts, consistent with CEQA Section 15082. The initial study would be circulated with the Notice of Preparation (NOP) and the EIR would focus only on categories/criteria that were not scoped out. D&B will prepare an administrative draft Focused EIR in electronic format and submit it for Town review. Mitigation measures will be incorporated as needed to address significant impacts. For budgeting purposes, it is assumed that the Focused EIR would include the following topics only:

- Transportation/Circulation
- Energy and Greenhouse Gas Emissions
- Air Quality
- Noise
- Wildfire Hazards

The Focused EIR will address a reasonable range of alternatives that could feasibly attain the basic objectives of the Housing Element Update. Determination of specific alternatives will be done in coordination with Town staff.

As part of this task, D&B will prepare a NOP to be submitted to all responsible and trustee agencies and to the public, informing them that the Town is initiating the environmental review required for the Housing/Safety Element Update. D&B will be responsible for noticing to the State Clearinghouse and Town staff will be responsible for noticing to local agencies and interested parties. During the 30-day scoping period, a public meeting will be held to take comments on issues to be addressed in the EIR, potentially as part of Open House #2. D&B will coordinate with Town staff on the meeting format. D&B will summarize NOP comments received in a Memorandum to be provided to the team.

SCREENCHECK DRAFT AND PUBLIC REVIEW DRAFT

Following receipt of Town comments on the administrative draft, D&B will complete revisions and prepare a public review draft. We will provide one screen check draft in electronic format prior to finalization. The purpose of the screen check draft is to allow City staff to confirm comments on the administrative draft have been adequately addressed. Therefore, we assume that only minor edits will be needed to access staff comments on the screen check draft, rather than substantive

changes to the content. As of November 3, 2020 the Governor's Office of Planning and Research (OPR), State Clearinghouse (SCH) Unit will no longer accept hard copies of environmental documents and notices of determinations and exemptions. Therefore, this scope of work assumes that no hard copies of the CEQA documentation will be required and that all submittals, including submittals to the State will be electronic. D&B will be responsible for circulation Public Review Draft to the State Clearinghouse and will provide electronic copies of the Public Review Draft CEQA Document and the Notice of Completion Form to the State Clearinghouse to formally commence the public review period. This scope of work assumes the Town will be responsible for local distribution and noticing, including distribution to Responsible Agencies and interested parties as well as newspaper noticing or radius mailing.

FINAL EIR AND MITIGATION MONITORING AND REPORTING PROGRAM

After close of the 45-day comment period, D&B will bracket and number each individual comment received within each comment letter and any comments received during the public hearing and will prepare responses to each comment that pertains to environmental issues. We have budgeted 60 hours of staff time to response to written comments on the Draft Focused EIR. D&B will also prepare the Mitigation Monitoring and Reporting Program (MMRP), including each mitigation measure identified, timing, entity responsible for implementation, and method of compliance. A draft of the MMRP will be provided with the Administrative Final EIR. D&B will prepare an Administrative Draft and screen check draft document for internal review along with a Final document for circulation ahead of the adoption hearing, described in Task 6 below.

NOTICE OF DETERMINATION

D&B will prepare the notice of determination (NOD) and provide it to Town staff for filing with the County Clerk's office within 5 business days of adoption of the final CEQA document. This scope of work assumes that Town staff will be responsible for filling the NOD and paying the associated fees.

Deliverables: Tribal consultation letters; Initial Study (Admin/Public Review Drafts); technical reports (draft and final); Focused EIR (Admin/Public Review Drafts); Final EIR (Admin/Final); MMRP; NOD.

Meetings: Environmental Review Start Up Meeting; Scoping Meeting.

TASK 6: ADOPTION AND CERTIFICATION

Objective: Prepare the Draft Housing Element and CEQA document for public review and successfully take the documents through the public hearing process. This task includes public meetings before the Planning Commission and Town Council, as well as coordination with HCD for review and certification.

30-DAY PUBLIC REVIEW

Senate Bill 215 requires that the Draft Housing Element be made available for public review and comment for a period of 30 days before it is sent to HCD. D&B will coordinate with Town staff to have the Draft Housing Element posted on the Town website and made available for public review. D&B will also conduct outreach activities described in Task 2 above to solicit community input on the Draft. The updated Safety Element will be made available for public review at the same time.

DECISION-MAKER REVIEW

The public review draft Housing Element will be prepared for review by Town decision-makers at a study session (Town Council Meeting #3). The goal is to review key content with decision-makers and ensure it has endorsement before it is sent to HCD for review. Formal adoption will happen subsequently. We will prepare a presentation and conduct one study session with the Town Council to review the Draft Housing Element prior to submitting the Element for HCD review.

HCD REVIEW DRAFT PREPARATION AND HCD REVIEW

HCD review of the Draft Housing Element is mandatory. Following the Town Council study session, we will prepare an HCD review draft. During HCD review, we would work to address all HCD comments. We would communicate with HCD and facilitate review of the revisions via revised pages. All revisions made to the Draft Housing Element would be shown as tracked changes. The goal is to secure a Finding of Substantial Compliance on the Draft Element before proceeding to adoption. This way, final certification would be contingent upon adopting the Housing Element as revised and reviewed by HCD, and the Town would avoid adopting a Housing Element that does not completely meet HCD requirements and needing to repeat the review and adoption process again. Throughout the HCD review process, we maintain contact with HCD staff via emails and phone calls regarding the City's progress, key issues to be addressed, and alternative approaches to compliance.

HEARING DRAFT PREPARATION

Following HCD review, we will prepare a hearing draft of the Housing Element reflecting edits made in response to comments from HCD. All revisions made to the Draft Housing Element would be shown as tracked changes to facilitate review by Town decision-makers.

ADOPTION HEARING

D&B will assist the Town in facilitating a public hearing with the City Council to adopt the updated Housing and Safety Elements and certify the Final Focused EIR. We anticipate preparation of a PowerPoint presentation, reviewed with Town staff and revised once prior to the hearing. Following adoption by the Town Council, revise the Hearing Draft to incorporate redline edits and prepare the Final 2023-30 Town of Ross Housing Element. We will print and deliver seven hard copies (six bound and one unbound) of the Final Housing Element as well as one electronic copy in PDF and editable format.

Deliverables: HCD Draft Housing Element; Hearing Draft Housing Element; Final Housing and Safety Elements.

Meetings: Council Meeting #3; ad hoc meetings with HCD; adoption hearing.

OPTIONAL TASKS

REZONING ASSISTANCE

In light of new State laws, it may be possible to accommodate the entire RHNA without the need for rezoning; however, as an optional task in the event that rezoning of sites is required, D&B will assist Town staff with zoning amendments needed to accommodate RHNA. Identification of parcels in need of rezoning will be done as part of the base scope. This optional task would involve an assessment of whether an existing zone can be applied or whether a new or modified zone would be needed, as well as site testing to establish appropriate standards. As part of this task, we assume two (2) meetings with the Town Council to review and adopt the zoning amendments. The cost of this work would range from \$15,000 to \$25,000, depending on whether existing zones could be applied or whether new or modified zones and standards would be needed. Per State law, the zoning amendments do not need to be adopted prior to the Housing Element and may follow that milestone.

ZONING AMENDMENTS FOR SB9 IMPLEMENTATION

As an optional task, D&B can prepare zoning amendments for SB9 implementation, including objective development standards, amended parking regulations, and amendments needed for ministerial review and permitting to comply with State law. This task will include a background memo on SB 9 and how it would apply to the Town; a review of existing design guidelines to determine how they would apply to development under SB 9; a review of existing zoning map designations to determine where the exclusions from SB 9's provisions (e.g., 100-year flood hazard areas; high and very high fire hazard severity zones) would apply in the Town; determination of whether an overlay or combining district is needed or desired; and preparation of an annotated outline of amendments to Title 18 of the Ross Municipal Code. The outline will lay out the basic structure of the proposed amendments and will be in sufficient detail to indicate what changes will be made to current regulations and what additional research will be undertaken on specific topics, including:

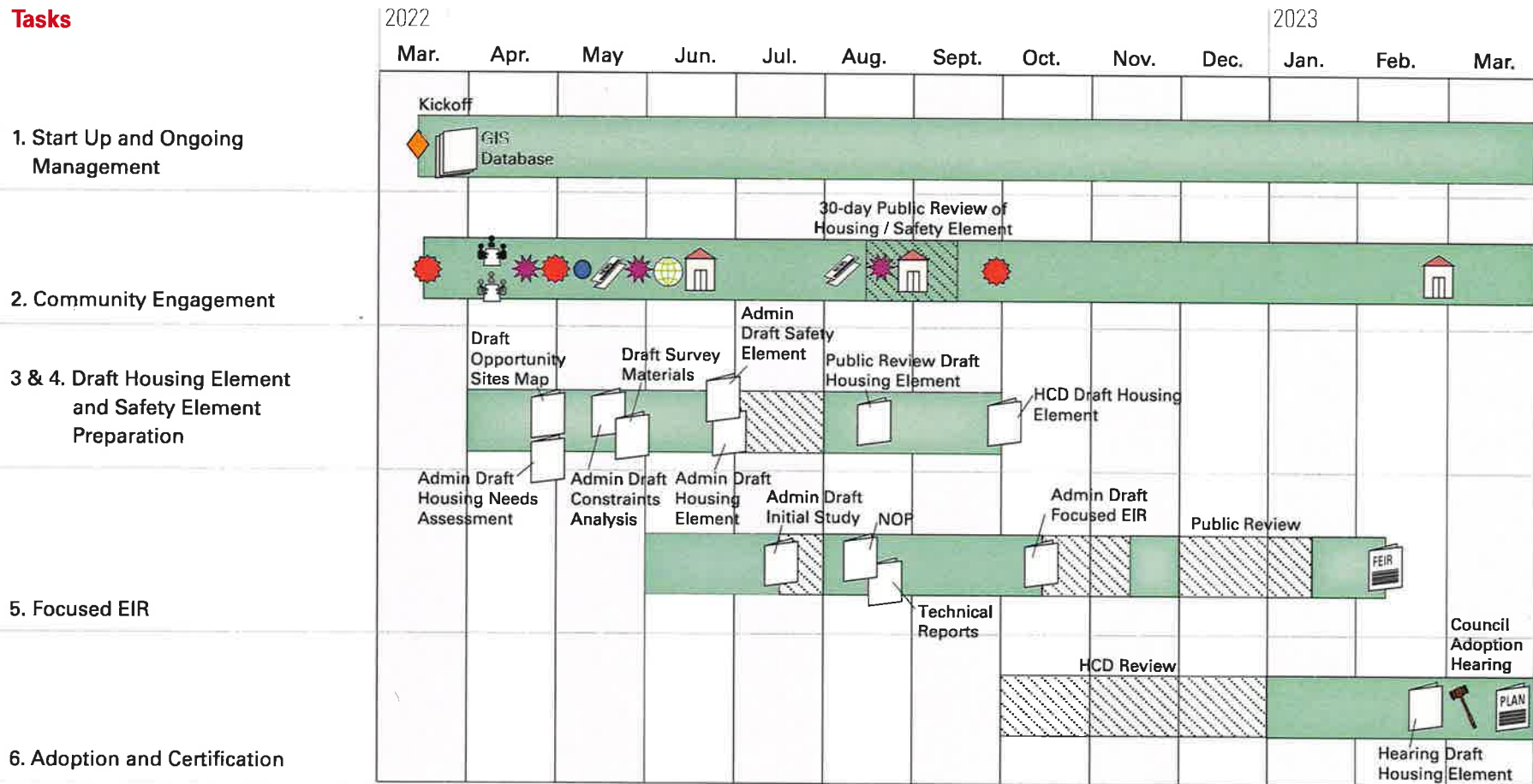
- Amendments to add "rules for measurement";
- Amendments to establish objective development standards, including maximum house size and other residential intensity limits;
- Amendments to Zoning Map to exclude areas, as allowed by SB 9;
- Amended parking regulations; and
- Amendments needed for ministerial review and permitting to comply with State law

As part of this task, we assume we assume three (3) meetings with the Town Council to review and adopt the objective development standards and zoning amendments. If this task is undertaken in conjunction with the optional rezoning task, decision-maker meetings may be combined and the total number of meetings reduced. We will submit an administrative draft of amendments to Title 18 and the Zoning Map (including diagrams and illustrations as appropriate) for Town staff review and revise once based on a single, consolidated set of comments from Town staff.

