

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING FIFTH AMENDMENT TO CONTRACT BETWEEN THE CITY OF WATSONVILLE AND MOORE IACOFANO GOLTSMAN, INC., A CORPORATION, DBA MIG FOR ON-CALL PLANNING SERVICES; ADDING TO THE SCOPE OF WORK TO INCLUDE ENVIRONMENTAL REVIEW SERVICES FOR A PROPOSED LOGISTICS/DISTRIBUTION CENTER AT 100 MANABE OW ROAD, IN AN AMOUNT OF \$89,171 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$481,557; EXTENDING THE CONTRACT TO JUNE 30, 2023; AND AUTHORIZING AND DIRECTING THE CITY MANAGER PRO TEMPORE TO EXECUTE SAME

WHEREAS, on July 23, 2018, the City executed a Contract for Consultant Services with Moore Iacofano Goltsman, Inc., dba MIG, to provide on-call consultant services for current, advanced planning and environmental review services to the City, in an amount not to exceed \$30,000; and

WHEREAS, a First Amendment to Contract with MIG, Inc., was executed on August 29, 2019, extending the term of the Contract from June 30, 2019 to June 30, 2020; and

WHEREAS, a Second Amendment to Contract was executed on August 10, 2020, extending the term of the Contract from June 30, 2020 to June 30, 2021; and

WHEREAS, on April 13, 2021, the City Council adopted Resolution No. 88-21 (CM) approving a Third amendment to the existing contract, adding to the scope of work, increasing the contract amount by \$235,000 (from contract amount prior to this amendment of \$30,000 to \$265,000) in order to provide planning services for 5 development projects and extending the term of the contract from June 30, 2021, to June 30, 2022, inclusive; and

WHEREAS, on July 30, 2021, the City received an application for a Special Use Permit and Design Review with environmental review for a new 156,000-square-foot distribution facility located at 200 Manabe Ow Road; and

WHEREAS, on January 25, 2022, the City Council adopted Resolution No. 9-22 (CM) approving a Fourth Amendment to the contract to add to the scope of work to include environmental review services for the proposed distribution facility at 200 Manabe Ow Road, and increase contract amount by \$127,386 (from contract amount prior to this amendment of \$265,000 to \$392,386); and

WHEREAS, this Fifth Amendment will extend the timeline of the contract to June 30, 2023, inclusive, and add to the scope of work to include environmental review services for the proposed logistics/distribution facility at 100 Manabe Ow Road, and increase contract amount by \$89,171 (from contract amount prior to this amendment of \$392,386 to \$481,557); and

WHEREAS, the City will recover costs for consultant services through a reimbursement agreement with CA/FSRE Watsonville Industrial, LLC, a limited liability company, to reimburse the City for the costs incurred in developing the environmental documents for the project and any legal costs associated with the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:

1. This action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting a Resolution amending the Contract with Telstar Instruments does not meet CEQA's definition of a "project," because the action does not have the potential for

resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment and if a “project,” is exempt under the “common sense” exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. That the Fifth Amendment to Contract between the City of Watsonville and MIG, Inc., a corporation, for on-call planning services, a copy of which Fifth Amendment is attached hereto and incorporated herein by this reference, is fair and equitable and is hereby approved.

3. That the City Manager Pro Tempore is hereby authorized and directed to execute said Fifth Amendment for and on behalf of the City of Watsonville in the form attached hereto with minor revisions that may be approved by the City Manager Pro Tempore and the City Attorney.
