

**AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT, C44860
BETWEEN THE CITY OF PALM DESERT AND INTERWEST CONSULTING GROUP, INC.,**

1. Parties and Date.

This Amendment No. 1 to the **Professional Services Agreement, C44860**, is made and entered into as of this **22nd** day of **MAY, 2025**, by and between the City of Palm Desert ("City") and **INTERWEST CONSULTING GROUP, INC., a Corporation**, with its principal place of business at **1500 S Haven Ave, Suite 220 Ontario, CA 91761** ("Vendor"). The City and Vendor are sometimes individually referred to herein as "Party" and collectively as "Parties."

2. Recitals.

2.1 Agreement. The City and **INTERWEST CONSULTING GROUP, INC.**, have entered into an agreement entitled "**Professional Services Agreement, C44860**" dated **November 16, 2023** ("Agreement" or "Contract") for the purpose of retaining the services of **INTERWEST CONSULTING GROUP, INC., a Corporation** to provide **Professional Planning Services for Updating the University Neighborhood Specific Plan (UNSP), Project 2023-RFP-203**

2.2 Amendment. The City and **INTERWEST CONSULTING GROUP, INC.**, desire to amend the Agreement to **Extend the Terms of the Agreement**.

2.3 Amendment Authority. This Amendment No. 1 is authorized pursuant to **Section 3.6.14** of the Agreement.

3. Terms.

3.1.2 Term 3.1.2 of the Agreement is hereby amended in its entirety to read as follows:

The term of this Agreement shall be from **NOVEMBER 16, 2023**, to **DECEMBER 31, 2025**, unless earlier terminated as provided herein. The City shall have the unilateral option, at its sole discretion, to renew this Agreement automatically for no more than **ONE** additional one-year term. Consultant shall complete the Services within the term of this agreement and shall meet any other established schedules and deadlines.

3.2 Continuing Effect of Agreement. Except as amended by this Amendment No. 1, all other provisions of the Agreement remain in full force and effect and shall govern the actions of the parties under this Amendment No. 1. From and after the date of this Amendment No. 1, whenever the term "Agreement" or "Contract" appears in the Agreement, it shall mean the Agreement as amended by this Amendment No. 1.

3.3 Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment No. 1

3.4 Severability. If any portion of this Amendment No. 1 is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.5 Counterparts. This Amendment No. 1 may be executed in duplicate originals, each

of which is deemed to be an original, but when taken together shall constitute but one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE FOR AMENDMENT NO. 1 TO PROFESSIONAL SERVICES
AGREEMENT, C44860 BETWEEN THE CITY OF PALM DESERT
AND INTERWEST CONSULTING GROUP, INC.**

IN WITNESS WHEREOF, the Parties have entered into this Amendment No. 1 to the
PROFESSIONAL SERVICES AGREEMENT, C44860 as of the day and year first above written.

CITY OF PALM DESERT

**INTERWEST CONSULTING GROUP, INC. A
CORPORATION**

By: _____
Chris Escobedo
City Manager

By: _____
Paul Meschino
President

Attest:

By: _____
Anthony J. Mejia
City Clerk

By: _____
David Kniff
Assistant Secretary

Approved as to form:

By: _____
Isra Shah
Best Best & Krieger LLP
City Attorney

City Clerk QC: _____

Contract QC: _____

Insurance: _____

Initial Review

Final Approval

EXHIBIT “A-1”

SCOPE OF SERVICES

Project Objectives

This planning effort will focus on evaluating existing and potential land uses; analyzing circulation and infrastructure conditions; and developing land use regulations, implementation strategies and objective design guidelines to encourage appropriately scaled development within the project area. The primary objectives to be achieved through the UNSP update are:

- Consistency with General Plan Land Use and Circulation Element or consider making the Specific Plan the effective land use document over the project area.
- Engage and inform the public and existing Plan area residents about transit-oriented design concepts, potential updated development standards and the UNSP update process generally through a comprehensive community involvement strategy. This strategy shall gather significant resident input from a variety of Palm Desert residents and incorporate this input into the UNSP Update policies and design guidelines.
- Revise the land use plan and policy framework to transition from significant commercial use requirements to increased housing density and development, while also allowing other neighborhood supportive uses such as retail and office mixed-use throughout the Plan area.
- Improvement of motorized, non-motorized, and transit connectivity between the Plan Area, and existing and future commercial and residential areas (and circulation infrastructure) in and adjacent to Palm Desert city boundaries (as feasible).
- Development and implementation of objective urban design standards which promote walkable and livable environments, compatible with the surrounding and existing development within the Plan area.
- Develop subdivision standards that promote walkable environments and incorporate policies of the General Plan.
- Prepare any necessary addenda or supplements to complete the CEQA impact analysis, building on the adopted Environmental Impact Report, as appropriate.

GENERAL

The consultant shall prepare amendments to the UNSP in accordance with Government Code Section 65450 et. seq. The proposal should address all studies, activities, and disciplines necessary to complete the amendment. Consultant responsibilities are those listed below which are not exhaustive. The City encourages innovation in concept, design and implementation. It is not intended that the plan include construction level engineering and design; however, the work must be of adequate detail to evaluate needs, capacity, and cost.

- Assemble and review existing information and data.
- Develop new information and data to support the update.
- Present background information and data, either within the plan document, or as a separate compendium. The consultant’s recommendation on the most effective approach is requested. All information should be made available in electronic format suitable for display on the City’s web site.

- Prepare all text, illustrations and maps contained in the Amendment. Provide administrative draft(s) for internal City review, a screen check draft, a public review draft, and final documents reflecting all modifications directed by the City. Provide documents in sufficient quantity for review by City officials, property owners and for public circulation, and provide all materials in an electronic format suitable for publication on the City's website.

TASK 1: PROJECT KICK-OFF

The consultant(s) and City staff will meet to review and finalize the work scope and project schedule. The meeting will include a discussion of project goals, opportunities and constraints, provision of relevant background information and documents for the existing conditions analysis, arrangement of informational meetings with relevant city staff members, development of the community engagement strategy, and project management.

Deliverables:

1.1 : Project kick-off meeting with City staff

1.2 : Memorandum summarizing the meeting (Word and PDF format)

TASK 2: COMMUNITY ENGAGEMENT STRATEGY AND OUTREACH

The City is seeking to engage community participation in the UNSP update process. City staff and the consultant(s) will develop a community engagement strategy that will focus on outreach to, and inclusion of key stakeholders including residents, business owners, and property owners. The strategy must include various forms of engagement to increase levels of community participation.

One open house/community workshop must be held as part of this Task. The purpose of the meetings is to understand the community's vision, with a focus on new residential communities in the UNSP area, recognize attitudes surrounding what land uses and development intensity should be included in the plan, and to solicit input on opportunities, constraints, and potential changes for the area.

The consultant will be responsible for utilizing tools and developing a process to understand community preferences within the project area. Use of photo simulations and development prototypes to help identify preferences should be employed, as well as community asset mapping, allowing the community to identify concepts for improving/transforming the area. The community input will assist in guiding the development of the two land use alternatives. The consultant will lead these meetings, present plan area existing conditions and opportunities, and receive feedback from community members regarding information presented.

Webpage

The consultant will develop content and provide background and meeting information, reports and maps related to the project for a project specific webpage. The project webpage will be part of the City's website (rather than a separate, outside website linked to the City's). City staff will post information and keep the site current, with updated content provided by consulting staff.

