

RESOLUTION NO. 17-51

**RESOLUTION AUTHORIZING ENVIRONMENTAL SCIENCE ASSOCIATES (ESA),  
PURSUANT TO AN EXISTING ON-CALL SERVICES AGREEMENT, TO  
CONDUCT THE APPROPRIATE ENVIRONMENTAL ANALYSIS PURSUANT TO  
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR A PROPOSED  
PROJECT AT 7316 GAGE AVENUE**

WHEREAS, the City Council adopted a resolution approving professional services agreements and establishing an eligibility list for various on-call professional services; and

WHEREAS, Environmental Science Associates (ESA) was one of the highly-ranked firms whose professional services agreement was approved by the City Council; and

WHEREAS, Staff is in the process of reviewing an application for development of a proposed industrial building at 7316 Gage Avenue in the City's Commercial Manufacturing Zoning District (C/M-1); and

WHEREAS, the proposed industrial building is subject to environmental analysis pursuant to the California Environmental Quality Act (CEQA), which requires the potential impacts of the project to be properly analyzed; and

WHEREAS, staff recommends that the City Council authorize Environmental Science Associates, pursuant to an existing on-call services agreement, to conduct the necessary traffic analysis for the proposed project; and

WHEREAS, the cost for completing the subject work will be \$60,605.00, as described in the attached proposal. Staff is also requesting a 10 percent contingency to bring the total to \$66,665.50.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:

Section 1. Environmental Science Associates (ESA) is hereby authorized to conduct and prepare the appropriate analysis as outlined in their proposed approach and scope (Exhibit A) at a cost of \$60,605.00 plus a 10 percent contingency, for a total of \$66,665.50.

PASSED, APPROVED AND ADOPTED this 16th day of May 2017.

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Ivan Altamirano, Mayor

ATTEST:

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Lena Shumway, City Clerk

## **EXHIBIT A**

### **SCOPE OF SERVICES**

ESA will complete the environmental review process for the project through preparation of an IS/MND with the City of Commerce as the Lead Agency in accordance with CEQA. This scope of work has been developed based upon our discussions with the City, the project materials provided, basic research, and our knowledge of the CEQA statute and guideline requirements.

This scope of work assumes the following technical inputs and reports will be completed and provided by the Applicant and members of the project team: civil engineering input and grading plans; construction assumptions sufficient to support traffic, air quality, GHG, and Noise analysis; architectural design description; and a plan set including a project summary, renderings, simulations, or other graphical representations. In addition, we assume that Applicant and/or the project team will provide:

- Site Plan
- Phase I and Phase II Environmental Site Assessments
- Remedial Action Plan (RAP) and associated MND
- Preliminary Geotechnical Report
- Stormwater Drainage and LID Report (Surface Hydrology and Water Quality)
- Traffic Study
- Utilities (Water demand/conservation and infrastructure, Wastewater generation and conveyance capacity)

The table below lists the tasks required for the timely completion of the environmental review process. Following the table is a description of each separate task and associated deliverables. Unless otherwise noted, deliverables will be provided in electronic PDF format.

### Task Description

- Task 1: Project Management
- Task 2: Technical Analysis and Data Collection
- Task 3: Preparation of the Initial Study/Mitigated Negative Declaration
- Task 4: Final IS/MND, Response to Comments, and MMRP
- Task 5: Public Hearing

#### Task 1: Project Management

The purpose of this task is to manage the ESA project team, manage the IS/MND preparation effort, and maintain constant, close communication between the City and, as necessary, the Applicant's team. This task is also intended to ensure that the project will be completed on time and within budget, and that all work products are of the highest quality. ESA's Project Manager will oversee the day-to-day functions associated with preparation of the IS/MND and will be responsible for scope, schedule and budget; regular contact with the City project staff as appropriate; technical team management; monthly progress reporting and invoicing; and overall performance. ESA's Project Director will provide senior oversight for contract performance as well as quality assurance. We have included an allowance of 24 hours total for the Project Manager and Project Director for project management for the duration of the project (approximately 8 hours per month for three months). This task includes the following management meetings with the City:

- Project kick-off meeting – The ESA management team will attend one project kick-off meeting with City staff as well as the Applicant's team. The objective of the meeting is to discuss the project plans, receive project data, identify data requirements for the successful completion of the evaluation, and coordinate activities to ensure the proposed schedule is met. The project information such as site plan, elevations, and landscape plans as well as project application information will be reviewed in detail to determine adequacy for use during the technical evaluation of the environmental issues.
- Up to two additional progress meetings are assumed, either in person or via conference call, for project description refinement, document review, and document finalization, which will occur at different phases throughout the project's period of performance.