Proposed Schedule

Town of Ross - Housing Element Update

Tasks





The guaranteed maximum fee for the scope of work identified in our proposal for the project is \$356,815; this fee will not be exceeded provided there are no changes in the Scope of Work. Additionally, we recommend that the Town reserve a contingency equivalent to 10 percent of the budget to accommodate any unanticipated additional work that may be requested.

The worksheets on the following pages show detailed hours and budget by task. Two tables are shown: one for hours and one for fees. Fees include all personnel costs and direct costs, which include travel and related costs (meals, lodging, etc.), data gathering, printing of meeting materials, and printing of copies of documents specified in Chapter 4.

BUDGET ASSUMPTIONS

Our cost proposal is based on the following assumptions:

Meeting Attendance. The budget assumes attendance at meetings as shown in the Scope of Work. Meetings with Town Staff will occur as needed throughout the planning process, as specified in the Scope of Work. Costs of additional meeting attendance would be on a time and materials basis if requested; such costs are not included within the guaranteed maximum fee.

Consolidated Comments and Direction. Unless otherwise noted in the Scope of Work, Town staff will provide a single set of consolidated, non-conflicting comments on the review drafts of all documents. Unless otherwise specified, each product will be finalized following one round of staff review; additional iterations and reviews will be considered additional service.

Presentations, Agendas, Meetings Summaries. D&B will prepare agendas, handouts, presentations, and meeting summaries for all meetings as noted in the Scope of Work. D&B will also prepare agendas and presentations for all decision-maker meetings that we attend. As decision-maker meetings are structured around review of products, these products would be forwarded to Town staff in advance of the meetings; D&B would not be responsible for preparing actual staff reports accompanying the documents. Meeting summaries will be brief recaps of topics discussed and will not constitute actual meeting minutes.

Electronic Files. Electronic files of all documents will be provided in PDF and Word via email or file transfer service. PDFs will be provided in high-resolution print format and lower-resolution web-compatible format, as appropriate. D&B will also provide native electronic files of all documents created by the consultant team upon completion of the project – these may be in Word or for graphic-intensive documents, in Adobe InDesign. Maps will be provided in Illustrator or ArcGIS format, depending on native format.

Printed Documents. D&B will assume responsibility for printed documents as specified in the Scope of Work. Our budget includes costs for printing meeting materials (e.g. large format maps, handouts, etc.). We will also provide printed copies of draft and final products as described in the Scope of Work.

Travel Expenses and Other Direct Costs. The budget includes direct costs related to the project, including travel expenses, in-house printing costs, and other similar reimbursable items. These will be billed at cost (i.e., without any mark-up).

Reallocation by Task. D&B reserves the right to reallocate budget by task, provided the overall project budget is not affected.

BUDGET

Proposal for Town of Ross Housing Element Update

HOURS BY TASK

February 25, 2022

	<i>Task 1</i>	<i>Task 2</i>	<i>Task 3</i>	<i>Task 4</i>	<i>Task 5</i>	<i>Task 6</i>	
	<i>Start Up and Ongoing Management</i>	<i>Community Engagement</i>	<i>Draft Housing Element Preparation</i>	<i>Safety Element</i>	<i>CEQA Review</i>	<i>Adoption/ Certification</i>	TOTAL
Company Name							
Andrew Hill, Principal and PM	32	101	72	10	88	36	339
Michael Dyett, Participating Principal	4		18		0	8	30
Vivian Kahn, Participating Principal	0	0	18		0	0	18
Matt Alvarez-Nissen	24	60	188		0	14	286
Lauren Pepe	4	155	84		0	0	243
Clare Kucera/Mayu Tanaka	4	36	84	8	440	0	572
GIS/Cartography	28	24	16	40	39	24	171
Project Assistant/Graphic Designer	0	132	40	8	70	32	282
Sub-Total	96	508	520	66	637	114	1941
TOTAL HOURS	96	508	520	66	637	114	1941

Proposal for Town of Ross Housing Element Update

BUDGET BY TASK

February 25, 2022

		<i>Task 1</i>	<i>Task 2</i>	<i>Task 3</i>	<i>Task 4</i>	<i>Task 5</i>	<i>Task 6</i>	
	<i>Hourly Rate</i>	<i>Start Up and Ongoing Management</i>	<i>Community Engagement</i>	<i>Draft Housing Element Preparation</i>	<i>Safety Element</i>	<i>CEQA Review</i>	<i>Adoption/ Certification</i>	TOTAL
Company Name								
Andrew Hill, Principal and PM	\$240	\$ 7,680	\$ 24,240	\$ 17,280	\$ 2,400	\$ 21,120	\$ 8,640	\$ 81,360
Michael Dyett, Participating Principal	265	1,060	0	4,770	0	0	2,120	7,950
Vivian Kahn, Participating Principal	240	0	0	4,320	0	0	0	4,320
Matt Alvarez-Nissen	130	3,120	7,800	24,440	0	0	1,820	37,180
Lauren Pepe	140	560	21,700	11,760	0	0	0	34,020
Clare Kucera/Mayu Tanaka	140	560	5,040	11,760	1,120	61,600	0	80,080
GIS/Cartography	155	4,340	3,720	2,480	6,200	6,045	3,720	26,505
Project Assistant/Graphic Designer	100	0	13,200	4,000	800	7,000	3,200	28,200
Transportation/VMT Study (Fehr & Peers)						35,000		35,000
Noise Study (Charles Salter Assoc)						11,700		11,700
Direct Cost: printing, travel, etc		250	9,750	-	-	-	500	10,500
Sub-Total		\$ 17,570	\$ 85,450	\$ 80,810	\$ 10,520	\$ 142,465	\$ 20,000	\$ 356,815
TOTAL FEE		\$ 17,570	\$ 85,450	\$ 80,810	\$ 10,520	\$ 142,465	\$ 20,000	\$ 356,815

Optional Tasks

A. Rezoning Assistance

\$25,000

B. Objective Standards and Zoning Amendments for SB 9 Implementation

\$32,000



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STATEMENT ON LITIGATION, DISCLOSURE, CONTRACT TERMS

Dyett & Bhatia is currently not involved in any litigations or investigations, and will disclose any pending or active investigations or litigation that may affect the reputation or ability of the firm to carry out the Project. Dyett & Bhatia has not been involved in any litigation or arbitration in at least for the 30 years the current management has been in place, and has never made any payments or settlements as a result of any litigation or defect assertion. Dyett & Bhatia is not currently, and will not, during the performance of these services, participate in any other similar work involving a third-party with interests currently in conflict or likely to be in conflict with Town of Ross interests. Dyett & Bhatia is not and has never been involved with any other projects in the Town of Ross, and within the last ten years has done work for the County of Marin (Residential Design Guidelines) and to BioMarin for development of their downtown San Rafael Campus, and some small assistance to BioMarin related to development of their facilities in Novato.

Appendix: Resumes



Andrew Hill

Principal

Andrew Hill is an award-winning urban planner with expertise in land use planning, Housing Element preparation, community engagement, and environmental review. Innovative and collaborative, his work is rooted in a strong commitment to sustainable placemaking and meaningful stakeholder involvement. He has led multi-disciplinary teams in preparing long range plans for communities throughout California, and he possesses over 15 years of project management and leadership experience in the fields of planning, construction management, and engineering. A particular focus of Mr. Hill's recent work has been on planning for disadvantaged communities and in developing strategies to engage residents who may not normally engage in civic processes.

Education

Master of Urban Planning (MUP)
McGill University

Honors Bachelor of Arts (BA Hons)
University of Western Ontario

Awards

2018 APA Award of Excellence.
Vallejo General Plan Update and EIR

2018 APA Award of Merit. Palo Alto Comprehensive Plan Update

2016 AEP Outstanding Public Involvement Award. Palo Alto Comprehensive Plan

2008 Clear Vistas Design Competition. Regina, SK

Speaking Engagements

Presenter, San Ramon Citizens Planning Academy, 2017
CEQA Basics

Guest Lecturer, McGill University, 2015
Tailoring the General Plan to Community Needs

Guest Lecturer, Sonoma State University, 2014
Public Involvement and Planning

Recent Assignments

San Pablo Housing Element Update. Andrew is leading preparation of the City of San Pablo's sixth cycle Housing Element update, focused on developing and implementing strategies that promote higher density infill development, "missing middle" housing options, and accessory dwelling units (ADUs) in single-family areas. The project involves a comprehensive community engagement strategy that features an interactive map-based online survey, pop up outreach at events around the community, housing stakeholder focus groups, and community meetings. Background research completed to date includes a housing needs assessment and an analysis of fair housing issues using a variety of publicly available data sources. The ongoing Update has also triggered updates to the Land Use and Safety Elements of the General Plan and preparation of a new Environmental Justice Element, which Dyett & Bhatia is preparing in parallel with the Housing Element. Dyett & Bhatia is preparing a focused EIR for the project, tiering from the 2011 General Plan EIR.

Moreno Valley Housing Element Update. Andrew led preparation of the City of Moreno Valley's sixth cycle Housing Element update as part of a comprehensive update to the City's 2006 General Plan. The project, involved a detailed analysis of fair housing issues and incorporated strategies to encourage high-quality infill development along key corridors and in the Moreno Valley Mall. Outreach for the Housing Element included a series of stakeholder interviews with housing developers, real estate brokers, and service providers to understand specific local issues and inform development of programs in the Housing Element as well as a Facebook Live virtual town hall event conducted during the Covid-19 pandemic. Andrew has also worked closely with HCD staff to understand and address State comments on the Draft Housing Element. HCD review of the revised draft is ongoing and certification is anticipated in the spring of 2022.

St Helena General Plan Update and EIR. Located in the heart of Napa Valley, St. Helena is one of the Bay Area's most picturesque small towns, with a population of 6,200 and a land area of about five square miles, half of which is agricultural land. Andrew is leading Dyett & Bhatia's efforts to update the May 2017 draft of the General Plan in order to insure consistency, incorporate requirements for environmental justice, a safety element, other regulatory updates, and policies for environmental mitigation measures, as well as ensuring legal adequacy. The project also includes updating the Environmental Impact Report to include the most recent data and meet current standards.

Dixon General Plan Update and EIR. Mr. Hill led the Dyett & Bhatia team in preparing a comprehensive update to the City of Dixon's General Plan, focused on incentivizing infill development in the downtown area and encouraging walkable, transit-oriented development. A key issue for the City involves balancing the economic development advantages of growth with the community's strong desire to retain its small-town character. The plan also addresses issues of multimodal connectivity, infrastructure financing, historic preservation and Sphere of Influence expansion.

