

RESOLUTION NO. 5346

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
AUTHORIZING AND APPROVING EXECUTION OF CONTRACT
AMENDMENT #2 FOR PROFESSIONAL SERVICES WITH EMC PLANNING
GROUP, INC. IN AN AMOUNT NOT TO EXCEED \$123,000 TO PROVIDE
CONTRACT PLANNING SERVICES FOR THE MIRAMONTE (FORMER
MIRAVALE III) PROJECT**

WHEREAS, the City has received a request from Mr. Nader Agha (“Applicant”) to process a Specific Plan, Vesting Tentative Map, related General Plan amendments and pre-zoning (“Project”) to facilitate development of the Miramonte (Former Miravale III) property, approximately 920 acres currently outside the City’s boundaries and Sphere of Influence; and

WHEREAS, the City selected EMC Planning Group, Inc. to provide planning services for the Project, in the base contract amount of \$227,724 and with approved amendments \$253,987; and

WHEREAS, Staff has received a request from EMC to amend the existing Professional Services Contract to allow additional tasks to be performed at the request of the applicant, for a cost not to exceed \$123,000.00; and

WHEREAS, funding for the Contract will be paid entirely by the Applicant through a Reimbursement Agreement.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad that an Amendment to the Agreement between the City and EMC Planning Group, Inc., in an amount not to exceed \$123,000, a copy of which is attached hereto as **Exhibit A** and by this reference incorporated herein, is hereby approved and the City Manager is authorized and directed to execute the same on Behalf of the City.


PASSED AND ADOPTED at a regular meeting of the City Council of the City of Soledad duly held on the 4th day of October, 2017, by the following vote:

AYES, and in favor thereof, Councilmembers: Carla Stewart, Christopher Bourke, Mayor Pro Tem Alejandro Chavez, Anna Velazquez and Mayor Fred Ledesma

NOES, Councilmembers: None

ABSENT, Councilmembers: None

ABSTAIN, Councilmembers: None


FRED LEDESMA, Mayor

ATTEST:



MICHAEL McHATTEN, City Clerk



Planning for Success.

August 23, 2017

HAND DELIVERY

Brent Slama, Community Development Director
City of Soledad
248 Main Street
Soledad, CA 93960

Re: Proposed Amendment No. 2 to Consultant Services Agreement between the City of Soledad and EMC Planning Group for Planning Staff Assistance and Preparation of CEQA Documentation for the Miramonte Specific Plan Project

Dear Brent,

This letter requests an amendment to the above-referenced contract for the provision of additional tasks performed in response to requests from the applicant for the proposed Miramonte Specific Plan (formerly Miravale III Specific Plan). The contract amendment request is for the following actions, which are based on the applicant's requests to accelerate the project and CEQA review schedule despite not having the required level of detail in the proposed tentative map and plan for services that were initially to be provided by the applicant's engineer. EMC Planning Group responded to this request in good faith by temporarily "backing out" costs for future budget items to cover the unanticipated costs incurred for the following items:

1. Update the Plan for Services that were prepared by Bestor Engineers. The plan for services submitted with the applications did not adequately describe current conditions in the City of Soledad, the project's service demands, and how services would be provided to the project site. This task was anticipated to be completed by the applicant's engineer. The applicant requested that this task be wholly conducted by EMC Planning Group as part of the contract planning services task. Cost: \$12,000.00 including graphics, printing and production costs.

EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue, Suite C, Monterey, California 93940 Tel: 831-649-1799 Fax: 831-649-8399
www.emcplanning.com

2. Provide additional unanticipated project description development and site planning assistance beyond that requested in the approved amendment request number 1. The tentative map submitted with the application requires modification prior to recordation of the final map. The approved scope assumes that the applicant's engineer would provide all changes to the tentative map prior to consideration of the specific plan by City decision-makers. The applicant instead requested that EMC Planning Group provide additional project description development services and site planning guidance, in order to move the project forward. Cost for this unanticipated effort: \$23,000 including graphics assistance, production and printing costs.
3. Unanticipated effort to revise the updated specific plan to reflect the smaller project and unanticipated changes to the TM and site plan. The cost for this unanticipated task is \$18,000 and includes graphics revisions, production and printing costs.
4. Provide additional project description development services and circulation planning by the traffic subconsultant, in the absence of detailed circulation design that was originally assumed to be provided by the applicant's engineer. Incorporate updated project information and vicinity conditions into traffic report. Cost for this unanticipated effort: \$16,000 and includes graphics and production costs.
5. Finalize TIA. Respond to comments on the administrative draft TIA and finalize report. The cost for this task is \$11,000, and assumes that an EIR Addendum will be certified by the City.
6. Unanticipated level of effort needed to address the current project in the CEQA document based on the accelerated timeline requested by the applicant, lack of detailed engineering plans, and unanticipated changes in existing conditions for the current project. The cost for this task is \$17,000.00 including production and printing costs, and assuming one review round by city staff.
7. Unanticipated level of effort in staff review and preparation of staff reports, conditions of approval, CEQA Findings, MMRP, resolutions, based on the modified application processing approach (to condition the final map) in response to the applicant's request without the participation of the applicant's engineer. The cost for this unanticipated task \$26,000. .

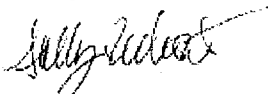
The following table presents a summary of the budget and amendment.

Brent Slama
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Table Heading	
Original Contract	\$227,724.00
Consulting Services Agreement Amendment #1	\$26,263.00
Consulting Services Agreement Amendment #2	\$123,000.00
Total	\$ 376,987.00

We look forward to receiving the executed contract amendment.

Sincerely,



Sally Rideout EMFA
Principal Planner

