



Legislation Text

File #: RES 17-0054, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

Mark Danaj, City Manager

FROM:

Anne McIntosh, Community Development Director
Quinn M. Barrow, City Attorney

SUBJECT:

Resolution Approving Third Amendment to the Pass-Thru Agreement with Eyestone-Jones Environmental, LLC. for Environmental Review and Related Services for the Manhattan Village Mall Renovation Project (Community Development Director McIntosh).

ADOPT RESOLUTION NO. 17-0054 APPROVING THIRD AMENDMENT

RECOMMENDATION:

Staff recommends that the City Council adopt the attached resolution.

FISCAL IMPLICATIONS:

There is no fiscal impact on the City. Pursuant to conditions of approval and a reimbursement agreement, RREEF, the developer of the Mall renovation project, must pay all City costs associated with environmental review and documentation.

BACKGROUND:

On December 2, 2014, the City Council adopted Resolution No. 14-0026, approving the Manhattan Village Mall Renovation Project. The EIR for the project was prepared by Matrix Environmental with a contract approved by City Council on April 6, 2010. Two Amendments were approved on September 20, 2011 and December 20, 2011. The firm name changed several times and is currently Eyestone-Jones Environmental, LLC (DBA as Eyestone Environmental). The conditions of approval and a reimbursement agreement require the developer (RREEF) to fund the cost of the City and its consultants for all environmental work in connection with the Project, including analyzing whether RREEF complies with conditions of approval and requirements of the Mitigation Monitoring and Reporting Program, and whether any revisions are within the scope of the EIR.

DISCUSSION:

The attached agreement is a “pass-through” agreement (i.e., the cost of all environmental services performed in connection with the Manhattan Village Shopping Center Improvement Project (“Project”) are passed through to RREEF, the developer of the Project). Stephanie Eyestone-Jones has been the “Key Person” providing the environmental services since 2010, when the original contract was entered into with Matrix Environmental. Accordingly, this Amendment consents to the assignment to

Eyestone-Jones Environmental, LLC. As shown in the Proposed Scope of Work dated May 9, 2017, Eyestone Environmental continues to perform services related to the Project, and an amendment is needed to compensate Eyestone for such additional services. Staff recommends that the City Council adopt the attached resolution approving the third amendment to the agreement.

Attachments:

1. Resolution No. 17-0054
2. Third Amendment to Agreement (including Scope of Work)