

## City Council Action Item Cover Sheet

DATE: January 16, 2019

### **Agenda Item:**

Lincoln county discussion of Housing Project MOU

### **Question Before Council:**

Discussion

### **Person/Group Initiating Request:**

Wayne Belmont, Lincoln County

### **Item Summary/Background:**

Memorandum of Understanding between the Oregon Dept. of Land Conservation  
and Development and Lincoln County, Oregon

# **Memorandum of Understanding between the Oregon Dept. of Land Conservation and Development and Lincoln County, Oregon**

## **Oregon Housing Planning Project – Housing Strategy Implementation Plans**

This Memorandum of Understanding explains and memorializes a no-cost working relationship between the Oregon Department of Land Conservation and Development (DLCD) and Lincoln County, Oregon (County). The purpose of this collaboration is to analyze and adopt a housing strategy implementation plan to facilitate the provision of needed housing within urban growth boundary areas in Lincoln County.

### **BACKGROUND**

Every region of Oregon is experiencing housing availability or affordability problems, or both. In some cases, the comprehensive plan for the urban area is out of date so housing needs have not been determined. In other cases, the need may be known but the zoning code presents barriers to development of needed housing or does not allow a variety of housing types to meet the diverse needs of residents. This project will provide assistance for the completion of products used to update comprehensive plans and zoning codes, or adopt other housing strategies and agreements, to help the County, Cities and Tribe address regional housing needs.

This project will provide assistance to increase the supply and affordability of housing within the boundaries of the County. DLCD will provide direct assistance (via a Consultant) to the County to complete the tasks indicated below in Section V.

DLCD has received a special appropriation of funds for 2018-2019 to assist local jurisdictions and tribes in updating their comprehensive plans and land use regulations to promote housing availability and affordability. The Oregon Housing Planning Project is financed with State of Oregon General Funds. State funds are paid under this Agreement by DLCD to Angelo Planning Group (Consultant) who will assist the County as described in the Scope of Work. No funds will be given to the County for tasks outlined in this MOU or any expenses incurred by the County as a result of this project.

### **PROJECT OBJECTIVE AND MAJOR DELIVERABLES**

The primary objective of this project is to prepare a regional housing implementation strategy, with a package of recommended policy amendments that can be adopted individually or collectively by the County, Cities and Tribe. It is understood that the focus of the regional housing implementation strategy will be on current urban growth boundaries in Lincoln County. Major deliverables may vary depending upon the specific housing issue being analyzed. At a minimum, they will include completion of:

- Summary of major tasks and action items and a project schedule
- Background Report and Gap Analysis detailing:
  - Policies or strategies including codes and ordinances employed by one or more partners that have proven to be successful in promoting needed housing, those that

- might be most effective if adopted county-wide, and those that might be barriers to promoting needed housing;
- Analysis of housing policies and strategies including codes and ordinances for consistency with current legal requirements;
- Areas where best practices are not currently being employed;
- Extent to which housing availability and affordability could be enhanced through full implementation of successful strategies, best practices, and removal of barriers to needed housing (i.e. collectively the housing implementation strategy);
- Constraints or negatives associated with adoption of the housing implementation strategy;
- Alternatives analysis for components of the housing implementation strategy where there are options related to cost charges, regulatory standards, or other variables;
- Actions partners must take to carry out the housing implementation strategy.
- Notes from stakeholder interviews
- Memo identifying opportunities for strengthening relationships between project partners and non-profits engaged in the provision of needed housing
- Regional Housing Implementation Strategy, in report format, containing recommendations for policy changes specific enough that they can be readily incorporated into implementing ordinances.
- Model urban service area agreements suitable for adoption by partner entities.
- Resolution for project partners to accept receipt of the Regional Housing Implementation Strategy and convey interest pursuing its implementation.

Formal adoption of the Regional Housing Implementation Strategy by the County, Cities or Tribe is not anticipated to occur during the project.

### **ROLES AND RESPONSIBILITIES**

**County:** Overall management of the Project will be the responsibility of the County. County will appoint a Project Manager to be the County's principal contact person for DLCD's Contract Administrator and the Consultant on all matters dealing with the Project.

