

RESOLUTION NO. 2017-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING AGREEMENT BETWEEN RINCON CONSULTANTS INC. AND THE CITY OF MARINA FOR PLANNING CONSULTING SERVICES RELATED TO THE TATE/HASAN/RIGHELLO GENERAL PLAN AMENDMENT AND REZONING REQUESTS FOR PROPERTIES LOCATED AT 428-432 RESERVATION ROAD, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY.

WHEREAS, in January of 2017, the City entered into an agreement with Rincon Consultants Inc. to prepare an Initial Study and Negative Declaration and to provide AB52 Native American consultation assistance for the Tate/Hasan/Righello General Plan Amendment and Rezoning Request for properties located at 428-432 Reservation Road. The contract amount was under \$25,000 and therefore did not require approval by City Council, and;

WHEREAS, near the completion of the preparation of the Initial Study, the applicant amended the project description and scope, which, in turn, resulted in revisions to the environmental document. The additional services bring the contract amount to \$36,994, which requires City Council approval (“**EXHIBIT A**”), and;

WHEREAS, the City of Marina Planning Services Division determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 CEQA Guidelines Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Marina hereby:

1. Approves an agreement between Rincon Consultants, Inc. and the City of Marina for planning consulting services related to the Tate/Hasan/Righello General Plan Amendment and rezoning requests for properties located at 428-432 Reservation Road, and;
2. Authorizes the City Manager to execute the agreement on behalf of the City, subject to final review and approval by the City’s Attorney.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 6th day of June, 2017, by the following vote:

AYES, COUNCIL MEMBERS: Amadeo, Morton, O’Connell, Brown, Delgado

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

ABSTAIN, COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



"EXHIBIT A"

Rincon Consultants, Inc.

437 Figueroa Street, Suite 203
Monterey, California 93940

831 333 0310

FAX 333 0340

info@rinconconsultants.com

www.rinconconsultants.com

March 24, 2017
Project 16-03176

Christy Hopper, Planning Services Manager
City of Marina – Planning Services Division
Community Development Department
211 Hillcrest Avenue
Marina, California 93933

**Subject: Contract Amendment Request #1 for the
Tate/Hasan/Righello IS-MND**

Dear Ms. Hopper:

The purpose of this letter is to respond to the City's request for an amendment to the contract scope of work between Rincon Consultants, Inc. (Rincon) and the City of Marina, dated January 19, 2017, for the Tate/Hasan/Righello IS-MND. The current amendment would augment the IS-MND scope of work and budget in response to the revised project description.

REVISED SCOPE OF WORK

The Administrative IS-MND, submitted for review to the City on February 21, 2017, evaluated a General Plan Amendment from Visitor Serving Commercial to Multi-Family Residential and a zone change from C-1 and R-4 to R-4. The project applicant is requesting to amend the project description to instead change the General Plan designation to Multiple Use Commercial and the zoning designation to C-R. As a result of this change, revisions to the Administrative Draft IS-MND will be required.

In order to reflect the project description changes in the IS-MND, the following revisions would be necessary:

- *Coordinate the completion of an updated future buildout scenario table with the City.*
- *Revise text within the Project Description to accurately characterize the project as a change from visitor serving commercial to multi-use commercial, rather than multi-family residential. This will include revisions to four figures.*
- *Re-run CalEEMod for the air quality evaluation.*
- *Re-run HUD DNL calculations for the noise evaluation.*
- *Coordinate with the City's traffic engineer, Ron Marquez, on revisions to the traffic analysis, and incorporate these revisions into the Administrative IS-MND.*



- *Revise analysis throughout the Administrative IS-MND to reflect the revised project description and updated modeling. This will include revisions within the following sections: Aesthetics, Air Quality, Greenhouse Gas Emissions, Noise, Population and Housing, Transportation, Utilities and Service Systems, and Other CEQA Issues - Land Use Planning, Public Service, Recreation, and Mandatory Findings of Significance.*
- *Update figures within the Land Use section to reflect the current proposal.*
- *Additional project management to coordinate the preparation of a Revised Administrative Draft IS-MND and responses to additional City comments.*

The above revisions will be made to the Administrative Draft IS-MND and a Revised Administrative Draft IS-MND will be submitted for City review. This scope amendment request additionally includes revisions to the Revised Administrative Draft IS-MND pursuant to one round of City comments.

If, during the course of our analysis, we determine that any impacts may be significant and unavoidable, Rincon will alert the City immediately. A Focused EIR can be prepared pursuant to another contract amendment.

