

S P U R L O C K P O I R I E R

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*Revised Proposal for the*

# VILLAGE ENTRANCE PROJECT

City of Laguna Beach

*February 13, 2015*



February 13, 2015

Attn: Wade Brown  
Project Director  
City of Laguna Beach  
Public Works Department  
505 Forest Avenue  
Laguna Beach, CA 92651

RE: Revised Proposal for Village Entrance Project Design Services

Dear Mr. Brown:

We have revised our previously proposed scope of work to reflect the changes contained in your Request for Proposal dated January 30, 2015, omitting tasks related to project implementation and adding tasks for preparation of design concepts and preliminary engineering for improvements in Laguna Canyon Road. These additional tasks include refurbishment of the existing medians and traffic mitigation articulated in the previously prepared project EIR.

We remain very excited to be under consideration for the Village Entrance Project and are eager to take on the challenge of analyzing the multiple options with the City and the community to help create an arrival into the City that achieves its enormous potential.

We are well aware that this will be a highly technical process for a site with many overlapping and competing issues. This is a team, however, that has experience completing many complex projects with creative and compelling results. You will be working with the principals who actually have this experience. We will neither push forward with the easier least common denominator, nor will we get lost in the weeds.

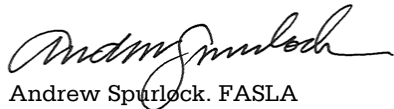
As previously noted, we want to emphasize the "flexibility" of our approach to the project scope. We value collaboration with our clients and will work closely with the City to define a thorough and efficient process for development and evaluation of alternatives in order to create a clear path towards final plan approval, documentation and successful implementation.

We have outlined a process which will focus early to fully vet those options. This will require biweekly updates of progress and a summary of the relationship of decisions to avoid later unexpected derailing. It will also allow us to develop a creative solution with the community invested in both the ideas and their feasibility.

Our team looks forward to meeting with you to discuss our approach and the potential for the Village Entrance Project.

Sincerely,

Spurlock Poirier Landscape Architects  
A California Corporation



Andrew Spurlock, FASLA  
President

2122 Hancock Street  
San Diego, California 92110

619.681.0090  
sp-land.com

License No. 1865

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## STAFFING AND MANAGEMENT PLAN

Spurlock Poirier will serve as the primary contractor to the City of Laguna Beach and will be responsible for subconsultant management, schedule and scope management. In addition, Spurlock Poirier's Principal, Andrew Spurlock, FASLA and Leigh Kyle, RLA will serve as the responsible representative and alternate, respectively. Should Andy be unable to continue with the project, then Leigh will become the primary representative.

## ORGANIZATIONAL CHART

CITY OF LAGUNA BEACH  
Public works Department

### PRIME CONSULTANT

SPLA	Design + Project Management
	Andrew Spurlock, FASLA
	Leigh Kyle, RLA
	Lucas Shellhammer, LEED Green Associate
	Taylor Hawkins, ASLA

### SUBCONSULTANTS

BGB	Design Support
	Robert Borthwick, ASLA, Arthur Guy, ASLA, CLIA

LSA	Environmental
	Anthony Petros
	Arthur Black
	Jim Harrison
	Keith Lay
	Arthur Homrighausen
	Tung-Chen Chung, PhD
	Deborah Mclean, MA, RPA

K&A	Facilitation
	Joan Isaacson, AICP, AIP2

FUSCOE	Civil Engineering
	Patrick Fuscoe, PE
	Ian Adam,
	MESM, QSD,
	CPSWQ,
	LEED AP BD+C
	Mark Nero, PE

BSE	Lighting and Dry Utilities
	Alan Brown, PE, MBA
	LEED AP BD+C
	Erson Bolos, PE,
	LEED AP BD+C

TSA	Architecture
	John Loomis
	Elwood "Chip" Gulley

KPFF	Structural Engineering
	William Thorpe, SE

TBD	Cost Estimating
	Michael Teggins, CPE
	Gordon Beveridge, LEED AP

SMC	Geotechnical
	Hannes Richter, PE, RGE
	Kevin Trigg, CEG, RG

## PROJECT UNDERSTANDING

The City of Laguna Beach Village Entrance Project presents a singular opportunity to at once provide convenient parking for the many pedestrian-friendly events and activities the community offers as well as define the character of the community at this significant civic gateway, the western terminus of the beautiful and historic Laguna Canyon Road.

