



# City of San Antonio

## Agenda Memorandum

**File Number:**19-4407

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**Agenda Item Number:** 35.

**Agenda Date:** 6/20/2019

**In Control:** City Council A Session

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**DEPARTMENT:** Planning Department

**DEPARTMENT HEAD:** Bridgett White

**COUNCIL DISTRICTS IMPACTED:** Citywide

### **SUBJECT:**

Unified Development Code Diagnostic Report and Code Amendment Recommendations Professional Services Agreement Award

### **SUMMARY:**

An Ordinance authorizing a professional services agreement with Able City, LLC for consultant services to develop a Diagnostic Report and Code Amendment Recommendations for Chapter 35, Unified Development Code of the City Code of San Antonio, Texas, to further implement the goals and objectives of the SA Tomorrow Comprehensive Plan, in the amount not to exceed \$300,000.00.

### **BACKGROUND INFORMATION:**

#### Project Background

The City of San Antonio is projected to grow significantly over the next two decades and ascertaining how to accommodate that growth was the driving objective for the development of the SA Tomorrow Comprehensive Plan. The SA Tomorrow Comprehensive Plan was adopted on August 11, 2016. The adopted Comprehensive Plan includes many goals, objectives, and recommendations that may only be implemented through an update to Chapter 35, Unified Development Code (UDC).

Development practices as well as City goals and objectives have changed since the 2001 UDC was adopted. The ordinance has been amended through text amendments sponsored by City Council members and City staff, and via the prescribed update process (currently every five years) in response to changes in the market, development practices that required immediate attention, changes in State law, constituent requests, and

adoption of new policies. As a result of these incremental amendments and the adoption of the new comprehensive plan, the ordinance in its current state is in need of significant review and update to adequately communicate and implement the new comprehensive plan land use policies and development objectives. This needed update coincides with the timing of City's regular 5-year update process.

Since the 2001 UDC adoption, many new zoning concepts, such as form-based codes and the concept of "New Urbanism," have emerged and are now shaping some development practices. Undeveloped land within the city limits is quickly disappearing and becoming unavailable. The City's zoning regulations need to be updated to reflect and incorporate the new planning concepts that are essential to the sustainability of a city that is growing at a fast rate. Additionally, changes in state law have made the annexation of unincorporated territory more difficult; thus, requiring the City to make the most beneficial use of land within the city limits.

With a recently adopted Comprehensive Plan now in effect, it is important to update the existing zoning regulations. In many cases, current regulations are inadequate to shape growth in a manner that leads to sustainable, pedestrian-friendly built environments that incorporate mixed-use developments. For example, the low-density development pattern and the segregation of land uses in large areas of the City have led to auto dependency and the associated problems of air pollution and traffic congestion. In an effort to address changes in development practices; ensure the compatibility of regulations with adopted comprehensive plan goals and policies; formulate realistic and workable regulations; support economic development; and promote user friendliness of development standards, the City will undertake a comprehensive review and update of the UDC to develop specific code update recommendations to implement the SA Tomorrow Comprehensive Plan. It is anticipated that the project may involve a reorganization of the regulations, the addition of new sections, and the rewriting of many sections to incorporate new concepts and regulatory techniques.

#### Procurement of Services

On January 14, 2019, the Planning Department released a Request for Proposals (RFP) to solicit responses from qualified respondents for the purpose of reviewing and providing recommendations to the City's UDC. The RFP was advertised on the City's website, City's e-Procurement portal, in the San Antonio Express-News, on the TVSA channel, and distributed by email to a list of potential respondents identified by the Planning Department. A pre-submittal conference was held on January 24, 2019 to answer questions from potential respondents. The RFP closed on February 15, 2019 and two (2) firms responded to the RFP.