#### Task 2: Technical Analysis and Data Collection

Following the kick-off meeting and a thorough review of the most recent project plans and related information, ESA will prepare a data needs memorandum listing additional information and assumptions that may be required to support completion of the IS/MND process. ESA assumes the bulk of responses to our data needs request will be provided within two weeks in a consolidated format. If a prolonged iterative data collection effort is required, it could affect schedule and the level of effort to complete the IS/MND. This scope of work assumes that project engineering, grading plans, architectural design, project illustrations, and land planning will be provided by the Applicant. In addition, ESA assumes that the Applicant will provide technical information such as a Phase I and Phase II environmental site assessments, geotechnical report, drainage evaluation, traffic study and utility plans. ESA will prepare technical evaluations for Air Quality, Cultural Resources, Greenhouse Gas Emissions, and Noise, as described further below.

### Task 3: Preparation of the Initial Study/Mitigated Negative Declaration

The objective of this task is to prepare a comprehensive, accurate, and objective IS/MND for the project that fully complies with CEQA and the State CEQA Guidelines and all applicable guidance and procedures established by the City of Commerce for the purpose of environmental review. Following are the tasks associated with the IS/MND.

#### *Administrative Draft IS/MND*

In accordance with the State CEQA Guidelines, ESA will prepare an Administrative IS/MND that describes and analyzes the type and magnitude of potential environmental impacts resulting from implementation of the project and determine if the project would cause significant effects requiring mitigation. ESA will prepare the Administrative Draft IS/MND pursuant to Section 15063 and Appendix G of the State CEQA Guidelines and the City of Commerce CEQA implementation requirements. The IS/MND will contain a comprehensive project description, including site plan and perspective exhibits as provided by the applicant, and will evaluate all of the specific State CEQA Guidelines Appendix G environmental factors in sufficient detail to determine the level and severity of impact and any required mitigation measures or modification of project design features. ESA will submit a comprehensive Administrative Draft of the IS/MND for City review and comment.

ESA will address each issue on the Environmental Checklist; however, only brief discussions will be provided for agriculture and forestry resources, biological resources, mineral resources, population and housing, and recreation because the project is not expected to result in substantive impacts related to these issues. Following is a discussion of the issues that will be discussed in detail in the Administrative Draft IS/MND:

**Aesthetics:** ESA will discuss the visual character of the proposed project and the potential visual and aesthetic impacts to surrounding land uses from implementation of the proposed project. The evaluation of aesthetic effects will be based on design and plan documents provided by the Applicant. No visual simulations will be prepared, as the use of the architectural renderings will be sufficient.

**Air Quality:** ESA will perform an air quality analyses, pursuant to the standards and guidelines set forth by the California Air Resources Board (CARB) and the South Coast Air Quality Management District (SCAQMD). Specifically, the analysis will describe the existing environmental setting and pertinent air quality statutes and regulations at the local, regional, state and federal level. ESA will also quantify construction and operational emissions using SCAQMD's recommended California Emissions Estimator Model (CalEEMod). Construction emissions will be based on the provided construction schedule, equipment mix, earthmoving operations (assumed to be negligible), and number of construction worker and delivery trips. Operational emissions will be based on buildout of the project site and estimated vehicle trips based on the project's traffic study and default trip length assumptions. ESA will include a quantitative analysis of construction and operational emissions. Localized impacts will be evaluated using the SCAQMD Localized Significance Threshold (LST) mass-rate lookup tables. Analysis of operational emissions would not include on-site combustion equipment such as gas turbines, large boilers or other industrial equipment requiring SCAQMD permits. Should this be required, this effort and fee would be negotiated as an out-of-scope item.

ESA will also include a qualitative evaluation of carbon monoxide hotspots, odor impacts, and cumulative air quality impacts. ESA proposes a quantitative health risk assessment for project-related construction toxic air contaminant emissions and potential cumulative impacts.

If potentially significant impacts are found, ESA will develop mitigation measures for construction and operational emissions where feasible to address significant air quality impacts. Mitigation measures will be based on measures recommended by the County and the SCAQMD, as well as other appropriate measures. Air Quality modeling results will be appended to the IS/MND and the results discussed in the respective sections of the IS/MND. No separate, stand-alone technical reports will be prepared.

