

REPORT TO CITY COUNCIL

DATE: AUGUST 23, 2006

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: APPROVAL OF AGREEMENT BETWEEN CITY AND AITAN HILLEL, APPLICANT FOR THE CHESEBRO AUTO WASH PROJECT, FOR RINCON CONSULTANTS, INC., TO PROVIDE ENVIRONMENTAL REVIEW SERVICES

The purpose of this item is to seek City Council approval for an agreement between the City and Aitan Hillel, the applicant for the Chesebro Auto Wash Project, for the City to contract with Rincon Consultants, Inc., (Rincon). Rincon would provide environmental review and analysis services, per the California Environmental Quality Act (CEQA), to the City for the proposed project at the southeast corner of Canwood Street and Palo Comado Canyon Road.

The City Council is being asked to consider another agreement, as a separate item, between the City and Rincon to conduct the environmental review, which would include analysis of the environmental technical studies provided by the applicant, preparation of an air quality analysis, and preparation of a detailed Initial Study. It is likely that a Mitigated Negative Declaration would be required for this project under CEQA. In that case, Rincon would complete that document as well, per that Agreement. The cost of that Agreement is \$26,386.

The agreement that is the subject of this report is between the City and the project applicant, Aitan Hillel, and addresses how the applicant would reimburse the City for the costs of the agreement with Rincon. The total cost of this agreement is \$26,386, which are Rincon's costs, plus an additional \$5,277 to cover City staff coordination, document review, and preparation of additional required materials per CEQA. Therefore, the total agreement amount is \$31,663.

The applicant has already deposited \$31,663 in his trust account. Therefore, the funds would be drawn as needed from the project applicant's trust account.

The proposed agreement has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends the City Council approve the attached Professional Services Agreement with Aitan Hillel for a total cost of \$31,663.

Attachment: Agreement (with Exhibit A)