



Legislation Details (With Text)

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Type: Consent Calendar Item **Status:** Passed
File created: 8/9/2022 **In control:** Permit and Resource Management
On agenda: 9/13/2022 **Final action:** 9/13/2022
Title: Consultant Services Contract for the Sonoma County General Plan 2020 Public Safety Element Update and Environmental Justice Policies
Sponsors: Permit and Resource Management
Indexes:
Attachments: 1. Summary Report.pdf, 2. Attachment 1, draft Professional Services Agreement

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|-------------------------|--------|
| 9/13/2022 | 1 | Board of Supervisors | Approved as recommended | Pass |

To: Sonoma County Board of Supervisors
Department or Agency Name(s): Permit Sonoma
Staff Name and Phone Number: Katrina Braehmer, (707) 565-1903
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:
Consultant Services Contract for the Sonoma County General Plan 2020 Public Safety Element Update and Environmental Justice Policies

Recommended Action:
Authorize the Director of Permit Sonoma to negotiate, finalize, and execute an agreement with Rincon Consultants, Inc., for the preparation of an update to the Sonoma County General Plan 2020 Public Safety Element and new environmental justice policies, in an amount not to exceed \$557,000 and in form approved by County Counsel.

Executive Summary:
State law requires regular updates to certain elements of county or city General Plans, including the housing and safety elements. Safety elements must be updated upon each housing element update, which occurs on an eight-year cycle for Sonoma County. The County's current Housing and Safety Elements were last updated in 2014, and an update to the Housing Element is currently underway. New changes in State law further mandate that cities and counties adopt an environmental justice element or incorporate related goals, policies, and objectives into the existing elements of the General Plan at the time that two or more elements are updated. With the Safety and Housing element updates, the County is required to incorporate environmental justice into its General Plan.

In May 2022, Permit Sonoma released a Request for Proposals (RFP) to select a consultant to prepare an update to the Safety Element, new environmental justice policies, and the associated public outreach and environmental analysis under the California Environmental Quality Act (CEQA). This item presents a proposed agreement (Attachment 1) between the County and the preferred consultant, Rincon Consultants, Inc.

(Rincon) for this work. Staff recommends that the Board authorize the Director of Permit Sonoma to execute an agreement with Rincon in an amount not to exceed \$557,000.

Discussion:

Background

All jurisdictions in California are required to have a Safety Element as part of their General Plan. Hazard Mitigation Plans prepared in compliance with the Disaster Mitigation Act of 2000 may be incorporated into a jurisdiction's adopted Safety Element to secure eligibility for public assistance funding through the California Disaster Assistance Act. Sonoma County's current Public Safety Element was adopted in 2014 and addresses protection from geologic hazards, flood hazards, wildland fire, and hazardous materials. The County's updated hazard mitigation plan was approved by the Federal Emergency Management Agency (FEMA) and adopted by the Sonoma County Board of Supervisors in December of 2021. The Sonoma County Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) was prepared in partnership with other local jurisdictions and special districts. The Safety Element update will incorporate and build upon the risk assessment findings in the MJHMP to identify known hazards, assess vulnerability, and develop goals, policies, and strategies to protect the public from unreasonable risks associated with the effects of seismic and geologic hazards, flooding, and wildland and urban fires (Gov. Code § 65302(g)(1)). The update will include a climate change vulnerability assessment and, based on the findings of the vulnerability assessment, goals, policies, objectives and feasible implementation measures for climate adaptation and resilience, in compliance with Gov. Code § 65302(g)(4); identification and evaluation of evacuation routes (Gov. Code § 65302.15(a)); and identification of residential developments in hazard areas without at least two emergency evacuation routes (Gov. Code § 65302(g)(5)).

Senate Bill 1000 (Gov. Code § 65302(h)), signed into law in 2016, mandates that local agencies adopt an environmental justice element or integrate environmental justice goals, objectives and policies into other elements of their General Plan.

The County's Housing Element update is ongoing and anticipated to be completed within the first half of 2023. The Safety Element and environmental justice policies will be developed in coordination with the Housing Element. The selected consultant will be expected to coordinate with County staff to align policies and objectives across the updated Housing and Safety Elements, the new environmental justice policies, and existing elements in the General Plan.

Request for Proposals

Permit Sonoma released a Request for Proposals (RFP) on May 2, 2022, to solicit proposals to prepare the Safety Element update and environmental justice policies. Two firms responded with proposals for the requested scope of work: Dudek and Rincon Consultants, Inc.

County staff evaluated and scored both proposals in accordance with the evaluation criteria outlined in the RFP. The review panel consisted of three staff members from the Planning Division of Permit Sonoma, one staff member from the Natural Resources Division of Permit Sonoma, and one staff member from the Department of Emergency Management. Rincon was unanimously scored as the preferred bidder because of the proposal's strong emphasis on providing an equity-driven planning process and demonstrated understanding of Sonoma County's unique environmental context.