**Cultural Resources:** Because the project site has undergone remediation and cleanup, as we understand it, this scope of work assumes that the project site does not contain any potential cultural resources. However, ESA will conduct an assessment of cultural resources on the project site to identify any archaeological, paleontological, or tribal cultural resources within the project site or the immediate vicinity that could be impacted by the project, per CEQA. Specific tasks will include archival research, a field visit if warranted, and documentation of findings in a technical appendix (records search result or letter report, as appropriate). ESA will also work with the City to ensure that consultation per AB52 is initiated and conducted appropriately. ESA will assist by preparing a draft consultation letter that can be used by the City to send to the appropriate tribal contacts.

Because the project site does not contain buildings or structures, no direct or indirect impacts on historical resources are expected. If such impacts are anticipated, ESA will inform the City and identify the additional scope required.

**Geology and Soils:** ESA assumes a preliminary Geotechnical Report will be prepared by the Applicant (or a member of the project team). It is assumed that the Geotechnical Report will provide suitable data and analysis to support the IS/MND. Applicable mitigation identified in the Geotechnical Report will be included in the IS/MND. Information regarding the current requirements of the Uniform Building Code will also be included.

**Greenhouse Gas Emissions (GHGs):** ESA will analyze GHG emissions of the project construction and operation in accordance with the latest CEQA GHG guidelines. The analysis will estimate GHG emissions attributable to the project for the following sources: construction, area sources, mobile sources, energy consumption (electricity and natural gas), water consumption, and solid waste generation, consistent with the recommendation by the Governor's Office of Planning and Research (OPR) in its Technical Advisory: CEQA and Climate Change (2008). Construction- and operations-related GHG emissions will be quantified using the most recent version of the CalEEMod computer model. ESA will also discuss and quantify (to the extent data is available) GHG reductions from land use characteristics (i.e., proximity to transit, proximity to job centers, walkability, etc.) and green building features that would be incorporated into the project. In addition, the project's GHG emissions will also be compared to the goals and recommended actions of the State's Climate Change Scoping Plan and other applicable state regulations. Analysis of project operational GHG emissions would not include onsite combustion equipment such as gas turbines, large boilers or other industrial equipment requiring an SCAQMD permit. If it is determined that the design features/mitigation measures are concluded to be necessary to reduce GHG emissions, ESA will identify feasible measures. If potentially significant impacts are found, ESA will develop mitigation measures for GHG emissions where feasible to address significant impacts. GHG modeling results will be appended to the

IS/MND and the results discussed in the respective sections of the IS/MND. No separate, stand-alone technical report will be prepared.

**Hazards and Hazardous Materials:** ESA assumes a Phase I and Phase II Environmental Site Assessment report, Remedial Action Plan (RAP), and associated IS/MND will be provided by the applicant to address current site conditions and the status of remediation, with respect to hazardous materials. The findings of the Assessment will be incorporated into the IS/MND and will be included as an appendix to the document. Mitigation measures will be developed, as necessary and where feasible.

**Hydrology and Water Quality:** ESA assumes the Applicant will provide drainage information as well as a Water Quality Management Plan (WQMP) for the proposed project. ESA assumes that the City's Public Works/Engineering Division will review the drainage information and WQMP for technical adequacy, and ESA will review the documentation for CEQA adequacy. ESA will review the reports and will summarize the findings and mitigation measures, if any, into the IS/MND. ESA assumes that the report will adequately address the issues identified in the CEQA Checklist including water quality standards, groundwater interference, existing and proposed drainage patterns, erosion and siltation, available capacity of existing storm drain facilities, and flood hazard areas.

**Land Use and Planning:** ESA will document the existing surrounding land uses as well as the applicable General Plan policies associated with the proposed project. An evaluation will be conducted to determine the project's consistency with the City's General Plan policies and applicable regulations. A general discussion of the project's compatibility with the surrounding land uses will also be provided.

**Noise:** ESA will assess the State CEQA Guidelines Appendix G checklist questions for the project and evaluate potential noise impacts associated with construction activities and operations of the project. The scope of services for the noise analysis will include identifying and describing relevant local plans, regulations, ordinances, criteria, and guidelines associated with noise. ESA will characterize the existing noise environment by surveying noise-sensitive land uses, identifying existing noise sources and features affecting noise transference in the project area, and conducting noise monitoring at one location for 24 hours (one weekday) and at up to three locations for 15 minutes during peak traffic hours to establish ambient noise levels in proximity to potentially affected noise sensitive land uses. ESA will assess temporary noise levels at nearby noise sensitive uses from project construction based on the provided construction schedule and equipment usage. ESA will evaluate project operational noise from project related vehicular traffic and outdoor mechanical equipment (e.g., air conditioning units). Vehicular noise impacts will be assessed based on data from the traffic study using computer noise prediction models that incorporate the Federal Highway Administration (FHWA) traffic noise model (FHWARD-77-108). In addition, ESA will provide an assessment of vibration impacts associated with use of heavy-duty equipment during construction of the project. If potentially significant impacts are found, ESA will develop mitigation measures for where feasible. The scope of services for the noise section does not include post-construction noise and vibration monitoring and analysis. Noise modeling results will be appended to the IS/MND and the results discussed in the respective section of the IS/MND. No separate, stand-alone technical reports will be prepared.

