



EAST PALO ALTO CITY COUNCIL REGULAR MEETING **AMENDED** AGENDA

October 17, 2023, 6:30 p.m.
EPA Government Center
2415 University Ave, First Floor
East Palo Alto, CA 94303

NOTICE

This meeting will be held virtually both and in- person at the Council Chambers located on 2415 University Ave, First Floor East Palo Alto, CA 94303. The virtual portion of this City Council meeting will be conducted in accordance with City of East Palo Alto Resolution adopted pursuant to Assembly Bill 361.

The public may participate in the City Council Meeting via Zoom Meeting or by attending in-person in the Council Chambers at 2415 University Ave, First Floor East Palo Alto, CA 94303. Community members may provide comments by emailing cityclerk@cityofepa.org, submitting a speaker card at the meeting, or using the **RAISE HAND** feature when the Mayor or City Clerk call for public comment. Emailed comments should include the specific agenda item on which you are commenting.

<https://us06web.zoom.us/j/89115697424>

Or join by phone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or
+ 1 346 248 7799 or
+ 1 253 215 8782 or
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+ 1 929 205 6099 or
+ 1 301 715 8592

Webinar ID: 891 1569 7424

International numbers available: <https://zoom.us/j/89115697424>

1. **CALL TO ORDER AND ROLL CALL**
2. **APPROVAL OF THE AGENDA**
3. **APPROVAL OF CONSENT CALENDAR**

3.1 University Avenue and Weeks Street 12" Watermain Project

Recommendation:

1. Authorizing the City Manager to award to, and negotiate and execute a construction contract, in a form approved by the City Attorney, with C2R Engineering, in the amount of \$6,118,472.00, establish a 10% construction contingency in the amount of \$611,847.20, for a total construction budget of \$6,730,319.20, and execute future change orders in an amount not-to-exceed the appropriated construction contingency;
2. Appropriating \$6,730,319.20 in the water capital fund of the Fiscal Year 2023-Budget; and
3. Finding that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Sections 15301 and 15303 of the CEQA Guidelines

3.2 Woodland Avenue Waterline and Palo Alto Intertie Project

Recommendation: Adopt a resolution:

1. Authorizing the City Manager to execute a construction contract, in a form approved by the City Attorney, with Golden State Construction and Utility, in the amount of \$394,000.00; establish a 10% construction contingency in the amount of \$39,400.00, for a total construction budget of \$433,400.00, and execute future change orders in an amount not-to-exceed the appropriated construction contingency
2. Finding that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Sections 15301 and 15303 of the CEQA Guidelines

3.3 City Council Meeting Minutes

Recommendation:

Adopt the July 18, 2023 – July 25, 2023, City Council Meeting Minutes.

3.4 Proclamation Commemorating Pastor Paul Baines for His 25th Anniversary as Pastor at Saint Samuel Church

4. **CLOSED SESSION**

4.1 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957(b)(1). Title: City Manager**

4.2 **PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957(b)(1). Title: City Attorney**

5. **PUBLIC COMMENT**

6. **INFORMATIONAL REPORTS**

6.1 **O'Connor street construction update**

7. **SPECIAL PRESENTATIONS - NONE**

8. **PUBLIC HEARINGS - NONE**

9. **POLICY AND ACTION**

9.1 **Authorization of Professional Services Agreement for Development Impact Fee Nexus Study and Financial Feasibility Analysis**

Recommendation:

Adopt a resolution:

1. Authorizing the City Manager to enter into a Professional Services Agreement, in a form approved by the City Attorney, with Willdan Financial Services for an amount not to exceed to \$132,372 to prepare a Development Impact Fee Nexus Study and Financial Feasibility Analysis to update the City's transportation infrastructure, parks and trails, public facilities, storm drainage, and water capacity impact fees, including an optional task for a sanitary sewer impact fee nexus study ; and
2. Amending the FY 2023/24 budget allocation for the project to reflect the change in the planned Scope of Services and reduced cost estimate.

10. **COUNCIL REPORTS**

11. **ADJOURNMENT**

This Notice of Availability of Public Records: All public records relating to an open session item which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to the majority of the City Council will be available for public inspection at the City Clerk's Office, 2415 University Avenue, East Palo Alto, CA at the same time that the public records are distributed or made available to the City Council. Such documents may also be available on the East Palo Alto website www.cityofepa.org subject to staff's ability to post the documents prior to the meeting. Information may be obtained by calling (650) 853-3100.

The City Council meeting packet may be reviewed by the public in the Library or the City Clerk's Office. Any writings or documents pertaining to an open session item provided to a majority of the City Council less than 24 hours prior to the meeting, shall be made available for public inspection at the front counter at the City Clerk's Office, 2ND Floor, City Hall, 2415 University Avenue, East Palo Alto, California 94303 during normal business hours. Information distributed to the Council at the Council meeting becomes part of the public record. A copy of written material, pictures, etc. should be provided for this purpose.

East Palo Alto City Council Chambers is ADA compliant. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office at (650) 853-3127 no less than 24 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.

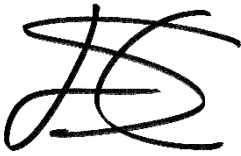
DECLARATION OF POSTING

This Notice is posted in accordance with Government Code §54954.2(a) or §54956. Members of the public can view electronic agendas and staff reports by accessing the City website. Under penalty of perjury, this Agenda was posted to the public at least 24 hours prior to the meeting.

POSTED: October 6, 2023

AMENDED: October 11, 2023

ATTEST:



James Colin
City Clerk

Upcoming meetings:

Regular Meeting	November 7, 2023	6:30 p.m.
Study Session	November 14, 2023	6:00 p.m.
Regular Meeting	November 21, 2023	6:30 p.m.



EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: October 17, 2023

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: Batool Zaro, Associate Engineer
Humza Javed, Public Works Director
Chin Hang (Ambrose Wong), Special Projects Manager

SUBJECT: University Avenue and Weeks Street 12-Inch Watermain Project

Recommendation

Adopt a resolution:

1. Authorizing the City Manager to award to, and negotiate and execute a construction contract, in a form approved by the City Attorney, with C2R Engineering, in the amount of \$6,118,472.00, establish a 10% construction contingency in the amount of \$611,847.20, for a total construction budget of \$6,730,319.20, and execute future change orders in an amount not-to-exceed the appropriated construction contingency;
2. Appropriating \$6,730,319.20 in the water capital fund of the Fiscal Year 2023-24 Budget; and
3. Finding that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Sections 15301 and 15303 of the CEQA Guidelines

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

- Improve water infrastructure

Background

CONSENT ITEM 3.1

Capital Improvement Project (CIP) WD-04, University Avenue and Weeks Street 12-Inch Watermain Project (project), includes improvements to the City's water distribution system to provide constant and stable flow, redundancy, and reliability. These improvements are intended to protect the health and safety of East Palo Alto residents while providing reliable and increased water capacity to the City. This will help address the need to meet potential emergency water supply and future water demands. The work will include abandoning 8-inch cast iron pipe water main and installing 12-inch polyvinyl chloride (PVC) pipe water main. The line will draw additional water capacity from the North-end of East Palo Alto and distribute additional water capacity Citywide.

The fire flow data at various locations in the city, including the southside (Willow and Woodland Neighborhood) and the Ravenswood Business District shows inadequate fire flow levels. This directly impacts the City's ability to approve development projects, including critical housing projects. The City's own 965 Weeks Street/Colibri Commons project will be positively impacted by this project. Replacing and upsizing watermains to supply more reliable water flow to these areas is critical to providing fire flows at the levels required by the Fire Code. The project will improve system reliability, water quality, reduce water waste and improve fire flow.

This project is listed in the City's two-year CIP, ten-year CIP, and the 2022 Water System Master Plan (WSMP). The WSMP listed this project as a priority 1A project to be completed within the next five years, and this is also a City Council priority project.

The 100% plan set for this project can be found on the City website linked below:

<https://www.cityofepa.org/publicworks/project/university-avenue-and-weeks-street-12-water-transmission-main-project>

Analysis

The project was advertised on August 11, 2023, for solicitation of construction bids. On September 26, 2023, sealed bids were received, publicly opened via Zoom, and read aloud by the City Clerk and a Public Works Engineer. Seven (7) contractors submitted bids for the Project with the following bid results:

No.	Company Name	Total Base Bid Amount
1	Mitchell Engineering	\$ 10,452,810.00
2	Cratus	\$ 9,340,175.00
3	K.J. Woods Construction	\$ 6,938,000.00
4	Mountain Cascade Inc.	\$ 8,687,290.00

CONSENT ITEM 3.1

5	Pacific Underground Construction	\$	8,461,259.00
6	C2R Engineering	\$	6,118,472.00
7	Ranger Pipelines	\$	7,877,420.00

The bid summary analysis is included as Attachment 2 to this report.

C2R Engineering submitted the lowest base bid in the amount of \$6,118,472.00. City staff performed a bid analysis, verified license, qualifications, and checked references for the lowest bidder.

C2R Engineering has experience working in the City of East Palo Alto as they have been previously hired by the City's water operator, Veolia, to perform work on the City's water system.

Contingent upon completing all insurance and bonding requirements of the Contract Specifications, staff recommends that the City Council authorize the City Manager to execute a construction contract with C2R Engineering (C2R), the lowest responsive and responsible bidder, in an amount not-to-exceed \$6,118,472.00 and appropriating an additional \$611,847.20 (10%) for construction contingency.