TIMELINE

The Revised Administrative IS-MND will be provided within four weeks of approval of this contract amendment request. This schedule will be initiated after the completion of an updated future buildout scenario table in coordination with the City.

FEE ESTIMATE

Our estimated cost to complete the above-outlined scope of work is **\$12,046**, as shown in the table below. When added to the current authorized budget of \$24,948, the total revised budget would be \$36,994.

**City of Marina****Tate/Hasan/Rigello General Plan Amendment and Zone Changes Project****Initial Study - Mitigated Negative Declaration****Cost Estimate - March 2017 Scope Amendment**

3/24/2017

Tasks	Cost	Hours	Rincon Consultants				
			Principal II \$220/hour	Sr. Prof II \$155/hour	Prof. Staff III \$120/hour	GIS II \$110/hour	Clerical I \$70/hour
1. Revised Administrative Draft IS-MND							
Introduction, Project Description	\$685	5		3		2	
Aesthetics	\$735	5	1	1	3		
Air Quality	\$910	7		2	5		
Greenhouse Gas Emissions	\$1,010	7	1	2	4		
Noise	\$1,130	8	1	2	5		
Population and Housing	\$790	6		2	4		
Traffic and Circulation (Rincon labor only)	\$635	5		1	4		
Utilities and Service Systems	\$1,010	7	1	2	4		
Other Checklist Issues (9)	\$1,085	8	1	1	5	1	
Screencheck AD IS-MND (respond to City's comments*)	\$1,575	12	1	1	10		
Project Management and Coordination	\$2,130	14	2	10			2
Subtotal Rincon Labor:	\$11,695	84	8	27	44	3	2
Additional Costs							
Supplies and Miscellaneous Expenses	\$351						
Subtotal Additional Costs:	\$351						
TOTAL: Labor + Additional Costs	\$12,046						

* one round of comments from the City

Current authorized budget	\$24,948
Estimate for revised scope of work	\$12,046
Grand Total	\$36,994

We appreciate your consideration of this request to add services. If you have any questions or would like any additional information, please contact us at your convenience.

Sincerely,
RINCON CONSULTANTS, INC.

Christy Sabdo, AICP
Senior Environmental Project Manager
831-333-0310, extension 351
csabdo@rinconconsultants.com

Stephen Svete, AICP, LEED AP ND
Principal
831-333-0130, extension 254
svete@rinconconsultants.com

May 16, 2017

Item No: **8g(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of June 6, 2017

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2017-
APPROVING AGREEMENT BETWEEN RINCON CONSULTANTS INC.
AND THE CITY OF MARINA FOR PLANNING CONSULTING
SERVICES RELATED TO THE TATE/HASAN/RIGHELLO GENERAL
PLAN AMENDMENT AND REZONING REQUESTS FOR PROPERTIES
LOCATED AT 428-432 RESERVATION ROAD, AND AUTHORIZING
THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF
OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE
CITY ATTORNEY.**

REQUEST:

It is requested that City Council consider:

1. Adopting Resolution No. 2017- approving an agreement between Rincon Consultants, Inc. and the City of Marina for planning consulting services related to the Tate/Hasan/Righello General Plan Amendment and rezoning requests for properties located at 428-432 Reservation Road, and;
2. Authorizing the City Manager to execute the agreement on behalf of the City subject to final review and approval by the City Attorney.

BACKGROUND:

In January of 2017, the City entered into an agreement with Rincon Consultants Inc. to prepare an Initial Study and Negative Declaration and to provide AB52 Native American consultation assistance for the Tate/Hasan/Righello General Plan Amendment and Rezoning Request for properties located at 428-432 Reservation Road. The contract amount was under \$25,000 and therefore did not require approval by City Council.

Near the completion of the preparation of the Initial Study, the applicant amended the project description and scope, which, in turn, resulted in revisions to the environmental document. The additional services bring the contract amount to \$36,994, which requires City Council approval (“**EXHIBIT A**” to Resolution).

ANALYSIS:

This contract is necessary to complete the environmental review of the project. As such, staff recommends approval of the agreement.

FISCAL IMPACT:

The cost for the professional services by Rincon Consulting, Inc. are covered by a fee agreement between the City and the applicant. Therefore, there is no fiscal impact.

CONCLUSION:

This request is submitted for City Council discussion and possible action.

Respectfully submitted,

Christy Hopper
Planning Services Manager
Community Development Department
City of Marina

REVIEWED/CONCUR:

J. Fred Aegerter, AICP
Community Development Director
Community Development Department
City of Marina

Layne P. Long
City Manager
City of Marina