

RESOLUTION NO. 17-83

**RESOLUTION AUTHORIZING PHIL MARTIN AND ASSOCIATES, INC.,
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 7140 BANDINI BOULEVARD**

WHEREAS, the City Council adopted a resolution approving professional services agreements and establishing an eligibility list for various on-call professional services which includes Phil Martin & Associates, Inc.; and

WHEREAS, Staff is in the process of reviewing an application for development of a proposed tilt-up warehouse building at 7140 Bandini Boulevard in the City's Heavy Industrial (M-2) zone; and

WHEREAS, the proposed warehouse 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 Phil Martin & Associates, Inc., 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 \$55,975, as described in the attached proposal. Staff is also requesting a ten percent contingency to bring the total to \$61,572.50.

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

Section 1. Phil Martin & Associates, Inc. is hereby authorized to conduct and prepare the appropriate analysis as outlined in their proposed approach and scope (Exhibit A) at a cost of \$55,975 plus a ten percent contingency, for a total of \$61,572.50.

PASSED, APPROVED AND ADOPTED this 15th day of August 2017.

Oralia Rebollo, Mayor

ATTEST:

Lena Shumway, City Clerk

EXHIBIT A

SCOPE OF SERVICES

Based on our understanding of the project and experience preparing Mitigated Negative Declarations for similar industrial projects in Commerce, we propose the following scope of work to prepare a Mitigated Negative Declaration to comply with the CEQA Guidelines, as amended.

a. Preparation of Mitigated Negative Declaration

Upon approval of this proposal, Phil Martin & Associates will begin preparation of the Mitigated Negative Declaration and include the following tasks:

Aesthetics

This section will include an analysis of the potential aesthetic impacts of the proposed development. If available, this section will include building elevations showing the architecture, design, and color scheme of the proposed building as seen from Bandini Boulevard adjacent to the site and the adjacent surrounding land uses. A landscape plan showing the proposed plantings and hardscape materials of the project will be provided, if available. The aesthetic section of the MND will compare the architecture, design, and landscape plans to applicable City design guidelines.

According to the City of Commerce 2020 General Plan, there are no city designated scenic resources adjacent to or within viewing distance of the site. In addition, per the State of California Officially Designated State Scenic Highways website there are no designated state scenic highways within viewing distance of the site, including the Santa Ana freeway adjacent to and east of the project. This section will analyze the project's compliance with the Urban Design policies of the General Plan and city adopted architectural and site design techniques.

If potential aesthetic impacts are identified, Phil Martin will work with City staff and the applicant to develop feasible measures to mitigate potential aesthetic impacts will be recommended in conjunction with recommendations of city staff and the project developer.

Air Quality

Giroux & Associates will prepare an air quality analysis and greenhouse gas emission calculations as a sub-consultant to Phil Martin & Associates. Phil Martin & Associates will summarize the air quality and greenhouse gas emission reports and attach the full documents in the appendix to the MND.

The air quality report will include the following information:

- Provide an air quality setting based upon SCAQMD monitoring data from the closest air monitoring station, which is Pico Rivera.
- Calculate temporary construction activity emissions (demolition, grading & construction) using procedures identified in the SCAQMD CEQA Air Quality Handbook and incorporated into the CalEEMod computer model.
- Calculate regional vehicular emissions using the currently recommended CalEEMod computer model.
- Evaluate the potential for micro-scale air pollution "hotspot" formation relative to surrounding emissions sources.
- Analyze possible air quality issues between on-site trucking activities and any adjacent pollution-sensitive land uses.

- Discuss project consistency with the South Coast Air Basin Regional Air Quality Management Plan in terms of land use planning consistency.
- Identify applicable mitigation measures, including relevant transportation control measures (TCMs) incorporated into the air basin portion of the California State Implementation Plan (SIP).
- Discuss the potential effects on local air quality of cumulative development in the area.
- Summarize the air quality findings in a "stand-alone" draft air quality technical report in a setting/impact/mitigation format.

The air quality impacts of the project are divided into the short-term dust generation, local impacts, and long-term regional air pollution increases. Short-term dust and emission generation due to construction activities will be estimated using the URBEMIS model. If provided by the project applicant, detailed estimates of the potential construction equipment that will be used during project demolition and construction will be referenced to calculate the construction emissions. Otherwise, conservative estimates of the various required construction activities to determine short-term emissions will be used. The air pollutant emissions generated during project construction will be compared to the SCAQMD Regional and Local Significance Thresholds. Measures to reduce dust generation required by the South Coast Air Quality Management District will be identified. Additionally, measures in the AQMP to control construction activity emissions will be, as applicable, discussed in the air quality report. Long-term operational emissions will be generated by project traffic, combustion of natural gas to heat the building, operation of landscape equipment, and the use of architectural coatings during building maintenance. The air emissions generated by these sources will be assessed and compared to the SCAQMD Regional and Local Significance Thresholds to determine their significance.

Mitigation measures will be recommended to reduce significant long-term operational air quality emissions as much as possible to meet adopted thresholds and comply with CEQA.

Greenhouse Gas Assessment

Giroux & Associates will closely follow the generally accepted analysis methodologies and significance thresholds for greenhouse gas emissions and will apply the most current standards to the project. The greenhouse gas scope of work will include the following:

- Describe the existing GHG regulatory environment focused on AB-32 and SB-375. Summarize the base year GHG emissions inventory for Commerce and discuss the likely progress in moving forward from that time.
- Identify the appropriate thresholds of impact significance that include both the quantity of GHG generated by the project as well as project consistency with sustainable community initiatives.
- Quantify GHG emissions associated with transportation, on-site energy consumption, indirect electricity generation emissions, solid waste generation, and water use using the CalEEMod computer model GHG module.
- Based upon the relative roles of transportation and non-transportation emissions projections, identify mitigation potential that might reduce the gap between AB-32 goals versus programs that are already in place (CAFÉ, LCFS, energy efficiency, etc.).
- Determine GHG impact significance after application of available mitigation measures.

Geology and Soils

A geotechnical/soils report will be provided by the project applicant for incorporation into the MND. The geotechnical/soils report will be summarized in the MND and the full report included in the appendix. Mitigation measures, based on the conclusions and recommendations in the geotechnical/soils report will

be provided in the MND to reduce potential geotechnical and/or soil impacts to less than significant to comply with CEQA.

Hazards and Hazardous Materials

A Phase I Environmental Site Assessment (ESA) will be provided by the project applicant for incorporation into the MND. The Phase I ESA will be summarized in the MND and the full report included in the appendix. Mitigation measures, based on the conclusions and recommendations in the Phase I ESA will be provided in the MND to reduce any potential hazardous material impacts to less than significant to comply with CEQA.

Hydrology/Water Quality

A Water Quality Management Plan (WQMP), hydrology report and grading plan will be provided by the project applicant for incorporation into the MND. This section will provide information on the existing storm drain system that serves the site and if that system is adequate to serve the project or if storm drain improvements will be required. If storm drain improvements are required, the MND will determine if the required improvements would have any environmental impacts with their construction. When required, measures to reduce surface storm water impacts and/or water quality impacts will be recommended to comply with CEQA.

Land Use

The land use designation for the site is Industrial and the zoning is M2 – Heavy Industrial. Per the City of Commerce Municipal Code, the proposed project complies with the M-2 zoning designation. Therefore, it is our understanding the project does not require a general plan amendment or zone change.

This section will analyze the compatibility of the project with the existing land uses surrounding the site including land use, building height, floor area ratio, etc. This section will also analyze the consistency of the project with the M-2 development standards of the Commerce Municipal Code. The Land Use section will also discuss the project's compliance with the goals and policies of the general plan. When required by CEQA, measures will be recommended to reduce land use impacts to less than significant.