As part of the bidding process, three Addendums were issued. During the bid opening, staff observed Addendum number 3 was missing from the bid package of the lowest bidder, C2R. Staff communicated this irregularity publicly during the bid opening. C2R subsequently followed up with staff and submitted the signed Addendum number 3. Because Addendum number 3 does not materially affect the bid and the City reserved the right to do so under the bidding documents, staff is recommending waiving this irregularity and proceeding with issuance of the contract to the lowest bidder, C2R.

Fiscal Impact

On July 18, 2023, the City Council approved the final design for this project along with a funding strategy for up to \$7.4 million dollars for construction.

Staff recommends appropriating \$6,730,319 from the following sources under the water capital funds. The related transfers have been previously approved by the Council in the Fiscal Year 2022-23 budget.

CONSENT ITEM 3.1

Source	Updated amount
State Earmark (Midpen \$8M loan - Transfer from F207)	\$1,500,000
Measure HH (Transfer from F219)	\$1,000,000
RDA Housing Successor (Transfer from F220)	\$1,000,000
State Budget earmark (Formerly General Fund reserve)	\$2,000,000
Water impact fees	\$300,000
Water Capital fund	\$230,319
Past ARPA fund (Transfer from GF)	\$700,000
Total	\$6,730,319

Public Notice

The public was provided notice of this agenda item by posting the City Council agenda on the City's official bulletin board outside City Hall and making the agenda and report available at the City's website and at the San Mateo Co. Library located at 2415 University Avenue, East Palo Alto

Environmental

This Project is categorically exempt under California Environmental Quality Act (CEQA) under the State CEQA Guidelines sections as follows:

Section 15301 - Existing Facilities

(d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety,

Section 15303 - New Construction or Conversion of Small Structures

(d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.

The project would include improvements to the City's water distribution system to provide constant and stable flow, redundancy, and reliability. The work will include abandoning an existing 8-inch cast iron pipe water main and installing 12-inch polyvinyl chloride (PVC) pipe water main to enhance the existing water distribution system.

Attachments

1. Resolution
2. Bid Summary

RESOLUTION NO. XX – 2023

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EAST PALO ALTO**

AUTHORIZING THE CITY MANAGER TO AWARD, NEGOTIATE AND EXECUTE A CONSTRUCTION CONTRACT WITH C2R ENGINEERING IN THE AMOUNT OF \$6,118,472.00 FOR THE UNIVERSITY AVENUE AND WEEKS STREET 12-INCH WATERMAIN PROJECT, ESTABLISH A 10% CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$611,847.20 FOR A TOTAL CONSTRUCTION BUDGET OF \$6,730,319.20, EXECUTE FUTURE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED THE APPROPRIATED CONTINGENCY; FINDING THE PROJECT IS CATEGORICALLY EXEMPT FROM CEQA

WHEREAS, Capital Improvement Project (CIP) WD-04, University Avenue and Weeks Street 12-Inch Watermain Project (project), includes improvements to the City's water distribution system to provide additional flow, redundancy, and reliability; and

WHEREAS, this project is listed in the City's two-year CIP, ten-year CIP, and the 2022 Water System Master Plan; and

WHEREAS, on July 18, 2023, the City Council adopted a resolution approving the plans, specifications, and estimates for the project, as well as a funding strategy for construction; and

WHEREAS, the improvements are necessary to provide reliable water supply throughout the City, as well as advance affordable housing projects, including the 965 Weeks affordable housing project; and

WHEREAS, the project was advertised for construction bids on August 11, 2023; and

WHEREAS, on September 26, 2023, the City of East Palo Alto ("City") received sealed bids that were publicly opened via Zoom and read aloud by the City Clerk and a Public Works Engineer; and

WHEREAS, there were a total of seven (7) contractors who submitted bids for the project with C2R Engineering being the lowest responsible bidder with a bid amount of \$6,118,472.00 and

WHEREAS, City staff performed a bid review, verified qualifications, and checked references for the lowest responsible bidder, and deemed the package satisfactory.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO HEREBY:

1. Finds the foregoing recitals are true and correct and are incorporated by reference into this action;
2. Authorizes the City Manager award to, and to negotiate and execute a construction contract, in a form approved by the City Attorney, with C2R Engineering, in the amount of \$6,118,472.00; establish a 10% construction contingency in the amount of \$611,847.20, for a total construction budget of \$6,730,319.2, and execute future change orders in an amount not-to-exceed the appropriated construction contingency;

3. Appropriating \$6,730,319.20 in the water capital fund of the Fiscal Year 2023-24 Budget;
and
4. Finding that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Sections 15301 and 15303 of the CEQA Guidelines.

PASSED AND ADOPTED this 17th day of October 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Gauthier, Mayor

ATTEST:

APPROVED AS TO FORM:

James Colin, City Clerk

John D. Lê, City Attorney

City of East Palo Alto
University Avenue and Weeks Street 12-Inch Watermain Project
Bid Opening - September 26, 2023 @ 2:00 PM

