

CITY OF SEBASTOPOL CITY COUNCIL
AGENDA ITEM REPORT FOR MEETING OF: March 4, 2025

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To: Honorable Mayor and City Councilmembers
From: Emi Thériault, Community Development Director
Subject: Approve Amendment No. 1 TO 4LEAF Contract for Planning Services to include expanded scope of work to expedite Barlow Hotel Development Agreement process, including a revised not-to-exceed budget of \$41,688, increase in hours to perform work, and increase in number of meetings including but not limited to public hearings and authorize the City Manager to execute the amendment to the agreement.

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RECOMMENDATIONS:

That the City Council Approve Amendment No. 1 TO 4LEAF Contract for Planning Services to include expanded scope of work to expedite Barlow Hotel Development Agreement process, including a revised not-to-exceed budget of \$41,688, increase in hours to perform work, and increase in number of meetings including but not limited to public hearings and authorize the City Manager to execute the amendment to the agreement.

EXECUTIVE SUMMARY:

On January 7, 2025, the Council authorized the City Manager to execute a \$20,520 contract with 4Leaf to provide Planning Services supportive of the Barlow Hotel Project, payable through the developer-funded Barlow Hotel Reimbursement Fund.

The proposed contract amendment would provide additional capacity and build on existing knowledge of the project to process the Planning Entitlements and support for the Development Agreement scope of work. The revised contract for a not-to-exceed amount of \$41,688 would be fully covered by the Reimbursement Agreement. This requires Council review because it exceeds the City Manager’s signing authority for contracts for a single vendor per fiscal year, but costs would be paid for by the developer by advance deposit.

This agenda item is a request for Council to approve the first amendment to the Contract with Consultant, 4 Leaf Inc., and authorize the City Manager to execute an Agreement with the firm to provide Planning Consultant Services as well as perform all work required for the project, as described in the proposal from 4Leaf Inc (4 Leaf revised proposal, attached).

BACKGROUND AND DISCUSSION:

Amendment No. 1 Expanded Scope:

The full expanded scope is outlined in *Exhibit A* to the attached Resolution. A Summary of the expanded scope is as follows:

- *Task 1: 4LEAF Inc. (Consultant) will work off-site as an extension of City of Sebastopol staff reviewing project proposal documents and preparing staff reports and related hearing materials for Planning Commission/Design Review Joint Meeting as well as for City Council.*
- *Task 2: Work will also include attendance and presentation at the following meetings:*
 - *Joint meeting of the Planning Commission and Design Review Board (1 meeting, up to 4 hours total)*

- *First City Council (1st reading of the Ordinance to adopt the proposed Development Agreement) meeting (1 meeting, up to 4 hours)*
- *Attendance at staff/applicant team meetings via zoom on an as-needed basis (assumes 12 meetings at 1 hour each). This meeting set aside may be used in part to attend a second Planning Commission or City Council meeting as needed.*
- *Task 3: Project Management (up to 28 hours, including calls, invoicing, and ongoing coordination)*
- *Task 4: Continue to work on Development Agreement on an as-needed basis, not to exceed 40 hours.*

STAFF ANALYSIS:

Staff has reviewed the extended schedule, scope of work and revised budget and is recommending the Council support the request and authorize the City Manager to execute an amendment to the agreement with the Consultant.

COMMUNITY OUTREACH:

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to the scheduled meeting date.

FISCAL IMPACT:

The proposed 4Leaf contract amendment includes \$17,640 and additional contingency funds of \$3,528, totaling an additional amount of \$21,168. This brings the revised not-to-exceed total budget to \$41,688 to deposit account number 100-00-00-2012 ZZDD24-00010. The City Council action is required for this amendment, but it will be fully covered through the Reimbursement Agreement approved by the City Council on January 7, 2025, concurrent with the original 4Leaf contract for consultant services for the Barlow Hotel project.