Specific project management duties of the County will include:

- a. Coordinating project schedule and deliverables with Consultant;
- b. Coordinating County staff and Consultant work;
- c. Ensuring timely delivery of supporting County data/information to Consultant, if needed;
- d. Reviewing and editing Consultant work;
- e. Appointing one or more project advisory committee(s);
- f. Noticing, scheduling, and managing advisory committee meetings and public official work sessions, and public hearings, if any. Activities include preparing and distributing meeting notices, agendas, and summaries; and assisting the Consultant with meeting facilitation.

**DLCD:** DLCD will provide financial, administrative, and technical assistance to the Project. DLCD will participate on advisory committees. Additional technical assistance may be provided as requested by the County or Consultant. DLCD will review and approve Consultant's work, invoices, and progress reports. DLCD will review the Consultant's performance and deliverables

with the County prior to paying invoices received by the Consultant. DLCD will assist in the mediation of Consultant/County conflicts, or issues with the project or deliverables.

### **KEY CONTACTS**

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### **SCOPE OF WORK**

The Oregon Housing Planning Project (Project) for the County of Lincoln is composed of the following tasks. The County and Consultant must create interim project deadlines as needed to manage the project (see Task 1). All Consultant work must be completed no later than June 30, 2019. Requests by the County or Consultant to change the Scope of Work outlined in this MOU, intended to modify the tasks or deliverables of the Consultant, must be reviewed and approved by DLCD.

#### **Task 1: Project Kick-Off**

County will coordinate with partners to form a Technical Advisory Committee (TAC) and a Policy Advisory Committee (PAC) and, in consultation with Consultant, will arrange for in-person meetings with the TAC and PAC to confirm project goals, objectives, and schedule; identify stakeholders in each community that should be interviewed; review housing and related information the partners are to compile for Consultant; and to understand the area's regional housing needs and concerns. Consultant will verify the action items identified through this initial round of meetings and will develop and share a proposed schedule for the actions required for the

completion of all tasks. The level of detail required for the proposed project schedule should be determined with mutual agreement by the County and the Consultant.

*Task 1 Consultant Deliverables:*

- Summary of major tasks and action items for the Project
- Confirmed list of stakeholders to interviewed
- Proposed Project schedule
- Advisory Committee meeting notes

*Task 1 County Deliverables:*

- Advisory committee appointments, meeting materials, notices and agendas
- Copy of relevant comprehensive plan provisions, studies, inventories, urban service area agreements, and related documents from each of the project partners

*Deadline:* Kick-Off to be held within 30 days of completion of consultant contract and MOU. This task might best be accomplished in one day, with a TAC meeting in the morning and a PAC meeting in the afternoon or early evening. Consultant could update informational materials between meetings.

**Task 2: Background Report and Gap Analysis**

Consultant will review housing policies, implementation strategies, agreements and related information provided by partners, legal framework for housing policies within the state, and best practices recommended by state/national planning organizations, DLCD, and others to inform the preparation of a background report that:

- Identifies policies or strategies employed by one or more partners that have proven to be successful in promoting needed housing, those that might be most effective if adopted county-wide, and those that might be barriers to promoting needed housing;
- Analyzes housing policies and strategies including codes and ordinances for consistency with current legal requirements;
- Highlights areas where best practices are not currently being employed;
- Assesses the extent to which housing availability and affordability could be enhanced through full implementation of successful strategies, best practices, and removal of barriers to needed housing (i.e. collectively the housing implementation strategy);
- Identifies constraints or negatives associated with adoption of the housing implementation strategy;
- Includes an alternatives analysis for components of the housing implementation strategy where there are options related to cost charges, regulatory standards, or other variables;
- Sets out actions partners must take to carry out the housing implementation strategy.

Consultant to distribute draft report for TAC review and comment before presenting results to the full TAC and PAC, and incorporating their feedback into the final draft.

*Task 2 Consultant Deliverables:*

- Background Report and Gap Analysis

- Presentation materials to explain preliminary analyses and findings to the TAC and PAC
- Advisory committee meeting notes

*Task 2 County Deliverables:*

- Advisory committee agendas and meeting materials
- Public meeting notice(s)

*Deadline:* Background Report and Gap Analysis to be completed, and advisory meetings held, on or before February 28, 2019.