Item No.	Description	Unit	Quantity	Engineer's Estimate		Bidder #1		Bidder #2		Bidder #3		Bidder #4		Bidder #5		Bidder #6		Bidder #7	
				Unit Price	Total	C2R Engineering, Inc. Unit Price	Total	K.J. Woods Construction, Inc. Unit Price	Total	Ranger Pipeline, Inc. Unit Price	Total	Pacific Underground Construction, Inc. Unit Price	Total	Mountain Cascade, Inc. Unit Price	Total	Cratus, Inc. Unit Price	Total	Mitchell Engineerin, Inc. Unit Price	Total
Table A. Base Bid - University Ave and Cooley Ave																			
1 A	Mobilization	LS	1	\$206,540.00	\$206,540.00	\$210,000.00	\$210,000.00	\$240,000.00	\$240,000.00	\$200,000.00	\$200,000.00	\$300,000.00	\$300,000.00	\$230,000.00	\$230,000.00	\$250,000.00	\$250,000.00	\$250,000.00	\$250,000.00
2 A	Traffic Control	LS	1	\$300,000.00	\$300,000.00	\$250,000.00	\$250,000.00	\$185,000.00	\$185,000.00	\$150,000.00	\$150,000.00	\$175,000.00	\$175,000.00	\$222,000.00	\$222,000.00	\$60,000.00	\$60,000.00	\$800,000.00	\$800,000.00
3 A	Sheeting, Shoring, and Bracing	LS	1	\$100,000.00	\$100,000.00	\$85,000.00	\$85,000.00	\$88,000.00	\$88,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$60,000.00	\$60,000.00	\$55,000.00	\$55,000.00	\$400,000.00	\$400,000.00
4 A	Stormwater Pollution Prevention & Control	LS	1	\$75,000.00	\$75,000.00	\$25,000.00	\$25,000.00	\$30,000.00	\$30,000.00	\$15,000.00	\$15,000.00	\$50,000.00	\$50,000.00	\$40,000.00	\$40,000.00	\$20,000.00	\$20,000.00	\$50,000.00	\$50,000.00
5 A	12-inch PVC Pipe	LF	6,000	\$650.00	\$3,900,000.00	\$320.00	\$1,920,000.00	\$500.00	\$3,000,000.00	\$545.00	\$3,270,000.00	\$413.00	\$2,478,000.00	\$485.00	\$2,910,000.00	\$660.00	\$3,960,000.00	\$570.00	\$3,420,000.00
6 A	6-inch PVC Pipe	LF	520	\$475.00	\$247,000.00	\$310.00	\$161,200.00	\$470.00	\$244,400.00	\$400.00	\$208,000.00	\$619.00	\$321,880.00	\$447.00	\$232,440.00	\$540.00	\$280,800.00	\$400.00	\$208,000.00
7 A	Abandon In-Place Existing 8-Inch Watermain	LS	1	\$20,000.00	\$20,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$30,000.00	\$30,000.00	\$74,014.00	\$74,014.00	\$120,000.00	\$120,000.00	\$30,000.00	\$30,000.00	\$25,000.00	\$25,000.00
8 A	Connect to Existing 12-Inch Watermain	EA	2	\$8,000.00	\$16,000.00	\$15,000.00	\$30,000.00	\$5,500.00	\$11,000.00	\$9,000.00	\$18,000.00	\$22,480.00	\$44,960.00	\$30,000.00	\$60,000.00	\$15,000.00	\$30,000.00	\$10,000.00	\$20,000.00
9 A	Connect to Existing 8-Inch Watermain	EA	9	\$7,000.00	\$63,000.00	\$10,000.00	\$90,000.00	\$4,500.00	\$40,500.00	\$4,000.00	\$36,000.00	\$12,945.00	\$116,505.00	\$25,000.00	\$225,000.00	\$15,000.00	\$135,000.00	\$10,000.00	\$90,000.00
10 A	Connect to Existing 6-Inch Watermain	EA	3	\$5,500.00	\$16,500.00	\$8,000.00	\$24,000.00	\$4,400.00	\$13,200.00	\$3,000.00	\$9,000.00	\$6,856.00	\$20,568.00	\$23,000.00	\$69,000.00	\$15,000.00	\$45,000.00	\$10,000.00	\$30,000.00
11 A	Fire Hydrant Assembly	EA	11	\$10,400.00	\$114,400.00	\$18,700.00	\$205,700.00	\$15,000.00	\$165,000.00	\$14,000.00	\$154,000.00	\$19,146.00	\$210,606.00	\$18,000.00	\$198,000.00	\$20,000.00	\$220,000.00	\$15,000.00	\$165,000.00
12 A	Remove Existing Fire Hydrant	EA	11	\$800.00	\$8,800.00	\$1,000.00	\$11,000.00	\$1,000.00	\$11,000.00	\$1,000.00	\$11,000.00	\$6,830.00	\$75,130.00	\$1,350.00	\$14,850.00	\$500.00	\$5,500.00	\$500.00	\$5,500.00
13 A	Blow Off Assembly	EA	3	\$3,800.00	\$11,400.00	\$6,000.00	\$18,000.00	\$8,500.00	\$25,500.00	\$4,000.00	\$12,000.00	\$10,580.00	\$31,740.00	\$10,000.00	\$30,000.00	\$5,000.00	\$15,000.00	\$10,000.00	\$30,000.00
14 A	12-Inch Gate Valve, Box, and Cover	EA	35	\$8,000.00	\$280,000.00	\$4,500.00	\$157,500.00	\$4,400.00	\$154,000.00	\$8,000.00	\$280,000.00	\$7,072.00	\$247,520.00	\$7,800.00	\$273,000.00	\$8,000.00	\$280,000.00	\$6,000.00	\$210,000.00
15 A	6-Inch Gate Valve, Box, and Cover	EA	2	\$3,200.00	\$6,400.00	\$3,000.00	\$6,000.00	\$1,800.00	\$3,600.00	\$3,000.00	\$6,000.00	\$4,017.00	\$8,034.00	\$4,000.00	\$8,000.00	\$6,000.00	\$12,000.00	\$2,500.00	\$5,000.00
16 A	Fitting 12-Inch x 12-Inch Cross & Thrust Block	EA	2	\$3,200.00	\$6,400.00	\$3,500.00	\$7,000.00	\$2,800.00	\$5,600.00	\$4,500.00	\$9,000.00	\$4,516.00	\$9,032.00	\$7,000.00	\$14,000.00	\$1,000.00	\$2,000.00	\$2,500.00	\$5,000.00
17 A	Fitting 12-Inch x 12-Inch Tee & Thrust Block	EA	7	\$4,600.00	\$32,200.00	\$2,800.00	\$19,600.00	\$2,300.00	\$16,100.00	\$4,000.00	\$28,000.00	\$2,885.00	\$20,195.00	\$4,500.00	\$31,500.00	\$1,000.00	\$7,000.00	\$2,500.00	\$17,500.00
18 A	Fitting 12-Inch x 6-Inch Tee & Thrust Block	EA	3	\$2,600.00	\$7,800.00	\$1,850.00	\$5,550.00	\$1,500.00	\$4,500.00	\$3,500.00	\$10,500.00	\$2,328.00	\$6,984.00	\$3,700.00	\$11,100.00	\$1,000.00	\$3,000.00	\$2,500.00	\$7,500.00
19 A	Fitting 8-Inch x 8-Inch Tee & Thrust Block	EA	1	\$1,900.00	\$1,900.00	\$3,800.00	\$3,800.00	\$1,200.00	\$1,200.00	\$2,500.00	\$2,500.00	\$1,376.00	\$1,376.00	\$2,800.00	\$2,800.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00
20 A	Fitting 12-Inch 45-Degree Bend & Thrust Block	EA	139	\$1,000.00	\$139,000.00	\$900.00	\$125,100.00	\$200.00	\$27,800.00	\$1,500.00	\$208,500.00	\$1,724.00	\$239,636.00	\$3,000.00	\$417,000.00	\$500.00	\$69,500.00	\$2,500.00	\$347,500.00
21 A	Fitting 12-Inch 22.5-Degree Bend & Thrust Block	EA	2	\$1,000.00	\$2,000.00	\$1,000.00	\$2,000.00	\$1,050.00	\$2,100.00	\$1,500.00	\$3,000.00	\$1,632.00	\$3,264.00	\$2,800.00	\$5,600.00	\$500.00	\$1,000.00	\$2,500.00	\$5,000.00
22 A	Fitting 12-Inch 11.25-Degree Bend & Thrust Block	EA	1	\$1,000.00	\$1,000.00	\$900.00	\$900.00	\$1,000.00	\$1,000.00	\$1,500.00	\$1,500.00	\$1,591.00	\$1,591.00	\$2,800.00	\$2,800.00	\$500.00	\$500.00	\$2,500.00	\$2,500.00
23 A	Fitting 6-Inch 22.5-Degree Bend & Thrust Block	EA	2	\$750.00	\$1,500.00	\$500.00	\$1,000.00	\$500.00	\$1,000.00	\$1,000.00	\$2,000.00	\$825.00	\$1,650.00	\$1,500.00	\$3,000.00	\$500.00	\$1,000.00	\$2,500.00	\$5,000.00
24 A	Fitting 12-Inch x 8-Inch Reducer & Thrust Block	EA	9	\$1,400.00	\$12,600.00	\$950.00	\$8,550.00	\$950.00	\$8,550.00	\$2,000.00	\$18,000.00	\$2,061.00	\$18,549.00	\$3,000.00	\$27,000.00	\$1,000.00	\$9,000.00	\$2,500.00	\$22,500.00
25 A	Water Service Lateral	EA	94	\$900.00	\$84,600.00	\$5,300.00	\$498,200.00	\$3,000.00	\$282,000.00	\$4,700.00	\$441,800.00	\$8,250.00	\$775,500.00	\$4,500.00	\$423,000.00	\$4,000.00	\$376,000.00	\$7,000.00	\$658,000.00
26 A	Traffic Loop Detector	LS	1	\$15,000.00	\$15,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$98,500.00	\$98,500.00	\$15,000.00	\$15,000.00	\$14,000.00	\$14,000.00	\$10,000.00	\$10,000.00
27 A	Remove and Replace Median Island	SF	530	\$20.00	\$10,600.00	\$40.00	\$21,200.00	\$50.00	\$26,500.00	\$20.00	\$10,600.00	\$50.00	\$26,500.00	\$40.00	\$21,200.00	\$50.00	\$26,500.00	\$120.00	\$63,600.00
28 A	Landscape Restoration	LS	1	\$30,000.00	\$30,000.00	\$25,000.00	\$25,000.00	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$10,000.00	\$10,000.00	\$15,000.00	\$15,000.00	\$20,000.00	\$20,000.00	\$30,000.00	\$30,000.00
29 A	Slurry Seal	SY	22,530	\$5.00	\$112,650.00	\$5.80	\$130,674.00	\$6.50	\$146,445.00	\$6.00	\$135,180.00	\$7.75	\$174,607.50	\$8.00	\$180,240.00	\$6.50	\$146,445.00	\$6.00	\$135,180.00
30 A	Thermoplastic Pavement Marking	SF	10,080	\$7.00	\$70,560.00	\$20.00	\$201,600.00	\$5.00	\$50,400.00	\$18.00	\$181,440.00	\$14.60	\$147,168.00	\$17.00	\$171,360.00	\$15.00	\$151,200.00	\$10.00	\$100,800.00
31 A	Sidewalk	SF	1,290	\$35.00	\$45,150.00	\$28.00	\$36,120.00	\$14.00	\$18,060.00	\$10.00	\$12,900.00	\$93.00	\$119,970.00	\$30.00	\$38,700.00	\$20.00	\$25,800.00	\$16.00	\$20,640.00
32 A	Curb and Gutter	LF	240	\$90.00	\$21,600.00	\$110.00	\$26,400.00	\$68.00	\$16,320.00	\$50.00	\$12,000.00	\$330.00	\$79,200.00	\$120.00	\$28,800.00	\$100.00	\$24,000.00	\$50.00	\$12,000.00
33 A	ADA Curb Ramp	EA	2	\$6,500.00	\$13,000.00	\$4,500.00	\$9,000.00	\$9,500.00	\$19,000.00	\$3,500.00	\$7,000.00	\$7,500.00	\$15,000.00	\$7,400.00	\$14,800.00	\$7,000.00	\$14,000.00	\$3,500.00	\$7,000.00
34 A	Curb Inlet	EA	1	\$9,500.00	\$9,500.00	\$8,500.00	\$8,500.00	\$7,500.00	\$7,500.00	\$4,000.00	\$4,000.00	\$10,000.00	\$10,000.00	\$12,000.00	\$12,000.00	\$5,000.00	\$5,000.00	\$6,500.00	\$6,500.00
35 A	Dewatering	LS	1	\$27,900.00	\$27,900.00	\$15,000.00	\$15,000.00	\$7,725.00	\$7,725.00	\$1,000.00	\$1,000.00	\$1,500.00							



EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: October 17, 2023

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: Batool Zaro, Associate Engineer
Humza Javed, Public Works Director
Chin Hang (Ambrose Wong), Special Projects Manager

SUBJECT: Woodland Avenue Waterline and City of Palo Alto Interconnect Project

Recommendation

Adopt a resolution:

1. Authorizing the City Manager award to, and to negotiate and execute a construction contract, in a form approved by the City Attorney, with Golden State Construction and Utility, in the amount of \$394,000.00; establish a 10% construction contingency in the amount of \$39,400.00, for a total construction budget of \$433,400.00, and execute future change orders in an amount not-to-exceed the appropriated construction contingency;
2. Appropriating \$433,400 from the Committed balance in the General Fund; and
3. Finding that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Sections 15301 and 15303 of the CEQA Guidelines.

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

- Improve water infrastructure

Background

CONSENT ITEM 3.2

Capital Improvement Project (CIP) WS - 01A, Woodland Avenue Waterline and City of Palo Alto Interconnect Project (project) would re-establish an existing emergency intertie with the City of Palo Alto's water system.