The core of the project is a planning study for reconfiguring approximately 5 acres of existing parking and developing additional parking on an adjacent 0.5 acre parcel with the goal of creating a linear open space that accommodates pedestrians and cyclists, enhanced landscaping and amenities without any loss of parking spaces. Located on a narrow bench of land between the eastern wall of Laguna Canyon and a state highway the project is split along its length by an active drainage channel. The project also includes assessment and potential restoration or reconstruction of existing structures including the historic digester, storage sheds, carports and existing bridges spanning the drainage channel.

In addition the project will include improvements to Laguna Canyon Road including reconstruction of approximately 4,500 linear feet and 1.25 acres of existing medians from Forest Avenue to Canyon Acres with the goals of lengthening and/or adding turn lanes, restoring curb and gutter to Caltrans standards, and installing new water efficient planting and irrigation that reflects the character of Laguna Beach and its environs.

## EXISTING CONDITIONS

Currently the project site is used for surface parking, storage for maintenance and facilities and also houses an active sewer lift station and fueling station (both of which must remain accessible and operational throughout construction). As part of the initial study phase, the team will conduct technical evaluations of existing structures and site conditions including: the steel-framed carport and historic concrete digester building; steep hillsides (and attendant debris and drainage issues) at the site edges; ground water beneath the site; traffic movement and site distance considerations given the project's location adjacent to a state highway.

## COMMUNITY ENGAGEMENT

This is an important, visible and highly constrained site; all elements must be carefully orchestrated to ensure successful resolution. Key to achieving this resolution is a well-planned process for engaging and collaborating with the community and stakeholders.

The approvals process will include community workshops, engagement with stakeholders and other outreach events to gather public input on design concepts; working with the City, Cal-trans, County Flood Control and other agencies to obtain entitlements for the project; preparing CEQA documents for the project site area; designing additional improvements and mitigation as required by the EIR.

While an Environmental Impact Report (EIR) has been completed for a previous iteration of the project, CEQA strategies will need to be evaluated based on the evolution of the design. Once a final design direction has been determined, the team will prepare a full set of Schematic Design plans for all proposed improvements for submittal to the City for review and costing. It is understood that construction documents will be a separate, later phase of work and are not included in this proposal.

## PLANNING CONSIDERATIONS / DESIGN ELEMENTS

Some of the plan elements we will analyze as part of the planning phase are listed below along with accompanying assumptions. We will systematically vet these issues through early contact with agencies as well as through the outreach process. Many of these issues will be focused and defined further in our Opportunities and Constraints Analysis. Per the RFP, we understand the key plan components include:

### LANDSCAPED PATHWAY/ VILLAGE ENTRY DESIGN CHARACTER

- Components shall comprise an iconic entry feature and will include, bike lane, pedestrian path, lighting, seating, landscaped areas and potentially other site structures to be determined such as shade structures, signage, public art, etc.
- Site elements shall work in harmony with context including Laguna Canyon, Festival Arts and the gateway to downtown
- The ultimate objective is to produce a terrific entry experience for Laguna and resolve the technical issues creatively. We will demonstrate the relationships of each issue to character, sustainability, and long-term function of the Village Entry as we move forward through the design and evaluation process.

### SURFACE PARKING

- Parking alternatives will assess strategies to achieve minimum of 397 spaces that meet City of Laguna Parking and Landscape ordinances.
- Alternative parking layouts will be evaluated to define the related issues for bridge re-use, shed/ carports, circulation patterns, retaining and/or rock debris walls, location of the planting and bike way and the impact of mitigation
- Additionally, all alternatives will be given a cost benefit evaluation.
- In the event that the preferred scheme for parking lots modifies driveways or curb and gutter, they will be designed to comply with Caltrans standards.