RESTATED RECOMMENDATION:

That the City Council approve Amendment No. 1 TO 4LEAF Contract for Planning Services to include expanded scope of work to expedite Barlow Hotel Development Agreement process, including a revised not-to-exceed budget of \$41,688, increase in hours to perform work, and increase in number of meetings including but not limited to public hearings and authorize the City Manager to execute the amendment to the agreement.

OPTIONS:

1. Deny expanded scope of services associated with the proposed contract amendment which could delay completion of the review and approval process for the Barlow Hotel.

ATTACHMENTS:

Resolution
4Leaf Contract Amendment No. 1 with Exhibit 1-Expanded Scope

APPROVALS:

Department Head Approval: Approval Date: 2.19.25
CEQA Determination (Planning): Approval Date: 2.19.25

The proposed action is not a project under the California Environmental Quality Act (CEQA) and the proposed project entitlements would be considered separately with CEQA compliance to be determined at that time.

Administrative Services (Financial) Approval Date: 2.24.25
Account Code for Barlow funds on deposit (if applicable) 100-00-00-2012 ZZDD24-00010

Costs authorized in City Approved Budget: Yes No N/A

City Attorney Approval: _____

Approval Date: 2.20.25

City Manager Approval:

Approval Date: 2.23.25

RESOLUTION NUMBER: XXXX-2025

CITY OF SEBASTOPOL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL APPROVING AMENDMENT NO. 1 TO 4LEAF CONTRACT FOR PLANNING SERVICES TO INCLUDE EXPANDED SCOPE OF WORK TO EXPEDITE BARLOW HOTEL DEVELOPMENT AGREEMENT PROCESS, INCLUDING A REVISED NOT TO EXCEED BUDGET OF \$41,688, INCREASE IN HOURS TO PERFORM WORK, AND INCREASE IN NUMBER OF MEETINGS INCLUDING BUT NOT LIMITED TO PUBLIC HEARINGS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AMENDMENT TO THE AGREEMENT.

WHEREAS, On January 7, 2025, the Council authorized the City Manager to execute a \$20,520 contract with 4Leaf to provide Planning Services supportive of the Barlow Hotel Project, payable through the developer-funded Barlow Hotel Reimbursement Fund; and

WHEREAS, The proposed contract amendment would provide greater efficiency in process in that the City can benefit from 4Leaf’s existing knowledge of the project to process the Planning Entitlements and provide background support to staff as needed on the Development Agreement; and

WHEREAS, The revised contract for a not-to-exceed amount of \$41,688 would be fully covered by the developer through an existing Reimbursement Agreement. This requires Council review because it exceeds the City Manager’s signing authority for contracts for a single vendor per fiscal year, but costs would be paid for by the developer by advance deposit; and

WHEREAS, the amended not-to-exceed budget of \$41,688 would be to be applied to the Barlow Hotel Developer Reimbursement Account Fund number 100-00-00-2012 ZZDD22-00039.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sebastopol does hereby approve a budget amendment for a total revised budget of \$41,688; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Sebastopol does hereby approves Amendment Number 1 to the 4Leaf Inc Consultant Contract supportive of the Barlow Hotel project and authorizes the City Manager to execute the Contract Amendment and make minor adjustments as needed.

The above and foregoing Resolution was duly passed, approved, and adopted at a meeting by the City Council on the 4th day of March 2025, by the following vote:

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

VOTE:

Ayes:

Noes:

Absent:

Abstain:

APPROVED:

Stephen Zollman, Mayor

ATTEST:

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:

Alex Mog, City Attorney

Exhibit A

**AMENDMENT NO. 1
FOR CONSULTING SERVICES
CITY OF SEBASTOPOL AND 4LEAF INC.**

This Amendment Number 1 ("Amendment No. 1") is made by and between the City of Sebastopol ("City") and 4Leaf, Inc. ("Consultant"), together sometimes referred to as the "Parties," as of this 4th day March, 2025, and amends the Agreement dated January 7, 2025 ("Agreement"), between the Parties with regard to Barlow Hotel project.