Deliverables:

2.1: Community Engagement Strategy, including components as described above

2.2: Visualization tools, including renderings and visual simulations (physical and electronic format)

2.3 : Project webpage content and materials

2.4 : Community Meeting #1 (including agenda, attendance, meeting materials)

2.5 : Summary of Community Meeting #1

2.6 : Potential supplementary meetings with City Staff and relevant stakeholders

TASK 3: OPPORTUNITY SITE ANALYSIS AND ALTERNATIVE LAND USE ANALYSIS

Following the initial meetings and outreach, the consultant shall develop the land use alternatives. The scenarios should be developed to support bus transit as well as to facilitate pedestrian and bicycle access. Alternatives should promote development of healthy, walkable neighborhoods and enhance opportunities for residents to easily access services and facilities throughout the Plan area and beyond. Changes to development standards or incorporation of form-based code may be considered. The alternatives should consider information prepared through the planning process and from the community outreach.

Commercial, office, residential, open space, and mixed-use land uses should be thoughtfully and strategically placed to maximize community connectivity and create a level of synergy between adjacent single-family residential neighborhoods. The alternatives should consider information generated through previous analysis, and community outreach.

Each alternative must address:

- A mix of housing units that aligns with the City's RHNA and Housing Element.
- Distribution and evaluation of proposed new uses, including affordable residential units by type and non-residential square footage by type and a planned regional park.
- Roadway design alternatives to support the proposed uses and circulation, including sidewalk width, public amenities/furniture, on-street parking and curb management, including placemaking concepts.
- A transportation analysis shall be prepared for each alternative comparing how each addresses connectivity to services, schools, jobs, and transit.
- The chosen alternative will include an intersection Level of Service (LOS) and Vehicle Miles Travelled (VMT) analysis for Palm Desert General Plan consistency purposes and impact analysis under CEQA. VMT analysis to be completed by a separate consultant.
- A report and maps describing and analyzing the alternatives will be prepared to quantify development potential in terms of housing units, non-residential floor area, population, and employment. Projected population and jobs for each alternative shall be included.

Presentation of Land Use and Circulation Alternatives:

The consultant will present the alternatives to the staff for review, feedback, and possible refinement prior to presentation at a public meeting. At that meeting, the consultant shall utilize interactive techniques to understand participants' preferences. This may result in a clear preference for one alternative or in a hybrid concept which combines components of each.

Based upon input received, the consultant shall develop a preferred land use and circulation alternative which will serve as the basis for the Specific Plan Update. This Plan will be presented

to staff, and refinements will be made to the preferred alternative prior to its presentation to the Planning Commission and/or City Council. Input received at this meeting will be used to refine the alternative and develop the preferred alternative.

Deliverables:

- 3.1 : Display graphics illustrating the alternative land use and circulation plans with additional sketches, visual simulations, elevations, and street sections needed to convey each alternative
- 3.2 : Land Use and Circulation Alternatives Report
- 3.3 : Quantified development potential and traffic analysis for preferred alternative (meeting CEQA requirements)

TASK 4: PREFERRED LAND USE ALTERNATIVE

Based on input received at community/committee meetings, as well as input received from other methods of community outreach, the consultant(s), in consultation with City staff, will develop a preferred land use alternative which will serve as a basis for the draft Specific Plan update. The preferred alternative will be presented to staff for review and feedback. The community will also be asked to respond to the preferred plan. Input received will be used to refine the alternative and develop the draft Specific Plan update.

Deliverables:

- 4.1 : Preferred land use plan visuals, including sketches and elevations
- 4.2 : Preferred land use plan report, including quantified development potential
- 4.3 City Council Workshop #1 to present preferred land use plan
- 4.4 : Community Workshop #2, including attendance and facilitation, and all necessary meeting materials
- 4.5 : Community Workshop #2 summary

TASK 5: INFRASTRUCTURE DEVELOPMENT AND SERVICE PLAN

Working with the staff, the consultant shall prepare a conceptual Infrastructure Development and Services Plan to determine infrastructure needed to support land uses and improvements identified in the preferred alternative, adequate to meet the needs of CEQA. The analysis shall describe infrastructure conditions and improvements needed to support the plan in terms of water, wastewater, storm drainage (including low impact development), electricity, gas, cable, telephone service, internet/fiber, transportation, greenways, and parks. Distinction shall be made between improvements needed for existing versus future development so future costs can be appropriately attributed. In addition, increased demand for public services such as transit, schools, police, and fire required to serve the Plan area should be identified. The Plan shall:

- Analyze and summarize existing and needed service capacities.