Turlock General Plan Update, Housing Element, and EIR. Turlock is located in the heart of the San Joaquin Valley and is home to a California State University campus. Dyett & Bhatia has a long-standing relationship with the City of Turlock, having prepared the award-winning 1992 and 2014 General Plans for the City as well as the City's fifth cycle Housing Element, adopted in 2015. Andrew is leading preparation of the City's sixth cycle Housing Element and associated zoning amendments ensure compliance with new State law and expedite processing of development applications. As an initial step, Dyett & Bhatia had prepared a Draft Accessory Dwelling Unit (ADU) Ordinance to assist the City in processing an increasing number of inquiries and applications. Analysis underway includes a housing needs assessment, a housing constraints evaluation, and an analysis of fair housing issues based on locally available data. The project also involves an update to the Safety Element to ensure compliance with new State law and preparation of a new Environmental Justice Element as well as environmental review.

Work Experience

FirstCarbon Solutions, Senior Project Manager, 2016-2018

Responsibilities included leading multidisciplinary teams of technical and subject matter experts on complex environmental planning projects; successfully conducting scoping meetings and stakeholder outreach for prominent projects in Marin, Contra Costa, Sonoma, Napa and San Mateo Counties; preparing a comprehensive report on existing environmental conditions for the Sausalito General Plan Update; and assisting with entitlements for large-scale residential and commercial projects, including presenting at public meetings and preparing staff reports and other planning documents.

PlaceWorks, Senior Associate, 2009-2016

Significant projects included: City of Palo Alto Comprehensive Plan Update and EIR; City of Vallejo General Plan Update and EIR, City of Capitola General Plan Update and EIR; City of Newark General Plan Tune Up and EIR; Walnut Creek BART Transit Village EIR; and the City of National City General Plan Update, Climate Action Plan and EIR.



Michael V. Dyett, FAICP

Consulting Principal

Michael Dyett specializes in zoning and subdivision regulations, comprehensive planning, urban design, form-based codes, growth management and implementation systems design. He is also skilled in environmental assessment and housing policy research, focusing on development patterns and land use-transportation linkages. He has over four decades of professional planning experience, with unparalleled project experience throughout California. Michael is a long-time Mill Valley resident.

Education

Master of Regional Planning

Harvard University Graduate School of Design

Bachelor of Arts

Harvard College

Awards

He has directed projects that have won over 15 major awards, including National Honor Awards from the American Planning Association and the U.S. Department of Housing and Community Development and a San Joaquin Valley Blueprint Award. He is a member of the College of Fellows of the American Institute of Certified Planners and former member of the California Planning Roundtable. He is past president of the San Francisco Economic Round Table and former member of the Advisory Council of the San Francisco Bay Area Air Quality Management District (Community Planning Representative). Mr. Dyett was on the Board of Directors of the Mill Valley Historical Society and in 2014 served as Chair of the Mill Valley Zoning and Design Advisory Committee. He also is on the Board of Directors of the Marin Theatre Company and served on the Board of the Mill Valley Film Festival (2009-2015).

Recent Assignments

Zoning Ordinances and Plan Implementation

Michael Dyett has unsurpassed national expertise in the preparation of comprehensive city- and countywide zoning and subdivision ordinances. He also prepared benchmark reports and zoning regulations for downtowns of major cities, for pedestrian- and transit-oriented development, and for Traditional Towns, Traditional Neighborhoods, and Traditional Marketplaces. Current and past experience includes:

City- and Countywide Regulations

- Abu Dhabi (UAE)
- Albany
- Austin (Texas)
- Benicia
- Beverly Hills
- Carmel
- Chicago
- Cincinnati (Ohio)
- Concord
- El Cerrito
- Gilbert (Arizona)
- Half Moon Bay
- Henderson (Nevada)
- Houston (Texas)
- Huntington Beach
- Larimer County (Colorado)
- Los Angeles County
- Manhattan Beach
- Manteca
- Maricopa (Arizona)
- Marina
- Memphis (Tennessee)
- Menlo Park
- Mesa (Arizona)
- Milwaukee (Wisconsin)
- Monterey
- Morro Bay
- Oakland
- Oceanside
- Palm Beach County (Florida)
- Pasadena
- Pleasant Hill
- Porterville
- Portland (Oregon)
- Prince George's County (Maryland)
- Redding
- Richmond
- San Carlos
- San Joaquin County
- San Jose
- San Leandro
- San Ramon
- Santa Cruz
- Santa Barbara
- St. Mary's County (Maryland)
- Tucson (Arizona)
- Washoe County (Nevada)

Downtown Regulations

- Abu Dhabi (UAE)
- Chicago (Illinois)
- Kansas City (Missouri)
- Portland (Oregon)
- Philadelphia (Pennsylvania)
- San Francisco (Chinatown)
- San Diego (downtown & East City)
- Scottsdale (Arizona)

Mixed-use, Pedestrian, and Transit-Oriented Regulations

- Portland: Mixed Use Zones Project
- San Diego: Mixed Use Zones Project
- Santa Cruz: Mixed Use Zones Project
- Seattle: TOD Zoning Framework

General Plans and Specific Plans

Michael Dyett has been the Principal-in-charge or Participating Principal for comprehensive general plans and environmental impact reports for over 25 cities and counties, including:

- Belmont
- Benicia
- Burlingame Bayfront
- Chico
- Concord
- Fresno
- Fossil Creek Area Plan (Colorado)
- Humboldt County
- Larimer County (Colorado)
- Lemoore
- Los Banos
- Martinez
- Menlo Park El Camino Corridor
- Orinda
- Pacifica
- Pittsburg
- Placencia Town Plan (Belize)
- Pleasant Hill
- Pleasanton
- Porterville
- Salinas
- Santa Barbara County
- San Ramon
- San Pablo
- Vacaville
- Visalia
- Yuba City

Mr. Dyett has been directly responsible for managing EIRs on several of the above projects. He has also served as an expert witness on the legal adequacy of general plans and the environmental documents for those plans.

Teaching

Michael Dyett has served as a Visiting Professor at the University of California, Berkeley directing a land use/transportation studio, and as an adjunct faculty member for national workshops conducted by the Lincoln Institute and the American Planning Association. He has taught professional education short-courses on land use and transportation for the Institute for Transportation Studies (ITS) at the University of California, Berkeley, as a part of their Technology Transfer Program. Mr. Dyett has also led panels on comprehensive planning and zoning for the American Planning Association and he was an invited lecturer speaking on neo-traditional zoning at the Institute of Traffic Engineering's mid-career training workshops.

Publications

Mr. Dyett has published dozens of articles and papers on zoning, such as:

- *Using Zoning as an Incentive to Retrofit*, Seismic Retrofit Incentive Programs Handbook for Local Governments, published by the California Seismic Safety Commission as part of the Bay Area Earthquake Preparedness Project
- *Site Design and its Relation Urban Form*, Transportation, Urban Form and the Environment, proceedings of a Transportation Research Board Conference published by the National Academy of Sciences
- *A New Generation of Land Use Controls*, Land Lines, Lincoln Institute of Land Policy, Cambridge, MA

Linking Land Use and Transportation

Michael Dyett prepared regulations to promote transit for cities such as Tacoma WA, St. Paul, MN, and Portland, OR, and led the firm's research on land use and urban development impacts of beltways for the U.S. Department of Transportation. The National Research Council, the Institute for Transportation Engineers, Western City, and the University of Wisconsin have published his research on transportation/land use linkages.



Vivian Kahn, FAICP

Principal

Vivian Kahn is widely recognized as an expert in preparation and administration of land use and development regulations and has more than 45 years of professional planning experience in the public and private sectors. Before joining Dyett & Bhatia in 2001, she was Acting Deputy Director for the City of Berkeley's Department of Planning and Development and served from 1987 to 1995 as Berkeley's Current Planning Manager and Zoning Officer. She previously served as manager of the Community Assistance Division of the State Office of Planning and Research.

Education

Bachelor of Arts

cum laude

City College of New York

Additional course work at
Department of City and Regional
Planning at Pratt Institute and
Graduate School of Journalism
at Columbia University.

Selected Honors and Affiliations

APA National Board of Directors,
Legislative and Policy Committee
1994-2002

APA Amicus Curiae Committee,
1995-2008

Chair, APA California Chapter
Amicus Committee,
2006 to present

AICP College of Fellows, 2000

California Planning Roundtable,
1986 to present; Emeritus Member
2019 to present

Co-Chair, APA National Conference,
2005

APA California Planners Emeritus
Network, Honor Award, 2007

APA California Northern Section
Special Recognition Award of
Excellence, 2017

Phi Beta Kappa
1969-1971

Recent Assignments

Housing Policy and Development

As a consultant in private practice, Ms. Kahn has provided planning assistance to affordable housing developers for projects in El Cerrito, Crockett, and Oakland and assisted property owners in Berkeley and Oakland seeking to develop or legalize units. Ms. Kahn has made presentations on housing policy and practice at conferences and professional development courses including programs on Planning for Age Integrated Communities (2009), Planning Commissioners Training (2009) and Housing California: Responsibilities, Challenges, and Opportunities (2012) for UCLA Extension. Ms. Kahn has consulted to California Forward on the development of regulatory approaches to promoting affordable housing and participated in a panel on the 2017 State legislative housing package at the 2017 APA Chapter conference. She has also been a volunteer board member of non-profit housing development corporations including Jubilee Housing and the West Oakland Housing Development Corporation in Oakland and the Seattle Housing Resources Group and Southeast [Seattle] Effective Development in Washington State.

Preparation of Zoning and Subdivision Ordinances

Ms. Kahn has managed projects including extensive amendments to Antioch's zoning ordinance to implement the Housing Element zoning, and comprehensive updates of the Orange County and Santa Monica zoning ordinances. She is currently completing work on updates to the Carson Zoning Ordinance to implement the newly updated General Plan and Housing Element. Recently completed projects include zoning amendments to implement the Bayhill Specific Plan in San Bruno, the Crow Canyon Specific Plan for San Ramon, and a revised Downtown Specific Plan for Santa Rosa. She has also had a major role on projects including major revisions and comprehensive updates of zoning regulations for Pasadena, Long Beach, Los Angeles County, Oakland, Concord and many others in California; Mesa, Maricopa, and Gilbert, AZ; Chicago, IL; and Abu Dhabi, United Arab Emirates. She led D&B's work on designing a community benefits strategy for Redwood City, which received APA California's Award of Excellence for Best Practices in 2016, and also managed updates of sign regulations for the Cities of Riverside and San Luis Obispo.

DYETT & BHATIA

Urban and Regional Planners

Zoning and Subdivision Administration

As Berkeley's Current Planning Manager and Zoning Officer, Ms. Kahn supervised administration and enforcement of zoning, design review, environmental review, condominium conversion, and landmarks preservation, acted on a wide range of permits not requiring action by the Zoning Adjustments Board, and advised the Board and the City Council on all matters regarding implementation and interpretation of the City's Zoning Code. After the 1991 Berkeley-Oakland Hills Fire, she supervised the operations of the One-Stop Center for Fire Area Reconstruction and managed the development review and approval process for numerous complex development projects.

Legal Requirements

Ms. Kahn serves as an expert witness and litigation consultant on planning and zoning issues. She co-authored zoning chapters in the California Continuing Education of the Bar's California Land Use Practice (2006) and is a contributor to The RLUIPA Reader (American Planning Association and American Bar Association), 2009. She has written on planning and housing issues for City and Planning magazines, Land Use & Environment Forum and other publications. She teaches classes on planning practice and zoning for UC Davis Extension and other schools and frequently speaks on land use regulation including an annual session on takings for the State APA Conference and recent sessions on objective design standards in regulation for the Chapter Conference and the 2019 CLE International Conference on Land Use Law.