The work includes abandoning and removing 8-inch cast iron pipe (CIP) water main, installing a 12-inch polyvinyl chloride (PVC) pipe water main, 8-inch PVC, 6-inch PVC, and installing a valve pit. This project would establish an emergency intertie with the City of Palo Alto's water system and this will allow the City to obtain emergency water in case the City's connection with the Hetch Hetchy Aqueduct is severed. Currently, the City has no emergency source of water if the City's connection with the Hetch Hetchy Aqueduct is severed.

An intertie between Palo Alto and East Palo Alto at this location currently exists, however, it is non-functional and upgrades/improvements are needed. Additionally, removal and replacement of watermain on Woodland Avenue are needed in order for it to connect to the improved intertie and provide reliable water supply in case of an emergency. On April 20, 2021 City Council adopted Resolution 55-2021 authorizing the City Manager to enter into an agreement with the City of Palo Alto for completing an emergency water intertie between the two cities. The Agreement for the intertie connection with Palo Alto was executed on August 9th, 2021. On October 4, 2022, the City Council adopted a resolution identifying the project as a priority and committing to the implementation of the project in the upcoming years. On July 18, 2023, the City Council approved the final design for this project along with a funding strategy.

This project is listed in the City's updated two-year CIP, ten-year CIP, and the 2022 Water System Master Plan (WSMP). The WSMP listed this project as a priority 1A project to be completed within the next five years.

The 100% plan set for this project can be found on the City website linked below:

<https://www.cityofepa.org/publicworks/page/woodland-avenue-waterline-and-city-palo-alto-interconnect-project>

Analysis

The project was advertised on August 11, 2023, for solicitation of construction bids. On September 26, 2023, sealed bids were received, publicly opened via Zoom, and read aloud by the City Clerk and a Public Works Engineer. Seven (7) contractors submitted bids for the Project with the following bid results:

No.	Company Name	Total Base Bid Amount
1 .	Koios Engineering	\$ 504,410.00
2 .	Cratus Inc	\$ 672,350.00
3.	DPI Inc.	\$ 600,560.00

CONSENT ITEM 3.2

4.	Pacific Underground Construction Inc.	\$	607,890.00
5.	Golden Boy Construction Inc.	\$	546,144.00
6.	C2R Engineering	\$	427,260.00
7.	Golden State Construction and Utility	\$	394,000.00

The bid summary analysis is included as Attachment 2 to this report.

Golden State Construction and Utility submitted the lowest base bid in the amount of \$394,000.00. City staff performed a bid analysis, verified qualifications, and checked license as well as references for the lowest bidder.

Contingent upon completing all insurance and bonding requirements of the Contract Specifications, staff recommends that the City Council authorize the City Manager to execute a construction contract with Golden State Construction and Utility, the lowest responsive and responsible bidder, in an amount not-to-exceed \$394,000.00 and appropriating an additional \$39,400.00 (10%) for construction contingency.

Fiscal Impact

Staff recommends appropriating \$433,400 from the following source which was committed previously committed by the Council in the General Fund as a result of saving from ARPA funds.

Funding Source	Amount
General Fund ARPA saving funds	\$433,400.00

Public Notice

The public was provided notice of this agenda item by posting the City Council agenda on the City's official bulletin board outside City Hall and making the agenda and report available at the City's website and at the San Mateo Co. Library located at 2415 University Avenue, East Palo Alto

Environmental

This Project is categorically exempt under California Environmental Quality Act (CEQA) as follows:

Section 15301 - Existing Facilities

(d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety,

CONSENT ITEM 3.2

Section 15303 - New Construction or Conversion of Small Structures

(d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.

Attachments

1. Resolution.
2. Bid Summary

RESOLUTION NO. XX – 2023

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EAST PALO ALTO**

AUTHORIZING THE CITY MANAGER TO AWARD TO, NEGOTIATE AND EXECUTE A CONSTRUCTION CONTRACT WITH GOLDEN STATE CONSTRUCTION AND UTILITY IN THE AMOUNT OF \$394,000.00 FOR THE WOODLAND AVENUE WATERLINE AND CITY OF PALO ALTO INTERCONNECT PROJECT, ESTABLISH A 10% CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$39,400.00 FOR A TOTAL CONSTRUCTION BUDGET OF \$433,400.00, EXECUTE FUTURE CHANGE ORDERS IN AN AMOUNT NOT-TO-EXCEED THE APPROPRIATED CONTINGENCY; FINDING THE PROJECT IS CATEGORICALLY EXEMPT FROM CEQA

WHEREAS, Capital Improvement Project (CIP) WS - 01A, Woodland Avenue Waterline and City of Palo Alto Interconnect Project (project) would re-establish an existing emergency intertie with the City of Palo Alto's water system and improve the watermain on Woodland Avenue; and

WHEREAS, establishment of interties will allow the City to obtain emergency water in case the City's connection with the Hetch Hetchy Aqueduct is severed; and

WHEREAS, this project is listed in the City's two-year CIP, ten-year CIP, and the 2022 Water System Mater Plan as a priority project; and

WHEREAS, on July 18, 2023, the City Council adopted a resolution identifying the project as a priority and committing to the implementation of the project in the upcoming years; and

WHEREAS, the project was advertised for construction bids on August 11, 2023; and

WHEREAS, on September 26, 2023, the City of East Palo Alto ("City") received sealed bids that were publicly opened via Zoom and read aloud by the City Clerk and a Public Works Engineer; and

WHEREAS, there were a total of seven (7) contractors who submitted bids for the project with Golden State Construction and Utility being the lowest responsible bidder with a bid amount of \$394,000.00 and

WHEREAS, City staff performed a bid review, verified qualifications, and checked license and references for the lowest responsible bidder, and deemed the package satisfactory.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO HEREBY:

1. Finds the foregoing recitals are true and correct and are incorporated by reference into this action;
2. Authorizes the City Manager to award to, and to negotiate and execute a construction contract, in a form approved by the City Attorney, with Golden State Construction and Utility, in the amount of \$394,000.00; establish a 10% construction contingency in the amount of \$39,400.00, for a total construction budget of \$433,400.00, and execute future change orders in an amount not-to-exceed the appropriated construction contingency;

3. Appropriating \$433,400 from the Committed balance in the General Fund; and
4. Finding that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Sections 15301 and 15303 of the CEQA Guidelines; and

PASSED AND ADOPTED this 17th day of October 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Gauthier, Mayor

ATTEST:

APPROVED AS TO FORM:

James Colin, City Clerk

John D. Lê, City Attorney

City of East Palo Alto
Woodland Avenue Waterline and City of Palo Alto Interconnect Project
Bid Opening - September 26, 2023 @ 2:00 PM