WHEREAS, the Parties desire to amend the Agreement to expand the scope of work; and

WHEREAS, the amount of Amendment No.1 is not to exceed an increase of \$17,640 and an increase to the 20% contingency of \$3,528 for a total revised not-to-exceed budget of \$41,688 for completion of the expanded scope consulting services project budget; and

WHEREAS, the expanded scope of work will be additional support for the proposed project Development Agreement for the Barlow Hotel proposal in addition to Planning services.

Now, THEREFORE, it is mutually agreed by and between the undersigned Parties as follows:

1. Scope of Work

The Scope of Services set forth in Exhibit A of the Agreement to be completed by Consultant is amended to include the following services (the "Expanded Scope"):

- Task 1: Consultant will work off-site as an extension of City of Sebastopol staff reviewing project proposal documents and preparing staff reports and related hearing materials for Planning Commission/Design Review Joint Meeting as well as for City Council.
- Task 2: Work will also include attendance and presentation at the following meetings:
 - Joint meeting of the Planning Commission and Design Review Board (1 meeting, up to 4 hours total)
 - First City Council (1st reading of Ordinance adopting the project Development Agreement) meeting (1 meeting, up to 4 hours)
 - Attendance at staff/applicant team meetings via zoom on an as-needed basis (assumes 12 meetings at 1 hour each; time to include provision for up to 4 hours for attendance at 2nd reviewing body (PC or CC) meeting as needed).
- Task 3: Project Management (up to 28 hours, including calls, invoicing, and ongoing coordination)
- Task 4: Continue to work on Development Agreement on an as-needed basis, not to exceed 40 hours.

2. Schedule

Consultant shall commence the Expanded Scope of Work upon receipt of the fully executed Amendment No. 1.

3. Contract Amount

Section 4(A), Compensation, of the Agreement is amended to increase the maximum compensation payable to Consultant and to read as follows:

“4.A. Subject to any limitations set forth in this Agreement, City agrees to pay consultant the amount specified in Exhibit A, “Proposed Pricing”, attached hereto and made a part hereof. Total compensation shall not exceed a total of \$41,688, unless additional compensation is approved in accordance with Section 2.”

Except as amended by this Amendment No. 1, all other terms shall remain in full force and effect.

In WITNESS WHEREOF, the Parties have caused this Amendment No. 1 to be executed the day and the year first above written.

CITY OF SEBASTOPOL

CONSULTANT

Don Schwartz, City Manager

DocuSigned by:
Kevin Duggan
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Kevin Duggan, President

Date: _____

2/25/2025
Date: _____

3/4/2025 SEBASTOPOL CITY COUNCIL ACTION ITEM:

4Leaf Inc. Contract - Amendment No.1

- Expanded Scope of Work for the Barlow Hotel Project
- Increase in hours, meeting attendance, and budget
- Costs fully covered by developer through Reimbursement Agreement



Updated Scope:

- Task 1: 4LEAF review project, prepare staff reports/hearing materials for...
Planning Commission/Design Review Joint Meeting and City Council.
- Task 2: Attend up to 20 hours of meetings including:
 - Attend + present at up to three meetings of Joint PC/DRB, City Council
 - Attend up to 12 staff/applicant team meetings.
- Task 3: Project Management (including calls, invoicing, and coordination).
- Task 4: Continue to work on Development Agreement as-needed.

4LEAF INC. CONTRACT OVERVIEW:

- Additional Budget of \$21,168 to be fully covered by Reimbursement Account
- Action Authorizes City Manager to Execute Contract



Council Action Item - Recommendation:

- 1) Approve 4Leaf Contract Amendment No.1

SEBASTOPOL CITY COUNCIL ACTION ITEM:
4LEAF CONTRACT - Amendment No. 1; Barlow Hotel Project



THANK YOU

Emi Thériault, AICP
Community Development Director
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