

RESOLUTION NO. RES-2024-169

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA FINDING PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15168 AND 15162 THAT THE HEARN COMMUNITY HUB PROJECT IS WITHIN THE SCOPE OF THE PREVIOUSLY CERTIFIED 2016 PROGRAM EIR FOR THE ROSELAND AREA/SEBASTOPOL ROAD AND ROSELAND AREA ANNEXATION PROJECTS SPECIFIC PLAN AND THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED AS DOCUMENTED IN THE CEQA CHECKLIST; AWARDING DESIGN-BUILD CONTRACT C02412, HEARN COMMUNITY HUB PHASE 1 (PROJECT), IN THE AMOUNT OF \$31,000,000 TO THE BEST VALUE DESIGN-BUILD ENTITY, SWINERTON INCORPORATED (SWINERTON BUILDERS) OF SACRAMENTO, CALIFORNIA, APPROVE A 6.4% CONTINGENCY IN THE AMOUNT OF \$2,000,000 FOR A TOTAL CONTRACT AMOUNT OF \$33,000,000, AND AUTHORIZE THE CITY MANAGER OR DESIGNEE TO NEGOTIATE AND EXECUTE THE DESIGN-BUILD CONTRACT WITH SWINERTON INCORPORATED AND ANY AMENDMENTS THERETO AND ANY RELATED AGREEMENTS PERTAINING TO ADDITIVE ENHANCEMENTS, VOLUNTARY ENHANCEMENTS AND ADDITIVE ALTERNATES; AMENDING THE FISCAL YEAR (FY) 2024-25 BUDGET TO INCREASE APPROPRIATIONS IN THE AMOUNT OF \$3,000,000, FROM THE PUBLIC SAFETY AND PREVENTION (PSAP)-FIRE FUND RESERVES; AND APPROVING THE AGREEMENT FOR DEVELOPMENT AND CONSTRUCTION OF A REGIONAL LIBRARY BRANCH IN SOUTHWEST SANTA ROSA WITH THE SONOMA COUNTY LIBRARY AND AUTHORIZE THE CITY MANAGER TO EXECUTE SUCH AGREEMENT, TO NEGOTIATE AND EXECUTE ALL RELATED AGREEMENTS, DOCUMENTS AND ANY AMENDMENTS THERETO WITH THE SONOMA COUNTY LIBRARY REQUIRED TO RECEIVE ANY ADDITIONAL FUNDING FROM THE SONOMA COUNTY LIBRARY AND TO INCREASE APPROPRIATIONS FOR REVENUE, TRANSFERS AND EXPENDITURES RELATED TO SUCH FUNDING

WHEREAS, on July 13, December 7 and 21, 2021, in closed session, Council gave direction to staff on price and terms to negotiate the purchase of 976, 980 and 1004 Hearn Avenue; and

WHEREAS, on January 11, 2022, Council approved the acquisition of 976, 980 and 1004 Hearn Avenue, an approximately six-acre site, for multiple future public uses including but not limited to the Dutton Avenue extension, the Colgan Creek multi-use path extension, relocation of Fire Station 8, a library, a multicultural community center and an aquatics facility (Project); and

WHEREAS, on February 15, 2022, Council amended the City Classification and Salary Plan for permanent budgeted positions as follows:

- Add 1.0 Full Time Equivalent (FTE) Media Services Technician Limited Term, expiring June 30, 2025, Unit 7 Technical, in the Information Technology Department; and

WHEREAS, on February 15, 2022, Council authorized the City Manager to implement these changes consistent with the orderly and continual administration of the City's

Classification and Salary Plan; and

WHEREAS, on June 21, 2022, the Council approved and authorized the City Manager or designee to negotiate and execute a Professional Services Agreement with RossDrulisCusenbery Architecture, Inc., a Sonoma, California firm, for the completion of the Hearn Community Hub – Needs Assessment and Collaboration Project; and

WHEREAS, on July 12, 2022, Council increased appropriations by \$10,000,000, using PG&E settlement funds assigned in the General Fund reserves, for the Roseland Library project; and

WHEREAS, on January 10, 2023, Council: 1) approved the use of the Design-Build procurement method as in the best interest of the City; 2) authorized issuance of a Design-Build Request for Proposals for the Hearn Community Hub; and 3) approved a Professional Services Agreement with Group 4 Architecture Research + Planning, Inc. of South San Francisco, California, to provide preliminary architectural/engineering design and Design-Build bridging documents; and

WHEREAS, on February 28, 2023, Council authorized the City Manager to negotiate and execute an agreement with Kitchell/CEM, Inc. using the City's Standard Professional Services Agreement, in a not to exceed amount of \$5,812,022 for technical advisory, project management, construction management and inspection services for the Hearn Community Hub, subject to approval as to form by the City Attorney; and

