

RESOLUTION NO. 2022-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN
AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 2 TO THE CONSULTANT
SERVICES AGREEMENT WITH DE NOVO PLANNING GROUP FOR THE PREPARATION OF AN
ENVIRONMENTAL IMPACT REPORT FOR THE COLLEGE PARK PROJECT AND AMENDMENT NO. 2
TO THE AGREEMENT WITH EVERGREEN SIERRA EAST, LLC FOR PAYMENT OF COST OF
PREPARATION OF THE ENVIRONMENTAL IMPACT REPORT, AND APPROVING ADDITIONAL
BUDGET APPROPRIATIONS

WHEREAS, on April 25, 2017, pursuant to Resolution 2017-71, the City of Rocklin entered into a Consultant Services Agreement with De Novo Planning Group for the preparation of an Environmental Impact Report (EIR) for the College Park project in an amount not to exceed \$146,695, and an Agreement for the Payment of Cost of Preparation of the Environmental Impact Report with Evergreen Sierra East, LLC; and

WHEREAS, on August 24, 2021, pursuant to Resolution 2021-146, the City of Rocklin executed a first amendment to the existing contract with De Novo Planning Group to provide additional services for preparation of an Environmental Impact Report for the College Park project, and pursuant to that same resolution the City of Rocklin executed a first amendment to the Agreement between the City of Rocklin and Evergreen Sierra East, LLC requiring the expense associated with the Environmental Impact Report to be covered by the project applicant/developer; and

WHEREAS, additional consultant services for the preparation of an Environmental Impact Report for the College Park project are necessary, and therefore, an amendment to both agreements is necessary; and

WHEREAS the expense associated with amendment the agreements is fully covered by the project applicant/developer.

NOW, THEREFORE, the City Council of the City of Rocklin does resolve as follows:

Section 1. The City Council of the City of Rocklin hereby approves and authorizes the City Manager to execute Amendment No. 2 to the Consultant Services Agreement with De Novo Planning Group for the Preparation of an Environmental Impact Report for the College Park Project in substantially the form attached hereto as Exhibit "1."

Section 2. The City Council of the City of Rocklin hereby approves and authorizes the City Manager to execute Amendment No. 2 to the Agreement for Payment of Cost of Preparation of an Environmental Impact Report with Sierra Evergreen East, LLC in substantially the form attached hereto as Exhibit "2."

Section 3. The City Manager is authorized to increase the revenue and expenditure budgets in the FY 2021/22 Community Development Department budget in the amount of \$19,140 in the General Fund (100).

PASSED AND ADOPTED this 8th day of February, 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Bill Halldin, Mayor

ATTEST:

Hope Ithurburn, City Clerk

EXHIBIT 1

AMENDMENT NO. 2 TO CONSULTANT SERVICES AGREEMENT (De Novo Planning Group/College Park Project) Environmental Impact Report (EIR)

THIS AMENDMENT is made at Rocklin, California, as of _____, 2022, by and between the City of Rocklin, a municipal corporation ("City"), and De Novo Planning Group ("Consultant"), who agree as follows:

WHEREAS, on April 25, 2017, the City and De Novo Planning Group entered into a Consultant Services Agreement for the preparation of an Environmental Impact Report for the Sierra Villages Project, now the College Park Project ("Agreement"), in an amount not to exceed \$146,695; and

WHEREAS, on August 24, 2021, the City and De Novo Planning Group entered into Amendment No. 1 to the Agreement in an amount not to exceed \$161,085; and

WHEREAS, the City and De Novo Planning Group agree to enter into Amendment No. 2 of the Agreement to include payment and performance of additional services.

AGREEMENT

NOW THEREFORE, the City and De Novo Planning Group hereby agree to amend the Agreement as follows:

1. Section 1, "Services", is hereby amended to include the additional services described in Exhibit "A," attached hereto and incorporated herein by reference. Consultant shall provide said services at the time, place and manner as specified in Exhibit A.
2. Section 2, "Payment," is hereby amended to include the additional services and associated costs set forth in Exhibit "B," attached hereto and incorporated herein by reference. The total not to exceed amount for the services under the agreement is increased from \$161,085 to \$180,225.

Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is a conflict between this Amendment and the Agreement, the terms of this Amendment will prevail.