### BRIDGES AND CHANNEL

- Project should preclude modifications to the channel affecting hydrology such as lids or modifications to channel walls with following caveats: We assume some planting adjacent to channel where feasible for slope stabilization and aesthetics. We also assume the on-site project area will likely continue to drain into the OCFCD channel and comply with MS4 requirements. As such, it is anticipated stormwater collection may discharge into the channel via a modular wetland filtration box or similar (with OCFCD approval).
- Evaluation of (3) three existing bridges across the channel for replacement or restoration
- Re-used bridges do not need to be raised, however any new bridge will need to be elevated to meet hydrological criteria.

### SITE STRUCTURES

- Digester building shall have aesthetic improvements to the exterior only; its intended use is for miscellaneous storage.
- Prepare cost benefit analysis of rehabilitation versus reconstruction of carports and sheet pile retaining walls.
- Storage buildings are to be removed and replaced. Concept Alternatives will include conceptual plans, elevations and locations off-site behind City Hall.
- Assume fueling station and SOCWA sewer lift station will remain operational and in current locations; concept plans shall coordinate the location and space requirements for the lift station odor control installation.

## TASK 1: PROJECT START-UP

### 1.1: PROJECT MANAGEMENT

We'll begin this project by working with the City of Laguna to define a framework for communication and milestones to ensure the success of the project. To do this we rely on a clear scope that serves as a blueprint for project completion; a schedule that outlines the scope items and deliverables in a timely fashion; and a budget that tracks effort through the process.

**Communication:** Our approach includes regularly scheduled phone calls, progress reports and coordination meetings with the City's project manager and other staff to ensure issues are addressed promptly and key decisions are made in a timely manner. SPLA provides excellent communication via phone and conference calls, emails, file transfer protocol (FTP), screen sharing, meeting agendas that focus on action items, clear and concise notes and summaries that document decisions and discussions.

**Project Meetings:** Regular project meetings are important steps towards the completion of what is ultimately envisioned for The Village Entry. Each meeting will have an agenda, specific focus and intended outcome. Meeting agendas and any supporting materials will be provided in advance with sufficient review time to allow the meetings to hone in on discussion and decision making.

**Updates:** SPLA will provide bi-weekly updates regarding the scope, schedule, budget and critical tasks. We will frame the discussions around a task list that matches the scope of the project. Other team members will join the meetings as necessary throughout the process. In addition, we will submit monthly progress reports assessing the progress on deliverables and identification of any issues and proposed solutions.

**Schedule:** SPLA will work with the City Project Manager to provide a schedule that shows work flow process, critical tasks, deliverables, dates and provides sufficient time for City review as well as stakeholder engagement. The schedule will be updated on a monthly basis.

### 1.2: PUBLIC OUTREACH

Throughout the process, it will be important to elicit, manage and respond to community input. The SPLA team, with assistance from Katz & Associates, will work directly with the City of Laguna staff to develop an outreach strategy and take the lead to implement the outreach program.

The goal of the outreach is to collect meaningful input from the community regarding the design and amenities of the Village Entry. The outreach program will engage with audiences through a variety of means such as interviews, workshops, to ensure the greatest participation on the part of local stakeholders and residents.

**Develop a Public Participation Plan:** The project planning process will be highly integrated into the outreach plan. The SPLA team will work closely with the City's project manager to develop an outreach plan that is inclusive, meaningful and fits the context of this unique community and this project. We will work with the City to identify individual and Stakeholder groups, define a Stakeholder outreach program, define a format and venue for public workshops and most effective means to elicit input and address concerns from involved and influential community members. Our plan will reflect the uniqueness of this community and project. Our goal is to understand the desires, issues.



**Facilitate Public Meetings (Ongoing Throughout Project):** The SPLA team will conduct energetic, decision-focused sessions. We find that these sessions are most effective when held in the evenings or weekends to allow for busy work schedules. During workshops, City staff and the SPLA team will clearly represent project issues and status with a combination of diagrams, drawings and study models, site and precedent images to gain input. As the designs develop, we will provide construction cost evaluation – allowing us to present vision and reality together. The team will prepare agendas, power point presentations, written reports and minutes for outreach meetings.

**Stakeholder meetings:** We will conduct up to (6) six group or individual meetings with identified stakeholders to discuss the project's goals and methodology, program elements, etc. and document their ideas and concerns. We will provide agendas and summarize the findings in memorandum form.