Through contract negotiations with Rincon, minor amendments were made to the final scope of work for efficiencies that could be gained from combining certain project tasks necessary for both the Safety Element

Update and environmental justice work. The cost of the tasks identified in the scope of work is \$464,106, and the contract not-to-exceed amount is \$557,000 to provide contingency funds of approximately 20 percent of the estimated cost of the project.

The contract’s scope of work includes ample community engagement tasks to gain meaningful input from broad and diverse populations in Sonoma County. Engagement opportunities include community surveys and public workshops in English and Spanish, stakeholder focus group interviews focusing on disadvantaged communities, and a mobile workshop series in targeted areas to reach underrepresented groups that are typically unable to engage in traditional ways. The engagement tasks were developed in alignment with the Sonoma County 2021-2026 Strategic Plan Racial Equity and Social Justice Pillar, and specifically with Goal 4 to “Engage community members and stakeholder groups to develop priorities and to advance racial equity.”

Prior to execution, minor adjustments may be made to the draft Professional Services Agreement (Attachment 1). The final contract will be substantially the same and in a form approved by County Counsel.

Grant Funding

In spring of 2021, Permit Sonoma applied for funding for the Safety Element Update project from the [Community Development Block Grant - Mitigation Resilience Planning and Public Services Program](https://www.hcd.ca.gov/workforce-development-and-public-services) <<https://www.hcd.ca.gov/workforce-development-and-public-services>> (CDBG-MIT-PPS), administered by the State of California’s Department of Housing and Community Development (HCD). In August of 2021, Permit Sonoma was notified of the project’s eligibility for funding. In June of 2022, Permit Sonoma received an award letter from HCD specifying the award amount of \$203,600. HCD is currently finalizing the grant agreement. When it is complete, the County Administrator will execute the grant agreement in accordance with existing delegated authority from your Board for all CDBG-MIT-PPS grant activities.

The procurement of and the draft agreement with Rincon have been in accordance with all requirements for the expected CDBG-MIT-PPS grant funding.

Strategic Plan:

N/A

Prior Board Actions:

Resolution 21-0427: On October 26, 2021, the Board of Supervisors authorized the application for funding and execution of grant agreements for Community Development Block Grant - Mitigation Resilience Planning and Public Services Program (CDBG-MIT-PPS) funding, administered by the State of California’s Department of Housing and Community Development (HCD).

FISCAL SUMMARY

| Expenditures | FY 22-23 Adopted | FY23-24 Projected | FY 24-25 Projected |
|------------------------------------|-----------------------------|------------------------------|-------------------------------|
| Budgeted Expenses | \$557,000 | | |
| Additional Appropriation Requested | | | |
| Total Expenditures | \$557,000 | | |
| Funding Sources | | | |
| General Fund/WA GF | \$25,000 | | |

| | | | |
|----------------------|------------------|--|--|
| State/Federal | \$203,600 | | |
| Fees/Other | | | |
| Use of Fund Balance | \$328,400 | | |
| Contingencies | | | |
| Total Sources | \$557,000 | | |

Narrative Explanation of Fiscal Impacts:

The CDBG-MIT-PPS grant award offers a maximum of \$203,600 of funds for the Sonoma County General Plan Public Safety Element, to be provided on a reimbursement basis contingent on project progress. The CDBG-MIT-PPS award funds are explicitly for project costs for the Public Safety Element Update and may not be used on project work that is solely for integration of environmental justice into the County’s General Plan.

In August and October of 2021, respectively, Permit Sonoma submitted requests to the County Administrator’s Office for funding from the County’s American Rescue Plan Act (ARPA) allocation and from the Board’s Year One Strategic Plan funding to support the County’s required safety and environmental justice updates to the General Plan. Both requests were not ultimately recommended to the Board for funding by those sources.

The \$353,400 funding discrepancy between the awarded CDBG-MIT-PPS grant amount and the total cost of the contract for consultant services to complete the General Plan updates will be sourced primarily from the General Plan Administration Fee account. As of March 2, 2022, the General Plan Administration Fee account had a balance of \$1,510,584.42. The Board of Supervisors additionally allocated \$2.8 million of Fiscal Year 2022/2023 one-time funds to Permit Sonoma’s General Plan update project, which is a comprehensive overhaul of the County’s General Plan anticipated to begin with an 18-month scoping period. The Department of Emergency Management has also committed \$25,000 to support the evacuation planning component of the Safety Element Update, which will be transferred to Permit Sonoma during second quarter Consolidated Budget Adjustments for FY 2022-23.

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Attachment 1, draft Professional Services Agreement

Related Items “On File” with the Clerk of the Board:

N/A