Executed as of the day first above stated:

CITY OF ROCKLIN
A Municipal Corporation

By: _____
Aly Zimmermann
City Manager

CONSULTANT

By: _____
Ben Ritchie
Principal/CEO

By: _____
Beth Ann Thompson
Secretary

APPROVED AS TO FORM:

Sheri Chapman
City Attorney

ATTEST:

Hope Ithurnburn, City Clerk

EXHIBIT A

Scope of Work

Proposal for Additional Services for College Park (formerly Sierra Villages) Project Environmental Impact Report (EIR)

De Novo Planning Group has received the public comment letters on the Draft EIR requiring a written response. The number of public comment letters requiring written response are approximately double what De Novo Planning Group budgeted in the original scope and therefore De Novo Planning Group is requesting additional funds under Tasks H and I to address this additional effort. A detailed breakdown of the hours needed to accomplish these additional tasks is provided in Exhibit B. The budget request is for \$19,140. The original budget was for \$146,695, which was amended by Amendment No. 1 by \$14,390 to \$161,085, so the new budget request would make the total contract \$180,225.

EXHIBIT B

Additional Services for College Park (formerly Sierra Villages) Project Environmental Impact Report (EIR)

De Novo Planning Group will complete the additional tasks in Exhibit A on a time-and-materials basis for a not-to-exceed amount of \$19,140, for a total contract amount not to exceed \$180,225. Estimates hours by task are shown below.

Sierra Villages Project - Environmental Impact Report Proposed Project Budget

Revised 12/17/2021

Task #	Task Description	McMurtry Project Mgr. \$130	Ritchie Project Mgr. \$130	Principal Planner \$130	Associate Planner \$95	Graphics/ GIS \$75	Direct Costs	Totals
A	Project Initiation							
	Data Collection and Kickoff	4.0	2.0		8.0	4.0	\$ -	18.0
	<i>Subtotal</i>	4.0	2.0	0.0	8.0	4.0		18.0
	<i>Task A</i>	\$ 520.00	\$ 260.00	\$ -	\$ 760.00	\$ 300.00	\$ -	\$ 1,840.00
B	Prepare Project Description							
	Project Description	4.0	4.0		8.0	8.0	\$ -	24.0
	<i>Subtotal</i>	4.0	4.0	0.0	8.0	8.0		24.0
	<i>Task B</i>	\$ 520.00	\$ 520.00	\$ -	\$ 760.00	\$ 600.00	\$ -	\$ 2,400.00
C	Prepare Notice of Preparation							
C.1	Prepare Admin Draft NOP	4.0	1.0		6.0	6.0	\$ -	17.0
C.2	Prepare Public NOP	1.0	1.0		6.0	1.0	\$ 500.00	9.0
	<i>Subtotal</i>	5.0	2.0	0.0	12.0	7.0		26.0
	<i>Task C</i>	\$ 650.00	\$ 260.00	\$ -	\$ 1,140.00	\$ 525.00	\$ 500.00	\$ 3,075.00
D	Peer Review Technical Reports							
	Technical Report Peer Review	30.0	20.0	4.0	4.0	0.0	\$ -	58.0
	<i>Subtotal</i>	30.0	20.0	4.0	4.0	0.0		58.0
	<i>Task D</i>	\$ 3,900.00	\$ 2,600.00	\$ 520.00	\$ 380.00	\$ -	\$ -	\$ 7,400.00
E	Prepare Administrative Draft EIR							
E.1	Introduction	1.0	0.0		2.0	0.0	\$ -	3.0
E.2	Executive Summary	1.0	0.0		4.0	2.0	\$ -	7.0
E.3	Project Description	1.0	1.0		4.0	8.0	\$ -	14.0
E.4	Aesthetics	4.0	1.0		14.0	2.0	\$ -	21.0
E.5	Agricultural Resources	4.0	1.0		8.0	6.0	\$ -	19.0
E.6	Air Quality	4.0	8.0		18.0	0.0	\$ -	30.0
E.7	Biological Resources	4.0	16.0		8.0	8.0	\$ -	36.0
E.8	Cultural Resources	1.0	0.0		3.0	0.0	\$ -	4.0
E.9	Geology and Soils	4.0	2.0		12.0	8.0	\$ -	26.0
E.10	Greenhouse Gases and Energy	16.0	8.0		30.0	0.0	\$ -	54.0
E.11	Hazards and Hazardous Materials	4.0	2.0		18.0	6.0	\$ -	30.0
E.12	Hydrology and Water Quality	8.0	5.0		18.0	6.0	\$ -	37.0
E.13	Land Use Planning	2.0	2.0		10.0	6.0	\$ -	20.0
E.14	Noise	1.0	1.0		4.0	4.0	\$ -	10.0
E.15	Population and Housing	2.0	1.0		10.0	2.0	\$ -	15.0
E.16	Public Services and Recreation	4.0	8.0		22.0	4.0	\$ -	38.0
E.17	Transportation/Circulation	20.0	4.0		8.0	2.0	\$ -	34.0
E.18	Utilities	12.0	8.0		30.0	2.0	\$ -	52.0
E.19	Cumulative Impacts	10.0	6.0		30.0	2.0	\$ -	48.0
E.20	Alternatives	12.0	6.0		32.0	6.0	\$ -	56.0
E.21	Other Mandated CEQA Sections	4.0	2.0		6.0	2.0	\$ -	14.0
E.22	Report Preparers and References	1.0	0.0		1.0	0.0	\$ -	2.0
E.23	Document Preparation/Management	40.0	24.0	24.0	16.0	0.0	\$ 400.00	104.0
	<i>Subtotal</i>	160.0	106.0	24.0	308.0	76.0		674.0
	<i>Task E</i>	\$ 20,800.00	\$ 13,780.00	\$ 3,120.00	\$ 29,260.00	\$ 5,700.00	\$ 400.00	\$ 73,060.00