Noise

Giroux & Associates will prepare a noise report for the project. The noise report will include the following:

- Perform limited on-site ambient noise monitoring to establish the current noise footprint in the project proximity.
- Develop a baseline traffic noise exposure profile in terms of the CNEL noise metric using the FHWA Model with the latest California vehicle noise curves (CALVENO) focused on local impacts from on-site trucking traffic.
- Prepare a no-project versus with-project mobile noise impact comparison, including any viable project alternative development scenarios. Identify specific sensitive receiver locations where mobile source noise impacts may adversely affect nearby sensitive receivers.
- Discuss stationary noise implications for any on-site construction activities.
- Relate project noise impacts to the Noise Element noise/land use compatibility guidelines in the City of Commerce General Plan Safety Element and other applicable noise exposure regulations.
- Summarize the noise findings in a "stand-alone" draft noise technical report

The noise report will be summarized and the full report included in the MND appendix. Mitigation measures to reduce potential noise impacts will be provided as necessary to meet the City's Noise Ordinance and comply with CEQA.

Public Services and Utilities

This section will evaluate the potential impacts of the project on the various public services and utilities that will serve the project. The public services that will be analyzed include police and fire protection, solid waste collection, water, and wastewater. Service letters will be sent to the public agencies to solicit their comments regarding potential impacts by the project on their respective service. Information will be provided that identifies the size and location of the existing services/utilities that serve the site and discuss if the existing facilities are adequate, of if upgrades and improvements to existing facilities will be required. For the existing utilities that will need to be upgraded or extended to serve the project the MND will discuss potential impacts to extend or upgrade those utilities. When required to comply with CEQA, mitigation measures will be recommended to reduce potential impacts to less than significant.

Traffic and Transportation

Stantec will prepare a traffic report to address the traffic impacts of the project compared to the existing conditions. Stantec will obtain recently completed traffic impact studies and information on other projects located in vicinity of the project, as applicable. This task will also include a review to inventory the existing intersection geometrics and controls, the number of through travel lanes on roadways, pedestrian, bicycle, parking and transit facilities, and existing land uses within the study area.

The traffic generated by the project will be based on the latest site plan and estimated using the trip generation rates and/or equations identified in Trip Generation, 9th Edition, published by the Institute of Transportation Engineers (ITE) for land use code 150 – Warehousing. The geographical trip distribution will be determined in accordance with the warehouse use proposed for the site and the local and regional roadway network characteristics.

The project is calculated to generate approximately 780 weekday vehicle trips with 111 AM peak hour trips and 84 PM peak hour trips. The trip generation does not include any trip reduction (credit) associated with the demolition of the existing use on the site.

A typical threshold for an off-site intersection to be included in a traffic study is a location that receives a minimum of 50 peak hour project trips. Based on an assumed preliminary project trip generation, and the route of vehicles to and from the adjacent I-5 Freeway, the following nine (9) intersections are recommended for inclusion in this analysis:

- Garfield Avenue and Telegraph Road (signalized);
- Garfield Avenue and Bandini Boulevard (signalized);
- Telegraph Road and Home Depot Access(signalized);
- I-5 SB off-ramp and Bandini Boulevard (stop-controlled);
- I-5 SB on-ramp and Bandini Boulevard (stop-controlled);
- I-5 NB off-ramp and Telegraph Road (signalized);
- Greenwood Avenue and Bandini Boulevard (all-way stop);
- Greenwood Avenue and Slauson Avenue (signalized); and
- Gage Avenue and Slauson Avenue (signalized).

The intersections chosen for analysis are anticipated to include all locations that may be impacted by the project and no additional study intersections are considered justified. However, should the City request that additional intersections be included in the study, the budget for data collection, analysis, and report preparation tasks identified in this proposal will increase.

Traffic Volume Data Collection

Stantec will collect new existing weekday traffic data for the nine intersections. Nine (9) weekday AM/PM peak hour turning movement counts will be collected at the off-site study intersections. Weekday 24-hour volume counts will be collected at six (6) roadway segment locations between the study area intersections. No weekend traffic data counts are included in this traffic collection analysis. If the City requires additional intersection or roadway segment counts or any other specialty traffic data collection additional costs will be incurred.

Project Trip Generation and Future Traffic Projections

A growth factor will be applied to the existing traffic volumes, if appropriate, to consider ambient traffic growth of the area to the future baseline year. The baseline year will be the expected project completion/opening year. Future year scenario analysis will include traffic volumes associated with adjacent cumulative projects, as identified by the City. This proposal assumes that the project will be completed in a single development phase.

