



Office of the City Manager

CONSENT CALENDAR  
March 30, 2021

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Jordan Klein, Interim Director, Planning and Development Department  
 Subject: Contract No. 10874D Amendment: Street Level Advisors for Development Fee Feasibility Analysis

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 10874D with Street Level Advisors, to analyze the impact of fees and other variables on development project feasibility and to gather additional stakeholder input, increasing the contract amount by \$70,000 to a new total not-to-exceed contract amount of \$295,400, and extending the contract period to December 31, 2023.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this project is provided by a grant from the State Local Early Action Planning (LEAP) Grant Program. It is available under budget code 621-53-584-622-0000-000-472-612990 and will be expended in FY 2021 and FY 2022. Funds will be deposited and expended from the Permit Service Center Fund, as a means to ensure sufficient funding for work to be performed per the agreed upon scope, and until reimbursement of grant monies are received. The contract number is 10874.

CURRENT SITUATION AND ITS EFFECTS

Staff propose increasing the amount of the contract and extending the timeline to enable Street Level Advisors to perform additional feasibility analysis for the site capacity studies that will inform the development of zoning for the Ashby and North Berkeley BART stations. This additional work is necessary to refine the estimates of public subsidy which will be needed for affordable housing at the BART sites. It will also allow Street Level Advisors to further advance the comprehensive update of citywide affordable housing requirements, and enable additional meetings with City staff, City Council, and community members to help gather community input on any potential policy options.

Approval of this contract amendment with Street Level Advisors will fulfill the actions outlined in the June 16, 2020 Council approval of the City's application for the State Local Early Action Planning (LEAP) Grant Program. The majority of the LEAP funding is allocated toward upcoming work on the City's General Plan Housing Element, with the remainder allocated to support the preparation of the Ashby and North Berkeley BART

zoning standards, and to comprehensively review and propose updates to the City's affordable housing requirements. The City was notified by the California Housing and Community Development Department in October 2020 that its application for LEAP funding had been approved.

### BACKGROUND

Council authorized issuance of a Request for Proposals (RFP) to conduct a Development Fee Feasibility Analysis for the City of Berkeley. The Planning Department issued the RFP (Spec. #18-11172) on September 25, 2017, and based on written proposals and subsequent interviews, selected Street Level Advisors as the preferred firm to perform the work. Contract 10874 was entered into on April 23, 2018, in an amount not-to-exceed \$40,000, and was subsequently amended (10874-A) to increase that amount to \$45,400 and to extend the contract duration to June 30, 2019.

Street Level Advisors' contract was amended through Council action twice more (10874-B and 10874-C), in May and October 2019. These amendments allowed for additional feasibility analysis of proposed zoning scenarios on the Adeline Corridor Specific Plan project, preliminary work to analyze development feasibility under various AB2923-compliant zoning scenarios for the BART station areas, and analysis of potential revisions to Berkeley's mitigation and impact fees which support development of affordable housing.

### ENVIRONMENTAL SUSTAINABILITY

There are no identifiable environmental effects or opportunities associated with the subject of this report.

### RATIONALE FOR RECOMMENDATION

The City is satisfied with the work delivered by Street Level Advisors to date under this contract, and believes that the proposed amendment will provide the consultant with additional capacity to apply the draft financial feasibility tool to other potential policy changes and conduct additional community outreach.

### ALTERNATIVE ACTIONS CONSIDERED

None.

### CONTACT PERSON

Jordan Klein, Interim Director, Planning and Development Department, 510-981-7534  
Steven Buckley, Manager, Land Use Division, 510-981-7411

### Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 10874D AMENDMENT: STREET LEVEL ADVISORS FOR  
DEVELOPMENT FEE FEASIBILITY ANALYSIS

WHEREAS the Planning Department issued a Request for Proposals (Spec. #18-11172) on September 25, 2017, seeking a vendor to conduct a Development Fee Feasibility Analysis; and

WHEREAS based on written proposals received and staff panel interviews, Street Level Advisors was selected as the best qualified and most responsive firm to perform the work; and

WHEREAS a contract was entered into on April 23, 2018 (CMS #10874) in the amount of \$40,000 for Street Level Advisors to provide these services; and

WHEREAS a contract amendment was entered into on July 9, 2018 (CMS #10874A) to add an additional \$5,400 for the services, bringing the new contract total not-to-exceed amount to \$45,400; and

WHEREAS, a second contract amendment was entered into on May 23, 2019 (CMS # 10874B) to add an additional \$30,000 for the services, bringing the new contract total not-to-exceed amount to \$75,400, as authorized by City Council Resolution No. 68,712-N.S.; and

WHEREAS a contract amendment was entered into on October 9, 2019 (CMS # 10874C) to add an additional \$150,000 for the services, bringing the new contract total not-to-exceed amount to \$225,400; and

WHEREAS, the work by Street Level Advisors on the Development Fee Feasibility Analysis to date has been critical to advancing key City priorities such as the Adeline Corridor Specific Plan (adopted December 2020), analysis of development feasibility citywide and for the Ashby and North Berkeley BART sites to-date; and

WHEREAS, the City Council adopted a resolution on June 16, 2020 authorizing the City Manager to submit an application for the State Local Early Action Planning (LEAP) Grant Program in the amount of \$500,000, and to execute documents or amendments once the grant was awarded; and

WHEREAS, the State Housing and Community Development Department approved the City's LEAP funding award of \$500,000; and

WHEREAS, the City of Berkeley's LEAP grant application included scope and budget totaling \$70,000 to support development of zoning standards for the Ashby and North

Berkeley BART stations to conform with Assembly Bill 2923, and updating the Citywide affordable housing requirements; and

WHEREAS, this scope and budget will require work from Street Level Advisors which exceeds its current contract funding; and

WHEREAS, the cost of the contracted service is allocated in FY 2021 in budget code 621-53-584-622-0000-000-472-612990.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 10874D with Street Level Advisors to continue its feasibility analysis work for an additional amount of \$70,000, to a new total contract not-to-exceed amount of \$295,400, for the period extending through December 31, 2023.

BE IT FURTHER RESOLVED that a record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.