

RESOLUTION NO. RES-2019-186

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT NUMBER F001410 WITH FCS INTERNATIONAL, INC., DBA FIRSTCARBON SOLUTIONS, FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND RELATED SERVICES ASSOCIATED WITH THE PROPOSED ELNOKA CONTINUING CARE RETIREMENT COMMUNITY DEVELOPMENT PROJECT

WHEREAS, on May 16, 2017, Council waived competitive bidding and approved Professional Services Agreement Number F001410 (Agreement) with FCS International for the preparation of the Elnoka Continuing Care Retirement Community (Elnoka CCRC) Environmental Impact Report (EIR) in an amount not to exceed \$303,400 as in the best interests of the City; and

WHEREAS, on May 25, 2017, the Planning and Economic Development Department (PED) received Conditional Use Permit, Design Review and Hillside Development Permit applications from Oakmont Senior Living for the proposed Elnoka CCRC development project. On January 24, 2019, PED received a Rezoning application for the project; and

WHEREAS, on February 26, 2019, Gloria Hurtado, Deputy City Manager, approved the first amendment to the Agreement in the amount of \$59,800 pursuant to the procedures set forth in Council Policy 600-01; and

WHEREAS, due to a comprehensive update to the California Environmental Quality Act (CEQA) Appendix G Checklist; adoption of the City's Bicycle and Pedestrian Master Plan; and a request from Graton Rancheria for consultation in compliance with Assembly Bill 52, additional environmental review is required for the preparation of the EIR for the Elnoka CCRC development project. Accordingly, Planning and Economic Development staff has requested that Council approval of the Second Amendment in the amount of \$159,849, increasing the total Agreement to a value not to exceed \$523,049, and extend the time of performance to July 1, 2020; and

WHEREAS, Oakmont Senior Living, applicant, has paid the City of Santa Rosa \$523,049, in three installments, to fund the entire Agreement for the preparation for the Elnoka CCRC EIR.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves the Second Amendment to Professional Services Agreement Number F001410 with FCS International, Inc. dba FirstCarbon Solutions attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that Exhibit A is made a part of this Resolution.

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BE IT FURTHER RESOLVED that the Council authorizes the Chief Financial Officer to pay all proper claims for this Agreement, as amended, from project JL Key 08007-5320.

IN COUNCIL DULY PASSED this 17th day of December, 2019.

AYES: (6) Mayor Schwedhelm, Vice Mayor Fleming, Council Members Olivares, Rogers, Sawyer, Tibbetts

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
Acting City Clerk Mayor

APPROVED AS TO FORM:

City Attorney

Exhibit A – Second Amendment to Professional Services Agreement number F001410 with FCS International, DBA FirstCarbon Solutions