Level of Service Analysis

Stantec will use the Intersection Capacity Utilization (ICU) and Highway Capacity Manual (2000) operations methods in accordance with City guidelines and parameters to determine intersection level of service (LOS) at the study area intersections. The minimum target level of service is anticipated to be LOS D per City requirements, or as otherwise identified for CMP intersections. Roadway levels of service will be calculated on volume-to-capacity (V/C) analysis. A level of service analysis of the nine intersections will be prepared for the following six (6) scenarios:

- Existing volumes;
- Existing volumes plus Project;
- Existing volumes plus Project with mitigation (if necessary);
- Baseline (Project Year) volumes;
- Baseline (Project Year) plus Project volumes; and
- Baseline (Project Year) plus Project volumes w/mitigation (if necessary).

If necessary, for project mitigation, capacity enhancements will be identified and analyzed in terms of feasibility and cost to maintain the required level of service.

I-5 Freeway Mainline and Ramp Analysis

Because the project is located adjacent to and west of the I-5 freeway, the traffic study will include an analysis of freeway mainline and ramp LOS at Telegraph Road and Bandini Boulevard in accordance with Caltrans and Highway Capacity Manual (HCM) procedures. The analysis will be completed for the same six scenarios above.

Construction Traffic and Additional Specific Analyses

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CC Mtg: 8/15/17

The traffic report will include a construction traffic analyses. The construction traffic analysis will include, but not limited to, construction traffic estimates, project access geometric configuration/stripping alternatives, signal warrant analysis, queuing analysis, sight distance analysis, on-site truck circulation including horizontal and vertical clearances required for large vehicles, pedestrian access and circulation, parking and parking code compliance, and emergency vehicle access.

Report Preparation

A traffic report including all tables, figures, and text to document the study methodologies, conclusions, and recommendations will be prepared. The traffic report will include all LOS, volume-to-capacity, traffic data, and all other appropriate back-up calculations in the appendix.

Study Submittal and Agency Review Comments

The traffic report will be submitted to the City. Stantec will incorporate the City's comments to the draft traffic report, if necessary. A total of 12 hours has been considered for this task. Additional City or other agency study review time required beyond 12 hours it will be billed on a time and materials basis, with prior authorization.

Cumulative Impacts

Per CEQA Guidelines Section 15355, a cumulative analysis will provide a discussion of the potential environmental effects that could occur with development of the project in conjunction with other planned and entitled projects in the area, including the compounding of cumulative project impacts. Cumulative project information will be obtained from City staff and include projects that have been entitled but not constructed, projects that are not entitled, but in the planning process, and reasonably foreseeable future projects. The cities adjacent to Commerce will be contacted to identify any projects within their jurisdiction that should be included in the cumulative impact analysis. A map will be prepared to show the location of the cumulative projects. When required by CEQA, mitigation measures will be recommended to mitigate any cumulative project impacts.

References, Persons and Agencies Contacted and MND Preparation

This section will list all reference documents used to prepare the MND and all persons, agencies and individuals contacted during preparation of the MND.

Appendices

The MND appendix will include all technical reports.

b. Administrative Mitigated Negative Declaration

Once the MND is completed three (3) hard copies and one (1) compact disc of the document will be submitted to City staff for review and comment. Staff's comments and changes will be incorporated into the MND and three (3) second administrative hard copies and one (1) compact disc (CD) will be submitted for a second review. Staff's final comments will be incorporated and the Mitigated Negative Declaration prepared for printing and distribution.

c. Print and Mail Mitigated Negative Declaration

Phil Martin & Associates will provide twenty-five (25) compact disks of the MND for public circulation. In addition, Phil Martin & Associates will provide the City with ten (10) bound hard copies with CD's of all appendices and one (1) electronic copy in PDF and MS Word format for use by the City. A CD of the complete MND, including appendices, will be mailed to adjacent cities and responsible agencies.

