

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: SUSIE MURRAY, SENIOR PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT  
SUBJECT: SECOND AMENDMENT TO PROFESSIONAL SERVICES  
AGREEMENT NUMBER F001410 WITH FCS INTERNATIONAL,  
INC., DBA FIRST CARBON SOLUTIONS, FOR PREPARATION  
OF AN ENVIRONMENTAL IMPACT REPORT AND RELATED  
SERVICES ASSOCIATED WITH THE PROPOSED ELNOKA  
CONTINUING CARE RETIREMENT COMMUNITY  
DEVELOPMENT PROJECT

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a Second Amendment to Professional Services Agreement Number F001410 with FCS International, Inc., dba First Carbon Solutions, of Irvine, California, for preparation of an Environmental Impact Report (EIR) and related services associated with the proposed Elnoka Continuing Care Retirement Community development project, increasing compensation is the amount of \$159,849 for a total amount not to exceed \$523,049, and extending the time of performance of services to July 1, 2020.

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EXECUTIVE SUMMARY

This Resolution will amend the contract with FCS International for environmental review services adding \$159,849 to contract amount and extend the performance period to July 1, 2020. All funds will be provided by Oakmont Senior Living (OSL), the applicant for the proposed Elnoka Continuing Care Retirement Community (Elnoka CCRC) development project, for which an EIR is being prepared.

BACKGROUND

On May 16, 2017, the Council approved a waiver of competitive bidding and authorized the Mayor to execute an Agreement for Professional Services with FCS International, in the amount of \$303,400, for preparation of the Environmental Impact Report for the proposed Elnoka CCRC.

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001410 WITH FCS INTERNATIONAL, DBA FIRST CARBON SOLUTIONS, FOR PREPARATION OF AN EIR AND RELATED SERVICES ASSOCIATED WITH THE PROPOSED ELNOKA CCRC DEVELOPMENT PROJECT  
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On May 25, 2017, the Department of Planning and Economic Development (PED) received Conditional Use Permit, Design Review and Hillside Development Permit applications from OSL associated with the proposed Elnoka CCRC.

In January 2019, a comprehensive update to the California Environmental Quality Act (CEQA) resulting in significant changes to the CEQA Appendix G checklist went into effect adding new, and modifying existing, environmental review criteria.

On January 24, 2019, PED received a companion Rezoning application from OSL for the project.

On February 26, 2019, Gloria Hurtado, Deputy City Manager, approved the first amendment to the contract in the amount of \$59,800, which did not require Council approval because it did not exceed \$100,000 over the initial approved amount.

During the Spring, Summer and Fall of 2019, several events occurred resulting in the need for additional analysis and another increase the subject contract, this time in the amount of \$159,849:

- Graton Rancheria requested consultation in compliance with AB52, including a K9 search of the development site;
- CalTrans, the applicant's consultant team and City staff have been working together to determine appropriate traffic mitigation measures along the Highway 12 corridor; and
- The adoption of the Bicycle & Pedestrian Master Plan, which added a requirement for a feasibility study for a bicycle and pedestrian path connecting Highway 12 to Channel Drive.

On November 20, 2019, the City received additional funds in the amount of \$159,849 from OSL, which has been deposited to bridge the gap between the original contract amount plus the first amendment, and the total amended contract amount of \$523,049.

#### PRIOR CITY COUNCIL REVIEW

As referenced above, at its May 16, 2017, meeting, the Council approved a waiver of competitive bidding and authorized the Mayor to execute an Agreement for Professional Services with FCS International, for preparation of the Elnoka CCRC EIR.

#### ANALYSIS

1. The proposed Professional Service Agreement involves the preparation of the Elnoka Continuing Care Retirement Community EIR, which includes all required meetings, project management, acquisition of technical documents, and

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publishing of environmental documents as outlined in the attached scope of work and schedule.

2. The total cost for preparation of the EIR, including a 10% contingency, is \$523,049, all of which will be paid for by the project applicant. Pursuant to Council Policy 600-01 (Professional Services), when a proposed change to a previously approved contract exceeds \$100,000, approval must be granted by the City Council.

### ENVIRONMENT REVIEW

The proposed action is exempt from the provisions of the California Environmental Quality Act (CEQA) under section 15061(b)(3) and 15378 in that there is no possibility that the implementation of this action may have significant effects on the environment, and that no further environmental review is required.

### FISCAL IMPACT

Approval of this request to increase the contract amount will not have an impact on the General Fund; all funding for the preparation of the Draft EIR will be provided in its entirety by the applicant.

### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

### NOTIFICATION

Not applicable.

### ATTACHMENTS

Attachment 1: Approved Contract, dated May 16, 2017  
Attachment 2: First Amendment, dated February 26, 2019  
Resolution / Exhibit A: Second Amendment including Exhibit A-2

### CONTACT

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