Item No.	Description	Unit	Quantity	Engineer's Estimate		Bidder #1 Golden State Construction & Utility, Inc.		Bidder #2 C2R Engineering, Inc.		Bidder #3 Koios Engineering, Inc.		Bidder #4 Golden Bay Construction, Inc.		Bidder #5 DPI, Inc.		Bidder #6 Pacific Underground Construction, Inc.		Bidder #7 Cratus, Inc.	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Mobilization	LS	1	\$21,500.00	\$21,500.00	\$19,500.00	\$19,500.00	\$17,000.00	\$17,000.00	\$20,000.00	\$20,000.00	\$29,144.00	\$29,144.00	\$27,000.00	\$27,000.00	\$28,500.00	\$28,500.00	\$35,000.00	\$35,000.00
2	Traffic Control	LS	1	\$30,000.00	\$30,000.00	\$15,000.00	\$15,000.00	\$30,000.00	\$30,000.00	\$40,000.00	\$40,000.00	\$20,000.00	\$20,000.00	\$52,000.00	\$52,000.00	\$23,000.00	\$23,000.00	\$20,000.00	\$20,000.00
3	Sheeting, Shoring, and Bracing	LS	1	\$5,000.00	\$5,000.00	\$20,000.00	\$20,000.00	\$8,500.00	\$8,500.00	\$2,000.00	\$2,000.00	\$4,000.00	\$4,000.00	\$8,500.00	\$8,500.00	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00
4	Stormwater Pollution Prevention & Control	LS	1	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00	\$12,000.00	\$12,000.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$16,000.00	\$16,000.00	\$8,150.00	\$8,150.00	\$5,000.00	\$5,000.00
5	12-Inch PVC Pipe	LF	420	\$650.00	\$273,000.00	\$340.00	\$142,800.00	\$350.00	\$147,000.00	\$450.00	\$189,000.00	\$430.00	\$180,600.00	\$600.00	\$252,000.00	\$530.00	\$222,600.00	\$750.00	\$315,000.00
6	8-Inch PVC Pipe	LF	40	\$500.00	\$20,000.00	\$330.00	\$13,200.00	\$350.00	\$14,000.00	\$375.00	\$15,000.00	\$418.00	\$16,720.00	\$450.00	\$18,000.00	\$520.00	\$20,800.00	\$500.00	\$20,000.00
7	6-Inch PVC Pipe	LF	10	\$475.00	\$4,750.00	\$320.00	\$3,200.00	\$360.00	\$3,600.00	\$300.00	\$3,000.00	\$412.00	\$4,120.00	\$470.00	\$4,700.00	\$500.00	\$5,000.00	\$500.00	\$5,000.00
8	12-Inch Gate Valve, Box, and Cover	EA	2	\$8,000.00	\$16,000.00	\$5,300.00	\$10,600.00	\$7,500.00	\$15,000.00	\$6,500.00	\$13,000.00	\$6,000.00	\$12,000.00	\$5,700.00	\$11,400.00	\$7,000.00	\$14,000.00	\$8,000.00	\$16,000.00
9	6-Inch Gate Valve, Box, and Cover	EA	1	\$3,200.00	\$3,200.00	\$2,200.00	\$2,200.00	\$3,500.00	\$3,500.00	\$6,500.00	\$6,500.00	\$4,375.00	\$4,375.00	\$2,700.00	\$2,700.00	\$4,000.00	\$4,000.00	\$6,000.00	\$6,000.00
10	Abandon 8-Inch Watermain	LS	1	\$5,000.00	\$5,000.00	\$8,000.00	\$8,000.00	\$7,500.00	\$7,500.00	\$50.00	\$50.00	\$7,500.00	\$7,500.00	\$10,800.00	\$10,800.00	\$15,000.00	\$15,000.00	\$5,000.00	\$5,000.00
11	Remove and Dispose of 8-Inch Watermain	LF	70	\$60.00	\$4,200.00	\$50.00	\$3,500.00	\$10.00	\$700.00	\$100.00	\$7,000.00	\$100.00	\$7,000.00	\$40.00	\$2,800.00	\$70.00	\$4,900.00	\$20.00	\$1,400.00
12	Connect to Existing 8-Inch Watermain	EA	3	\$7,000.00	\$21,000.00	\$4,500.00	\$13,500.00	\$5,000.00	\$15,000.00	\$20,000.00	\$60,000.00	\$19,375.00	\$58,125.00	\$2,400.00	\$7,200.00	\$13,000.00	\$39,000.00	\$15,000.00	\$45,000.00
13	Connect to Existing 6-Inch Watermain	EA	1	\$5,500.00	\$5,500.00	\$4,400.00	\$4,400.00	\$5,000.00	\$5,000.00	\$20,000.00	\$20,000.00	\$18,750.00	\$18,750.00	\$2,000.00	\$2,000.00	\$12,000.00	\$12,000.00	\$15,000.00	\$15,000.00
14	Remove Existing Water Valve & Box	EA	3	\$1,000.00	\$3,000.00	\$200.00	\$600.00	\$500.00	\$1,500.00	\$1,000.00	\$3,000.00	\$250.00	\$750.00	\$900.00	\$2,700.00	\$1,500.00	\$4,500.00	\$250.00	\$750.00
15	Fitting 12-Inch x 8-Inch Tee & Thrust Block	EA	1	\$3,300.00	\$3,300.00	\$2,200.00	\$2,200.00	\$1,800.00	\$1,800.00	\$700.00	\$700.00	\$1,125.00	\$1,125.00	\$2,300.00	\$2,300.00	\$3,100.00	\$3,100.00	\$1,000.00	\$1,000.00
16	Fitting 12-Inch x 6-Inch Tee & Thrust Block	EA	1	\$2,600.00	\$2,600.00	\$2,000.00	\$2,000.00	\$1,800.00	\$1,800.00	\$700.00	\$700.00	\$1,125.00	\$1,125.00	\$2,280.00	\$2,280.00	\$3,000.00	\$3,000.00	\$1,000.00	\$1,000.00
17	Fitting 12-Inch 45-Degree Bend & Thrust Block	EA	8	\$1,000.00	\$8,000.00	\$1,600.00	\$12,800.00	\$1,600.00	\$12,800.00	\$700.00	\$5,600.00	\$905.00	\$7,240.00	\$1,900.00	\$15,200.00	\$1,530.00	\$12,240.00	\$1,000.00	\$8,000.00
18	Fitting 12-Inch 22.5-Degree Bend & Thrust Block	EA	1	\$1,000.00	\$1,000.00	\$1,600.00	\$1,600.00	\$1,500.00	\$1,500.00	\$700.00	\$700.00	\$905.00	\$905.00	\$1,800.00	\$1,800.00	\$1,500.00	\$1,500.00	\$1,000.00	\$1,000.00
19	Fitting 12-Inch 11.25-Degree Bend & Thrust Block	EA	2	\$1,000.00	\$2,000.00	\$1,600.00	\$3,200.00	\$1,500.00	\$3,000.00	\$700.00	\$1,400.00	\$905.00	\$1,810.00	\$1,800.00	\$3,600.00	\$1,400.00	\$2,800.00	\$1,000.00	\$2,000.00
20	Fitting 6-Inch 45-Degree Bend & Thrust Block	EA	1	\$750.00	\$750.00	\$800.00	\$800.00	\$800.00	\$800.00	\$700.00	\$700.00	\$750.00	\$750.00	\$1,200.00	\$1,200.00	\$650.00	\$650.00	\$1,000.00	\$1,000.00
21	Fitting 12-Inch x 8-Inch Reducer & Thrust Block	EA	2	\$1,400.00	\$2,800.00	\$1,200.00	\$2,400.00	\$1,200.00	\$2,400.00	\$700.00	\$1,400.00	\$1,125.00	\$2,250.00	\$1,800.00	\$3,600.00	\$1,000.00	\$2,000.00	\$1,000.00	\$2,000.00
22	Slurry Seal	SY	2,220	\$5.00	\$11,100.00	\$26.00	\$57,720.00	\$26.00	\$57,720.00	\$23.00	\$51,060.00	\$29.00	\$64,380.00	\$34.00	\$75,480.00	\$33.00	\$73,260.00	\$30.00	\$66,600.00
23	Striping	LS	1	\$12,000.00	\$12,000.00	\$3,000.00	\$3,000.00	\$25,000.00	\$25,000.00	\$10,000.00	\$10,000.00	\$35,000.00	\$35,000.00	\$37,100.00	\$37,100.00	\$31,000.00	\$31,000.00	\$10,000.00	\$10,000.00
24	Sidewalk	SF	40	\$20.00	\$800.00	\$14.00	\$560.00	\$35.00	\$1,400.00	\$15.00	\$600.00	\$35.00	\$1,400.00	\$65.00	\$2,600.00	\$60.00	\$2,400.00	\$20.00	\$800.00
25	Curb and Gutter	LF	10	\$50.00	\$500.00	\$68.00	\$680.00	\$200.00	\$2,000.00	\$50.00	\$500.00	\$125.00	\$1,250.00	\$250.00	\$2,500.00	\$400.00	\$4,000.00	\$30.00	\$300.00
26	36"x60" Jensen Precast Vault	EA	1	\$1,500.00	\$1,500.00	\$26,000.00	\$26,000.00	\$15,000.00	\$15,000.00	\$20,000.00	\$20,000.00	\$16,000.00	\$16,000.00	\$10,500.00	\$10,500.00	\$35,700.00	\$35,700.00	\$20,000.00	\$20,000.00
27	Six-Inch (6") Gate Valve with Wheel Handle with Chain and Pad Lock	EA	1	\$3,000.00	\$3,000.00	\$1,500.00	\$1,500.00	\$3,500.00	\$3,500.00	\$15,000.00	\$15,000.00	\$4,500.00	\$4,500.00	\$2,300.00	\$2,300.00	\$4,000.00	\$4,000.00	\$12,000.00	\$12,000.00
28	Six-Inch (6") Flow Meter	EA	1	\$3,000.00	\$3,000.00	\$7,000.00	\$7,000.00	\$7,240.00	\$7,240.00	\$7,500.00	\$7,500.00	\$32,700.00	\$32,700.00	\$9,000.00	\$9,000.00	\$25,000.00	\$25,000.00	\$20,000.00	\$20,000.00
29	Six-Inch (6") Check Valve	EA	1	\$3,000.00	\$3,000.00	\$3,200.00	\$3,200.00	\$5,000.00	\$5,000.00	\$4,500.00	\$4,500.00	\$6,375.00	\$6,375.00	\$2,800.00	\$2,800.00	\$5,000.00	\$5,000.00	\$15,000.00	\$15,000.00
30	Two-Inch (2") Blow Off	EA	1	\$900.00	\$900.00	\$2,840.00	\$2,840.00	\$6,000.00	\$6,000.00	\$3,000.00	\$3,000.00	\$3,750.00	\$3,750.00	\$10,500.00	\$10,500.00	\$1,850.00	\$1,850.00	\$2,500.00	\$2,500.00
Total Bid				\$473,400.00		\$394,000.00		\$427,260.00		\$504,410.00		\$546,144.00		\$600,560.00			\$618,950.00	\$672,350.00	

Apparent Low Bidder
Math Error



EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: October 17, 2023
TO: Honorable Mayor and Members of the City Council
VIA: Melvin E. Gaines, City Manager
BY: James Colin, City Clerk
SUBJECT: City Council Meeting Minutes

Recommendation

Adopt the July 18, 2023 – July 25, 2023, City Council Meeting Minutes.

Attachments

1. July 18, 2023 – July 25, 2023, Minutes



**EAST PALO ALTO CITY COUNCIL
REGULAR MEETING MINUTES
JULY 18, 2023
EPA Government Center
2415 University Ave, First Floor – City Council Chamber
East Palo Alto, CA 94303**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Mayor Lisa Gauthier at 6:41 p.m.

Attendee Name	Title	Status	Arrived
Carlos Romero	Councilmember	Present	
Ruben Abrica	Councilmember	Present	
Lisa Gauthier	Mayor	Present	
Antonio Lopez	Vice Mayor	Absent	
Martha Barragan	Councilmember	Present	

2. APPROVAL OF THE AGENDA

The approval of the agenda was **motioned** by Councilmember Carlos Romero, **seconded** by Mayor Gauthier, and approved **unanimously**.

