



Legislation Details (With Text)

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**On agenda:** 1/15/2019      **Final action:** 1/15/2019  
**Title:** Action on Amendment No 2. to the Agreement for Professional Services with Perkins + Will for preparation of the Tasman East Specific Plan and Related Budget Amendment

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Perkins + Will draft Contract Amendment No. 2 .pdf, 2. Perkins and Will Fully Executed Agreement, 3. Perkins and Will Contract Amendment No 1.pdf

Date	Ver.	Action By	Action	Result
1/15/2019	1	City Council and Authorities Concurrent	Approved	

**REPORT TO COUNCIL**

**SUBJECT**

Action on Amendment No 2. to the Agreement for Professional Services with Perkins + Will for preparation of the Tasman East Specific Plan and Related Budget Amendment

**BACKGROUND**

The Tasman East Specific Plan will guide the transition of an underutilized 45-acre industrial neighborhood east of the Lawrence Caltrain Station into a pedestrian-friendly, transit oriented development, providing for the addition of 4,500 new residential units in close proximity to transit and jobs. Preparation of the Tasman East Specific Plan is called for in the General Plan as a prerequisite to the redevelopment of this low-intensity industrial area for residential use.

The Specific Plan is intended to support the development of a lively neighborhood that along with the 4,500 new residential dwelling units, also incorporates approximately 100,000 square feet of neighborhood-oriented and convenience retail and 10 acres of open space including various outdoor recreational facilities and landscape features, such as a community garden, a public plaza, pocket parks and paseos.

On April 18, 2016, the City Council awarded a \$759,425 contract to Perkins + Will to assist staff with preparation of the Specific Plan along with preparation of an associated EIR. On October 24, 2017, the City Council approved Amendment No. 1 to the Agreement for Professional Services with Perkins + Will, Inc. Amendment No. 1 Increased the total Not-to-Exceed amount by \$194,870 to a total amount of \$954,295 to allow completion of the Tasman East Specific Plan and associated Environmental Impact Report (EIR), which included additional traffic modeling to update the traffic impact analysis, updating of the air quality and noise technical reports, and providing an alternative technical analysis to determine the Plan’s impact on greenhouse gas emissions, as well as to make substantial text revisions to the EIR and the Specific Plan documents.

**DISCUSSION**

Staff is recommending that the City Council approve a contract amendment to allow for payment to the Perkins + Will for the final costs of the Plan preparation, including additional outreach with key stakeholders and environmental analysis that was needed to complete the Specific Plan process. The proposed contract amendment for \$186,587 would increase the total consultant costs to \$1,140,882 for the preparation of the Specific Plan and associated EIR. The increased costs correspond to an increase in the consultant work scope to address expanded review of the Specific Plan design standards with developer stakeholders, additional analysis of the roadway network modifications, a request from the Santa Clara Unified School District to analyze a 600-student school within the plan, and land use plan revisions to accommodate additional parkland requirements which arose from City Council feedback at study sessions.

The additional services include consultant support at public meetings and with the developer stakeholder group, preparation of responses to stakeholders and staff as part of input and review on the Specific Plan process, rewriting portions of the EIR in response to the expanded scope, including the need to describe and analyze a possible 600-student school, and preparation of the Final EIR including in depth coordination with the City’s outside counsel.

California Government Code section 65456 allows cities to recover costs for preparation, adoption, and administration of a Specific Plan, which includes preparation of the supporting EIR including the additional contract costs described in this Report. Government Code 66016(a) states that proposed fee information should be available to the public at least 10 days in advance of a public meeting on the topic. Current project applicants within the Tasman East Specific Plan area have been notified of the fee and had an opportunity to discuss the fee with City staff. The developers who will pay this fee directly benefit from the expanded project scope in that it provides for additional engagement between them and the project consultant and preparation of a better EIR document to support their future development activities. The Specific Plan provides strong design direction for development proposals and is the foundation of a clear, streamlined approval development approval process.

**ENVIRONMENTAL REVIEW**

The Tasman East Specific Plan was analyzed under an Environmental Impact Report (EIR) adopted and certified by the City Council on November 13, 2018.

**FISCAL IMPACT**

The amended agreement will cost an additional \$186,587. Private entities will process entitlements for their project sites subsequent to the adoption of the specific plan and EIR, and will be responsible for the payment of a specific plan fee that will reimburse the City’s Building Inspection Reserves account, as applicable.

**BUDGET AMENDMENT  
FY 2018/19**

Current	Increase/ (Decrease)	Revised
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**Fund 063 - Building Inspection Reserves**

Transfers Out

Intra Trs Out - Misc (89990-(I)TO25B)	\$3,177,658	\$186,587	\$3,364,245
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Reserve

Reserve Account (44465)	\$12,741,482	(\$186,587)	\$12,554,895
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**Fund 001 - General Fund**

Transfers In

Intra Trs In - Misc (59940-(I)TO025A)	\$3,177,658	\$186,587	\$3,364,245
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Expenditures

Program 5523 (Advanced Planning)			
Contractual Srvcs (87870)	\$325,500	\$186,587	\$512,087

**COORDINATION**

The proposed contract amendment was coordinated with the City Attorney's Office and the Finance Department.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

1. Approve and authorize the City Manager to execute Amendment No. 2 to the Agreement for Professional Services with Perkins + Will, Inc. to complete the Tasman East Specific Plan and Environmental Impact Report (EIR), increasing the not-to-exceed cost by \$186,587 to a revised total of \$1,140,882; and
2. Approve appropriations of an additional \$186,587 in contractual services for the Tasman East Specific Plan funded by a transfer from the Building Inspection Reserves account.

Reviewed by: Andrew Crabtree, Director, Community Development Department  
Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Perkins + Will draft Contract Amendment No. 2
2. Perkins + Will fully executed agreement for Tasman East
2. Perkins + Will Contract Amendment No.1