TO: HONORABLE CITY COUNCIL
FROM: CITY MANAGER
DEPARTMENT: PLANNING
DATE: APRIL 10, 2006

SUBJECT: APPROVAL OF AMENDMENT NO. 1 TO CONTRACT C3152808 WITH VAN METER WILLIAMS POLLACK IN THE AMOUNT OF $44,700, FOR A TOTAL CONTRACT AMOUNT OF $117,345, FOR URBAN DESIGN CONSULTING FOR THE ZONING ORDINANCE UPDATE, AND AMENDMENT NO. 2 TO CONTRACT S05108629 WITH MHA ENVIRONMENTAL CONSULTING, INC. IN THE AMOUNT OF $46,875, FOR A TOTAL CONTRACT AMOUNT OF $185,875, FOR URBAN PLANNING CONSULTING

RECOMMENDATION
Staff recommends that Council approve and authorize the City Manager or his designee to execute Amendment No. 1 to Contract C3152808 with Van Meter Williams Pollack (VMWP) in the amount of $44,700 and Amendment No. 2 to Contract S05108629 with MHA Environmental Consulting in the amount of $46,875 for consulting services related to the Zoning Ordinance Update (ZOU).

BACKGROUND
In June 2000, Curtis Williams, currently of MHA Environmental Consulting, was engaged to assist staff in developing the work plan for the ZOU. Mr. Williams was subsequently selected as the contract planner to assist staff with implementation of the work plan under two subsequent agreements, effective August 2001 and March 2002. Responsibilities include coordinating public outreach, technical research, collaborating with staff on reports to Council on project status, and updating the work plan.

Curtis Williams was initially under contract in 2000 to assist in developing the work program for the ZOU. During that period the staff and Planning and Transportation Commission were considering two approaches to the update. The first was to hire an outside firm to prepare the entire zoning ordinance for City review. The second approach was to prepare the zoning ordinance in-house with staff and contract planners. After it was decided that the second approach was best because it utilized the experience and knowledge of in-house and local contract planners, Mr. Williams was retained as the contract planner. His level of experience as a former planning director in Bay Area cities, including Los Altos and Woodside, and his work
with other cities as a contract planner updating sections of their zoning ordinances were reasons for his selection as the contract planner. Mr. Williams also has a local office and he was able to commit to the work program over the long term needed to complete the ZOU.

In June 2002, the Department of Planning and Community Environment selected VMWP to assist staff with the urban design component of the ZOU. The consultant’s role, in cooperation with another firm, Urbsworks, was to advise the City on improving and expanding its zoning standards, and transforming them into a form-based code. In the first phase of the project, the two firms worked with the ZOU team to analyze existing zoning standards, conduct focus groups, and develop a work program and timeline to complete the ordinance changes. The second phase of the project began in May of 2003, with the consultants providing urban design and planning support to the ZOU team as they developed ordinance changes for public review.

Over the past three years, VMWP has provided substantial input to design of the ZOU, especially with regard to developing prototypes and standards for multi-family, mixed use, village residential, and pedestrian-transit oriented development uses. This work has included an extensive number of meetings and multiple revisions of designs, to an extent that was not anticipated in the original scope and budget. Specifically, the original scope and budget projected a need for VMWP attendance at 27 public meetings, whereas the firm has actually now attended 34 public meetings. Likewise, VMWP was expected to prepare a total of 22 development prototypes, whereas a total of 26 have been prepared. Staff believes that all other tasks specified in the original scope and budget have been substantially completed, with the exception of the final design diagrams.

The firm’s products and presentations have been well-received by the community, other design professionals, the Architectural Review Board (ARB), and the Planning and Transportation Commission. VMWP also prepared the City’s El Camino Design Guidelines prior to its work on the ZOU, and those guidelines were accepted and are currently used by the ARB when reviewing projects on El Camino Real. The City has also used VMWP to analyze the viability of prototype designs on specific project sites, such as the Stanford Research Park residential parcels (part of the Mayfield agreement), Fry’s, and the Palo Alto portion of the Mayfield Mall site.

**DISCUSSION**

Staff anticipates a continued high level of public scrutiny due to the sensitivity of upcoming zoning ordinance sections. As issues arise, additional analysis and public outreach will be required, particularly as the new land use types move through the review process. Urban design studies will be an important part of any issue analysis, and illustrations will help communicate the intent of proposed ordinance changes and give the City Council and its advisory Boards and Commissions the information they need to act. The VMWP amendment provides for additional meeting attendance, support for zoning code issue analysis, and an increase in contract contingency for unanticipated tasks. The remainder of the VMWP amendment is for diagrams to enable staff to complete the form-based code for Council adoption. Illustrations are an integral part of a form-based code, and will help applicants and staff understand and apply the new zoning regulations, once adopted. The amendment for MHA provides for continuing contract planning work by Curtis Williams. Due to recent staff turnover on the ZOU team, demands for his contract planning services have increased.
These contract amendments will enable staff to continue to use VMWP’s urban design expertise and Curtis William’s contract planning expertise as the Zoning Ordinance Update proceeds to completion. The Pedestrian and Transit-Oriented Development and Village Residential zones, as well as the Zoning Code Performance Standards, are scheduled for completion in Summer of 2006. In the Fall and Winter, staff will complete revisions to the Mixed Use, Multiple Family, Planned Community, and Commercial districts, as well as the Parking section. Remaining miscellaneous sections and code cleanup will be completed by Spring of 2007. This schedule assumes one Community Meeting/Planning Commission study session, one Planning Commission meeting and one Council meeting for each code section. Any additional meetings would prevent staff from meeting these timelines.

**RESOURCE IMPACT**
This amendment will bring the total contract amount for VMWP to $117,345, and for MHA, $185,875. The increased contract expense will be paid from the 2005-06 Department of Planning and Community Environment contract budget, and does not require a Budget Amendment Ordinance.

**POLICY IMPLICATIONS**
This request does not represent a change in existing city policy.

**ENVIRONMENTAL REVIEW**
This agreement does not constitute a project under the California Environmental Quality Act (CEQA), and therefore, no environmental assessment is required.

**ATTACHMENTS**
Attachment A: Amendment #1 to Contract C3152808 (Van Meter Williams Pollack)
Attachment B: Amendment #2 to Contract S05108629 (MHA Environmental)

**PREPARED BY:**

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