

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: KRISTINAE TOOMIANS, SENIOR PLANNER
PLANNING AND ECONOMIC DEVELOPMENT
SUBJECT: FIFTH AMENDMENT TO PROFESSIONAL SERVICES
AGREEMENT NUMBER F00141 WITH FCS INTERNATIONAL,
INC. DBA FIRSTCARBON SOLUTIONS

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve the Fifth Amendment to Professional Services Agreement Number F001410 with FCS International, Inc. dba FirstCarbon Solutions, for preparation of an Environmental Impact Report for the Elnoka Continuing Care Retirement Community, adding additional services, increasing compensation by \$93,385, for a total contracted amount not to exceed \$674,379, and extending the time of performance to June 30, 2022.

EXECUTIVE SUMMARY

This action will amend an agreement with FCS International, Inc. dba FirstCarbon Solutions, for preparation of an Environmental Impact Report (EIR) for the Elnoka Continuing Care Retirement Community project for the purposes of adding to the scope of services, increasing compensation, and extending the time of performance.

BACKGROUND

In June 1993, Planned Development zoning, and an associated Policy Statement and development plan, was adopted for the subject 68-acre area, as part of the Pacific LifeCare project. The purpose of the Planned Development was to provide residential care and services to seniors licensed by the State of California. Grading for the project was initiated, which is evident on the site today, but the project was never completed.

In 2002, the site's current General Plan designations were established as part of the comprehensive General Plan Update. Prior to 2002, the site was designated for Very Low Density Residential development. As part of the update, 9.2 acres of the project site were designated Medium Density Residential and areas of the site west of Elnoka

Lane and north of Road A were designated Low Density Residential. The Medium Density Residential designation was intended to plan for and facilitate higher density residential development to achieve sufficient residential units citywide to meet State requirements.

In July 2008, the City Council approved rezoning of 8.98 acres of the site to Multi-Family Residential (R-3-18), consistent with the Medium Density Residential General Plan land use designation.

In September 2008, a new project was submitted for an approximately 12.74-acre area of the site, located at 251 Elnoka Lane, at the Highway 12 frontage. The proposed project included a request to construct 209 multi-family residential units, and approximately 5,000 square-feet of neighborhood center uses. An EIR was prepared for the project; however, the EIR, which was prepared by FirstCarbon Solutions, was not certified.

In September 2014, the applicant submitted a General Plan Amendment requesting that Figure 7-3 (Slope/Ridgelines) of the General Plan 2035 be modified to remove a designated Ridgeline on the project site. The request was denied by the Planning Commission in February 2015, with the decision being upheld by the City Council in April 2015.

On September 1, 2016, the Design Review Board provided comments through the Concept Design Review process for the current project, which would include a combination of senior apartment units, senior care center units, detached senior cottages, and employee housing on the 68-acre site.

On September 6, 2016, the applicant submitted a memo from FirstCarbon Solutions outlining their familiarity of the project site and requesting that they be selected to provide environmental consulting services for the proposed project.

On October 4, 2016, a Pre-Application meeting was held with City staff to provide initial feedback on the preliminary plans.

On October 5, 2016, a Neighborhood Meeting was held in the Oakmont community to provide an opportunity for surrounding property owners to learn about the conceptual project and provide comments. Approximately 90 people attended the meeting.

On February 22, 2017, FirstCarbon Solutions submitted a scope of services, schedule and budget for the preparation of an EIR for the proposed Elnoka Continuing Care Retirement Community.

On March 22, 2017, the applicant submitted the Pre-EIR Administration fees necessary for staff to process the Professional Services Agreement with FirstCarbon Solutions.

On May 16, 2017, the City Council adopted a resolution to: (1) waive competitive bidding and award a contract with FCS International, Inc. (FirstCarbon Solutions), of Irvine, California in the amount of \$303,400, for preparation of the Elnoka Continuing Care Retirement Community Environmental Impact Report development of the EIR; (2) amend the fiscal year (FY) 2016-17 budget to recognize revenue of \$303,400 and appropriate \$303,400 for the contracted services; and (3) authorize the Mayor to execute the Professional Services Agreement (PSA)

On June 30, 2019, the PSA was amended for the purpose of adding to the scope of services, increasing compensation by \$59,800, and extending the time of performance to December 31, 2019.

On February 18, 2020, the PSA was amended for the purpose of adding to the scope of services, increasing compensation by \$159,849, and extending the time of performance to July 1, 2020.

On October 20, 2020, the PSA was amended for the purpose of adding to the scope of services, increasing compensation by \$57,945, and extending the time of performance to December 31, 2020.

On February 5, 2021, the PSA was amended for the purpose of extending the time of performance to December 31, 2021.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

1. Amending the existing Agreement with FCS International, Inc. will allow the Department to continue working on the EIR for the Elnoka Continuing Care Retirement Community project.
2. The Department entered into the original Professional Services Agreement with FCS International, Inc. on May 16, 2017. The agreement was amended four times for the purposes of adding to the scope of services, increasing compensation, and extending the time of performance (as outlined above). This fifth amendment will: include additional services to the scope of services; increase the compensation by \$93,385, for a total contracted amount not to exceed \$674,379; and will extend the time of performance to June 30, 2022
3. The City Attorney's Office has reviewed and approved the Fifth Amendment to the Professional Services Agreement and upon Council approval, it is ready for execution by all parties.

FISCAL IMPACT

Funding for the preparation of the EIR will be provided in its entirety by Oakmont Senior Living, LLC. The proposed budget amendment will recognize the anticipated revenue of \$674,379 and appropriate funds to pay for the contracted services. There is no impact to the General Fund from this budget amendment.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines Section 15378.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Resolution/Exhibit A – Fifth Amendment to Professional Services Agreement Number F001410 with FCS International, Inc. dba FirstCarbon Solutions

CONTACT

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