

RESOLUTION NO. 129-2008

Adopted October 27, 2008

AUTHORIZING A THIRD AMENDMENT TO THE PERSONAL SERVICES CONTRACT WITH WAGSTAFF AND ASSOCIATES, A SOLE PROPRIETORSHIP, TO EXTEND THE SCHEDULE OF PERFORMANCE AND TO INCREASE THE BUDGET BY AN ADDITIONAL \$50,525, FOR A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$451,320 TO PREPARE AN ENVIRONMENTAL IMPACT REPORT; VISITACION VALLEY REDEVELOPMENT SURVEY AREA

BASIS FOR RESOLUTION

1. On June 7, 2005, the San Francisco Board of Supervisors passed a resolution designating the Visitacion Valley Redevelopment Survey Area ("Survey Area") and urging the Redevelopment Agency of the City and County of San Francisco ("Agency") to carry out the studies and other actions required under California Community Redevelopment Law to determine the appropriateness of adopting a redevelopment plan within the Survey Area.
2. On December 20, 2005, the Agency Commission authorized, by Resolution No. 211-2005, a three-year Personal Services Contract ("Contract") with Wagstaff and Associates, a sole proprietorship ("Contractor" or "Wagstaff") for the completion of an Environmental Impact Report ("EIR") in accordance with the California Environmental Quality Act ("CEQA").
3. The Agency's Historic Preservation Policy, approved on May 3, 2005 (Resolution No. 75-2005) states that as part of the study of a survey area, the Agency shall conduct a building-by-building survey of each parcel in the area. It further states that Agency staff and consultants shall coordinate with the San Francisco Planning Department ("Planning Department") to develop standard formats for environmental documents that conform to Chapter 31 of the Administrative Code and the requirements of the San Francisco Landmarks Preservation Advisory Board.
4. After consultation with the Planning Department, Agency staff and Wagstaff determined that the original scope of the historic analysis for the EIR was insufficient to meet agreed upon standards. Thus, on September 19, 2006, the Agency Commission approved by Resolution No. 128-2006, a First Amendment to the Contract ("First Amendment") to expand the scope of services to include a comprehensive historic analysis and to increase the budget to a total aggregate amount not to exceed \$305,185.
5. Multiple factors created delays and additional analysis requirements before the publication of a Draft Visitacion Valley EIR ("Draft EIR"). The most notable factor was the need to coordinate cumulative impact analysis based on the recent Bayview Waterfront Proposals for the Bayview Hunters Point and Hunters Point Shipyard

Redevelopment Project Areas. On April 1, 2008, by Resolution No. 16-2008, the Agency Commission approved a Second Amendment to the Contract ("Second Amendment") to extend the Contract length by six months and to increase the budget to a total aggregate amount not to exceed \$400,795.

6. On June 3, 2008 the Agency and the Planning Department jointly published the Draft EIR, with a public comment period running until July 21, 2008. During the public comments period, two public hearings were held on June 26, 2008 and July 1, 2008, before the Agency Commission and Planning Commission respectively.
7. In order to complete the CEQA process, the Agency and the Planning Department must respond to all comments received during the public comment period. The comments received both in writing and at the public hearing required more review and analysis than anticipated by the Agency or the Contractor. Thus, the Agency and the Contractor would like to enter into a Third Amendment to the Contract ("Third Amendment") to extend the Contract length by six months, and increase the budget by \$50,525, in order to complete the Response to Comments document and produce a Final EIR document.
8. The budget for this Contract will not exceed a total aggregate amount of \$451,320. The funding for the proposed increased scope of work is provided for within the 2008-09 Fiscal Year budget.
9. The Contract to provide environmental review of the proposed Visitacion Valley Redevelopment Project, including the Visitacion Valley Redevelopment Plan, is statutorily exempt from CEQA pursuant to Section 15262 of the State CEQA Guidelines (Feasibility and Planning Studies), because the Contract is only for the provision of technical environmental review services. The proposed Third Amendment will provide for the completion of environmental review and is similarly statutorily exempt from CEQA.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to execute a Third Amendment to the Personal Services Contract for the preparation of an Environmental Impact Report with Wagstaff and Associates, a sole proprietorship, to increase the budget for an additional \$50,525, for a total aggregate amount not to exceed \$451,320, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:



James B. Morales
Agency General Counsel