WHEREAS, on July 11, 2023, Council: 1) accepted a grant award from the California State Library Targeted State Grants for construction of the new permanent library within the Hearn Community Hub in the amount of \$5,000,000; 2) authorized the Assistant City Manager, or designee, to execute all related documents required for receiving such funds; and 3) authorized the City Manager to increase appropriations to account number 17662 by the amount of the grant award; and

WHEREAS, the City previously prepared and certified a programmatic-level Environmental Impact Report (Program EIR) which fully analyzed the potential environmental impacts associated with the Roseland Area/Sebastopol Road and Roseland Area Annexation Projects Specific Plan, including certain roadway improvements and a variety of municipal and public uses, pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, on October 18, 2016, the City certified the Program EIR (State Clearinghouse No. 2016012030) and approved the Specific Plan; and

WHEREAS, the City has prepared a 2024 CEQA Checklist for the Project, attached as Attachment #1 to the staff report for this item, which demonstrates that the Project is within the scope of the 2016 Program EIR pursuant to State CEQA Guidelines section 15168 and that no further CEQA review is required for the design and construction of the Project, pursuant to State CEQA Guidelines section 15162; and

WHEREAS, Council approved and authorized the City Manager to negotiate and execute an agreement with Kitchell/CEM Inc. for technical advisory, project management, construction management and inspection services for the Hearn Community Hub Project; and

WHEREAS, a Selection Committee, comprised of five (5) members, was formed to review, score and rank Statements of Qualifications and Proposals received from Design-Builders; and

WHEREAS, on February 13, 2024, staff released the Design-Build Request for Qualifications and in response received ten Statements of Qualifications; and

WHEREAS, the Selection Committee recommended three Design-Builders be invited to submit proposals in response to the Request for Proposals; and

WHEREAS, the Request for Proposals was released on June 12, 2024 to the three pre-qualified Design-Builders and on August 28, 2024, the City received three proposals. Upon the project team's initial review of proposals, Design-Builders were allowed the opportunity to revise their proposals in hopes of fully aligning proposals with the Stipulated Sum; revised proposals were received on September 11, 2024; and

WHEREAS, the Selection Committee reviewed, scored and ranked proposals and interviewed the three Design-Builders; and

WHEREAS, the Selection Committee recommends awarding a Design-Build contract to Swinerton Incorporated (Swinerton Builders) of Sacramento, California to design and construct the Hearn Community Hub.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa finds based on substantial evidence in the record, including but not limited to the previously certified 2016 Program EIR for the Roseland Area/Sebastopol Road and Roseland Area Annexation Projects Specific Plan, the staff report, and the CEQA Checklist prepared for the Project, that the Project is within the scope of the previously certified Program EIR pursuant to State CEQA Guidelines Section 15168 and that no further environmental review of the Project is required under CEQA pursuant to State CEQA Guidelines section 15162.

BE IT FURTHER RESOLVED that the Council awards Design-Build contract No. C02412, Hearn Community Hub Phase 1, in the amount of \$31,000,000 to the best value Design-Build entity, Swinerton Incorporated (Swinerton Builders) of Sacramento, California, approves a 6.4 % contract contingency in the amount of \$2,000,000 for a total contract amount of \$33,000,000, and authorizes the City Manager to negotiate and execute the Design-Build Contract with Swinerton Incorporated and any amendments thereto and any related agreements pertaining to Additive Enhancements, Voluntary Enhancements and Additive Alternates, subject to approval as to form by the City Attorney.

BE IT FURTHER RESOLVED that the Council hereby amends the Fiscal Year (FY) 2024-25 budget to increase appropriations in the amount of \$3,000,000, from the Public Safety

and Prevention (PSAP)-fire fund reserves.

BE IT FURTHER RESOLVED that the Council hereby approves the Agreement for Development and Construction of a Regional Library Branch in Southwest Santa Rosa with the Sonoma County Library substantially in the form attached hereto as Exhibit “A” and authorizes the City Manager to execute such agreement, to negotiate and execute all related agreements, documents and any amendments thereto with the Sonoma County Library required to receive any additional funding from the Sonoma County Library, subject to approval as to form by the City Attorney, and to increase appropriations for revenue, transfers and expenditures related to such funding.

IN COUNCIL DULY PASSED this 22nd day of October, 2024.

AYES: (7) Mayor N. Rogers, Vice Mayor Stapp, Council Members Alvarez, Fleming, MacDonald, Okrepkie, C. Rogers

NOES: (0)

ABSENT: (0)

ABSTAIN/RECUSE: (0)

ATTEST: _____ APPROVED: _____
Deputy City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A – Cooperative Funding Agreement for Library