d. Prepare Notice of Intent to Adopt a Mitigated Negative Declaration

Phil Martin & Associates will prepare a Notice of Intent to Adopt a MND (NOI). Once reviewed by staff, the NOI will be mailed to all responsible agencies and interested persons along with a copy of the MND on compact disc. Phil Martin & Associates will also file the NOI with the Los Angeles County Clerk/Recorder to start the MND public review period.

e. Respond to Comments

Phil Martin & Associates, Inc. will prepare written responses to all comments received to the MND. For the purpose of this proposal, Phil Martin & Associates has allocated two (2) hours to respond to comments, which includes time for Phil Martin & Associates and its sub-consultant. Phil Martin will provide up to two hours for coordination time with the applicants consultants for response to comments. Phil Martin & Associates and/or its sub-consultant time to respond to comments beyond two hours will be billed on a time and materials basis.

Three (3) hard copies and one (1) CD of the Response to Comments will be submitted to the City for its review and comment. The City's changes will be incorporated and copies of the Response to Comments will be printed. Phil Martin & Associates will mail the Response to Comments to the agencies and individuals that submitted comments prior to the scheduled hearing to adopt the MND. Phil Martin & Associates will mail up to ten (10) copies of the Response to Comments in a compact disk format.

f. Meetings and Public Hearings

Phil Martin & Associates has budgeted to attend the following meetings:

- One (1) Planning Commission hearing;
- One (1) City Council hearing.

City requested attendance at additional public hearings or meetings will be billed on time and materials basis.

g. File Notice of Determination and Pay Fish and Wildlife Fee

Phil Martin & Associates will prepare the Notice of Determination (NOD) as required by Section 15094 of the CEQA Guidelines. The day after the MND is adopted and the project approved, Phil Martin & Associates will file the Notice of Determination with the Los Angeles County Clerk Recorder.

Because there appears to be no trees or other vegetation on the site, Phil Martin & Associates will file a No Effect Determination form to California Fish and Wildlife for a No Effect Determination form. Filing the No Effect Determination form is an effort to receive a waiver of the payment of the California Department of Fish and Wildlife fee at the time the NOD is filed with the County Clerk. However, if California Department of Fish and Wildlife does not issue a No Effect Determination, the project applicant shall provide Phil Martin & Associates a check for the appropriate Fish and Wildlife fee at the appropriate time. Once the NOD is filed with the Los Angeles County Clerk/Recorder, Phil Martin & Associates will provide the original Fish and Wildlife Fee receipt and a copy of the filed NOD to the City for its records.

There is a 30-day statute of limitation period the public has to file legal challenges to the adoption of the MND once the NOD is filed with the Clerk/Recorder.

h. Mitigation Monitoring Reporting Program

Phil Martin & Associates will prepare a Mitigation Monitoring Reporting Program (MMRP) as required by Public Resources Code Section 21081.6 for all measures that are recommended to mitigate significant impacts. The Mitigation Monitoring Reporting Program will list all mitigation measures presented in the MND and identify the City department that will be responsible to monitor and implement each mitigation measure. Once the MMRP is completed, two (2) hard copies will be submitted to City staff for its review. Staffs comments will be incorporated and five (5) hard copies and one (1) compact disk will be submitted to the City for its use.

Fee Schedule:

The fee schedule to prepare the Mitigated Negative Declaration as proposed in the above scope of work is \$55,975. The MND fee schedule is provided below.

MND Fee Schedule

Task	Hours	Hourly Rate	Cost
Initial Study/MND			
<i>Prepare Initial Study/MND – Phil Martin</i>	160	\$175	\$28,000
Air Quality/Greenhouse Gas	*		\$4,750
Report/Noise – Giroux & Associates			
Traffic - Stantec			\$19,500
Direct – printing, mailing, produce CDs			\$750
Final MND			
Response to Comments	4	\$175	\$700
Mitigation Monitoring Reporting Program	2	\$175	\$350
File two CEQA notices	3	\$175	\$525
Public Hearings – 1 Planning Commission, 1 City Council – Phil Martin	8	\$175	\$1,400
Total			\$55,975