Matt Alvarez-Nissen

Planner/Analyst

Mr. Alvarez-Nissen specializes in comprehensive planning and analysis with an emphasis on housing. He has been the lead planner on five sixth cycle housing elements statewide. Mr. Alvarez-Nissen incorporates data analysis into his work, including through Excel and the open-source software R. He has developed several tools to help expedite data processing and visualization in the preparation of housing elements. His interests include housing justice, land use, and developing creative and innovative approaches to RHNA compliance.

Education

Master of Arts in Public Policy
Bachelor of Arts in Urban Studies
Stanford University

Recent Assignments

City of Oakland Housing Element Update. Mr. Alvarez-Nissen is the lead planner for the 2023-2031 Housing Element Update for the City of Oakland, which is being developed alongside a comprehensive update to the City's General Plan. His responsibilities include preparing the housing sites inventory, identifying housing constraints, assessing the effectiveness of the existing Housing Element, and coordinating draft preparation. There is a significant need for moderate-income housing in the city, and he will help draft programs designed to address this needs group. The Housing Element Update is currently in the drafting stage.

City of San Pablo Housing Element Update. Mr. Alvarez-Nissen is the lead planner for the 2023-2031 Housing Element Update for the City of San Pablo, being prepared alongside an update to the City's General Plan. He has been the principal author of background reports on housing needs and constraints and taken a hands on role in developing the housing sites inventory. He has also been integral in the development of housing outreach materials. The Housing Element Update is anticipated for public release in the Spring of 2022.

City of Fairfield Housing Element Update. Mr. Alvarez-Nissen is the lead planner for the 2023-2031 Housing Element Update for the City of Fairfield, which is being developed in tandem with the City's General Plan Update. He has prepared background analysis on housing needs, housing constraints, and an assessment of fair housing. He has also assisted in the identification of residential projects and opportunity sites suitable to meet the RHNA. The Housing Element Update is currently in the drafting stage.

City of Turlock Housing Element Update. Mr. Alvarez-Nissen is the lead planner for the 2023-2031 Housing Element Update for the City of Turlock. His responsibilities on the project include identifying housing needs and coordinating the preparation of the Element. The Housing Element Update is currently in the drafting stage.

City of Carson Housing Element Update. Mr. Alvarez-Nissen served as the lead planner for the 2021-2019 Housing Element Update for the City of Carson, scheduled for adoption by the City Council in February 2022. He prepared required background analysis on housing needs and constraints, as well as an assessment of fair housing and developed the housing sites inventory. The site inventory relied in part on accessory dwelling unit projections across a variety of income levels. HCD certification of the Element is anticipated by summer 2022.

City of Moreno Valley Housing Element Update. Mr. Alvarez-Nissen assisted with the preparation the 2021-2019 Housing Element Update for the City of Moreno Valley, which was developed alongside City's 2040 General Plan Update. His responsibilities included addressing findings made by the State Department of Housing and Community Development on the Draft Housing Element related to housing needs and the housing sites inventory. The Housing Element Update has been adopted by the City and submitted to the State for certification.

Work Experience

Graduate Researcher, Changing Cities Research Lab. While pursuing his master's degree, Mr. Alvarez-Nissen worked as a researcher in Dr. Jackelyn Hwang's Changing Cities Research Lab. His research focused on urban displacement, gentrification, and racial inequality. Using data analysis tools like R, he participated in a research project conducted in partnership with the City of Oakland's Department of Housing and Community Development.

Research Assistant, Urban Displacement Project at the University of California, Berkeley. Mr. Alvarez-Nissen worked as a research assistant with the Urban Displacement Project at UC Berkeley. While there he was responsible for creating various datasets for analysis and running preliminary statistical and geospatial analysis in R. His research focused on housing, sustainable development, and climate change.



Lauren Pepe

Planner

Lauren has experience in general plan, specific plan, and climate action plan preparation, with a focus on housing, sustainability, environmental justice, land use and active transportation. Her work includes report writing, data analysis, community outreach, zoning code amendments, policy development and mapping. Drawing on her background in psychology and neuroscience, Lauren recognizes the influence of the built and natural environment on physical and mental health and strives to plan healthy, equitable, and sustainable communities.

Education

Master of Community Planning
University of Maryland, College Park

Master of Science, Neuroscience
Georgetown University

Bachelor of Arts, Psychology
Boston University

Recent Assignments

Oakland Housing Element Update. Lauren is serving as key staff on the Oakland Housing Element Update, being undertaken in parallel with a comprehensive update to the City's General Plan. Social equity and sustainability are project priorities and Lauren is the lead analyst and author for two chapters for the Housing Element: Affirmatively Furthering Fair Housing and Opportunities for Energy Conservation.

San Pablo Housing Element Update. Lauren is the lead planner on the San Pablo General Plan and Housing Element Update. A key aspect of her role involves managing day-to-day outreach activities and she has planned and conducted "pop up" outreach events, community surveys, and social media outreach. She helped create an interactive, map-based online survey to solicit public input on community priorities and where to locate future housing to satisfy RHNA requirements. She has also written an article for a local news source to advertise the survey.

Sonoma Developmental Center Specific Plan. Lauren co-wrote the Alternatives Survey Report, summarizing community members' preference for site alternatives.

Work Experience

Montgomery County, Senior Planning Associate (2019-2021). As Deputy Project Manager of the county's first Pedestrian Master Plan, Lauren helped draft policies, conducted public outreach, and led the mapping-intensive Pedestrian Level of Comfort (PLOC) evaluation to assess the pedestrian network and assign scores based on comfort. She co-wrote a report that evaluated pedestrian access to future light rail stations and made recommendations to increase pedestrian comfort. She presented these findings to the Planning Board and at the APA-NCAC 2020 Conference. She also reviewed development projects for compliance with transportation master plans, developed sustainability-focused policies for the General Plan Update, and drafted transportation recommendations and responded to public feedback for Montgomery County's Climate Action Plan. She spoke about the intersection of transportation safety and climate change as an invited panelist at the 2020 WABA Vision Zero Summit.

Capital Trails Coalition, Planning Consultant (2018). Lauren helped launch a trails web map for the DC region and developed content and maps about local planned trail projects for the organization's website.



Clare Kucera

Planner

Clare Kucera is a multidisciplinary planner with an emphasis on environmental review, climate change resilience, and physical planning and design. Ms. Kucera is dedicated to connecting ecology and social sciences to sustainably and equitably integrate humans into natural systems. She has expertise in producing research and written chapters of technical background reports, climate change action plans, housing elements, and environmental analysis for a variety of projects across California, addressing topics including utilities, geology, population, housing, land use, recreation, greenhouse gas emissions, and air quality.

Education

Master of Urban and Regional Planning

University of Michigan

Master of Science in Ecosystem Science and Management

University of Michigan

Bachelor of Science in Environmental Studies and Spanish

University of Michigan

UCLA Extension, *Successful CEQA Compliance: A Step-By-Step Approach*

University of California, Los Angeles

Recent Assignments

Oakland General Plan and Housing Element. Ms. Kucera is assisting with an update to the City of Oakland's General Plan and Housing Element. She has been involved primarily in updating the Housing Element, including summarizing the City's zoning code and writing the housing needs assessment and housing constraints sections.

Carson General Plan and EIR. Ms. Kucera prepared an Initial Study/Negative Declaration for the Carson Housing Element update and is contributing to the environmental review and analysis for the General Plan EIR, with a focus on an analysis of geological and seismic hazards.

Napa General Plan and EIR. Ms. Kucera contributed to the environmental review and analysis to the EIR for the General Plan update. She is the primary author for the population and housing chapter and assisted in the writing the land use and recreation chapters.

Union City Station Area Specific Plan EIR. Ms. Kucera contributed to the environmental review and analysis for the EIR for the Specific Plan, the public review draft of which is scheduled for release next month.

Fairfield General Plan and Climate Action Plan. Ms. Kucera conducted a greenhouse gas inventory analysis which will form the basis of the City's Climate Action Plan and provide targeted actions to reduce greenhouse gas emissions to ensure compliance with State laws.

Work Experience

Planning Intern, San Francisco Planning Department. While pursuing her Master's degree, Ms. Kucera conducted an overlay analysis of climate hazard and community vulnerability GIS data to identify neighborhoods that are most at risk to climate change. She created a publicly available 'Climate Resilience' story map and presented this information to the planning department and commission members.

Master's Professional Project, United Nations Human Settlement Programme. Ms. Kucera evaluated India's and Colombia's national and subnational urban and climate policies and legislation and provided recommendations for improvement to UNHabitat. She also worked to produce neighborhood designs that respond to climate challenges with fiscal considerations for Manizales, Colombia.



Isha Bhattarai

Senior GIS Specialist

Ms. Bhattarai brings more than 10 years of experience working with GIS in the field of Urban Planning. She is our in-house expert on ESRI's ArcGIS, Spatial Analyst, 3D Analyst, Network Analyst, 3D Visualization and Modeling, ArcGIS Online, Google, Sketchup, AutoCAD and Adobe Illustrator.

At Dyett & Bhatia, Ms. Bhattarai has worked on an array of projects ranging from General Plans, Housing Elements, Station Area Plans, Downtown and Corridor Plans, Environmental Impact Reports, Redevelopment Plans, and Zoning Ordinances. Ms. Bhattarai is involved extensively in all phases of planning including Demographic Analysis, Existing Condition Reports, Alternatives Analysis, Preferred Plan, Buildout Scenarios, and Environmental Impact Reports. Ms. Bhattarai has experience working with multiple data sources, conducting research, collecting, refining and analyzing data, digitizing and editing spatial data, editing attributes, merging and joining data from different sources, presenting data in geographic and tabular forms and designing and producing advanced cartographic products. Ms. Bhattarai has prepared graphic displays and maps for many of the award winning projects led by Dyett & Bhatia. Her ability to create clear, detailed and beautiful maps using ArcGIS has been appreciated by our clients.

Education

Masters of Community and Regional Planning

Graduate Certificate in Geographic Information Systems (GIS)
Iowa State University, Ames

Bachelor of Architectural Engineering

Institute of Engineering, Tribhuvan University, Nepal

Recent Assignments

Housing Elements. Belmont, Antioch, Fairfield, San Pablo, Redlands, Carlsbad, Turlock, Moreno Valley, Carson.

Regional Plans/EIRs. Plan Bay Area EIR, Contra Costa Transportation Authority - 2014 Countywide Transportation Plan Update.

General Plans and Related EIRs. Ceres, Belmont, Half Moon Bay, Carlsbad, Woodland, Turlock, Pacifica, Visalia, San Pablo, Fresno, Princeton, American Canyon, Daly City, Emeryville.

Station Area/Specific Plans. Windsor Station Area/Downtown Specific Plan, Honolulu Station Area Plan, Southeastern San Diego Community Plan Update, San Diego Commercial Imperial Corridor Master Plan, Lake Merritt BART Station Area Plan, Livermore Isabel BART Station Area Plan, Mission Valley Community Plan Update.

Zoning and Form-Based Codes. Richmond Zoning Ordinance Update, Santa Cruz Corridor Planning and Zoning Code Update, San Carlos Zoning Ordinance Update, Emeryville Zoning Update, Tahoe Regional Planning Agency Code Update.