**Community workshops:** The SPLA team will conduct (2) two open public workshops during the Planning phase. The SPLA team will work with the City to determine optimal timing for the public workshops and to develop agenda topics.

This proposal assumes all costs related to printing and distribution and meeting facility reservation fees, refreshments, AV equipment, etc. will be handled by the City.

#### **TASK 1 PROJECT START-UP KEY MILESTONES AND DELIVERABLES:**

- Kickoff Meeting
- Project Milestone and Meeting Schedule
- Project team contact list and communication protocols
- Public Participation Plan
- Stakeholder and Project Meeting agendas and notes

#### **TASK 2- PROJECT GOALS/ OPPORTUNITIES & CONSTRAINTS**

##### **2.1: PROJECT TECHNICAL START-UP**

Our team will review all previous work for Village Entrance and existing technical studies, including record drawings for existing improvements for all City utilities adjacent to project locations, perform a site walkover to assess existing conditions as well as identify any additional informational needs beyond what is documented and available to meet the project goals. We will prepare a Planning Base Map for the on-site Village Entry project reflecting existing topography (by others), improvements, utilities, boundary, easements and setbacks. We assume the City provides full aerial topographic map (IFT contours) in AutoCAD file plus GEOFIRM full soils investigation including a percolation test in two locations as a point of beginning. In addition, using City & Caltrans plans, we will assemble a Planning Base Map for the Forest/Laguna Canyon Road/Broadway area and the Laguna Canyon Road median island. We have provided fee for the optional task of additional survey if necessary.

## 2.2: SITE OPPORTUNITIES AND CONSTRAINTS ANALYSIS

Utilizing information from the existing conditions mapping, site reconnaissance, and photos of existing conditions, the design team will develop a series of diagrams and narratives to outline the project area's strengths, weaknesses, and opportunities associated with the list of project elements, evaluation criteria and site analysis as well as general assumptions of costs, schedule of permitting and implementation, community fit, etc. Additionally, we will identify existing infrastructure constraints and conditions relevant to planning the Village Entry site. Review feasible alternatives and outline them alongside any planning opportunities for team consideration.

Steps include analysis and diagramming of the following core planning considerations (among others):

- Hydrology, geology and topography
- Views and visibility
- Landscape site character, opportunities for native planting opportunities for linkages and mobility
- Culture, history and events of the community
- Utilities and Infrastructure,
- Reuse or replacement of existing structures including bridges, carpports, sheet pile retaining structure, storage buildings and digester building.
- Existing circulation patterns including driveways, bridges, walkways, crosswalks, etc.
- Site drainage and water quality treatment options.
- Hydraulic grade line for channel and flood hazard risks (per OCFCD records only).
- Note any additional environmental site investigations that may be required (at City's expense).

## 2.3: PROJECT GOALS AND EVALUATION CRITERIA

We will synthesize background and technical information as a springboard for developing design principles and project goals that consider the needs and input of the Laguna community. Working in collaboration with the City of Laguna and community, from our findings and analysis we will develop the core design goals and principles for the project. These design principles will guide the development of design concepts and will be used in evaluating a preferred alternative.

SPLA will initiate a process to evaluate Village Entry ideas and options. Starting with the project goals and design principles, evaluation criteria will be developed and organized around the core issues. Additional criteria such as costs, schedule, phasing and permitting will be included. We propose to conduct a workshop at the completion of this phase to bring together the community, City staff, and all stakeholders to review and provide valuable input into preliminary analysis for the Village Entry.

## 2.4: PUBLIC OUTREACH

Community Workshop #1 : The community workshop will be facilitated by the SPLA team with assistance from the City of Laguna. The focus of community workshop 1 is to introduce the project planning process, the goals and vision, briefly present a draft of known issues and opportunities, and most importantly, be informed by the community of additional issues and opportunities.

Stakeholder/ Agency meetings: Conduct group or individual meetings with Agencies or other identified stakeholders to discuss initial findings and project goals.

## 2.5: OPPORTUNITIES AND CONSTRAINTS SUMMARY

Narrative summary of analysis and findings, illustrated with plans, diagrams, site photos.

