



Agenda Item B.4
CONSENT CALENDAR
Meeting Date: April 21, 2009

TO: Mayor and Councilmembers

FROM: Dan Singer, City Manager

CONTACT: Steve Chase, Planning and Environmental Services Director
Anne Wells, Advance Planning Manager

SUBJECT: Contract Amendment No. 4 with Baird+Driskell for Housing Element Technical Support Services

RECOMMENDATION:

Authorize the City Manager to execute Amendment No.4 to the City's Professional Services Agreement with Baird + Driskell to provide Housing Element Technical Support Services in an additional amount not to exceed \$15,000.

BACKGROUND:

The housing specialty firm, Baird+Driskell, provides continued Housing Element technical support services to the City of Goleta. The previous scope of work (dated July 11, 2005) with Baird+Driskell is set to expire June 30, 2009. The contract, as currently written, provides a not-to-exceed amount of \$50,000. All tasks associated with the contract amendment were completed according to the scope of work, schedule, and budget.

DISCUSSION:

The agreement authorized Jeff Baird to assist the City in the Housing Element revision process. The scope of work included updating the Housing Element in response to State Housing and Community Development (HCD) comments received in March 2007. The outcome of this effort was the subject of a City Council meeting in April 2008.

Following that meeting, staff proceeded to study inclusionary percentages and other affordable housing requirements pursuant to Council direction. A draft of the Housing Element amendments was not sent to the State due to additional study requirements and a determination by staff to await the forthcoming Regional Housing Needs Allocation (RHNA). On August 21, 2008, the final RHNA was adopted by the Santa Barbara County Association of Governments necessitating further revision to the element and a complete update of the related Technical Appendix. This statutory requirement is to be completed by August 31, 2009.

The attached proposed contract amendment would authorize Jeff Baird, of Baird + Driskell, to assist the City in the Housing Element and Technical Appendix revision and resubmittal process. The primary challenge of the ongoing process and the steps that lie ahead for housing production is to mesh the State's statutory requirements with Goleta's limited land inventory and environmental setting. There is a constant balancing of competing interests. How Goleta goes about framing issues and implementing strategies, such that these issues are not treated as mutually exclusive, is the key note task for Mr. Baird to perform. Mr. Baird is best poised to assist the City with this process based on his previous participation in the creation of our Housing Element. Additionally, Mr. Baird has extensive experience with the preparation of housing elements across California, plus he co-teaches housing element workshops with State HCD staff.

The proposed amendment will extend the term of the agreement to August 31, 2009, and will increase the maximum amount of the contract by \$15,000, bringing the total contract amount to \$65,000. Additional tasks and corresponding funds may be required at some point in the future should the State reject the certification of the Housing Element, or if the Council requests further study that is beyond what is contemplated by the amendment proposal.

ALTERNATIVES:

The City Council may determine not to authorize the contract amendment and/or seek proposals from other qualified firms.

FISCAL IMPACTS:

The Advance Planning General Plan Fund (5-4300-504) has sufficient funds to cover this supplemental contract request of \$15,000.

LEGAL REVIEW:

The attached contract amendment has undergone legal review by the City Attorney's Office.

Submitted By:

Reviewed By:

Approved By:

Steve Chase
Planning & Environmental
Services Director

Michelle Greene
Administrative
Services Director

Daniel Singer
City Manager

ATTACHMENTS:

1. Amendment No. 4 to Professional Services Agreement Between the City of Goleta and Baird + Driskell Community Planning

Attachment 1

Amendment No. 4 to Professional Services Agreement
Between the City of Goleta and
Baird + Driskell Community Planning

**AMENDMENT No. 4
TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN
THE CITY OF GOLETA AND
BAIRD + DRISKELL COMMUNITY PLANNING**

This Forth Amendment to Professional Services Agreement (AGREEMENT) between the City of Goleta (CITY), a municipal corporation and Baird + Driskell Community Planning (CONSULTANT) dated July 5, 2005 is made this ____ day of April, 2009.

WHEREAS, the AGREEMENT between CITY and CONSULTANT currently provides in Section 1 specified termination of the agreement at the time that the Section 2 "Scope of Services" is completed; and,

WHEREAS, the tasks completed to date require additional and unanticipated work by the CONSULTANT that was not included in Section 2 "Scope of Work" to address the State's Regional Housing Allocation and technical appendix revisions which is a requirement for the Housing Element to be certified by the California Department of Housing and Community Development; and,

WHEREAS, the AGREEMENT between the CITY and CONSULTANT currently provides the total compensation shall not exceed fifty thousand dollars (\$50,000); and services that included the Housing Element Work Program; and,

WHEREAS, the parties desire to amend the AGREEMENT so as to provide additional compensation not to exceed fifteen hundred dollars (\$15,000) to prepare a draft housing element, respond to Planning Commission, City Council and HCD Comments and adoption of the Housing Element; and,

WHEREAS, authority for the City Manager to sign by council on this 21st day of April, 2009.

Now therefore CITY and CONSULTANT agree as follows that the AGREEMENT be, and hereby is, amended as follows:

1. Paragraph (a) of Section 4. COMPENSATION AND METHOD OF PAYMENT of the AGREEMENT is amended as follows:

(a) Subject to any limitations set forth in this AGREEMENT, CITY agrees to pay CONSULTANT at the rate of \$130 per hour based upon monthly invoices submitted to the CITY. The total compensation, including reimbursement for actual expenses, shall not exceed sixty-five thousand dollars (\$65,000).

2. Amendment No.3 of the AGREEMENT is amended in its entirety as follows:

The term of the Agreement between CITY and CONSULTANT shall end August 31, 2009, in an amount not to exceed \$65,000.

All other provision of the agreement shall remain in full force and affect.

In witness whereof, this Forth Amendment has been executed by the parties effective on the date and year first written above.

CITY OF GOLETA

CONSULTANT

Daniel Singer, City Manager

Jeffery Baird, AICP

ATTEST:

Deborah Constantino, City Clerk

APPROVED AS TO FORM

Tim W. Giles, City Attorney