This scope assumes that details regarding construction of the proposed project (i.e. schedule, excavation and import/export volumes, construction equipment list and weeks/hours of operations, etc.) will be provided by the applicant or the City. If these data are not known, ESA can assist in developing this information, for a separate scope and fee to be negotiated later.

**Public Services:** ESA will evaluate potential impacts on public services, such as fire protection, police protection, schools, and parks, from implementation of the proposed project. Anticipated impacts will be assessed, and appropriate mitigation measures will be recommended, if required.

**Traffic:** ESA will document the potential for the project to result in transportation, circulation, and parking impacts based on the analyses and findings contained in a Traffic Study to be prepared by the Applicant's traffic engineer in compliance with the City's requirements. ESA's in-house traffic engineer will conduct a single critical peer review of the Traffic Study, including a review of the assumptions and methodologies, and will spot-check the computations and referenced sources for accuracy. Also, ESA will ensure that data, analysis, and impact determinations are presented in the context of CEQA requirements. ESA will contact the traffic engineers as needed to discuss review comments on their analysis and ensure a clear understanding of analytical methodologies and assumptions.

ESA will prepare the Transportation and Traffic section of the IS/MND on the basis of the traffic analysis, as revised, following the peer review and receipt of the finalized traffic study. ESA will be responsible for the presentation of data, analysis, and impact determinations to ensure that issues outlined in Appendix G of the State CEQA Guidelines are addressed. It is assumed that ESA will be provided with a Word version of the text of the traffic technical memo and Word or Excel files of tables to facilitate integration into the IS/MND.

**Utilities:** ESA will coordinate with City staff and/or public utility providers to determine the current levels of service and the project's potential impact on the existing water, wastewater treatment, and solid waste services. ESA assumes that the Applicant or Applicant's civil engineer will provide water, sewer, and storm drain management information that confirms adequacy of the utilities to serve the proposed project and project compliance with applicable Low Impact Development (LID) requirements. ESA will incorporate the public utilities information into the IS/MND.

#### **Deliverables**

- ☐ Submit Administrative Draft IS/MND (electronic and 5 hard copies)

#### ***Draft IS/MND***

Following receipt of a consolidated set of City comments on the Administrative Draft IS/MND, ESA will provide revisions as directed by City staff and in accordance with the overall scope of work. It is ESA's intent that this submittal will satisfactorily address all City staff comments. ESA will incorporate any comments and prepare a print-check document for final review and approval by City staff.

#### **Deliverables**

- ☐ Submit Screencheck Draft IS/MND (electronic and 1 hard copy)

### *Distribution of the Public Review IS/MND*

Once the Draft IS/MND is ready for circulation, ESA will reproduce copies of the IS/MND for distribution for a 30-day public review. ESA will coordinate timing with the City to prepare and file a Notice of Intent (NOI) to adopt the IS/MND with the Los Angeles County Clerk. ESA will produce 3 hard copies of the document for the City, one hard copy for the local library, and 15 CDs with the required documentation for delivery to the State Clearinghouse. ESA assumes the City will oversee distribution and mailing of the MND and proposes an allowance of 3 staff hours for this purpose. If the City wishes ESA to conduct printing, mailing, and library placement of the IS/MND, this would constitute out-of-scope effort and require negotiation of additional labor fees and expense.

#### **Deliverables**

- Public Review Copies of IS/MND (electronic and 15 hard copies for the City, 15 hard copies for general distribution, one hard copy for local library, and 15 CDs with required documentation for State Clearinghouse)
- NOI for filing with County Clerk

### *Task 4: Final IS/MND, Response to Comments, and Mitigation Monitoring Reporting Program*

At the conclusion of the public review period, ESA will obtain all comments received on the Draft Initial Study/MND. An Administrative Final Initial Study/MND, containing proposed responses to comments and revisions to the document, will

be prepared once all comments are received. It is assumed that, if required, the Applicant's technical consultants will provide any necessary input.