3. APPROVAL OF CONSENT CALENDAR

1. University Avenue/Beech Street Property Exchange
2. Ravenswood Business District / 4 Corners Specific Plan – Second Contract Amendment to Developer Reimbursement Agreements
3. Award of Contract for Spanish Interpretation Services
4. Monthly Cash Treasury Report for May 2023
5. Agreement with Bay Area Community Resources for Climate Action Plan Update and Implementation Fellow
6. CSG Staff Augmentation Sixth Contract Amendment
7. Final Design for the University/Weeks 12-Inch Water Main Project; and the Woodland Watermain Project
8. Capital water system improvement payments to Veolia
9. Minutes of the June 20, 2023 Meeting
10. City Council Action on Colibri Commons, an Affordable Housing Development at 965 Weeks
11. A Proclamation Celebrating Deborah Lewis-Virges and Clyde Lewis-Virges for Pastor Appreciation Day
12. A Proclamation Recognizing Mr. George Smith Sr.

The approval of the consent calendar was **motioned** by Councilmember Carlos Romero, **seconded** by Councilmember Abrica, and approved **unanimously**.

4. CLOSED SESSION - NONE

5. PUBLIC COMMENT

The following speakers provided a public comment at the City Council meeting:

- Javanni Brown Austin
- Jeannie Llewellyn
- Leland Francois
- Court Skinner
- Gail Wilkerson
- Gaulam Chandoke
- Luella Parker

6. INFORMATIONAL REPORTS - NONE

7. SPECIAL PRESENTATIONS

1. City Hall Feasibility Study

Sam Lin and Jasmine Gao from San Mateo County provided a presentation on the City Hall Feasibility Study.

Councilmember Abrica requested a Study Session item regarding the presentation.

Public Comment:

- Leland Francois
- Gail Wilkerson

8. PUBLIC HEARINGS

1. Inclusionary Housing In-Lieu Fee Update

Karen Camacho, Housing and Economic Development Manager provided a presentation on the Inclusionary Housing In-Lieu Fee Update.

Public Comment

- Michelle
- Meina Young
- George Wu
- Tuan N.
- Adrienne Bryant

The approval of item 8.1 was **motioned** by Councilmember Carlos Romero, **seconded** by Mayor Gauthier, and approved via the following breakdown:

Attendee Name	Title	Status
Carlos Romero	Councilmember	AYE
Ruben Abrica	Councilmember	AYE
Lisa Gauthier	Mayor	AYE
Antonio Lopez	Vice Mayor	ABSENT
Martha Barragan	Councilmember	ABSTAIN

9. POLICY AND ACTION

1. East Palo Alto Opportunity to Purchase Act ("EPA OPA") Update

Karen Camacho, Housing and Economic Development Manager and Benjamin Toney provided a presentation on the East Palo Alto Opportunity to Purchase Act ("EPA OPA")

Javanni Brown Austin

Jeannie Llewellyn

Elena Kogan

Jennifer Liu

Sherry Flamer

Jose Rocha

Aizza Rocha

Elena Savva

Anna Romanovskaia

Jack Beiderman

-

Sherman

Chris Moore

Jennifer W.

George Wu

Suzanne Moore

-

Carol Cunningham

Court Skinner

Elizabeth Pulido

Ronoberto Zamora

Amelia Gutierrez

Gregory Slater

Mark Dinan

Ce Cole Dillon

Estela Guerrero

-

Dan Pan

Peter

Adrienne Bryant
Mac
Nina Helmer
-
Iris Li
Darren Cunningham
Varsha Likhite
Gail Wilkerson
Gaulam Chandhoke
Grace Popple
Evelyn Wilson
Estefani Ruiz
-
Wayne Lee
Christina
Carol Li
Kenneth Harris
Edwin Magana Lopez
-
Daniella Montes
Xenia
Fernanda Moreno
Laura Rubio
Ofelia
Bryant Herrera Gonzalez
Maya
Alla
-
Simon Weng
Harrell Design
Gene Gan
Way Lee
Rafael
-
Alexey Savva
Stewart Hyland
Maleli Raiyawa
Irina Berman
Rohin Ghosh
Max Kiang

Raquel Lima
Francisca Guzman
Elizabeth Jackson
-
Lisa Yang
Bob Allen
Darrell Ford
RWJ
Federico Andrade
-
Luella Parker
Dionis Papauramidis
Vanessa Smith
Kevin Molina
-
Kyra Brown
Iza
Bo Liu
Lily
Joseph Chu
Danny Gan

Directions were given by the City Council and the report was received.

10. COUNCIL REPORTS

Mayor Lisa Gauthier requested that Councilmembers provide reports regarding conferences and events that they attend.

11. ADJOURNMENT

The meeting was adjourned at 11:13 p.m.



**EAST PALO ALTO CITY COUNCIL
STUDY SESSION MINUTES
JULY 25, 2023
EPA Government Center
2415 University Ave, First Floor – City Council Chamber
East Palo Alto, CA 94303**

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Mayor Lisa Gauthier at 6:02 p.m.

Attendee Name	Title	Status	Arrived
Carlos Romero	Councilmember	Present	
Ruben Abrica	Councilmember	Present	
Lisa Gauthier	Mayor	Present	
Antonio Lopez	Vice Mayor	Absent	
Martha Barragan	Councilmember	Present	

2. APPROVAL OF THE AGENDA

Mayor Lisa Gauthier expressed interest in adding a public comment section after the approval of consent calendar to allow for a member of the public who did not receive a chance to speak at a previous meeting to provide a public comment.

The approval of the agenda was **motioned** by Councilmember Carlos Romero and **seconded** by Mayor Lisa Gauthier and was approved **unanimously**.

3. APPROVAL OF CONSENT CALENDAR

Mayor Lisa Gauthier expressed interest in pulling item 3.1 for discussion. +

The approval of the consent calendar excluding item 3.1 was **motioned** by Mayor Lisa Gauthier and **seconded** by Councilmember Carlos Romero and was approved **unanimously**.

1. 2023 TOT Recommendations

The approval of item 3.1 was **motioned** by Councilmember Carlos Romero and **seconded** by Councilmember Ruben Abrica and was approved **unanimously**.

2. Police Patrol Vehicles

3. Approval of Classification and Compensation Schedules for New, Revised, Retitled, and Reclassified Positions

PUBLIC COMMENT

Sarjeet Singh provided a public comment to the City Council.

4. STUDY SESSION

1. TDM Program and RBD TDM/TMA Study Session

Humza Javed, Public Works Director, Provided and Steve Raney, TDM Consultant provided a presentation on the Transportation Demand Management Program.

Public Comment:

- Jeff Poetsch
- Mike Kramer
- Q Smith

5. ADJOURNMENT

The meeting was adjourned at 7:54 p.m.



EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: October 17, 2023

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: James Colin, City Clerk

SUBJECT: Proclamation Commemorating Pastor Paul Baines for His 25th Anniversary as Pastor at Saint Samuel Church

Recommendation

Present the proclamation Commemorating Pastor Paul Baines for His 25th Anniversary as Pastor at Saint Samuel Church.

Attachments

1. Proclamation

PROCLAMATION OF THE CITY OF EAST PALO ALTO COMMEMORATING PASTOR PAUL BAINES FOR HIS 25TH ANNIVERSARY AS PASTOR AT SAINT SAMUEL CHURCH

WHEREAS, the City of East Palo Alto is proud to honor individuals who have made extraordinary contributions to our community, and we hold in high regard those who have dedicated their lives to spiritual guidance and community service; and

WHEREAS, Elder Paul J. Bains assumed the role of pastor at Saint Samuel Church of God in Christ in 1998, embarking on a remarkable journey of unwavering faith and commitment to his congregation; and

WHEREAS, under the leadership of Pastor Paul and Cheryl Bains, Project WeHOPE was established in 1999, becoming a cornerstone of hope and assistance for our community's most vulnerable members; and

WHEREAS, their dedication to addressing the needs of our youth led to the creation of the STAND program in partnership with the SCC School District in 2000, offering vital support to students and families facing challenges in education; and

WHEREAS, in 2003, Project WeHOPE opened the House of HOPE, providing transitional housing for homeless men and offering them a path to stability and self-sufficiency; and

WHEREAS, recognizing the importance of a strong partnership between the community and law enforcement, Pastor Bains joined forces with the East Palo Alto Police Department in 2004 to establish the Police Chaplaincy Program, promoting trust and understanding between the police force and our residents; and

WHEREAS, Pastor Bains's commitment to financial empowerment and inclusivity led to the establishment of the Community Trust Credit Union in partnership with organizations like Able Works in 2007, bringing accessible financial services to our community; and

WHEREAS, Project WeHOPE's dedication to providing shelter during inclement weather became a year-round service in 2013, ensuring that nobody in our community is left without a safe place to stay; and

WHEREAS, the launch of Dignity on Wheels in 2015, followed by its expansion to Santa Clara County in 2016, and the introduction of HOPE Jobs in the same year, demonstrate Pastor Bains's unwavering commitment to improving the lives and employability of those in need; and

WHEREAS, in 2017, Project WeHOPE launched Dignity@Work, furthering efforts to reduce recidivism and provide opportunities for reintegration into society; and

WHEREAS, Pastor Bains's dedication to addressing homelessness extended to the launch of the RV Safe Parking Program in partnership with East Palo Alto in 2019, offering a safe and dignified space for those experiencing homelessness; and

WHEREAS, the Dignity on Wheels Program expanded its reach to serve five counties and twenty-two cities in 2020, demonstrating a commitment to regional collaboration in addressing homelessness; and

WHEREAS, in response to the COVID-19 pandemic, Project WeHOPE opened a 100-room non-congregate shelter in San Francisco in 2020, providing a haven for individuals in need during challenging times; and

WHEREAS, in 2020, Pastor Paul and Cheryl Bains launched United Hope Builders, a testament to their dedication to providing quality and affordable homes to marginalized community members; and

WHEREAS, Project WeHOPE, in recognition of its evolving mission, rebranded to WeHOPE in 2021, reflecting its expanded scope and continued commitment to hope, dignity, and transformation; and

WHEREAS, as of 2023, Pastor Paul and Cheryl Bains have devoted an incredible 25 years to pastoring Saint Samuel Church of God in Christ, consistently providing spiritual guidance, and uplifting the lives of their congregation and the entire community.