### KEY MILESTONES AND DELIVERABLES

- Site Survey and Base maps for on and off site project areas
- Summary Site Opportunities and Constraints Analysis
- Preliminary Goals and Design Principles
- Workshop materials and facilitation
- Stakeholder and Project Meeting Agendas and Notes

## TASK 3: CONCEPT DESIGN ALTERNATIVES

### 3.1: ALTERNATIVE CONCEPT PLANS

The SPLA team will develop three options exploring a range of improvements and configurations for on-site parking and linear park. These will be diagrammatic plans addressing items such as physical organization, structures and utilities, grading and drainage, vehicular and pedestrian circulation and access, planting and hardscape design and material palettes, sustainable features.

On-Site Design Elements to be included:

- Landscaped linear open space incorporating a pedestrian pathway and bike lane, continuous from the intersection of the flood control channel and Forest Avenue to the northern most point of the project.
- Parking plan alternative(s) that provide code compliant parking spaces with no net loss from existing (397 total); assume alternatives will include retaining and rock debris walls
- Bridge locations, including consideration of structural engineering design parameters and requirements for bridge transitions over the flood channel. The design alternatives(s) will consider reuse of existing vs. new bridges.
- Preliminary analysis of channel flood hazard
- Hardscape material alternatives including evaluation of pervious paving materials and strategies to minimize heat island effect.
- Site grading and drainage; Low Impact Development strategies for site drainage and stormwater treatment
- Landscape and irrigation alternatives using native species and xeric plant palette.
- Concepts for a renovation of the exterior only of the historic digester building that complies with all regulations related to this historic facility
- Determine if the existing metal carport should be retained and renovated, removed completely, or removed and replaced with new screening based on the best use of the area. Develop drawings of the carport/screening design solution.
- Consider options for storage buildings to be constructed behind City Hall to house Police support services and evidence storage. Develop drawings of proposed storage buildings.
- Coordinate and include the space requirements for the odor control installation of the SOCWA sewer lift station.

Caltrans Right-of-Way Improvements:

We will prepare concept plans for removal and replacement of the Laguna Canyon Road median including:

- Revised curb and gutter and drainage inlets to comply with Caltrans standards.
- Provide up to (3) concept planting, irrigation and hardscape schemes using a water conservation planting palette.
- Grading and drainage plans for medians including alternative stormwater treatment solutions including water quality swale (inverted) or mounded with modular wetlands

In addition we will provide concept designs for additional and or lengthened turn lanes per mitigation measures defined in the previously prepared EIR including:

- Additional southbound turn lane from Laguna Canyon Road onto Forest Avenue which may require lane restriping and removal of on-street parking on Forest Avenue and Laguna Canyon Road.
- Lane restriping on Forest Avenue from Laguna Canyon Road to Third Street to accommodate the additional southbound turn lane onto Forest Ave.
- An extension of the southbound turn lane pocket at the traffic signal to the Forest/Laguna Lot to approximately 300 feet in length.
- Modifications necessary for a northbound U-Turn at the traffic signal to the Forest/Laguna Lot.
- An option for a bus turnout northerly of the traffic signal entry to the parking lot.
- Traffic signal pole or control box relocations required by any of the proposed improvements.

Note the extent of required design improvements will be determined once a strategy for CEQA compliance has been evaluated and project approvals have been secured. See further discussion in Task 5.

### **3.2: CONCEPT ALTERNATIVES GRAPHICS PACKAGE**

We will prepare a complete package clearly illustrating the design concepts with the goal of helping the City, community and Stakeholders clearly visualize the alternatives. Package shall include plans and diagram overlays of circulation, views, program and use areas, narrative description, digital model and/ or perspective views, sections, elevations and character imagery conveying the content and character of each alternative.

### **3.3: COST OPINION**

The team will prepare a preliminary order of magnitude cost estimates for each of the alternatives. In addition, we will provide cost evaluations of:

- Cost-per-space for parking lots with and without retaining and/or rock debris walls
- Cost/ benefit comparison of paving material options including asphalt, pervious paving, and pervious unit pavers.
- Costs/ benefit comparisons of rehabilitated versus reconstructed site structures such as carports and bridges.

### **3.4: ASSESSMENT OF ALTERNATIVES**

The SPLA team will apply the previously established criteria to the options and rank them. We will analyze implementation factors including cost, permitting, maintenance, etc. We will prepare a summary document including project methodology, site analysis drawings, design concept alternatives and assessment for City review and presentation.

