

RESOLUTION NO. 2021-166

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY AUTHORIZING THE MAYOR TO EXECUTE CONTRACT AMENDMENT NO. ONE (1) ECONOMIC & PLANNING SYSTEMS, INC., FOR PROFESSIONAL SERVICES TO CONDUCT A COMPREHENSIVE DEVELOPMENT IMPACT FEES STUDY AND AUTHORIZING AN APPROPRIATION OF \$148,965 IN THE COMMUNITY DEVELOPMENT DEPARTMENT'S GENERAL FUND BUDGET, ACCOUNT NO. 001-0812-419-4251, TO FUND THE TOTAL COST OF STUDY

CITY OF FOSTER CITY

WHEREAS, the City of Foster City incorporated in 1971, needs to address its aging infrastructure and community amenities in order to maintain the quality of life and meet the needs of its community; and

WHEREAS, new development projects impact and cause additional strain on the City's infrastructure and community amenities; and

WHEREAS, per the California Mitigation Fee Act (Government Code Section 66000, et. seq.), a Development Impact Fee Study is required in order to show a nexus between the impact caused by development and the development impact fee assessed on a project; and

WHEREAS, on February 10, 2021, the City Council held its annual Vision & Policy Summit to review and discuss projects and initiatives of the highest priority for City Council for Calendar Year 2021. Smart Planning, Development, and the Local Economy was one (1) of the six (6) broad Value/Priority Areas under which Development Impact Fee Study was identified as a key project/initiative; and

WHEREAS, on March 11, 2021, the City Council, by Minute Order No. 1742, affirmed each of the Value/Priority Areas identified, as well as the associated key projects and initiatives listed including Development Impact Fee Study; and

WHEREAS, on April 5, 2021, upon authorization from the City Council, the City issued a Request for Proposal (RFP) for professional services regarding the preparation of comprehensive Development Impact Fee Study; and

WHEREAS, EPS' proposal included a scope, schedule and budget for the preparation of a comprehensive Development Impact Fee Study at a cost not to exceed \$105,415;

WHEREAS, on June 21, 2021, City entered into an agreement with EPS for professional services for preparation of comprehensive Development Impact Fee Study in an amount of \$105,415;

WHEREAS, staff requested EPS to prepare a scope of services for the Affordable housing fee to support inclusionary Housing Ordinance and Affordable Housing Overlay Zone;

WHEREAS, EPS prepared a proposal to expand Development Impact Fee study to add Affordable Housing Fees in the amount of \$43,550, thus the total cost of the Impact Fee study totals to \$148,965;

WHEREAS, engaging consultants to conduct a comprehensive Development Impact Fee Study is not a "project" under CEQA pursuant to CEQA Guidelines section 15378(b)(4), which provides that CEQA does not apply to the creation of governmental funding mechanisms that do not involve a commitment to a particular project which may result in a significant impact to the environment; and

WHEREAS, the proposal submitted by EPS was reviewed by staff, and the fee for the scope of professional services has been deemed reasonable.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Foster City does hereby authorize:

1. the Mayor to execute Contract Amendment No. 1 with Economic & Planning Systems, Inc. (EPS), in the amount of \$43,550 to increase the total contract amount for professional services to conduct a comprehensive Development Impact Fee Study from \$105,415 to \$148,965; and
2. an appropriation of \$148,965 in the Community Development Department's General Fund Budget, Account No. 001-0812-419-4251, to fund the comprehensive Development Impact Fee Study.

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the 15th day of November, 2021, by the following vote:

AYES: Councilmembers Awasthi, Froomin, Hindi, Sullivan, and Mayor Gehani

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:
Sanjay Gehani
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SANJAY GEHANI, MAYOR

ATTEST:

DocuSigned by:
Priscilla Schaus
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PRISCILLA SCHAUS, CITY CLERK