

RESOLUTION NO. 73376

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AMENDMENTS TO THE AGREEMENTS WITH DAHLIN GROUP, INC., KENKAY ASSOCIATES, INC., ECONOMIC AND PLANNING SYSTEMS, INC., APEX STRATEGIES AND DAVID J. POWERS AND ASSOCIATES, INC. TO EXTEND THE TERM FROM SEPTEMBER 30, 2006 TO JUNE 30, 2007 AND TO INCREASE THE TOTAL AMOUNT OF COMPENSATION FOR EACH FIRM**

**WHEREAS**, in August 2002 the City Council of the City of San José (“City Council”) initiated the preparation of a specific plan for Coyote Valley, an area consisting of 7,000 acres of mostly undeveloped land in the southern reaches of the City of San José (“City”) just north of the City of Morgan Hill; and

**WHEREAS**, the City Council adopted 16 vision and outcome statements for Coyote Valley consistent with the San José 2020 General Plan, pursuant to which the Coyote Valley Specific Plan (“CVSP”) will identify the location and intensity of land uses, plan for infrastructure and community service needs, formulate financing and implementation programs, and determine the phasing of the plan elements, as necessary; and

**WHEREAS**, the City negotiated a funding agreement with a group of self-selected Coyote Valley property owners, known as the Coyote Housing Group, LLC, who volunteered to finance the preparation of CVSP and its related environmental documents and regulatory permits; and

**WHEREAS**, due to the complexity of the CVSP, the extensive outreach in response to intense community interest, the potential regional implications, and the statutory

requirements of the environmental review process, it is necessary to extend the anticipated completion of the planning effort to June 2007; and

**WHEREAS**, the City desires to negotiate and execute amendments to the agreements with its consultants, Dahlin Group, Inc., KenKay Associates, Inc., Economic and Planning Systems, Inc., Apex Strategies and David J. Powers and Associates, Inc. to extend the term of each of the agreements from September 30, 2006 to June 30, 2007 and to increase the total amount of compensation for each firm;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is hereby authorized to negotiate and execute amendments to the agreements with the following consulting firms to extend the term of each of the agreements from September 30, 2006 to June 30, 2007 and to increase the total amount of compensation for each firm in the amounts as indicated:

1. Dahlin Group, Inc., a land planning and urban design firm, to complete the preparation of the CVSP in an additional amount of \$500,000, for a total amount not to exceed \$970,630;
2. KenKay Associates, Inc., a land planning and landscape architecture firm, to provide specific services to complete the specific plan and assist with the form-based zoning in an additional amount of \$300,000, for a total amount not to exceed \$733,420;

3. Economic and Planning Systems, Inc., to prepare additional fiscal and financial feasibility analyses in an additional amount of \$300,000, for a total amount not to exceed \$600,000;
4. Apex Strategies, to provide additional outreach, facilitation, and document preparation and publishing services through the adoption of the specific plan in an additional amount of \$55,000, for a total amount not to exceed \$323,500; and
5. David J. Powers and Associates, Inc., for additional services required to complete the Environmental Impact Report in an additional amount of \$206,000, for a total amount not to exceed \$2,034,570.

ADOPTED this 29<sup>th</sup> day of August, 2006, by the following vote:

AYES: CAMPOS, CHAVEZ, CORTESE, LeZOTTE, NGUYEN,  
PYLE, REED, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: CHIRCO

DISQUALIFIED: NONE

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RON GONZALES  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk

