

City of Los Alamitos

Agenda Report Consent Calendar

August 3, 2009
Item No: 7C

To: Mayor Troy Edgar & Members of the City Council

Via: Jeffrey L. Stewart, City Manager

From: Steven A. Mendoza, Community Development Director

Subject: Consideration of a Professional Services Agreement with RBF Consulting for Environmental Impact Report Preparation for the Los Alamitos Medical Center Specific Plan

Summary: This agenda item seeks approval of an agreement with RBF Consulting to provide processing and preparation of an Environmental Impact Report (EIR) for the Los Alamitos Medical Center's Specific Plan. The Cost of the Agreement will be funded by the Los Alamitos Medical Center.

Recommendation:

1. Authorize the City Manager to enter into a Memorandum of Understanding between the City of Los Alamitos and the Los Alamitos Medical Center for the Preparation of an Environmental Impact Report related to the Development of a Specific Plan; and,
2. Authorize the City Manager to enter into a Professional Services Agreement with RBF Consulting to prepare an Environmental Impact Report for the proposed Medical Center Specific Plan in an amount not to exceed \$198,410.

Background

The Los Alamitos Medical Center will be embarking upon their future planning of their properties through the adoption of a Specific Plan. A Specific Plan guides specific development proposals within a defined area toward the goals and policies of the General Plan, while allowing for flexibility in meeting the objectives of the proposed project.

Toward that goal, the Los Alamitos Planning Commission and the City Council are required to comply with California Environmental Quality Act (CEQA) regulations prior to taking action on the adoption of the Specific Plan expected in 2010. In meeting the obligations under CEQA, the Planning Commission and City Council will review the impacts the proposed Medical Center expansion would have upon the environment. Such impacts will be outlined and analyzed by RBF in an Environmental Impact Report

(EIR). The EIR is a companion to the Specific Plan and will be developed simultaneously by RBF.

Because California state law requires that the City be the lead agency on the development of the EIR, the EIR Consultant must take direction from the jurisdiction, in this case the City of Los Alamitos. By having the Consultant under the management of the City, the EIR then becomes a truly independent analysis of the impacts expected by the Development. It puts the City in the driver's seat to meet all State of California CEQA requirements. The EIR remains the property of the City of Los Alamitos, not the developer, and the adequacy of the EIR and the information provided therein is the responsibility of the City Council.

Because the funds are coming from the Medical Center and are not public funds, the usual Request for Proposal process was not implemented by staff. The Medical Center researched and interviewed several consultants prior to selecting RBF.

To outline the mechanism for payment for the EIR processing and preparation, the City has proposed entering into an MOU with Los Alamitos Medical Center which states:

1. RBF shall invoice the City of Los Alamitos
2. City shall invoice Los Alamitos Medical Center
3. Medical Center shall remit payment to City
4. City shall remit payment to Consultant

The approval of this Professional Services Agreement (PSA) will allow the Consultant to begin the preparation of the EIR which is expected to be completed in early 2010 along with the Medical Center's Specific Plan.

Fiscal Impact

No costs will be incurred by the City by entering into a PSA with RBF Consulting. The applicant will remit payment to the City prior to the City paying any invoices to the Consultant. The City's fee resolution does not allow for an administrative overhead fee.

Submitted By:

Approved By:

Steven A. Mendoza
Community Development Director

Jeffrey L. Stewart
City Manager

Attachments: 1) *Professional Services Agreement*
 2) *Memorandum of Understanding*