NOW, THEREFORE, be it proclaimed by the City Council of the City of East Palo Alto that we express our deepest gratitude and admiration to Pastor Paul Baines for his extraordinary service, unwavering dedication, and transformative impact on our community.

FURTHER, we celebrate the 25th anniversary of Pastor Paul Baines's pastorate at Saint Samuel Church of God in Christ and applaud the continued achievements of Project WeHOPE (WeHOPE) under his visionary leadership.



Dated: October 8, 2023

Lisa Gauthier, Mayor



EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: October 17, 2023

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: Humza Javed, Public Works Director

SUBJECT: O'Connor street construction update

Recommendation

Receive the verbal report and provide feedback, as desired.



EAST PALO ALTO CITY COUNCIL STAFF REPORT

DATE: October 17, 2023

TO: Honorable Mayor and Members of the City Council

VIA: Melvin E. Gaines, City Manager

BY: Hanson Hom, Deputy Manager, Special Projects
Humza Javed, Public Works Director

SUBJECT: Authorization of Professional Services Agreement for Development Impact Fee Nexus Study and Financial Feasibility Analysis

Recommendation

Adopt a resolution:

1. Authorizing the City Manager to award to and negotiate and execute a Professional Services Agreement, in a form approved by the City Attorney, with Willdan Financial Services for an amount not to exceed \$132,372 to prepare a Development Impact Fee Nexus Study and Financial Feasibility Analysis to update the City's transportation infrastructure, parks and trails, public facilities, storm drainage, and water capacity impact fees, including an optional task for a sanitary sewer impact fee nexus study; and
2. Amending the FY 2023/24 budget allocation for the project to reflect the change in the planned Scope of Services and reduced cost estimate.

Alignment with City Council Strategic Plan

This recommendation is primarily aligned with:

- Promote Housing, Economic and Workforce Development
- Implement the Comprehensive Transportation and Mobility Plan

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- Ensure Our Financial and Organizational Health
- Improve the City's Water Infrastructure
- Enhance Community Services and Parks for Residents

Background

The City's authority to assess development impact fees is defined by East Palo Alto Municipal Code Chapter 13.24, Article V, for water system development fees, and Chapter 13.28 for transportation infrastructure, storm drainage, parks and trails, and public facilities impact fees. Development impact fees were adopted pursuant to California Government Code Section 66000 et seq. ("Mitigation Fee Act"). The purpose of the fees is to ensure that future development will contribute a reasonable fair share contribution to fund the construction of necessary public facility and infrastructure improvements to serve future development, and to ensure that existing residents and developments will not bear a disproportionate share of the cost for these improvements.

Development impact fees apply to new, expanded, or intensified residential, office, industrial, and retail development. They are one-time fees that are typically collected at building permit issuance and are placed into special fund accounts that are earmarked for identified projects in the City's Capital Improvement Program ("CIP").

The water capacity development fee was enacted on July 17, 2018, at the end of a two-year water moratorium after the City was able to secure the necessary water supply allocation from Palo Alto and Mountain View to accommodate planned development in the City's 2016 Vista General Plan. The fee funds water supply and system improvements. The transportation infrastructure, storm drainage, parks and trails, and public facilities impact fees were enacted on March 19, 2019, to fund CIP infrastructure improvements that are necessary to serve future development. These fees were established through a nexus study in compliance with the Mitigation Fee Act.

Information on the City-wide Development Fee Program is available at: <https://www.ci.east-palo-alto.ca.us/publicworks/page/city-wide-development-impact-fee-program>. The impact fees are adjusted annually equal to the change in the Construction Cost Index, as published by the Engineering News Record (20-Cities Average).

Since the adoption of development impact fees in 2018 and 2019, the conditions and underlying assumptions for the nexus study have changed, which warrant a new study and updated impact fees. Most significant is the current update of the Ravenswood Business District/4 Corners Specific Plan ("Specific Plan") which proposes increasing the development capacity in the Specific Plan area from approximately 1.3 million square feet of office/R&D space per the existing Specific Plan (2013) to anywhere from 2.82 to 3.35 million square feet of office/R&D space per the Specific Plan update. A Transportation Impact Analysis (TIA) and Utilities Impact Study (UIS) prepared for the draft environmental impact report identify transportation and utility infrastructure improvements that will be necessary to accommodate the increased capacity.

At a City Council meeting on April 18, 2023, to review infrastructure issues pertaining to the Specific Plan update, the need for an updated nexus study and financial feasibility

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analysis was recognized by the Council and staff was authorized to issue a request for proposals to obtain an economic consultant to prepare these analyses. The nexus study would establish the maximum supportable impact fees, while the accompanying financial feasibility analysis would provide insights on the impact of these fees and other exactions on the financial feasibility of development projects. Developers have requested a cost estimate of these obligations to submit a realistic community benefits package with their development applications for the City's consideration. Additionally, the financial feasibility analysis would consider changes to near-term economic conditions and the effect on project implementation.

In addition to the Specific Plan update, other factors that warrant an updated nexus study and financial feasibility analysis include:

- Chapter 13.28 of the Municipal Code requires evaluating impact fees every five years;
- Assembly Bill (AB) 602 became law on January 1, 2022, that established new requirements for nexus studies, including that impact fees for housing projects must be assessed proportionately to the square footage of proposed units.
- An updated 10-year and 2-year CIP was adopted by the City in September 2020 and June 2022, respectively;
- An updated Water System Master Plan was adopted by the City in October 2022;
- The UIS for the Specific Plan update recommends an update to the City's Storm Drainage Master Plan to accommodate the proposed shoreline levee and future development;
- The City's first Parks, Recreation, and Open Space Master Plan was adopted in April 2023; and
- The City has applied to the San Mateo Local Agency Formation Commission ("LAFCO") to assume management and maintenance of the sanitary sewer system within the City (decision pending).

Analysis

Request for Proposals

A request for proposals ("RFP") was posted on the City's website and distributed to economic and financial consultant firms on July 28, 2023, with a deadline for submittals of August 28, 2023. The RFP sought a qualified firm with substantial experience to prepare a nexus study and a financial feasibility analysis to update the City's development impact fees in compliance with the Mitigation Fee Act and other applicable state laws.

The nexus study includes determining the maximum supportable impact fee to fund additional public facility and infrastructure improvements that will be needed to serve proposed developments in the Specific Plan area. Additionally, the study would include updating the maximum supportable impact fees to reflect the latest scope and cost estimates for existing CIP projects that are partially funded with development impact fees. Based on the results of the nexus study, a financial feasibility analysis will be prepared to assess the financial effect of the justifiable impact fees on private development using prototypical project examples. This analysis will provide a pro forma

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framework for adjusting impact fees to address project feasibility and other City priorities if desired.

The RFP Scope of Services contains several other items:

- Quimby Fees: Evaluate the City's existing Quimby Fees for residential subdivisions which pertain to for-sale housing, with consideration of the significantly lower Parks and Trails Impact Fee that is assessed on all other residential projects (e.g., rental housing). The disparity in fees is due to the difference in methodology: Quimby fees are based on current land values and acquisition of parkland, whereas the parks and trails impact fee is based on the adopted list of CIP parks and trails projects.
- Sanitary Sewer Impact Fee: This optional task consists of completing a nexus study to establish a potential impact fee for sanitary sewer system improvements that are needed city-wide and within the Specific Plan area to serve future development. Performance of this task depends on the pending decision from LAFCO on an application from the City to assume jurisdiction of the sanitary sewer system. If this optional task proceeds, engineering consultant support would be available from Freyer & Laureta, Inc., which is highly familiar with the current sanitary sewer system and has previously analyzed capital improvements and an operations plan for the City's LAFCO application. Their services would be funded separately through an existing on-call City contract.

Staff received three proposals by the submittal deadline in response to the RFP . The proposals were evaluated based on the selection criteria outlined in the RFP. After review by a multi-departmental committee consisting of staff from the City Manager's Office, Public Works, Finance, and Community and Economic Development Departments, virtual interviews were held on September 11, 2023, with the top two proposers.

Upon consideration of each firm's relevant experience and qualifications, staff is recommending entering into a professional services agreement with Willdan Financial Services (a division of Willdan Group, Inc.) to prepare the nexus study and financial feasibility analysis. Willdan is a widely recognized economic and financial consultant firm that has provided development impact fee services to over 60 California cities. The firm also has extensive experience advising cities on public infrastructure and facilities financing such as assessment districts and community facility districts. Additionally, Willdan Engineering Services, another division of the parent company, will be available to provide engineering support services if necessary. While cost was not the primary selection criteria, Willdan's proposal was the lowest among the three proposals, which ranged from \$101,585 to \$187,505.

