



DATE: June 9, 2020

CATEGORY: Consent

DEPT.: Community Development

TITLE: **Amendment to Legal Services Agreement with Burke, Williams & Sorensen in Excess of \$100,000**

RECOMMENDATION

Authorize the City Manager, or her designee, to execute an amendment to a legal services agreement with Burke, Williams & Sorensen to provide legal services for an amount not to exceed \$120,000 for legal services associated with the Santa Clara Valley Transportation Authority ground lease negotiations for the Pioneer Park and Ride Lot located at 79 East Evelyn Avenue.

BACKGROUND

The Housing and Neighborhood Services Division requires the assistance of professional legal services specializing in affordable housing to assist with drafting loan documents for affordable developments, providing legal advice on affordable housing policy, and with the negotiations for the ground lease for the Santa Clara Valley Transportation Authority (VTA) property on Evelyn Avenue. The Community Development Department included \$120,000 in the Capital Improvement Program (CIP) budget for the negotiation of the ground lease with a purchase option for the Pioneer Park and Ride Lot.

ANALYSIS

City Council Policy A-10 requires Council authorization for the City Manager to execute any agreement in excess of \$100,000. To complete the negotiations for the VTA Pioneer Park and Ride Lot, it is necessary to amend the Burke, Williams & Sorensen agreement to exceed this threshold for Fiscal Year 2019-20. The City currently has an agreement in the amount of \$100,000 for the VTA Pioneer Park and Ride Lot ground lease negotiations and would like to add the remaining budgeted \$20,000 to complete the negotiation process.

FISCAL IMPACT

There is sufficient funding in the Fiscal Year 2019-20 Budget for the VTA Pioneer Park and Ride Lot ground lease negotiations.

ALTERNATIVES

1. Do not authorize the City Manager to execute the agreements with Burke, Williams & Sorensen.
2. Provide other direction to staff.

PUBLIC NOTICING

The meeting agenda and Council report have been posted on the City's web page and announced on Channel 26 and cable television.

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