Mark Chambers

Senior Cartographer

Mr. Chambers is one of the most experienced computer-based cartographers in California and has prepared computer-based mapping and analysis for all of Dyett & Bhatia's recent general plans, community and design plans, zoning ordinances, and EIRs. He has over 30 years of cartographic experience and is skilled in using computer graphics software, including MAPublisher, Adobe Illustrator, and Photoshop to translate GIS data and planning concepts into effective graphics that support projects from initial vision through adoption.

Education

Master of Fine Arts in Photography
San Francisco Art Institute

Recent Assignments

General Plans. Rolling Hills Estates, Diamond Bar, Redlands, Woodland, Carson, Half Moon Bay, San Ramon, Carlsbad, Ceres, Fresno, Visalia, Pacifica, San Pablo, Santa Clara, Brisbane Baylands, Porterville, Lodi, Emeryville, Concord, Lemoore, Lodi, Phoenix, San Diego, Belmont, Avondale, Turlock, San Bruno, Castro Valley, and Los Banos.

Specific Plans. Bayhill (an area encompassing the Youtube campus in the City of San Bruno), Isabel Neighborhood in the City of Livermore, Grantville Station/Alvarado Creek Revitalization Study (San Diego), Mission Valley (San Diego), Encanto/Southeast San Diego, Colma, Genentech, Menlo Park, Palmdale, Princeton, San Pablo Ave, Winchester Blvd/Santana Row (San Jose), and Solano County Priority Development Areas.

Station Area Plans. San José Diridon, El Camino/Chestnut BART, Pleasanton, Windsor, Oakland Lake Merritt, Antioch, Milpitas, Fairfield, and Santa Clara.

Zoning. Richmond, South Lake Tahoe, Santa Cruz, Concord, Morro Bay, Goleta, Honolulu, Mammoth, Mesa, Palm Beach, Yuba City, Avondale, Palm Beach County, Carmel, Cincinnati, Milwaukee, Concord, Porterville, Los Angeles County, South San Francisco, Manteca, and El Cerrito codes, and Abu Dhabi Development Management Program (UAE).



Hazel O'Neil

Assistant Planner and Lead Graphic Designer

Hazel O'Neil specializes in graphic design, community engagement, and environmental review. She has expertise in creating and strategizing multimedia outreach materials that make the planning process accessible to the general public, including videos, flyers, social media posts, postcards, and websites. Ms. O'Neil has contributed research and written chapters of technical background reports, survey reports, and environmental analysis for a variety of projects across California, addressing topics including public services and facilities, recreation, wildfire, hydrology, geology, greenhouse gas emissions, and air quality.

Education

**Bachelor of Science in Radio-Television-Film,
Bachelor of Arts in American Studies**

University of Texas at Austin

UCLA Extension, *Successful CEQA Compliance: A Step-By-Step Approach*

University of California, Los Angeles

Recent Assignments

Sacramento General Plan. Dyett & Bhatia is assisting the City of Sacramento with a comprehensive update to its General Plan, with an emphasis on fostering a mixed use of housing types and promoting sustainable, equitable growth. Ms. O'Neil has contributed to community engagement efforts, including targeted environmental justice working groups, and digital open houses. She wrote portions of the technical background report that accompanied the policy document, helped research and draft narrative elements of the plan, and contributed policy research to the City's 10 community plans. She is the lead graphic designer for the General Plan.

Turlock General Plan, Housing Element, and EIR. Ms. O'Neil is assisting with a targeted update to the City of Turlock's General Plan and Housing Element, which will ensure compliance with new State laws regarding environmental justice and housing production.

Fairfield General Plan and Climate Action Plan. Ms. O'Neil contributed analysis to the Existing Conditions Report for the General Plan update and Climate Action Plan, including analysis of air quality, agricultural resources, and greenhouse gas emissions. She has been involved in community outreach efforts in Fairfield, including the creation of the project logo, branding, and website; online surveys and workshops; social media and video content; in-person go-to outreach; and targeted youth workshops in school settings.

Napa General Plan and EIR. Ms. O'Neil contributed analysis to the EIR for the General Plan update and EIR, including the environmental setting for air quality and greenhouse gas emissions. She is the primary author for the recreation chapter. She has also been involved in community outreach efforts in Napa, including online workshops and videos. She is the lead graphic designer for the General Plan.

Pacifica General Plan, Sharp Park Specific Plan, and EIR. Dyett & Bhatia is assisting the City of Pacifica with a comprehensive update to its key long-range planning documents, with a specific plan intended to foster a new downtown for the city. Ms. O'Neil was one of the lead contributors to the joint EIR for the General Plan and Specific Plan, and provided analysis for sea level rise, seismic hazards, hazardous materials, and wildfire.

Oceanside General Plan, Smart and Sustainable Corridors Plan, and Housing Element. Ms. O'Neil contributed to community engagement efforts, including hosting and coordinating complex virtual public workshops with hundreds of participants.

EXHIBIT "B"

PAYMENT

1. The total contract price for services rendered by CONSULTANT under this Agreement shall not exceed \$356,814.00, consistent with the Scope of Work described in Exhibit "A".
2. Payment shall be made to the CONSULTANT on a time and materials basis, consistent with completing tasks and deliverables in Exhibit "A".
3. CONSULTANT shall submit invoices to the Town on a monthly basis, and the Town shall pay the submitted invoice within 30 days of receiving the invoice.

EXHIBIT "C"

GENERAL PROVISIONS

1) INDEPENDENT CONSULTANT. At all times during the term of this Agreement, CONSULTANT shall be an independent contractor and shall not be an employee of TOWN. TOWN shall have the right to control CONSULTANT only insofar as the results of CONSULTANT's services rendered pursuant to this Agreement; however, TOWN shall not have the right to control the means by which CONSULTANT accomplishes services rendered pursuant to this Agreement.

2) LICENSES; PERMITS; ETC. CONSULTANT represents and warrants to TOWN that CONSULTANT is duly organized, existing and in good standing under applicable state law and CONSULTANT represents and warrants that it has all licenses, permits, qualifications, experience, and approvals of whatsoever nature, which are legally required for CONSULTANT to practice CONSULTANT's profession. CONSULTANT represents and warrants to TOWN that CONSULTANT shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement, any licenses, permits, and approvals which are legally required for CONSULTANT to practice his profession.

3) TIME. CONSULTANT shall devote such services pursuant to this Agreement as may be reasonably necessary for satisfactory performance of CONSULTANT's obligations pursuant to this Agreement.

4) CONSULTANT NOT AN AGENT. Except as TOWN may specify in writing, CONSULTANT shall have no authority, express or implied, to act on behalf of TOWN in any capacity TOWN whatsoever as an agent. CONSULTANT shall have no authority, express or implied, pursuant to this Agreement, to bind TOWN to any obligation whatsoever.

5) ASSIGNMENT PROHIBITED. No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

6) SUBCONTRACTING. CONSULTANT shall not subcontract any work or services under this Agreement without the express written consent of the TOWN. It is mutually understood and acknowledged that TOWN is entering into this Agreement with CONSULTANT in specific reliance on its professional qualifications.

7) PERSONNEL. Designation of additional or different personnel beyond those listed in Exhibit "A" by CONSULTANT shall not be made without the prior written consent of the TOWN. CONSULTANT shall assign only competent personnel to perform services pursuant to this Agreement. In the event that TOWN, in its sole discretion, at anytime during the term of this Agreement, desires the removal of any person or persons assigned by CONSULTANT to perform services pursuant to this Agreement, CONSULTANT shall remove any such person immediately upon receiving notice from TOWN of the desire of TOWN for the removal of such person or persons.

8) STANDARD OF PERFORMANCE. CONSULTANT shall perform all services required under this Agreement in the manner and according to the standards observed by a competent practitioner of the profession in which CONSULTANT is engaged in the geographical area in which CONSULTANT practices his profession. All products which CONSULTANT delivers to TOWN pursuant to this Agreement shall be prepared in a workmanlike manner, and conform to the standards of quality normally observed by a person practicing in CONSULTANT's profession. TOWN shall be the sole judge as to whether the product of the CONSULTANT is satisfactory.

9) ACCOUNTING RECORDS. CONSULTANT shall maintain accounting records and other evidence pertaining to services performed under this Agreement, which records and documents shall be kept available during the term of this Agreement and thereafter for three years from the date of final payment.

10) AUDIT/INSPECTION OF RECORDS. CONSULTANT shall maintain all documents and records prepared by or furnished to CONSULTANT during the course of performing the services required under this Agreement for at least three (3) years following completion of the services. Such records include, but are not limited to, correspondence, internal memoranda, calculations, books and accounts, accounting records documenting CONSULTANT's work and services under its Agreement, and invoices, payrolls, records and all other data related to matters covered by this Agreement. CONSULTANT shall permit TOWN to audit, examine and make copies, excerpts and transcripts from such records, and the CONSULTANT shall in no event dispose of, destroy, alter, or mutilate said books, records, accounts, and data in any matter whatsoever for three (3) years after TOWN makes the final or last payment, or within three (3) years after any pending issues or disputes between TOWN and CONSULTANT relating to this Agreement are resolved, whichever is later.

11) CANCELLATION OF AGREEMENT. This Agreement may be canceled at any time by the TOWN at its discretion upon written notification to CONSULTANT. CONSULTANT is entitled to receive full payment for all services performed and all costs incurred up to and including the date of receipt of written notice to cease work on the project. CONSULTANT shall be entitled to no further compensation for work performed after the date of receipt of written notice to cease work. All completed and incomplete products up to the date of receipt of written notice to cease work shall become the property of TOWN.

12) PRODUCTS OF CONSULTING. All products of the CONSULTANT provided under this Agreement shall be the property of the TOWN.

13) CONFIDENTIALITY. In the course of providing services to TOWN, CONSULTANT may have access to confidential information, disclosure of which is protected or limited by law. CONSULTANT shall not directly or indirectly disclose or use any such confidential information, except as required for the performance of this Agreement or as otherwise authorized by the prior written consent of the TOWN. CONSULTANT shall exercise the same standard of care to protect such information as

CONSULTANT would reasonably and prudently use to protect its own proprietary data, and shall not accept employment adverse to TOWN's interests where such confidential information could be used adversely to TOWN's interests. CONSULTANT agrees to notify TOWN immediately in writing if it is requested to disclose any information made known to or discovered by CONSULTANT during the performance of or in connection with this Agreement. These provisions shall remain fully effective indefinitely after termination of services provided to TOWN hereunder.

14) INDEMNIFY AND HOLD HARMLESS.

a) To the fullest extent allowed by law, CONSULTANT shall indemnify, defend (with legal counsel reasonably acceptable to TOWN), and hold harmless the TOWN, its officers, agents, employees and volunteers from any and all claims, suits, actions, loss, cost, damage, injury (including, without limitation, economic harm, injury to or death of an employee of CONSULTANT or its subconsultants), expense and liability of every kind, nature and description (including, without limitation, incidental and consequential damages, court costs, attorneys' fees, litigation expenses and fees of expert consultants or expert witnesses incurred in connection therewith and costs of investigation) that arise out of, relate to, or result from the willful misconduct, negligent acts, errors or omissions, ultra-hazardous activities, activities giving rise to strict liability, or other defects in the services provided by CONSULTANT or any person directly or indirectly employed by or acting as agent for CONSULTANT in the performance of this Agreement, including the concurrent or successive passive negligence of the TOWN, its officers, agents, employees or volunteers.

b) It is understood that the duty of CONSULTANT to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code.

c) Acceptance of insurance certificates and endorsements required under this Agreement does not relieve CONSULTANT from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply whether or not such insurance policies are determined to be applicable to any such damages or claims for damages.

d) In the event that CONSULTANT is a "design professional," as described in California Civil Code Section 2782.8(c), the costs charged to CONSULTANT for defense and indemnity of TOWN, as provided in this Section, shall in no event exceed CONSULTANT's proportionate percentage of fault.

e) CONSULTANT'S responsibility for such defense and indemnity shall survive termination or completion of this agreement for the full period of time allowed by law.