ESA assumes very light comment letters will be received by the City (no more than 10 unique comments requiring responses), and therefore proposes a total allowance of 14 staff hours for preparation of responses to comment letters received during the review period. Our staff allowance and fee for the preparation of responses to comments assumes no new analysis will be required to be prepared by ESA, nor will ESA be required to conduct consultation with other agencies, organizations, individuals, or technical consultants beyond those on the Project team. Should more comment letters or comments be received than assumed herein, or should new analysis or agency or other consultation be required, ESA will notify the City to determine the necessary and appropriate level of effort.

ESA will prepare an Administrative Final IS/MND (including the responses to comments) and submit to the City for review. After receiving City comments, ESA will make necessary revisions and submit a Screencheck Final IS/MND to the City for any final changes prior to publication. Once finalized, ESA will assist the City in preparing the Notice of Determination (NOD) to certify the Final IS/MND and file with the Los Angeles County Clerk. It is assumed that the City would prepare and file the NOD. Additionally, any California Department of Fish and Wildlife Fees would be covered by the City.

ESA will also prepare a separate Mitigation Monitoring Reporting Plan (MMRP).

#### **Deliverables**

- Submit Administrative Final IS/MND (electronic)



- ❑ Submit Screencheck Final IS/MND (electronic)
- ❑ Submit Final IS/MND with MMRP (15 hard copies and one digital on zip or CD)

### Task 5: Public Hearing

As directed by the City, ESA will prepare the necessary materials for a single public meeting following public distribution of the IS/MND, including a PowerPoint presentation. The ESA Project Manager and, if needed, Project Director will attend the meeting.

### Schedule

The table below illustrates a highly expedited timeline for completion of an IS/MND, although it is possible that this process may be completed in less time. It assumes no lengthy delays related to community outreach or consultation with organizations and relatively efficient review of the draft and final IS/MND by City staff.

The ESA project team will commit the necessary resources to ensure the preparation of the IS/MND and related environmental documents within the desired time frame. However, in the event that changes to the Project Description occur after it has been drafted, project information is not available or complete, changes in technical reports prepared by others, comments greatly exceed anticipated level, or if changes in the scope occur, the schedule would be affected. ESA will notify the City at the earliest point possible if issues arise with the potential to affect the project schedule.

Task Description	Timeframe
Project Initiation / Data Collection/ Prepare Project Description/Technical Analysis	May 2017 (2 weeks)
Prepare Administrative Draft Initial Study/MND	May-June 2017
City Review of Administrative Draft Initial Study/MND	June 2017
Prepare Public Review Draft IS/MND; City Approval	June 2017
Publication of Initial Study/MND ( <i>30-Day Comment Period</i> )	June-July 2017
Prepare Administrative Draft Final IS/MND and MMRP	July 2017
City Review/Approval of Screencheck Final IS/MND and MMRP	July 2017
Project Approval Hearing(s)	August 2017
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Overall IS/MND Schedule ( <i>excluding hearings</i> )	<b>3 months</b>

### Cost Estimate

Based on our understanding of the project and the Scope of Work provided in the previous section, our estimated fee to prepare the IS/MND and associated documentation is outlined in the table below. ESA reserves the right to transfer fees among line items, as budget flexibility is needed to respond to shifts in effort that invariably occur due to unexpected circumstances. Should the need arise for additional professional services beyond those set forth in the scope of services due to changes in the process or the regulatory environment, ESA will request written authorization from the City to proceed prior to the initiation of the additional services. Factors triggering an increase in the scope of services and a revised fee may include, but are not necessarily limited to: a prolonged interactive data gathering process in associated with the information needs memorandum prepared under Task 1, modifications in the project after the Project Description has been drafted; analysis of technical issues other than those identified in this scope of work; receipt of

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inadequate technical reports; revisions due to changes in the technical reports prepared by others; more team or City comments other than those due to errors; more meetings/meeting time than contemplated; more public comments requiring responses or additional analysis than contemplated; production of additional documents; or significant delays in the project schedule beyond the control of ESA. Fees and charges will be billed monthly on a Time and Materials basis in accordance with the schedule of ESA's current Billing Rates and Expense Charges.

Task	Cost
Task 1: Project Management	\$4,480
Task 2: Technical Analysis and Data Collectio	\$890
Task 3: Preparation of the Initial Study/Mitigated Negative Declaration	\$48,310
Task 4: Final IS/MND, Response to Comments, and MMRP	\$2,470
Task 5: Public Hearings	\$1,580
<b>Labor Cost</b>	<b>\$57,730</b>
Reimbursable Expenses (equipment, in-house reproduction, postage, etc.)	<u>\$2,875</u>
<b>Total</b>	<b>\$60,605</b>