



## Legislation Text

File #: 2020-243, Version: 1

### Report to Mayor and City Council

Tuesday, April 21, 2020

Consent

#### **SUBJECT:**

**CONSIDER APPROVAL OF AMENDMENT NO. 5 TO THE AGREEMENT WITH CSG CONSULTANTS, INC. TO PROVIDE ON-CALL PLANNING SERVICES (CITY COUNCIL)**

#### **I. SUMMARY**

On December 6, 2016, the City entered into an agreement with the firm CSG Consultants, Inc. (CSG) to provide on-call planning services (Exhibit No. 1). On September 17, 2019, the City Council approved Amendment No. 4 to the CSG contract. The approval of the amendment increased the multi-year contract amount by \$170,000, from \$1,031,000 to \$1,201,000 and extended the contract expiration from October 31, 2019 to April 30, 2020. The option to renew the agreement for two additional one-year terms, at the City's discretion, remained a part of the agreement.

The April 30, 2020 deadline was intended to allow enough time to complete the recruitment process for two planning staff positions. Although a Senior Planner candidate was selected, he resigned approximately 2 months ago. The recruitment for an Associate Planner position is indefinitely on hold due to the COVID-19 crisis.

It is desirable to keep larger and more complicated projects moving forward and to ensure that they reach public hearing in a timely manner. In addition, staff anticipates the developer for the Cells 3, 4, and 5 of the District at South Bay site to begin to submit plans in the next few months. Therefore, staff recommends an extension to June 30, 2022, to ensure timely processing of these complex and large projects by CSG staff. However, staff recognizes that this contract should not be used in lieu of filling staff positions and have sought, as the City Council has directed, to fill vacant positions as indicated above.

Amendment No. 5 (Exhibit No. 2) would extend the term of the contract for approximately two years, at an amount not-to-exceed \$675,000. The cost of this contract will be paid by developers through developer deposits.

#### **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE Amendment No. 5 to the agreement with CSG Consultants, Inc. for a two-year extension from May 1, 2020 through June 30, 2022 to provide on-call planning services primarily to continue processing existing and future complex and large-scale projects at an additional cost of not to exceed \$675,000.
  
2. AUTHORIZE the Mayor to execute the amendment, following approval as to form by the City Attorney including adding provisions to the contract that CSG staff to work on three major projects in the City (JPI, Faring, and Cells 3, 4 and 5 of the District at South Bay); the contract term shall expire either June 30, 2022 or conclusion of the projects, whichever comes first, and staff assigned to the three projects is at least at the Principal Planner level or higher.
  
3. ADOPT Resolution No. 20-069 to amend the FY2019/20 budget in account number 101-70-780-290-6004.
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### **III. ALTERNATIVES**

TAKE any other action the City Council deems appropriate and is consistent with the requirements of law.

### **IV. BACKGROUND**

On December 6, 2016, the City entered into an agreement with the firm CSG Consultants, Inc. (CSG) to provide on-call planning services (Exhibit No. 1) to respond to a dramatic increase in Planning Department workload at the time of heavy Planning staff turnover. The three-year agreement allowed for two additional one-year extensions at the City's discretion. Due to continued growth in development activity within the City, combined with the additional loss of staff, the need for the on-call services provided by CSG increased, resulting in contract amendments in November 2017, February 2019, May 2019 and September 2019.

Since the agreement was initiated, the City has experienced an increased demand for planning services, particularly on larger or more complex projects such as Faring, JPI and other complex development applications in addition to the General Plan Update. The use of CSG staff has enabled the City to provide responsive and timely services, while simultaneously providing the Division with the flexibility it needs to meet fluctuations in workload on an as-needed basis.

Under the Permit Streamlining Act, project applicants have certain legal rights to receive

timely review of projects, which requires planners to work under statutory deadlines for certain types of projects. Staff is requesting that Council approve Amendment No. 5 to the agreement to allow projects to continue moving forward in a timely manner and to maintain the high level of service provided by the Planning Division and to assure that statutory deadlines continue to be met.

## **V. FISCAL IMPACT**

The \$675,000 in funds requested for the consultant will increase the not-to-exceed contract amount from \$1,201,000 to \$1,876,000. Resolution No. 20-069 (Exhibit No. 3) will appropriate funds from the undesignated general fund to account number 101-70-780-290-6004. The costs of the consultant services are assumed by project applicants through the Planning Application Deposit Program. As a result, there is no direct impact to the City's General Fund.

## **VI. EXHIBITS**

1. Original Contract with CSG Consultants, Inc. (pgs. 4-32)
2. Contract Amendment #5 to the Contract Service Agreement with CSG Consultants, Inc. (pgs. 33-39)
3. Budget Resolution No. 20-069. (pgs. 40-41)

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