15) PROHIBITED INTERESTS. No employee of the TOWN shall have any direct financial interest in this agreement. This agreement shall be voidable at the option of the TOWN if this provision is violated. CONSULTANT covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any

manner with the performance of services required under this Agreement. Without limitation, CONSULTANT represents to and agrees with TOWN that CONSULTANT has no present, and will have no future, conflict of interest between providing TOWN the services hereunder and any interest CONSULTANT may presently have, or will have in the future, with respect to any other person or entity (including but not limited to any federal or state wildlife, environmental or regulatory agency) which has any interest adverse or potentially adverse to TOWN, as determined in the reasonable judgment of TOWN.

16) LOCAL EMPLOYMENT POLICY. The TOWN desires wherever possible, to hire qualified local residents to work on TOWN projects. Local resident is defined as a person who resides in Marin County. The TOWN encourages an active affirmative action program on the part of its contractors, consultants, and developers. When local projects require, subcontractors, contractors, consultants and developers will solicit proposals from qualified local firms where possible.

As a way of responding to the provisions of the Davis-Bacon Act and this program, contractor, consultants, and developers will be asked, to provide no more frequently than monthly, a report which lists the employee's name, job class, hours worked, salary paid, city of residence, and ethnic origin.

17) EMPLOYMENT DEVELOPMENT DEPARTMENT REPORTING REQUIREMENTS. When the TOWN executes an agreement for or makes payment to CONSULTANT in the amount of \$600 (six hundred dollars) or more in any one calendar year, CONSULTANT shall provide the following information to TOWN to comply with Employment Development Department (EDD) reporting requirements:

a) Whether CONSULTANT is doing business as a sole proprietorship, partnership, limited liability partnership, corporation, limited liability corporation, non-profit corporation or other form of organization.

b) If CONSULTANT is doing business as a sole proprietorship, CONSULTANT shall provide the full name, address and social security number or federal tax identification number of the sole proprietor.

c) If CONSULTANT is doing business as other than a sole proprietorship, CONSULTANT shall provide CONSULTANT'S federal tax identification number.

18) NON-DISCRIMINATION. CONSULTANT shall not discriminate against any employee or applicant for employment, nor against any subconsultant or applicant for a subcontract, because of race, color, religious creed, age, sex, actual or perceived sexual orientation, national origin, disability as defined by the ADA or veteran's status. To the extent applicable, CONSULTANT shall comply with all federal, state and local laws (including, without limitation, County ordinances, rules and regulations) regarding non-discrimination, equal employment opportunity, affirmative action and occupational-safety-health concerns, shall comply with all applicable rules and regulations thereunder, and shall comply with same as each may be amended from time to time. CONSULTANT shall

provide all information reasonably requested by TOWN to verify compliance with such matters. CONSULTANT stipulates, acknowledges and agrees that TOWN has the right to monitor CONSULTANT's compliance with all applicable non-discrimination requirements, and may impose sanctions upon a finding of a willful, knowing or bad faith noncompliance or submission of information known or suspected to be false or misleading.

19) GOVERNING LAW. This Agreement shall be deemed to have been executed in the Town of Ross, where the services under this Agreement will be performed. Enforcement of this Agreement shall be governed by the laws of the State of California, County of Marin. Should any clause, provision or aspect of this Agreement be determined at any time to be unenforceable or in contravention of law, then the remaining clauses and provisions of this Agreement shall be enforceable to the fullest extent permitted by law and construed to give effect to fullest extent possible the intent of this Agreement. In the event of litigation, the terms of this Agreement shall be enforced first, and only when an answer to a dispute is not found in the terms of the Agreement, then by reference to State law.

20) THIRD PARTY BENEFICIARIES. CONSULTANT's subconsultants shall agree to be bound to the terms of the Agreement to the extent of their scope of services, including but not limited to, terms regarding indemnity and dispute resolution, and shall agree that TOWN is deemed an express third party beneficiary of their subconsultant agreement(s). Nothing in this Agreement, however, shall operate to confer such or similar rights or benefits on persons or entities not party to this Agreement.

21) HEADINGS. The headings in this Agreement are for convenience only and do not affect the construction of this Agreement.

22) MODIFICATIONS. Modifications to the terms and conditions of this Agreement shall not be effective unless approved and initialed by the TOWN's legal department, Contracts Manager, or other authorized TOWN representative.

23) NO WAIVER. The granting of any payments, and any inspections, reviews, approvals or oral statements by any TOWN representative, or certification by any governmental entity, shall in no way limit CONSULTANT's obligations under this Agreement. Either party's waiver of any breach, or the omission or failure of either party, at any time, to enforce any right reserved to it, or to require strict performance of any provision of this Agreement, shall not be a waiver of any other right to which any party is entitled, and shall not in any way affect, limit, modify or waive that party's right thereafter to enforce or compel strict compliance with every provision hereof. This Agreement may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved by fully authorized representatives of TOWN and CONSULTANT.

24) ENTIRE AGREEMENT. This Agreement and any written modification shall represent the entire and integrated agreement between the parties hereto regarding the

subject matter of this Agreement, shall constitute the exclusive statement of the terms of the parties' agreement, and shall supersede any and all prior negotiations, representations or agreements, written or oral, express or implied, that relate in any way to the subject matter of this Agreement or written modification. All prior negotiations are merged into this Agreement.

25) SEVERABILITY. Any provision or portion thereof of this Agreement prohibited by, or made unlawful or unenforceable under any applicable law of any jurisdiction, shall as to such jurisdiction be ineffective without affecting other provisions or portions thereof of this Agreement. If the provisions of such applicable law may be waived, they are hereby waived to the end that this Agreement may be deemed to be a valid and binding agreement enforceable in accordance with its terms to the greatest extent permitted by applicable law.

EXHIBIT "D"

INSURANCE REQUIREMENTS

CONSULTANT shall procure and maintain for the duration of the Agreement the following types of coverage, insuring against claims for personal injury, property damage,, professional liability, and other injuries or damage, which may arise out of, result from or relate to the performance of the work and services hereunder by the CONSULTANT, its agents, representatives, or employees.

1) MINIMUM SCOPE AND LIMITS OF INSURANCE

a) Commercial General Liability coverage (occurrence Form CG 00 01) with minimum limits of \$1,000,000 per occurrence for bodily injury, personal injury, products and completed operations, and property damage. If Commercial General Liability or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

b) Automobile Liability coverage (Form CA 00 01 with Code 1 – any auto) with minimum limits of \$1,000,000 per accident for bodily injury and property damage.

c) Workers' Compensation insurance as required by the State of California and Employers' Liability insurance, each in the amount of \$1,000,000 per accident for bodily injury or disease.

2) INDUSTRY SPECIFIC COVERAGES

If checked below, the following insurance is also required.

☒ Professional Liability Insurance / Errors and Omissions Liability in the minimum amount of \$1,000,000 per occurrence.

☐ Pollution Liability Insurance in the minimum amount of \$1,000,000 per occurrence

☐ Garage Keepers Insurance in the minimum amount of \$1,000,000 per occurrence

☐ Fidelity / Crime / Dishonesty Bond in the minimum amount of \$_____

☐ MCS-90 Endorsement to Business Automobile insurance for transportation of hazardous materials and pollutants

☐ Builder's Risk / Course of Construction Insurance in the minimum amount of \$_____.

3) INSURANCE PROVISIONS

a) DEDUCTIBLES AND SELF-INSURED RETENTIONS. Any deductibles or self-insured retentions must be declared to and approved by the TOWN. At the option of the TOWN, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the TOWN, its officers, officials, employees and volunteers; or the CONSULTANT shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

b) The general and automobile liability policies (and if applicable, pollution liability, garage keepers liability and builder's risk policies) are to contain, or be endorsed to contain, the following provisions:

- i) The TOWN, its officers, officials, employees and volunteers are to be covered as additional insureds as respects: liability arising out of work or operations performed by or on behalf of the CONSULTANT; products and completed operations of the CONSULTANT; premises owned, occupied or used by the CONSULTANT; and automobiles owned, leased, hired or borrowed by the CONSULTANT. The coverage shall contain no special limitations on the scope of protection afforded to the TOWN, its officers, officials, employees or volunteers.
- ii) For any claims related to this project, the CONSULTANT'S insurance coverage shall be primary insurance as respects the TOWN, its officers, officials, employees and volunteers. Any insurance or self-insured maintained by the TOWN, its officers, officials, employees or volunteers shall be excess of the CONSULTANT'S insurance and shall not contribute with it.
- iii) Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the TOWN, its officers, officials, employees or volunteers.
- iv) The CONSULTANT'S insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- v) Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the TOWN.
- vi) The policy limits of coverage shall be made available to the full limits of the policy. The minimum limits stated above shall not serve to reduce the CONSULTANT'S policy limits of coverage. Therefore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured, whichever is greater.

c) ACCEPTABILITY OF INSURER. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the TOWN.

d) VERIFICATION OF COVERAGE. CONSULTANT shall furnish the TOWN with original endorsements effecting coverage required by this Exhibit D. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. The endorsements are to be on forms provided by the TOWN or on forms equivalent to CG 20 10 11 85 subject to TOWN approval. All insurance certificates and endorsements are to be received and approved by the TOWN before work commences. At the request of the TOWN, CONSULTANT shall provide complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications.

e) SUB-CONTRACTORS. CONSULTANT shall require all subcontractors to procure and maintain insurance policies subject to the requirements of Exhibit D. Failure of CONSULTANT to verify existence of sub-contractor's insurance shall not relieve CONSULTANT from any claim arising from sub-contractors work on behalf of CONSULTANT.

ATTACHMENT 2



TOWN OF ROSS, CALIFORNIA

REQUEST FOR PROPOSALS

JANUARY 7, 2022

**CONSULTANT SERVICES FOR THE PREPARATION
OF AN UPDATE TO THE HOUSING ELEMENT OF THE TOWN'S GENERAL
PLAN**

PROPOSALS ACCEPTED UNTIL

JANUARY 28, 2022 AT 4:00 PM PDT

TOWN CLERK

31 SIR FRANCIS DRAKE BOULEVARD

ROSS, CA 94957

Overview

The Town of Ross seeks a proposal for professional services to prepare an update to the Town's Housing Element of the General Plan. Ross, like other communities in California, is initiating a planning process under State law to identify how to meet its housing needs at all income levels. This process involves updating the Town's Housing Element, which is a required component of the [General Plan](#). The California Department of Housing and Community Development (HCD) dictates that among the seven mandatory elements of a general plan, one element must address local housing needs.

According to State housing element legislation, all local governments must adopt land use plans and regulations that provide opportunities for, and do not unduly constrain, housing development. Because housing availability is a critical issue with statewide implications, and most housing decisions occur at the local level, State law requires housing elements to be updated on a regular cycle (the timeframe for the next Housing Element includes planning periods 2022-2030). The State also mandates that housing elements, unlike other elements of the general plan, be reviewed and certified by the State.