**Task 3: Field Work and Stakeholder Interviews**

Consultant to tour communities in Lincoln County to obtain a working familiarity with local conditions. The tour is also an opportunity for the County, Cities, and Tribe to highlight successful housing projects, the reasons for that success, and properties that are not developing and the reasons why that is the case. In addition to touring the communities, Consultant will conduct up to twenty (20) interviews with key stakeholders involved, at some level, with the provision of needed housing in Lincoln County. The interviews can occur by phone or in person. Consultant may want to hold TAC/PAC Meeting No. 2, perform field work, and conduct in-person interviews over a consecutive 2-3 day period.

*Task 3 Consultant Deliverables:*

- Notes from stakeholder interviews

*Task 3 County Deliverables:*

- Develop tour itinerary in consultation with partners
- Assist Consultant in securing meetings with key stakeholders

*Deadline:* Field work and interviews to occur on or before February 28, 2019.

**Task 4: Consultation with Business Oregon and Non-Profits**

County to coordinate up to three (3) meetings between Consultant, partner communities, non-profits, and Business Oregon to discuss current collaborations and opportunities where relationships with non-profits, engaged in the provision of needed housing, could be strengthened. The consultation with Business Oregon will afford partners and Consultant an opportunity to better understand how the Community Development Block Grant (CDBG) program, administered by Business Oregon, could be leveraged with the assistance of non-profits to expand housing related services, including steps that can be taken to make an existing pool of CDBG low-income housing rehabilitation funds available for use throughout the County. Consultant to seek feedback from the TAC and PAC before finalizing recommendations. Information resulting from this task is to be included in the final report.

*Task 4 Consultant Deliverables:*

- Memo summarizing meeting results and potential follow-up action items
- Presentation materials for TAC and PAC meetings identifying opportunities for strengthening relationships with non-profits engaged in the provision of needed housing

- Advisory committee meeting notes

*Task 4 County Deliverables:*

- Coordinate meetings between Consultant, Business Oregon, non-profits, and partners
- Advisory committee agendas and meeting materials
- Public meeting notice(s)

*Deadline:* Consultations to be completed, and advisory meetings held, on or before March 29, 2019.

**Task 5: Regional Housing Implementation Strategy (Preliminary Report)**

Consultant shall prepare a preliminary report summarizing the work performed in Tasks 2 through 4, including the steps Project partners can take individually or collectively to carry out the regional housing implementation strategy. Recommendations for policy changes are to be specific enough that they can be readily incorporated into implementing ordinances. With respect to urban service area agreements, the report is to include model language suitable for adoption by partner entities. The preliminary report is to be distributed to the TAC and PAC for review and comment, with feedback being incorporated into a final draft.

*Task 5 Consultant Deliverables:*

- Regional Housing Implementation Strategy (Preliminary Report)
- New or amended housing policies recommended for each of the partners, and the region as a whole (including updates to urban service area agreements)
- Advisory committee meeting notes

*Task 5 County Deliverables:*

- Advisory committee agendas and meeting materials
- Public meeting notice(s)

*Deadline:* Preliminary Report to be completed, and advisory meetings held, on or before May 17, 2019.

**Task 6: Regional Housing Implementation Strategy (Final Report)**

Consultant will provide County with a final report incorporating comments received in Task 5, along with a draft resolution for Partners to formally acknowledge receipt and convey their desire to pursue implementation of the Regional Housing Strategy. County shall coordinate with the Project partners to arrange for presentation of the final report to policy making bodies.

*Task 6 Consultant Deliverable:*

- Regional Housing Implementation Strategy (Final Report)
- Draft resolution

*Task 3 County Deliverables:*

- Signed resolutions from Project partners (to be included with final report to DLCD)

*Deadline:* Final Report to be completed, and signed resolutions obtained, on or before June 30, 2019.

**OTHER CONSIDERATIONS**

This agreement will be effective as of the date of the last signature. The termination of this document may occur by mutual consent of the parties with 60 days written notice.

Except as provided herein, nothing in this Memorandum of Understanding shall be construed as obligating the other party to expend funds or obligate future payment of money authorized by law and administratively available for this work.

County of Lincoln

  
\_\_\_\_\_  
Signature of Official

11/7/18  
Date

  
\_\_\_\_\_  
Printed Name

Department of Land Conservation & Development

  
\_\_\_\_\_  
Jim Rue, Director

11/14/2018  
Date