Sierra Villages Project - Environmental Impact Report
Proposed Project Budget
Revised 12/17/2021

Task #	Task Description	McMurtry Project Mgr. \$130	Ritchie Project Mgr. \$130	Principal Planner \$130	Associate Planner \$95	Graphics/ GIS \$75	Direct Costs	Totals
F	Prepare Public Draft EIR							
F.1	Document Revisions	12.0	6.0		30.0	6.0	\$ -	54.0
F.2	Notices and Clearing House Documents	1.0	0.0		1.0	0.0	\$ -	2.0
F.3	Document Preparation	6.0	6.0		12.0	2.0	\$ 2,500.00	26.0
	<i>Subtotal</i>	19.0	12.0	0.0	43.0	8.0		82.0
	<i>Task F</i>	\$ 2,470.00	\$ 1,560.00	\$ -	\$ 4,085.00	\$ 600.00	\$ 2,500.00	\$ 11,215.00
G	Public Hearings for Draft EIR							
G.1	Hearings	8.0	4.0		0.0	0.0	\$ -	12.0
	<i>Subtotal</i>	8.0	4.0	0.0	0.0	0.0		12.0
	<i>Task G</i>	\$ 1,040.00	\$ 520.00	\$ -	\$ -	\$ -	\$ -	\$ 1,560.00
L	Prepare Revised Admin Draft EIR							
L.1	Introduction		1.0		1.0			2.0
L.2	Executive Summary		1.0		1.0			2.0
L.3	Project Description		1.0		6.0	8.0		15.0
L.4	Aesthetics		1.0		1.0	1.0		3.0
L.5	Agricultural Resources		1.0		1.0	1.0		3.0
L.6	Air Quality		1.0		15.0	1.0		17.0
L.7	Biological Resources		1.0		4.0	1.0		6.0
L.8	Cultural Resources		1.0		2.0	1.0		4.0
L.9	Geology and Soils		1.0		1.0	1.0		3.0
L.10	Greenhouse Gases and Energy		1.0		10.0	1.0		12.0
L.11	Hazards and Hazardous Materials		1.0		2.0	1.0		4.0
L.12	Hydrology and Water Quality		1.0		2.0	1.0		4.0
L.13	Land Use Planning		1.0		4.0	1.0		6.0
L.14	Noise		1.0		1.0	1.0		3.0
L.15	Population and Housing		1.0		1.0	1.0		3.0
L.16	Public Services and Recreation		1.0		8.0	1.0		10.0
L.17	Transportation/Circulation		1.0		1.0	1.0		3.0
L.18	Utilities		1.0		4.0	1.0		6.0
L.19	Cumulative Impacts		1.0		4.0			5.0
L.20	Alternatives (Add additional Alternative)		6.0		16.0			22.0
L.21	Other Mandated CEQA Sections		1.0		8.0			9.0
L.22	Report Preparers and References		1.0		1.0			2.0
L.23	Document Preparation/Management		1.0		1.0			2.0
L.24	Notices and Clearing House Documents							0.0
L.25	Document Preparation							0.0
	<i>Subtotal</i>	0.0	28.0	0.0	95.0	23.0		146.0
	<i>Task L</i>	\$ -	\$ 3,640.00	\$ -	\$ 9,025.00	\$ 1,725.00	\$ -	\$ 14,390.00
H	Prepare Admin Final EIR							
H.1	Introduction	2.0	0.0		2.0	0.0	\$ -	4.0
H.2	Overview of Comments Received	8.0	0.0		20.0	0.0	\$ -	28.0
H.3	Response to Comments	120.0	20.0		120.0	8.0	\$ -	268.0
H.4	Document Preparation	8.0	2.0	8.0	12.0	0.0	\$ 80.00	30.0
	<i>Subtotal</i>	138.0	22.0	8.0	154.0	8.0		330.0
	<i>Task H</i>	\$ 17,940.00	\$ 2,860.00	\$ 1,040.00	\$ 14,630.00	\$ 600.00	\$ 80.00	\$ 37,150.00

