

County of Santa Clara  
Department of Planning and Development



24-5515

**DATE:** May 7, 2024 (Item No. {{item.number}})  
**TO:** Board of Supervisors  
**FROM:** Jacqueline R. Onciano, Director, Dept. of Planning and Development  
**SUBJECT:** Delegation of Authority Relating to Local Early Action Planning (LEAP) Grant Program

**RECOMMENDED ACTION**

Adopt Resolution delegating authority to the County Executive, or designee, to negotiate, execute, amend, or terminate grant agreement with the State of California Department of Housing and Community Development for the Local Early Action Planning grant program in an amount not to exceed \$299,278, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. Delegation of authority shall expire on December 31, 2025.

**FISCAL IMPLICATIONS**

There is no impact to the County General Fund resulting from the approval of the Recommended Action. There is no local match requirement.

**REASONS FOR RECOMMENDATION AND BACKGROUND**

The purpose of the recommended action is to ensure that the County can be fully reimbursed for our efforts to facilitate housing development.

On January 26, 2021 (Item 58), the Board of Supervisors (Board) adopted a Resolution BOS-2021-12, delegating authority to the County Executive, or designee, to submit the Local Early Action Planning (LEAP) Grant Application package and to negotiate, execute, amend, or terminate a State of California Agreement (Standard Agreement) and any subsequent amendments, modifications, or other documents related to the LEAP grant program. Pursuant to the delegation of authority, the County has an existing agreement with the State of California Department of Housing and Community Development (HCD), with a grant term of January 25, 2022 through June 30, 2024.

On September 7, 2023, HCD announced an extension of the LEAP grant reimbursement request deadline from September 30, 2023 to September 30, 2024. With this extension, HCD allowed grantees an opportunity to amend existing grant agreements by December 31, 2023.

On September 20, 2023, the Department of Planning and Development (Department) submitted a request to HCD for term extension and application revision. The application revision updated activities three and four as the Department determined that scope changes were needed to meet the activity obligations under the grant requirements. Activity three was revised from a Document Management System project to include the Department's efforts to prepare the Environmental Impact Report (EIR) for the County's 2023-2031 Housing Element Update in the grant. Department staff determined that a Document Management System was not feasible at this time due to ongoing costs and other considerations. Activity four was a revision by the Department to use staff time, instead of hiring a consultant, to complete the activity, which updates County standards and policies manual for subdivision access (i.e., road widths and driveways) to facilitate more housing. An effort that is a collaboration with the Roads and Airports Department.

On December 12, 2023, HCD accepted the Department's revised application and started to process the amendment. Due to significant delays by HCD, the amendment was routed for signature to the Department in March 2024. However, the Department's previously approved delegation of authority expired on December 31, 2023.

### **Reason for Request of Delegation of Authority**

Although delegations of authority are discouraged except under certain circumstances, this delegation of authority is necessary to expedite the processing of the upcoming amendment and allow for timely processing of other documents related to LEAP grant reimbursement.

The revised application, approved by HCD on March 13, 2024, provides funding for the following activities: (1) Outreach Materials, Cost Calculators, and pre-approved templates for Accessory Dwelling Units (ADUs) and small farmworker housing projects; (2) Preparation of Inclusionary Housing Ordinance and Implementation Guidelines for the unincorporated areas of the County of Santa Clara; (3) Environmental Impact Report (EIR) for the County of Santa Clara's 2023-2031 Housing Element Update; and (4) Updating County Standards and Policies Manual for Subdivision access to facilitate more housing development.

### **CHILD IMPACT**

The recommended action will have no/neutral impact on children and youth.

### **SENIOR IMPACT**

The recommended action will have no/neutral impact on seniors.

### **SUSTAINABILITY IMPLICATIONS**

The recommended action would have positive sustainability implications. The grant funding supports activities that would facilitate the development of affordable housing and farmworker housing, and infill housing within existing neighborhoods through ADUs, and lower prohibitive requirements for subdivision of existing residential lots. These actions would encourage infill and denser housing within the urban unincorporated areas of the

region to address the current housing crisis and reduce greenhouse gases with lower Vehicle Miles Travelled (VMTs) per new unit developed.

### **CONSEQUENCES OF NEGATIVE ACTION**

The County would not be fully reimbursed for the efforts dedicated to facilitating housing development.

### **STEPS FOLLOWING APPROVAL**

Upon approval, the Clerk of the Board is requested to send the executed Resolution to Jacqueline R. Onciano, Stewart Patri, and Rex Xian in the Department of Planning and Development.

### **ATTACHMENTS:**

- Resolution relating to LEAP Grant Program