Scope of Services

The Professional Services Agreement includes the following Primary Scope of Services which may be adjusted during the course of the project upon discussion with the City. Optional tasks 4.1 and 10 were added following further discussion with Willdan. Not

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listed below is a sanitary sewer fee nexus study, which is listed as an Addendum Scope of Services in the Agreement.

- Task 1:** **Identify Policy Issues.** Identify and discuss potential policy issues raised by the study. Kick-off meeting with staff to review data needs, policy issues, and schedule.
- Task 2:** **Identify Existing Development and Future Growth.** Identify estimates of existing levels of development; and identify a projection of future growth consistent with current planning policy.
- Task 3:** **Determine Facility Standards.** For each impact fee, determine standards to identify facilities required to accommodate growth.
- Task 4:** **Determine Facilities Needs and Costs.** Identify the type, amount and cost of facilities required to accommodate growth and correct deficiencies, if any.
- Task 4.1:** **Planning Level Cost Estimate for Bay Road Improvements.** Prepare an estimated cost for Bay Road improvements for inclusion in the CIP for the Nexus Study.
- Task 5:** **Identify Funding and Financing Alternatives.** Determine the extent of alternative (non-fee) funding available for new facilities.
- Task 6:** **Comparison Survey Analysis.** Provide a comparison of the current and proposed impact fees to those of comparable/surrounding jurisdictions in San Mateo County or the Bay Area and an assessment of the effect of fees on development feasibility.
- Task 7:** **Calculate Fees and Prepare Report.** Provide technically defensible fee report that comprehensively documents project assumptions, methodologies, and results.
- Task 8:** **Prepare Financial Feasibility Analysis.** Analyze the financial impact associated with the maximum supportable impact fees and other exactions, obligations, and taxes that would be assessed on private development projects.
- Task 9:** **Meetings.** Attend up to 12 meetings, including City Council meetings, to discuss and review project status and present project findings internally and in a public setting. Prepare materials for meetings and presentations.
- Task 10:** **Prepare Impact Fee Schedule Calculation Tool.** Provide interactive tool to ensure predictable and intuitive fees that are easily accessible and understandable to customers interested in calculating fees on their own for a particular type of project.

Project Schedule

Willdan proposes completing the nexus study and financial feasibility study by June 2024, assuming that: 1) the project begins in November 2023; 2) CIP project descriptions, updated costs estimates, and other necessary information are provided to

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the consultant in a timely manner; 3) and review of draft documents are completed within the prescribed time periods. The draft nexus study is expected to be available in March/April with release of the financial feasibility analysis by June. Opportunity for input from stakeholders and the community are included in the process as well as several City Council meetings.

Contract Amount

The Professional Services Agreement consists of the components shown in Table A. The Agreement includes a 20 percent contingency for extra services that may be requested by the City to complete the nexus study, financial feasibility analysis, and supporting technical analysis. Any expenditure of contingency funds will require the prior written authorization of the City.

As previously mentioned, the Agreement includes preparing an optional nexus study for a potential sanitary sewer impact fee, which is an addendum task that could be authorized by the City at a later date depending on the status of the LAFCO application. Under this optional nexus study scope expansion, the nexus study would also be used to determine the fair share of sanitary sewer system upgrades that would be borne by developers.

Table A
Willdan Professional Services Agreement

Item	Cost
Primary Scope of Services (Tasks 1-10 per above)	93,510
Contingency (20% per City authorization)	19,062
Sub-total Primary Scope of Services	112,572
OPTIONAL: Addendum Scope of Services (sanitary sewer impact fee study)	16,500
Contingency (20% per City authorization)	3,300
Sub-total Addendum Scope of Services	19,800
TOTAL Scope of Services	\$ 132,372

Fiscal Impact

The Development Impact Fee Nexus Study and Financial Feasibility Analysis is included in the City adopted budget for FY 2023-24 in the amount of \$250,000 as follows.

[OBJ]

Due to a change in the planned Scope of Services and a reduced cost estimate, however, staff recommend changing the budget allocation which will result in a budget saving of approximately \$118K in aggregate as follows:

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Fund	Original Budget	Amended Budget
Transportation Impact (F307)	\$ 83,333	\$ 22,514
RBD-I Storm Drain Impact (308)	\$ 83,333	\$ 22,514
Water Impact (F513)	\$ 83,333	\$ 22,514
Parks and Trails Impact (F305)	\$ -	\$ 22,514
Public Facilities Impact (F306)	\$ -	\$ 22,514
Capital Improvement (F301)	\$ -	\$ 19,800
Total	\$ 250,000	\$ 132,372

(08)

Public Notice

The public was provided notice of this agenda item by posting the City Council agenda on the City's official bulletin board outside City Hall and making the agenda and report available at the City's website and at City Hall located at 2415 University Avenue, East Palo Alto. Notice of this agenda item was also sent to a list of City developers and property owners with pending development applications.

Environmental

The proposed action does not constitute a "project" with the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that it is a governmental fiscal, organizational, or administrative activity that will not result in direct or indirect changes in the environment.

Attachment

1. Resolution

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST PALO ALTO TO AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR AN DEVELOPMENT IMPACT FEE NEXUS STUDY AND FINANCIAL FEASIBILITY ANALYSIS TO UPDATE TRANSPORTATION INFRASTRUCTURE, UTILITIES, AND PUBLIC FACILITIES IMPACT FEES

WHEREAS, California Government Code Section 66000 et seq. (“Mitigation Fee Act”) authorizes cities to impose development impact fees to have developers contribute to the cost of facility and infrastructure improvements that will directly benefit their development projects;

WHEREAS, Chapter 13.24, Article V, and Chapter 13.28 of the East Palo Alto Municipal Code authorizes the City to adopt development impact fees pursuant to the Mitigation Fee Act and require the fees to be evaluated every five years;

WHEREAS, on July 17, 2018, the City enacted a water capacity development impact fee and on March 19, 2019, the City enacted transportation infrastructure, parks and trails, public facilities, and storm drainage development impact fees;

WHEREAS, since the adoption of the City’s development impact fees, the City has adopted updated facility and infrastructure plans, including a 10-year and 2-year Capital Improvement Program (2020 and 2022, respectively), a Water System Master Plan (2022), and a Park, Recreation, and Open Space Master Plan (2023);

WHEREAS, the City is in the process of updating the Ravenswood Business District/4 Corners Specific Plan (2013) to allow for an increase in development capacity for the Specific Plan area that, if approved, will require improving and expanding transportation and utilities infrastructure and public facilities to accommodate new development;

WHEREAS, failure to upgrade and expand transportation infrastructure, parks and trails, public facilities, and utilities infrastructure will result in substandard conditions, will overburden existing infrastructure, and will lead to unacceptable operating conditions;

WHEREAS, existing sources of revenue are insufficient to fund the facility and infrastructure projects in the City’s current Capital Improvement Program (CIP), and development impact fees contribute critical funds for funding CIP projects that are necessary to meet future service needs;

WHEREAS, a Request for Proposals (“RFP”) was distributed on July 28, 2023, requesting proposals to prepare a Development Impact Fee Nexus Study and Financial Feasibility Analysis to update the City’s development impacts fees in compliance with the Mitigation Fee Act;

WHEREAS, three proposals were received by the City within the RFP deadline of August 28, 2023, and after staff review of the proposals and interviews with the top two proposers, staff is recommending entering into a Professional Services Agreement with Willdan Financial Services to complete the planned Scope of Services; and

WHEREAS, sufficient funds have been allocated in the Fiscal Year 2023-24 budget to fund the proposed Professional Services Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALO ALTO, as follows:

1. The recitals set forth in this resolution are incorporated as findings and determinations by the City Council.
2. This action does not constitute a “project” with the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines sections 15378(b)(4) and (5) in that it is a governmental fiscal, organizational, or administrative activity that will not result in direct or indirect changes in the environment.
3. Authorize the City Manager to enter into a Professional Services Agreement, in a form approved by the City Attorney, with Willdan Financial Services for an amount not to exceed \$132,372 to prepare a Development Impact Fee Nexus Study and Financial Feasibility Analysis to update the City’s transportation infrastructure, parks and trails, public facilities, storm drainage, and water capacity impact fees, including an optional task for a sanitary sewer impact fee nexus study; and
4. Amend the Fiscal Year 2023/24 budget allocation for the project as follows to reflect the change in the planned Scope of Services and reduced cost estimate:

Fund	Original Budget	Amended Budget
Transportation Impact (F307)	\$ 83,333	\$ 22,514
RBD-I Storm Drain Impact (308)	\$ 83,333	\$ 22,514
Water Impact (F513)	\$ 83,333	\$ 22,514
Parks and Trails Impact (F305)	\$ -	\$ 22,514
Public Facilities Impact (F306)	\$ -	\$ 22,514
Capital Improvement (F301)	\$ -	\$ 19,800
Total	\$ 250,000	\$ 132,372

[SIGNATURES ON NEXT PAGE]

PASSED AND ADOPTED this 17th day of October, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED:

Lisa Gauthier, Mayor

ATTEST:

APPROVED AS TO FORM:

James Colin, City Clerk

[John D. Lê](#), City Attorney