

City of Piedmont
COUNCIL AGENDA REPORT

DATE: November 20, 2023

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Consideration of a Contract Amendment with Lisa Wise Consulting, Inc. for Services Related to the 6th Cycle Housing Element Update

RECOMMENDATION

Approve the proposed amendment (Attachment 1) to the City's agreement with Lisa Wise Consulting (LWC) for the completion of the Housing Element update, a Land Use Element update, other related General Plan amendments and related regulatory modifications as required by State law, which extends the term to June 30, 2023.

BACKGROUND

Lisa Wise Consulting, Inc., is under contract with the City to complete a Housing Element update, a Land Use Element update, other related General Plan amendments and related regulatory modifications as required by State law, in a manner consistent with the 6th Cycle Regional Housing Needs Allocation (RHNA) planning period (2023-2031). On May 1, 2023, the City Council approved amendments to the Agreement that included the extension of the completion date to December 31, 2023, so that the City could adequately respond to the review of Piedmont's Housing Element by the California Department of Housing and Community Development (HCD).

The tasks related to the completion of a Housing Element update are largely addressed. Remaining tasks are for the completion of amendments to other Elements of the General Plan for consistency with the updated Housing Element. HCD's review of the Housing Element took longer than expected so the timeline for completion and adoption of the remaining General Plan amendments has been delayed into the early part of 2024. No change to the scope of services is proposed.

FISCAL IMPACT

The change in term results in no fiscal impact.

CITY ATTORNEY REVIEW

The attached document was reviewed and approved as to form.

Prepared by: Kevin Jackson, Director of Planning & Building

ATTACHMENTS:

Pages

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| 1 | 3-4 | Amendment to the Agreement with Lisa Wise Consulting, Inc., for services related to the 6 th Cycle Housing Element Update |
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SECOND AMENDMENT TO AGREEMENT

This Amendment to the Agreement (“Amendment”) is made and entered into on this ____ day of November, 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 May 3, 2021 (“Original Agreement”) and on May 1, 2023, the City entered into a First Amendment to the Agreement (collectively, the “Agreement”), under which Consultant provides certain services in connection with the completion, by December 31, 2023, of a housing element update, and other related General Plan amendments, and related regulatory modifications as required by State law, in a manner consistent with the Regional Housing Needs Allocation 6 (RHNA 6) planning period (January 31, 2023 – January 31, 2031) (“Project”).

B. The Parties now wish to enter into this Second Amendment to the Agreement to extend the Consultant’s time for completion of Services in the Agreement to June 30, 2024.

C. 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 the First Amendment to Agreement dated May 1, 2023, is now extended to June 30, 2024.
3. Unless explicitly amended by this Amendment, all terms and provisions of the 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:

Anna Brown, City Clerk

APPROVED AS TO FORM:

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