Sierra Villages Project - Environmental Impact Report

Proposed Project Budget

Revised 12/17/2021

Task #	Task Description	McMurtry Project Mgr. \$130	Ritchie Project Mgr. \$130	Principal Planner \$130	Associate Planner \$95	Graphics/ GIS \$75	Direct Costs	Totals
I	Prepare Final EIR and MMRP							
I.1	Document Revisions	24.0	4.0		24.0	2.0	\$ -	54.0
I.2	Notices and Clearing House Documents	1.0	0.0		1.0	0.0	\$ -	2.0
I.3	Document Preparation	8.0	2.0		8.0	0.0	\$ 1,600.00	18.0
	<i>Subtotal</i>	33.0	6.0	0.0	33.0	2.0	\$ -	74.0
	<i>Task I</i>	\$ 4,290.00	\$ 780.00	\$ -	\$ 3,135.00	\$ 150.00	\$ 1,600.00	\$ 9,955.00
J	CEQA Findings of Fact and Overriding Considerations							
J.1	Prepare CEQA Findings	12.0	2.0		18.0	0.0	\$ -	32.0
J.2	Prepare Notice of Determination	1.0	0.0		0.0	0.0		1.0
	<i>Subtotal</i>	13.0	2.0	0.0	18.0	0.0		33.0
	<i>Task J</i>	\$ 1,690.00	\$ 260.00	\$ -	\$ 1,710.00	\$ -	\$ -	\$ 3,660.00
K	Meetings/Project Management							
K.1	Meetings and Hearings	60.0	40.0	0.0	16.0	0.0	\$ -	116.0
	<i>Subtotal</i>	60.0	40.0	0.0	16.0	0.0		116.0
	<i>Task K</i>	\$ 7,800.00	\$ 5,200.00	\$ -	\$ 1,520.00	\$ -	\$ -	\$ 14,520.00
New Project Totals								
	<i>Project Hours</i>	474.0	248.0	36.0	699.0	136.0		1593.0
	<i>Project Cost</i>	\$ 61,620.00	\$ 32,240.00	\$ 4,680.00	\$ 66,405.00	\$10,200.00	\$ 5,080.00	\$ 180,225.00

EXHIBIT 2

AMENDMENT NO. 2 TO AGREEMENT FOR PAYMENT OF COST OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) (College Park Project/Formerly Sierra Villages Project)

THIS AMENDMENT is made at Rocklin, California, as of _____, 2022, by and between the City of Rocklin, a municipal corporation ("City"), and Evergreen Sierra East, LLC, who agree as follows:

RECITALS

WHEREAS, on April 25, 2017, the City and Evergreen Sierra East, LLC entered into an Agreement for Payment of Cost of Preparation of an Environmental Impact Report ("Agreement") for the Sierra Villages Project, now known as the College Park Project, in an amount not to exceed \$146,695; and

WHEREAS, on August 24, 2021, the City and Evergreen Sierra East, LLC entered into Amendment No. 1 to the Agreement in an amount not to exceed \$161,085; and

WHEREAS, the City and Evergreen Sierra East, LLC agree to enter into Amendment No. 2 of the Agreement to include payment for additional services.

AGREEMENT

NOW THEREFORE, the City and Evergreen Sierra East, LLC hereby agree to amend the Agreement as follows:

1. Section 4 is hereby amended to increase the total amount Evergreen East, LLC shall pay to City for the preparation of an Environmental Impact Report from \$161,085 to \$180,225. The additional \$19,140 is due and payable at the time of execution of this Amendment.

Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is a conflict between this Amendment and the Agreement, the terms of this Amendment will prevail.

Executed as of the day first above stated:

CITY OF ROCKLIN
A Municipal Corporation

By: _____
Aly Zimmermann
City Manager

APPLICANT
Evergreen Sierra East, LLC

By: _____

APPROVED AS TO FORM:

Sheri Chapman
City Attorney

ATTEST:

Hope Ithurburn
City Clerk