



# CITY COUNCIL AGENDA REPORT

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MEETING DATE: SEPTEMBER 6, 2016

ITEM NUMBER: CC-11

**SUBJECT:** AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT PROVIDING ENVIRONMENTAL CONSULTING SERVICES FOR AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR REZONE R-15-01 AND PLANNING APPLICATION PA-15-30 FOR A SELF-STORAGE FACILITY AND RETAIL BUILDING AT 375 BRISTOL STREET

**DATE:** AUGUST 25, 2016

**FROM:** DEVELOPMENT SERVICES DEPARTMENT – PLANNING DIVISION

**PRESENTATION BY:** MEL LEE, SENIOR PLANNER

**FOR FURTHER INFORMATION CONTACT:** MEL LEE, SENIOR PLANNER  
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## **RECOMMENDED ACTIONS**

1. City Council approve Amendment One to the Professional Services Agreement in the amount of \$4,480 with a new contract total amount not to exceed \$54,470 for Environmental Sciences Associates (ESA) with a term expiring on October 31, 2017; and
2. City Council authorize the Chief Executive Officer and City Clerk to accept and execute future amendments to the agreement.

## **BACKGROUND**

### ***Proposed Project***

The original proposed project involves the following:

1. ***Initial Study/Mitigated Negative Declaration (IS/MND):*** This document analyzes the environmental impacts of the proposed project. Significant environmental impacts are mitigated to below a level of significance.
2. ***Rezone R-15-01:*** An ordinance to rezone a 3.18-acre site from PDC (Planned Development Commercial) to C2 (General Business District).
3. ***Planning Application PA-15-30:*** Conditional Use Permit PA-15-30 for the demolition of the existing automotive center (Bristol Autoplex) and the development of a two-story, 774-unit mini-storage facility and 5,000 square foot food court building. No code deviations are requested.

### ***Request for Proposals and Consultant Qualification***

On August 28, 2015, a Request for Proposals (RFP) was released to qualified consulting firms to prepare the IS/MND. Environmental Science Associates (ESA) was selected as the most competitive consultant during the evaluation process. Because the original bid did not

exceed \$50,000.00, the Professional Services Agreement (PSA) was approved and executed by the Finance Department and the CEO's Office.

On June 13, 2016, the above project was considered by the Planning Commission, which recommended denial of the project to the City Council by a 4-1 vote (Chair Dickson voting no). The denial was based on concerns expressed by the tenants in the existing retail center who would be displaced by the new development. In response, the applicant has revised the project to retain a portion of the existing retail development, which resulted in additional costs to the PSA totaling \$4,480.00 for the environmental analysis for the revised project, which will be completed by the consultant once the amendment is approved and executed. The project will then be scheduled for public hearing review by the City Council.

### **ALTERNATIVES CONSIDERED**

An alternative would be to reject the amendment and reinitiate the RFP process.

The City's CEQA guidelines do allow environmental documents to be prepared by in-house staff. However, the nature, scope, and complexity of this project and current staff demands do not make this a viable or practical option.

### **FISCAL REVIEW**

There is no fiscal impact because the cost for this contract is **100%** funded by the applicant and deposited in a City account that is managed by the project planner.

### **LEGAL REVIEW**

The attached draft professional services agreement has been reviewed and approved as to the form by the City Attorney's Office. There is no adverse legal impact anticipated by the Council taking the recommended action(s), based upon the documents and information provided to this office.

### **CONCLUSION**

Staff recommends that the amendment be approved to allow the consultant to complete the work in a comprehensive and timely manner, based on their relevant experience and technical expertise.

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GARY ARMSTRONG, AICP  
Economic Development & Development  
Services Director/Deputy CEO

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STEPHEN DUNIVENT  
Interim Finance Director

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MEL LEE, AICP  
Senior Planner

Attachment: [Draft Professional Services Agreement Amendment No. 1](#)

cc: Chief Executive Officer  
Assistant Chief Executive Officer  
Development Services Director/Deputy CEO

Interim Assistant Development Services Director  
Interim Finance Director  
City Attorney  
Public Services Director  
Transportation Svs. Mgr.  
City Engineer  
City Clerk  
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File

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