



# City of Santa Clara

1500 Warburton Avenue  
Santa Clara, CA 95050  
[santaclaraca.gov](http://santaclaraca.gov)  
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## Agenda Report

20-128

Agenda Date: 2/11/2020

### REPORT TO COUNCIL

#### SUBJECT

Action on Amendment No. 3 to the Amended and Restated Agreement with Environmental Risk Services for Consulting Services for the Related Santa Clara Development Project [Council Pillar: Promote and Enhance Economic and Housing Development]

#### BACKGROUND

In July 2018, the City entered into an agreement with Environmental Risk Services (ERS) to provide consulting services to assist the City in the evaluation of environmental risk for the Related Santa Clara project. The agreement was amended on February 12, 2019 to update the scope of work and increase the contract amount. The agreement was further amended on July 25, 2019 to increase the contract amount.

ERS is a multidisciplinary environmental science, engineering, and land-use planning company. The company provides expert technical and strategic services to assess, manage, reduce, and/or leverage environmental risks and liabilities associated with hydrogeology, geochemistry, geophysics, remediation engineering, and risk assessment.

#### DISCUSSION

ERS has been providing the City with highly specialized technical services related to the City's current and ongoing obligations associated with its ownership of the all-purpose landfill under the Related Santa Clara project site (currently used as Santa Clara Golf & Tennis). ERS has also been assisting the City with strategic review and communication of documents between State of California regulatory agencies and with Related Companies (Related), the developer of the Related Santa Clara project.

The work with the State regulatory agencies is not complete and ERS' technical expertise is anticipated to be necessary to secure approvals. In addition, work is ongoing with Related to document the City's and Related's shared environmental responsibilities and a corresponding risk management program. Approval of Amendment No. 3 would allow the City to continue to access ERS' services for this scope through December 31, 2020.

#### ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of a California Environmental Quality Act ("CEQA") pursuant to the CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

#### FISCAL IMPACT

There is no fiscal impact associated with the approval of this item other than Staff time.

**COORDINATION**

This report has been coordinated with the City Attorney's Office.

**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) or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Approve and authorize the City Manager to execute Amendment No. 3 to the Amended and Restated Agreement with Environmental Risk Services for Consulting Services for the Related Santa Clara Development Project to extend the term through December 31, 2020.

Reviewed by: Ruth Shikada, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Amendment No. 3 to Amended and Restated Agreement with Environmental Risk Services