1. Background

The Town of Ross is a small incorporated town in Marin County, California, United States, just north of San Francisco. Ross is located 1.5 miles (2.4 km) west-southwest of San Rafael, at an elevation of 36 feet. The population is approximately 2,500. The Town is bordered by Kentfield, San Anselmo, and San Rafael. The Town of Ross is a General Law city that was incorporated in 1908. The Town provides a range of services including police, building safety regulation and inspection, street lighting, economic development and support for its modest commercial district, land use planning and zoning, maintenance and improvement of streets and related public facilities, traffic safety maintenance and improvement, and recreational and cultural programs.

The Town of Ross seeks proposals from qualified consultants or consultant teams to complete a housing element update, related rezoning and all necessary environmental review as required under State law, in a manner consistent with the Regional Housing Needs Allocation 6 (RHNA 6) planning period (2022-2030).

For context, the Town of Ross expects an allocation of 111 units, compared to 18 units in RHNA 5. To ensure an adequate inventory of viable sites, we anticipate the element update will necessitate rezoning in targeted areas. The Town's last housing element was certified by the California Department of Housing and Community Development (HCD) and is available [here](#).

While a number of important housing issues will need to be considered and addressed through the update process, the most significant work effort is expected to be meeting Ross's RHNA numbers in the site inventory. To achieve that, we anticipate a need to relax development standards, encourage density, and incentivize duplex, multifamily, and accessory dwelling unit development.

The selected consultant(s) will partner with town staff to explore, analyze and implement these approaches in addition to supporting community engagement, working with our elected and appointed officials to present recommendations and get feedback, and coordinating with HCD to help ensure ultimate certification of the updated element.

Those wishing to participate in the RFP process should become familiar with the Town by accessing and reviewing the Town's General Plan, active projects and initiatives, and other pertinent information presented on the Town's website at www.townofross.org.

2. Site Location and Description

The Town's housing element is a policy document that affects the entirety of the Town and has regional implications.

3. Scope of Work

The Town of Ross is seeking professional consulting services to update the Town's adopted housing element in a manner consistent with current State law, ensuring certification of the final element by HCD by January 2023.

Proposals must address the following tasks, providing a description and timeline of how they would be accomplished. Additional or optional tasks may be included and creative approaches are welcome. The final scope of work will be subject to refinement and mutual agreement following the project's launch and further discussion.

a. Project Management and Coordination

This task covers communication and coordination between the consultant and jurisdiction staff, including meetings, phone conferences, email exchanges, and other communications to ensure timely delivery and adoption of the Town's updated housing element. Proposal should identify the number of meetings anticipated and expectations for jurisdictional staff. Strategies or practices to ensure clear and timely communication and effective project coordination should be described. Strategies for ensuring coordination with HCD over the course of the project should also be addressed, as needed. The consultant is expected to coordinate with HCD to maximize the likelihood of acceptance of deliverables.

b. Community Outreach and Engagement

Develop a program that effectively reaches, educates and engages the community throughout the Housing Element update. This should include strategies to ensure broad inclusion, particularly of hard-to-reach groups and special needs populations, with special attention given to communicating information so it is accessible and easy to understand. Outreach is expected to begin early in the process and continue throughout for feedback on important topics such as draft ideas, site options, the draft Housing Element and environmental reviews. Please discuss options for virtual as well as in person meetings, depending on changing safety considerations. Consultant should lead the engagement as well as a summary of the work. At a minimum outreach should consist of:

- Initial presentation to Town Council
- Two community meetings
- One stakeholder focus group
- Online/virtual participation opportunities

c. Housing and Special Housing Needs

The Association of Bay Area Government's (ABAG) Regional Housing Technical Assistance Program will provide jurisdiction-specific graphs and write-ups for all required data, including population, demographic, housing, market conditions and regional comparisons. This information should be incorporated into the update process.

d. Housing Constraints

Identify potential and actual governmental and nongovernmental constraints for the preservation, protection or production of housing across income levels within the Town.

e. Existing Housing Element

Review the current Housing Element and identify Ross's success in accomplishing/implementing the identified goals, policies and programs; and provide explanations and updates where goals, policies or programs are in progress, have been abandoned or have not proven effective.

f. Sites Inventory

Prepare the sites inventory section of the Housing Element, demonstrating how The Town of Ross will satisfy its RHNA in each income category. This includes identifying safe assumptions, evaluating sites and analyzing potential policy strategies to increase site capacity, demonstrating development viability (per State law) and inputting the information into HCD's electronic form for submittal with the updated element.

g. Goals, Policies, Programs and Quantified Objectives

Identify goals, policies, programs and quantified objectives to include in the Housing Element to ensure compliance with State law and effective response to the housing needs, constraints and key priorities identified through the update process. This task includes ensuring responsiveness to priorities articulated through the community engagement process as well as ensuring internal consistency with other elements of the General Plan. This task will include identification of other General Plan policy updates or revisions needed to ensure consistency.

h. Rezoning *[Optional Task]*

Based on the sites analyses, work with Town staff to identify potential areas for rezoning, if necessary. This must include consideration of the State requirement for maintaining an adequate housing sites inventory throughout the eight-year planning period.

i. Draft Housing Element and Public Hearings

- Prepare and submit an administrative draft Housing Element for staff review. Staff will provide a comprehensive set of desired changes. Once edits are complete, prepare a draft Housing Element that is made available to the public

and presented to the Town Council at a public hearing. Based on Council input, prepare a HCD review draft and submit to HCD for the mandated review.

- Administrative draft and draft housing element (Microsoft Word)
- PowerPoint
- 1 public hearing

j. Final Draft Hearings, Final Adoption and Certification

- The consultant will work closely with HCD and Town staff to respond to any comments, and produce a final draft housing element for adoption. Present to the Town Council at a public hearing. Prepare the final Housing Element, including any changes from the public hearing, and submit to HCD for final certification as well as the water/sewer district and the California Office of Planning and Research.
- Draft final and final housing element (Microsoft Word and PDF)
- PowerPoint
- 1 public hearing

k. CEQA Documentation

Prepare all required documents for California Environmental Quality Act (CEQA) review and submittal, including the Initial Study, Mitigated Negative Declaration or Environmental Impact Report and CEQA Determination. This should include public posting and noticing for comment. For budget purposes, consultant may list different prices depending on the level of analysis that may ultimately be needed.

l. Other Services to Be Included

- It is the Consultant's responsibility to research, collect and verify all information such as existing records and documents including documents furnished by the Town in order to complete this project on schedule and within budget.
- Provide a detailed project schedule, including major tasks and project milestones and deliverables.
- Prepare monthly written progress reports, including budget and schedule status.
- Reporting to the Town of Ross Planning and Building Director, the Consultant will be responsible for developing and managing a responsive program required to complete a successful project.
- Availability for consultation to interpret and/or revise the Housing Element after its adoption.

4. Deliverables

Submit 7 hard copies and electronic (editable native files and final publishable version) files of final versions of all documents/products, including one unbound version and an electronic version in pdf format.

Note: All plans, documents and drawings both in printed and electronic formats prepared by the consultant for the Town are property of the Town of Ross and are to be submitted to the Town.

5. Submittal and Review Process

- a. Applicant questions: All questions regarding the RFP shall be submitted in writing to Matthew Weintraub, Town Planner, at mweintraub@townofross.org. Questions and responses will be posted on the Town website.
- b. Submittal Deadline: Late submittals will not be accepted.
- c. Format and Delivery:

Electronic submittal is accepted. Coordinate with Matthew Weintraub, Town Planner, at mweintraub@townofross.org, for file transfer.

Alternatively, submit two (2) letter-sized copies and one digital copy of the technical proposal, proposed timeline, and project budget to:

Proposals to be mailed directly to: Town of Ross
 Town Clerk
 PO Box 320
 Ross, CA 94957

Hand-delivered/courier directly to: Town of Ross
 Linda Lopez, Town Clerk
 31 Sir Francis Drake Boulevard
 Ross, CA 94957

- d. Submittals will not be returned.
- e. The Town reserves the right to accept or reject any or all proposals, or to alter the selection process in any lawful way, to postpone the selection process for its own convenience at any time, and to waive any non-substantive defects in this RFP or the proposals.
- f. The Town proposes to short list and interview the most qualified firms for consideration during the RFP process, and to modify work plans and scope during negotiations. The Town reserves the right to negotiate with other qualified persons or firms, or to solicit additional statements of qualifications at any point in the project should it fail to negotiate a reasonable fee with the initially selected person or firm or should that firm fail to execute the Town's Agreement.

6. Proposed Timeline

January 7, 2022: RFP available on the Town of Ross website

January 28, 2022: Proposals Due at 4pm PST

January 31, 2022: Interviews if necessary

February 10, 2022: Recommendation to the Town Council and selection of consultant

7. Proposal Content

The proposal should include the following:

- a. **FIRM OR PERSON INTRODUCTION:** including information such as form of organization, length of time in business, office location(s), number of staff and a general summary of qualifications documenting the strengths of the firm or person, areas of expertise and licensing.
- b. **APPROACH:** the person or firm's project management practices, methodologies and processes.
- c. **PROJECT EXPERIENCE:** listing specific planning experience that is related to the type of service required by the project. Project experience should list the type of work provided with the client contact information for each project. If sub-consultants are proposed, include information on joint work, if any, and their roles in those projects.
- d. **WORK PLAN:** detailed work plans with estimated hours by task or project phase.
- e. **KEY STAFF:** including the identification of the Principal-in-Charge and key staff. This section should identify the qualifications and related experience of key staff assigned to the project; and includes their resume showing experience in project management services. Include an organizational chart for this project.
- f. **REFERENCES:** Provide client references, for similar projects in the past five (5) years, that have working experience with the project team and companies proposed for assignment to this project. Furnish the name, title, address and telephone number of the person(s) at the client reference who is most knowledgeable about the work performed and can comment on the professional qualifications/expertise of the staff.
- g. **LITIGATION:** a list of any current litigation to which the firm or person are parties by virtue of their professional service, in addition to a list of any such litigation from the past ten years.
- h. **DISCLOSURE:** of any past, ongoing, or potential conflicts of interest that the firm or person may have as a result of performing the anticipated work.
- i. **COMMENTS OR REQUESTED CHANGES TO CONTRACT:** The Town of Ross standard Professional Services Agreement is included as an attachment to the RFP. The proposing person or firm will be expected to enter into the standard Agreement.
- j. **PROFESSIONAL FEES:** Include standard hourly fees and charges.

8. Evaluation Criteria

Firm qualifications

Project Team Members' Technical Experience

Project Team Members' graphic presentation

Understanding of Project Issues and Expected Results

Quality of Proposed Work Plan

Quality of References

9. Attachments

- a. Professional Services Agreement Template

ATTACHMENT a

CONSULTANT SERVICES AGREEMENT

THIS AGREEMENT is made at Ross, California, as of [DATE], by and between the Town of Ross, a municipal corporation (the "TOWN") and XX ("CONSULTANT"), who agree as follows:

1) SERVICES. Subject to the terms and conditions set forth in this Agreement, CONSULTANT shall provide to the TOWN professional planning services as described in Exhibit "A".

2) PAYMENT. TOWN shall pay CONSULTANT for services rendered pursuant to this Agreement at the times and in the manner set forth in Exhibit "B." The payments specified in Exhibit "B" shall be the only payments to be made to CONSULTANT for services rendered pursuant to this Agreement. CONSULTANT shall submit all billings for said services to the TOWN in the manner specified in Exhibit "B."

3) GENERAL PROVISIONS. The general provisions set forth in Exhibit "C" are part of this Agreement. In the event of any inconsistency between said general provisions and any other terms or conditions of this Agreement, the provisions set forth in Exhibit "C" shall control.