- Assess the services envisioned in the UNSP area and those that would be needed with the preferred alternative.
- Provide descriptions of needed public improvements, including street improvements to City standard, upsizing of water and wastewater mains and storm drains, undergrounding utilities, and development costs.
- Provide descriptions of needed improvements associated with private utilities, such as natural gas, electric, phone, cable, and internet connectivity.
- Provide descriptions of any changes required to public services and facilities.
- Provide general cost estimates and phasing recommendations for needed improvements and service systems within the UNSP area.

Deliverables:

5.1 : Infrastructure Development and Services Memorandum

TASK 6: DRAFT UNIVERSITY NEIGHBORHOOD SPECIFIC PLAN UPDATE

The consultant shall prepare a draft updated Specific Plan in compliance with state law. The updated Specific Plan will serve as the City's long range, comprehensive land use, circulation, and implementation plan for guiding development within the Plan boundary. The Specific Plan shall contain the following components:

- **Planning Process.** Description of the process to develop the Plan and the role the public played in creating the Plan.
- **Land Use/Housing.** Description of land use designations, including number of units, potential square footage of mixed use and or neighborhood serving retail development, and employment generating land uses. Population and job projections shall be included. Changes to development standards or implementation of form-based code must be considered.
- **Transportation.** Description of circulation for motor vehicles, transit, bicycles, and pedestrians. New streets, paired one-way streets, paths, and connections shall be included. Policies regarding complete streets and the circulation element of the General Plan shall also be included.
- **Public Services.** Includes information about services and infrastructure needed to implement the updated Plan. This should include specific policies regarding utilities, public safety, and parks.
- **Access and Connectivity Plan.** Addresses access to and through the Plan area with specific focus on connecting housing, commercial, and retail with the Plan area to existing neighborhoods by all transportation modes including walking, bicycling, driving, and transit.
- **Implementation and Financing Plan.** Identifies actions and strategies for Plan implementation, including a rough budget estimate. Include infrastructure improvements needed for Plan implementation.

An administrative draft Specific Plan shall be prepared for review by City staff. Comments received shall be incorporated into the public review draft Specific Plan. The draft Specific Plan Update shall then be presented to the Planning Commission at a public workshop then to City Council at a Study Session to present the final draft and accept any remaining comments and requested changes.

Deliverables:

6.1: Administrative Draft Specific Plan

6.2: Public Review Draft Specific Plan

6.3: Community Workshop #3, including attendance and facilitation, and all necessary meeting materials

6.4: Workshop #3 Summary

6.5: City Council Study Session #2, including attendance and facilitation, and all necessary meeting materials

6.6: City Council Study Session #2 summary

TASK 7: GENERAL PLAN AND ZONING AMENDMENTS

Consultant(s) and City staff will evaluate properties within the project boundaries to determine which sites would need General Plan land use amendments and UNSP rezoning based on the preferred alternative developed in Task 5.

Deliverables:

7.1: List of properties, and associated maps, requiring General Plan land use designation amendments, and to what designation they will be amended (maps must be compatible with ESRI Geographic Information Systems)

7.2: List of General Plan text amendments

7.3: List of properties, and associated maps, requiring UNSP rezoning, and to what designation they will be amended (maps must be compatible with ESRI Geographic Information Systems)

7.4: List of Zoning Code text amendments

TASK 8: ENVIRONMENTAL ANALYSIS

The proposed project is an update to the University Specific Plan that was previously analyzed by the General Plan Update & University Specific Plan EIR. Although some changes or additions to the EIR may be necessary to more fully describe and address the specifics of the proposed University Specific Plan project, the project appears to meet the requirements for an Addendum, unless any of conditions pursuant to CEQA Guidelines Section 15164 would apply.

