

City of Los Alamitos

Agenda Report Discussion Item

October 5, 2009
Item No: 9A

To: Mayor Troy Edgar & Members of the City Council

Via: Jeffrey L. Stewart, City Manager

From: Steven A. Mendoza, Director of Community Development

Subject: Consideration of a Reimbursement Agreement with the Los Alamitos Medical Center and Professional Services Agreement with RBF Consulting for Environmental Impact Report Preparation related to Entitlement Applications

Summary: This agenda item seeks approval of a Reimbursement Agreement with Los Alamitos Medical Center, which will reimburse the City for the Environmental Impact Report (EIR) preparation costs, legal fees, and Engineering Consultants. In addition, this item seeks approval of a Professional Services Agreement (PSA) with RBF Consulting to provide processing and preparation of an EIR for the Los Alamitos Medical Center Specific Plan.

Recommendation:

1. Authorize the City Manager to execute a Reimbursement Agreement 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 (PSA) 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 has filed a Specific Plan application and General Plan Amendment application for the future planning of their properties. Submittal of their application will require the preparation of an Environmental Impact Report (EIR).

The Reimbursement Agreement assures that the applicant is responsible for funding work related to the EIR and that public funds are not used for such purpose. Contracting directly with RBF Consulting assures that the City is in the position to ensure that all CEQA requirements are met. City staff, the City Engineer and City Attorney will review the working draft of the EIR including Land Use, Traffic, Air Quality, Noise, Community Impacts, Utilities, Traffic, Visual, Cultural, and Hydrology to assure

compliance and to assure that the EIR represents an independent analysis of the Los Alamitos Medical Center's future expansion. As the EIR is being drafted, staff will work closely with RBF so that each and every segment of the EIR meets all requirements of State law.

The EIR remains the property of the City, not the developer, and the adequacy of the EIR and the information provided therein is the responsibility of the City. By having the Consultant under the management of the City, the EIR remains an independent analysis of the impacts. The study of impacts is the sole purpose of an EIR; to provide an analysis to the Public, Public Agencies, Planning Commission and the City Council.

Eventually Scoping Meetings and Public Hearings will be held to obtain input for the EIR. Eventually the Draft EIR is distributed locally and around the state for public comment. All comments from the public are required to be incorporated into and also responded to in the EIR. The circulation of the Draft EIR occurs prior to any review by the Planning Commission or City Council. An EIR is not considered final unless and until the public's comments are included in the document and also responded to by the public agency. This section of an EIR is referred to as "Comments and Response to Comments".

A Specific Plan serves as zoning for the properties involved. It establishes the necessary plans, development standards, regulations, infrastructure requirements, design guidelines, implementation programs and mitigation measures on which subsequent project-related development activities are to be founded. It is intended that local public works projects, site plan review projects, detailed site plans, grading permits and building permits, or any other action requiring ministerial or discretionary approval applicable to this area, be consistent with the Specific Plan. The Specific Plan application outlines the Medical Center's proposed future expansion efforts over the next twenty five years including:

- *New medical office building not to exceed 80,000 square feet.*
- *New Bed Tower ONE consisting of 126 beds, resulting in a 72 bed net increase for up to 238 licensed beds.*
- *New Bed Tower TWO consisting of another 126 beds to the north of the first tower; and resulting in a maximum of 364 beds.*
- *Construction of new parking structures to satisfy Code requirements for parking.*
- *Demolition of an existing medical office building located at the northwest corner of Kaylor Street and Katella Avenue to allow for reconfiguration of surface parking areas.*
- *Reconfiguration of surface parking and possible vacation of Kaylor Street;*
- *Construction of a Central Plant to service the new and existing hospital buildings.*

Prior to the completion of studies included in the EIR it would be inappropriate to discuss any perceived impacts the Special Plan and the Medical Center's expansion would have upon the City. The study of impacts is the sole purpose of an EIR; to

provide an analysis to the Planning Commission and the City Council who will consider the application in the future.

Toward that goal, the Los Alamitos City Council and Planning Commission 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 City Council and Planning Commission 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 EIR. The EIR is a companion to the Specific Plan and will be developed simultaneously by RBF. An EIR will offer an analysis of the impacts expected by comparing the current conditions with the future conditions. Staff sees significant benefits in beginning the analysis of the current site conditions.

To outline the mechanism for payment for the EIR processing and preparation, the City has developed a Reimbursement Agreement with the Los Alamitos Medical Center which states:

- Medical Center shall deposit a sum of \$50,000 within 10 days of execution;
- RBF, City Attorney and the City Engineer shall invoice the City of Los Alamitos to time related to the Specific Plan;
- City shall draw from the \$50,000 deposit to pay invoices;
- Deposit shall be replenished to \$50,000 when it gets to \$15,000; and,
- City shall remit payment to Consultant.

The approval of this PSA will allow the Consultant to begin the preparation of the EIR, which is expected to be completed in 2010 along with the Medical Center Specific Plan; the two items are being developed in tandem.

In addition, during the same time period SCAG will be studying the Katella Avenue and Los Alamitos Boulevard corridors. Staff will coordinate a meeting between SCAG's chosen consultant and RBF to incorporate shared goals and objectives.

Fiscal Impact

No costs will be incurred by the City by entering into a PSA with RBF Consulting. The City will draw down from the Medical Center's \$50,000 deposit to pay invoices to RBF, the City Attorney and the City Engineer.

Submitted By:

Approved By:

Steven A. Mendoza
Community Development Director

Jeffrey L. Stewart
City Manager

Attachments: 1) Reimbursement Agreement
 2) Professional Services Agreement