

City of Piedmont
COUNCIL AGENDA REPORT

DATE: September 18, 2023

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Consideration of Contract Amendments with Lisa Wise Consulting, Inc. for work related to ADU Incentives and Multifamily Objective Design Standards

RECOMMENDATION

Approve the proposed amendment (Attachment 1) to the City's agreement with Lisa Wise Consulting (LWC) for the completion of services in connection with the drafting and adoption of mixed-use and multi-family objective design standards and prototype plans and incentives for accessory dwelling units, which extends the agreement's completion date to September 30, 2023. The contract amount of \$159,930 remains unchanged.

EXECUTIVE SUMMARY

On August 17, 2020, the City Council approved an agreement with Lisa Wise Consulting, Inc., in an amount not to exceed \$160,000 for services in connection with the preparation and adoption of mixed-use and multi-family objective design standards, and prototype plans and incentives for accessory dwelling units. The agreement term was for two (2) years, ending on August 17, 2022.

The tasks required by the agreement are consistent with the City of Piedmont's SB 2 Planning Grant application. Originally, SB 2 Grant recipients were required to complete new or modified policies and programs by the end of June 2022, but due to the COVID pandemic the deadline was extended to December 31, 2023. Grant recipients must now complete work by the end of December 2023, but recipients must submit for reimbursement by September 30, 2023. Under the Grant terms, the City must provide proof of expenses and payments in order to seek reimbursement.

LWC's work on the multi-family objective design standards, and prototype plans and incentives for accessory dwelling units was all but completed in September 2022 prior to the posting of the standards and prototypes for public review in October 2022. The remaining work consisted of minor edits to the objective design standards in response to Planning Commission recommendations and LWC's participation during the City Council's consideration of the item on September 5, 2023, both of which were completed on September 5th.

Staff recommends that agreement term be amended to September 30, 2023, so that the City can make remittance on a final invoice and seek reimbursement from the State for that expense as provided by the SB 2 Grant.

FISCAL IMPACT

Approval of the amendment to extend the contract with Lisa Wise Consulting will allow staff to remit payment in the amount of \$2,160 and seek reimbursement from the State for the full \$159,930 of project costs as provided by the terms of the SB 2 Grant.

CITY ATTORNEY REVIEW

The attached document was reviewed and approved as to form.

CONCLUSION AND NEXT STEPS

Staff recommends that the City Council approve the Amendment for Consultant Services with Lisa Wise Consulting, changing the completion date to September 30, 2023. Should the City Council approve the amendment, staff will remit payment for the final invoice from Lisa Wise Consulting and seek reimbursement from the State for the full project costs.

Prepared by: Kevin Jackson, Director of Planning & Building

ATTACHMENTS:

Pages		
1	3-4	Amendment to the Agreement with Lisa Wise Consulting, Inc., for services in connection with the drafting and adoption of mixed-use and multi-family objective design standards and prototype plans and incentives for accessory dwelling units

FIRST AMENDMENT TO AGREEMENT

This Amendment to the Agreement (“Amendment”) is made and entered into on this ____ day of September 2023, (the “Effective Date”) by and between the City of Piedmont, a municipal corporation (hereinafter referred to as “City”) and Lisa Wise Consulting, Inc., a California S-Corporation (hereinafter referred to as “Consultant”). City and Consultant may be referred to individually as “Party” and collectively as the “Parties.”

R E C I T A L S

A. City and Consultant entered into an Agreement dated August 17, 2020 (“Original Agreement” and, together with this First Amendment to Agreement, “Agreement”), under which Consultant provides certain services in connection with the drafting and adoption of mixed-use and multi-family objective design standards and prototype plans and incentives for accessory dwelling units (“Project”).

B. Exhibit A to the Original Agreement provided that the completion of Services would occur in January of 2022.

C. The Parties now wish to: (1) extend the Consultant’s time for completion of Services provided in Exhibit A, as incorporated in Section 3 of the Agreement, to September 30, 2023, and (2) extend the Term of the Agreement to September 30, 2023 to reflect the new date of the completion of Services.

D. All capitalized terms not otherwise defined in this Amendment shall have the respective meanings provided in the Original Agreement.

A G R E E M E N T

NOW, THEREFORE, the parties hereto agree as follows:

1. The Parties agree that the Recitals set forth above are true and correct and are incorporated herein.
2. The Parties agree that Consultant’s time to complete the specified Services as provided in Exhibit A to the Original Agreement, as incorporated in Section 3, is now extended to September 30, 2023.
3. The Parties agree to extend the Term of the Original Agreement, as specified in Section 5, to the date of September 30, 2023.
4. Unless explicitly amended by this First Amendment, all terms and provisions of the Original Agreement shall remain in full force and effect.

[Signature Page Follows]

CONSULTANT

LISA WISE CONSULTING, Inc.

By: _____
Henry Pontarelli, Vice President/Secretary

CITY

CITY OF PIEDMONT, a California municipal corporation

By: _____
Jennifer Cavanaugh, Mayor

ATTEST:

Sheri Hartz, Interim City Clerk

APPROVED AS TO FORM:

Michelle Marchetta Kenyon, City Attorney
Deepa Sharma, Assistant City Attorney