Initial Study Checklist Approach: IW will utilize the latest City-preferred version of an Initial Study template for the CEQA analysis, appropriate for use with an EIR Addendum, to document whether or not an Addendum to the General Plan Update & University Specific Plan EIR is appropriate and applicable for the proposed project. The Initial Study will address the following issues pertaining to each CEQA Checklist question:

- The General Plan Update & University Specific Plan EIR significance conclusions for each potential impact (i.e., Less than Significant, LTS with Implementation of Mitigation Measures, or Significant and Unavoidable)

- The Project's relationship to the General Plan Update & University Specific Plan EIR findings (either Equal or Less Severity, or a Substantial Increase in Severity)
- Applicable mitigation measures and Conditions of Approval, and
- The Project's resulting level of significance

The proposed project may meet the requirements for an Addendum pursuant to CEQA Guidelines Sections 15162, 15164, and 15168 to the extent it can be demonstrated with substantial evidence that: 1) the Project's impacts were addressed in the General Plan Update & University Specific Plan EIR, and 2) that the Project would not generate a new environmental impact or a substantial increase in the severity of an environmental impact previously identified in the prior General Plan Update & University Specific Plan EIR. No Supplemental or Subsequent EIR would then be required.

Interwest will review all technical studies including AQ/GHG, Biological Resources, Cultural Resources, Transportation Impacts (analyze VMT and LOS), and Water Supply Assessment. If required, we will coordinate with technical consultants to complete necessary corrections and revisions to technical studies. In addition, Interwest will initiate tribal consultations in compliance with SB 18 and AB 52.

Interwest will prepare the draft Initial Study (IS) in compliance with the 2024 CEQA Statute and Guidelines and analyze the broad-scale environmental impacts of the updated Specific Plan, including: Land Use Consistency and Compatibility, Population, Housing and Employment, Transportation and Circulation, Air Quality, Energy/Climate Change, Water Usage, and Cultural Resources.

Once the draft Initial Study has been reviewed by City staff, it will be revised to address City department comments, and provide all additional deliverables as determined by the review of the draft IS.

A meeting will be held by Interwest and City staff to review the technical report findings and draft IS to determine whether the project impacts, as documented in the draft IS, can demonstrate that no new significant effects will result from the project (inclusive of required mitigation measures), or that the project's potentially significant impacts have already been fully disclosed and evaluated in the prior General Plan Update & University Specific Plan EIR.

A draft and final EIR Addendum in compliance with the 2024 CEQA Guidelines sections 15162, 15164 and 15168 will be prepared. Interwest will deliver to all agencies on the City's CEQA contact list and deliver to all individuals requesting notice. All comments received will be compiled and a final EIR Addendum will be prepared with Mitigation Monitoring and Reporting Program (MMRP).

Interwest staff will attend one Planning Commission meeting to approve the project and EIR Addendum. A Notice of Determination (NOD) will be prepared and filed with the Office of Planning and Research (OPR) and County Clerk.

Deliverables:

- 8.1: Draft and Final Initial Study and any appendices (Word & PDF)
- 8.2: Administrative draft EIR Addendum, (Word and PDF format)
- 8.3: Public review raft EIR Addendum(Word and PDF format)

8.4: Final EIR Addendum t, including responses to comments and MMRP(Word & PDF format)

8.5: Notice of Determination (Word and PDF format)

EXHIBIT "B"
SCHEDULE OF SERVICES
(SEE FOLLOWING PAGE)

EXHIBIT "C-1"

COMPENSATION

In the event that this Agreement is renewed pursuant to Section 3.1.2, the rates set forth above may be increased or reduced each year at the time of renewal, but any increase shall not exceed the Consumer Price Index, All Urban Consumers, Riverside-San Bernardino-Ontario, CA.

(SEE FOLLOWING PAGE)