4) INSURANCE REQUIREMENTS. The insurance requirements set forth in Exhibit "D" are part of this Agreement. In the event of any inconsistency between said general provisions and any other terms or conditions of this Agreement, the requirements set forth in Exhibit "D" shall control.

5) EXHIBITS. All exhibits referred to herein are attached hereto and are by this reference incorporated herein.

6) TERM. This Agreement shall commence on [DATE] and shall terminate on [DATE] unless extended by the mutual written agreement of the parties.

EXECUTED as of the day first above-stated.

Town of Ross, a municipal corporation

By: _____

CONSULTANT

By: _____

EXHIBIT "A"
SCOPE OF SERVICES

EXHIBIT "B"

PAYMENT

1. The total contract price for services rendered by CONSULTANT under this Agreement shall be as specified below:

Personnel

XX

Hourly Rate

XX

2. Payment shall be made to CONSULTANT on a time and materials basis, and CONSULTANT shall submit monthly invoices to the TOWN for the same.
3. Any changes in the scope of work beyond that set forth in Section 1 of the Agreement and Exhibit "A" requested by either TOWN or CONSULTANT must be made in writing and approved by both parties.

EXHIBIT "C"

GENERAL PROVISIONS

1) INDEPENDENT CONSULTANT. At all times during the term of this Agreement, CONSULTANT shall be an independent contractor and shall not be an employee of TOWN. TOWN shall have the right to control CONSULTANT only insofar as the results of CONSULTANT's services rendered pursuant to this Agreement; however, TOWN shall not have the right to control the means by which CONSULTANT accomplishes services rendered pursuant to this Agreement.

2) LICENSES; PERMITS; ETC. CONSULTANT represents and warrants to TOWN that CONSULTANT has all licenses, permits, qualifications, and approvals of whatsoever nature which are legally required for CONSULTANT to practice CONSULTANT's profession. CONSULTANT represents and warrants to TOWN that CONSULTANT shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement, any licenses, permits, and approvals which are legally required for CONSULTANT to practice his profession.

3) TIME. CONSULTANT shall devote such services pursuant to this Agreement as may be reasonably necessary for satisfactory performance of CONSULTANT's obligations pursuant to this Agreement.

4) CONSULTANT NOT AN AGENT. Except as TOWN may specify in writing, CONSULTANT shall have no authority, express or implied, to act on behalf of TOWN in any capacity TOWN whatsoever as an agent. CONSULTANT shall have no authority, express or implied, pursuant to this Agreement, to bind TOWN to any obligation whatsoever.

5) ASSIGNMENT PROHIBITED. No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.

6) SUBCONTRACTING. CONSULTANT shall not subcontract any work or services under this Agreement without the express written consent of the TOWN. It is mutually understood and acknowledged that TOWN is entering into this Agreement with CONSULTANT in specific reliance on its professional qualifications.

7) PERSONNEL. Designation of additional or different personnel beyond those listed in Exhibit "A" by CONSULTANT shall not be made without the prior written consent of the TOWN. CONSULTANT shall assign only competent personnel to perform services pursuant to this Agreement. In the event that TOWN, in its sole discretion, at anytime during the term of this Agreement, desires the removal of any person or persons assigned by CONSULTANT to perform services pursuant to this Agreement, CONSULTANT shall remove any such person immediately upon receiving notice from TOWN of the desire of TOWN for the removal of such person or persons.

8) STANDARD OF PERFORMANCE. CONSULTANT shall perform all services required pursuant to this Agreement. Services shall be performed in the manner and

according to the standards observed by a competent practitioner of the profession in which CONSULTANT is engaged in the geographical area in which CONSULTANT practices his profession. All products which CONSULTANT delivers to TOWN pursuant to this Agreement shall be prepared in a workmanlike manner, and conform to the standards of quality normally observed by a person practicing in CONSULTANT's profession. TOWN shall be the sole judge as to whether the product of the CONSULTANT is satisfactory.

9) ACCOUNTING RECORDS. CONSULTANT shall maintain accounting records and other evidence pertaining to services performed under this Agreement, which records and documents shall be kept available during the term of this Agreement and thereafter for three years from the date of final payment.

10) CANCELLATION OF AGREEMENT. This Agreement may be canceled at any time by the TOWN at its discretion upon written notification to CONSULTANT. CONSULTANT is entitled to receive full payment for all services performed and all costs incurred up to and including the date of receipt of written notice to cease work on the project. CONSULTANT shall be entitled to no further compensation for work performed after the date of receipt of written notice to cease work. All completed and incomplete products up to the date of receipt of written notice to cease work shall become the property of TOWN.

11) PRODUCTS OF CONSULTING. All products of the CONSULTANT provided under this Agreement shall be the property of the TOWN.

12) CONFIDENTIALITY. In the course of providing services to TOWN, CONSULTANT may have access to confidential information, disclosure of which is protected or limited by law. CONSULTANT shall not directly or indirectly disclose or use any such confidential information, except as required for the performance of this Agreement or as otherwise authorized by the prior written consent of the TOWN.

13) INDEMNIFY AND HOLD HARMLESS.

a) To the fullest extent allowed by law, CONSULTANT shall indemnify, defend, and hold harmless the TOWN, its officers, agents, employees and volunteers from all claims, suits, or actions of every name, kind and description, brought forth on account of injuries to or death of any person or damage to property arising from or connected with the willful misconduct, negligent acts, errors or omissions, ultra-hazardous activities, activities giving rise to strict liability, or defects in design by CONSULTANT or any person directly or indirectly employed by or acting as agent for CONSULTANT in the performance of this Agreement, including the concurrent or successive passive negligence of the TOWN, its officers, agents, employees or volunteers.

It is understood that the duty of CONSULTANT to indemnify and hold harmless includes the duty to defend as set forth in Section 2778 of the California Civil Code.

Acceptance of insurance certificates and endorsements required under this Agreement does not relieve CONSULTANT from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply whether or not

such insurance policies are determined to be applicable to any such damages or claims for damages.

CONSULTANT'S responsibility for such defense and indemnity shall survive termination or completion of this agreement for the full period of time allowed by law.

14) PROHIBITED INTERESTS. No employee of the TOWN shall have any direct financial interest in this agreement. This agreement shall be voidable at the option of the TOWN if this provision is violated.

15) LOCAL EMPLOYMENT POLICY. The TOWN desires wherever possible, to hire qualified local residents to work on town projects. Local resident is defined as a person who resides in Marin County. The TOWN encourages an active affirmative action program on the part of its contractors, consultants, and developers. When local projects require, subcontractors, contractors, consultants and developers will solicit proposals from qualified local firms where possible.

As a way of responding to the provisions of the Davis-Bacon Act and this program, contractor, consultants, and developers will be asked, to provide no more frequently than monthly, a report which lists the employee's name, job class, hours worked, salary paid, city of residence, and ethnic origin.

16) EMPLOYMENT DEVELOPMENT DEPARTMENT REPORTING REQUIREMENTS. When the TOWN executes an agreement for or makes payment to CONSULTANT in the amount of \$600 (six hundred dollars) or more in any one calendar year, CONSULTANT shall provide the following information to TOWN to comply with Employment Development Department (EDD) reporting requirements:

a) Whether CONSULTANT is doing business as a sole proprietorship, partnership, limited liability partnership, corporation, limited liability corporation, non-profit corporation or other form of organization.

b) If CONSULTANT is doing business as a sole proprietorship, CONSULTANT shall provide the full name, address and social security number or federal tax identification number of the sole proprietor.

c) If CONSULTANT is doing business as other than a sole proprietorship, CONSULTANT shall provide CONSULTANT'S federal tax identification number.

EXHIBIT "D"

INSURANCE REQUIREMENTS

CONSULTANT shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the CONSULTANT, its agents, representatives, or employees.

1) MINIMUM SCOPE AND LIMITS OF INSURANCE

a) Commercial General Liability coverage (occurrence Form CG 00 01) with minimum limits of \$1,000,000 per occurrence for bodily injury, personal injury, products and completed operations, and property damage. If Commercial General Liability or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

b) Automobile Liability coverage (Form CA 00 01 with Code 1 – any auto) with minimum limits of \$1,000,000 per accident for bodily injury and property damage.

c) Workers' Compensation insurance as required by the State of California and Employers' Liability insurance, each in the amount of \$1,000,000 per accident for bodily injury or disease.

2) INDUSTRY SPECIFIC COVERAGES

If checked below, the following insurance is also required.

- ☐ Professional Liability Insurance / Errors and Omissions Liability in the minimum amount of \$1,000,000 per occurrence.
- ☐ Pollution Liability Insurance in the minimum amount of \$1,000,000 per occurrence
- ☐ Garage Keepers Insurance in the minimum amount of \$1,000,000 per occurrence
- ☐ Fidelity / Crime / Dishonesty Bond in the minimum amount of \$_____
- ☐ MCS-90 Endorsement to Business Automobile insurance for transportation of hazardous materials and pollutants
- ☐ Builder's Risk / Course of Construction Insurance in the minimum amount of \$_____.

3) INSURANCE PROVISIONS

a) DEDUCTIBLES AND SELF-INSURED RETENTIONS. Any deductibles or self-insured retentions must be declared to and approved by the TOWN. At the option of the TOWN, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the TOWN, its officers, officials, employees and volunteers; or the CONSULTANT shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

b) The general and automobile liability policies (and if applicable, pollution liability, garage keepers liability and builder's risk policies) are to contain, or be endorsed to contain, the following provisions:

- i) The TOWN, its officers, officials, employees and volunteers are to be covered as insureds as respects: liability arising out of work or operations performed by or on behalf of the CONSULTANT; products and completed operations of the CONSULTANT; premises owned, occupied or used by the CONSULTANT; and automobiles owned, leased, hired or borrowed by the CONSULTANT. The coverage shall contain no special limitations on the scope of protection afforded to the TOWN, its officers, officials, employees or volunteers.
- ii) For any claims related to this project, the CONSULTANT'S insurance coverage shall be primary insurance as respects the TOWN, its officers, officials, employees and volunteers. Any insurance or self-insured maintained by the TOWN, its officers, officials, employees or volunteers shall be excess of the CONSULTANT'S insurance and shall not contribute with it.
- iii) Any failure to comply with reporting or other provisions of the policies including breaches of warranties shall not affect coverage provided to the TOWN, its officers, officials, employees or volunteers.
- iv) The CONSULTANT'S insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.
- v) Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the TOWN.
- vi) The policy limits of coverage shall be made available to the full limits of the policy. The minimum limits stated above shall not serve to reduce the CONSULTANT'S policy limits of coverage. Therefore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured, whichever is greater.

c) ACCEPTABILITY OF INSURER. Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the TOWN.

d) VERIFICATION OF COVERAGE. CONSULTANT shall furnish the TOWN with original endorsements effecting coverage required by this Exhibit D. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. The endorsements are to be on forms provided by the TOWN or on forms equivalent to CG 20 10 11 85 subject to TOWN approval. All insurance certificates and endorsements are to be received and approved by the TOWN before work commences. At the request of the TOWN, CONSULTANT shall provide complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications.

e) SUB-CONTRACTORS. CONSULTANT shall require all subcontractors to procure and maintain insurance policies subject to the requirements of Exhibit D. Failure of CONSULTANT to verify existence of sub-contractor's insurance shall not relieve CONSULTANT from any claim arising from sub-contractors work on behalf of CONSULTANT.