A selection committee consisting of representatives from the Planning Department, the Development Services Department, VIA Metropolitan Transit, and the Real Estate Council of San Antonio evaluated the submissions and interviewed the respondents, and scored the two proposals. Scoring was based on the published evaluation criteria in the RFP, which included: Experience, Background and Qualifications (25 points); Proposed Plan (35 points); Price (15 points); Small Business Economic Development Advocacy (SBEDA) Program including Small Business Enterprise (SBE) Prime Contract Program (5 points) and Minority/Women Business Enterprise (M/WBE) Prime Contract Program (5 points); Local Preference Program (LPP) (up to 10 points), and the Veteran-Owned Small Business Preference Program (VOSBPP) (5 points).

Interviews were conducted with both respondents on March 8, 2019. During the interview process, the firms presented more detailed information to include their related experience on similar projects and with issues similar to those in the San Antonio region, their plans for stakeholder outreach and involvement, their team members, and project management approach specific to this project. After interviews were completed, the evaluation team selected Able City, LLC for award recommendation.

This contract will be awarded in compliance with the Small Business Economic Development Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small,

minority, and women-owned business participation on the contract. The Goal Setting Committee applied the SBE and the M/WBE Prime Contract Programs with five (5) evaluation preference points for each program, respectively. Able City, LLC was awarded these points, as it is certified as a SBE and M/WBE firm located within the San Antonio Metropolitan Statistical.

In accordance with Local Preference Program, the recommended respondent received 10 points for being headquartered within the incorporated San Antonio city limits.

There were no proposals submitted from veteran-owned small business Respondents for this contract; therefore, the Veteran-Owned Small Business Preference Program was not applied.

## **ISSUE:**

An Ordinance authorizing a professional services agreement with Able City, LLC for consultant services to develop a Diagnostic Report and Code Amendment Recommendations for Chapter 35, Unified Development Code of the City Code of San Antonio, Texas, to further implement the goals and objectives of the SA Tomorrow Comprehensive Plan, in the amount not to exceed \$300,000.00.

The professional services agreement with Able City, LLC will provide the City of San Antonio with a Diagnostic Report and Code Amendment Recommendations for the UDC. The Diagnostic Report will include an assessment of existing regulations, and how those regulations implement the SA Tomorrow Comprehensive Plan, as well as potential approaches to address existing deficiencies in the current UDC. The Code Amendment Recommendations will include specific regulatory solutions that will be submitted for consideration as part of the City's 5-year UDC update process. The primary tasks/phases of the contract include Project Chartering, Public Engagement Strategy, and Initial Public Education; Assessment of Existing Code and Comprehensive Planning Documents, Related Public Engagement, and Assessment Report; Approaches and Solution, Related Public Engagement, and Regulatory Approaches Report; Development of Code Amendment Recommendations, Related Public Engagement, and the final UDC Diagnostic Report and Code Amendment Recommendations package. The term of this contract is 12 months, with an option to extend for 12 additional months. Subcontractors include:

- Moore Iacofano Goltsman, Inc.
- White & Smith, LLC

Approval of this ordinance will allow the City to implement the SA Tomorrow Comprehensive Plan by assessing existing development regulations and developing amendments to be proposed during the City's 5-year UDC amendment process.

## **ALTERNATIVES:**

As an alternative, City Council could choose not to approve the Professional Services Agreement for the Unified Development Code Diagnostic Report and Code Amendment Recommendations. This would impede implementation of the SA Tomorrow Comprehensive Plan and hinder the momentum of the related SA Tomorrow Sub-Area Plans that are currently being developed.

## **FISCAL IMPACT:**

An Ordinance authorizing a professional services agreement with Able City, LLC for consultant services to develop a Diagnostic Report and Code Amendment Recommendations for Chapter 35, Unified Development

Code of the City Code of San Antonio, Texas, to further implement the goals and objectives of the SA Tomorrow Comprehensive Plan, in the amount not to exceed \$300,000.00. Funding for this expense is included in the FY 2019 Adopted Budget.

**RECOMMENDATION:**

Staff recommends authorizing the award of a professional services agreement to Able City, LLC for Unified Development Code Diagnostic Report and Code Amendment Recommendations.

This contract is procured by means of Request for Proposals and the Contract Disclosure Form is attached.