### **3.5: WORKSHOP #2**

The focus of community workshop 2 is to present design concepts and alternatives that address the issues and opportunities identified in existing conditions. We will also use input from the community to help determine a preferred alternative design concept to be further refined by the project team. The workshop will be interactive and likely use preference exercises and small group break outs to present the alternatives and solicit specific input.

### **TASK 2 KEY MILESTONES AND DELIVERABLES**

- (3) Plan Alternatives and supporting graphics and analysis packages as described above
- (3) Preliminary Order of Magnitude Cost Estimates
- Summary Memorandum
- Workshop materials and facilitation
- Stakeholder and Project Meeting Agendas and Notes

### **TASK 4: CONCEPT DESIGN REFINEMENT**

#### **4.1 FINAL CONCEPT PACKAGE**

Based on input from Workshop #2, and direction from the City, the SPLA team will prepare a Concept Level Site Plan for the on-site parking and Village Entry Linear Park reflecting the preferred solutions for access, circulation, parking and key site features. Plan to include an early analysis of channel flood hazard; site grading and drainage; water quality BMP's and public street interface. In addition, we will incorporate proposed off-site modifications to Laguna Canyon Road medians, turn lanes and the intersection at Forest Avenue.

The final Concept Plan document will include presentation graphics and cost analysis for use in promoting the plan, securing funding and enhancing and reinvigorating the site. The final documents shall be formatted per City of Laguna standards and will include the following:

- Illustrative Site Plan indicating all proposed site features including bridges, retaining and site walls, site structures, landscape, hardscape, plaza and amenity areas, relocated storage, carports, digester, etc.
- Concept Engineering Plans for the on and off-site improvements including grading and conceptual drainage plans
- Perspective Views illustrating design character for Village Entry Linear Park and parking lot, LCR medians and relationship to context
- Hardscape and Planting Design and Palette with full legend and Special Site Details and Site Furniture
- Building Plans and Elevations for the digester building, carports and storage buildings

#### **4.2: COSTING**

Prepare a Concept Level Cost Estimate to validate the plan and budget. and attend two (2) four-hour community workshops.

#### **4.3: EXECUTIVE SUMMARY**

We will provide an executive summary document that includes findings of site analysis, plan alternatives and evaluations, site program, description of preferred plan concept and features.

#### **4.4: CITY REVIEW OF PREFERRED CONCEPT**

The team will prepare a presentation for City Council review.

#### **TASK 4 KEY MILESTONES AND DELIVERABLES**

- Concept Plan Package as described above
- Conceptual cost estimate
- Executive summary
- Meeting agendas and notes
- City Council presentation
- Project Meeting Agendas and Notes

#### **TASK 5: CEQA DOCUMENTS AND ENTITLEMENTS**

The entire design team will work collaboratively throughout the site analysis, alternatives and concept phase to ensure an integrated approach to plan processing and approvals, including preparation of a Project Study Report and CEQA documentation and ongoing support to the City in processing the Village Entry, LCR median island and Forest Avenue projects.

#### **ENVIRONMENTAL APPROACH**

As discussed in the previous proposal, alternative designs evaluated in the FEIR included a parking structure; none evaluated only surface parking nor was the new parking lot at 725 Laguna Canyon Road or the physical area captured within the study limits evaluated in the FEIR. The extension of the linear park to just south of Tivoli Two also was not included in the study limits of the FEIR and was not evaluated. The improvements to Laguna Canyon Road and Forest Avenue were identified in the FEIR, as mitigation measures, but the effects of implementing these improvements were not analyzed. The improvements to the Laguna Canyon Road median, although showed conceptually in the Landscape Plan as planted median, were not analyzed in the FEIR. Finally, modification to or replacement of the existing Laguna Creek Channel crossing at 725 Laguna Canyon Road where not evaluated in the FEIR. Therefore, additional CEQA documentation is required.

The proposed improvements to Laguna Canyon Road have not yet been approved by the California Department of Transportation (Caltrans). The RFP asks that the Consultant work with Caltrans to obtain concurrence that the City will be the Lead Agency under CEQA. Because the proposed work within Caltrans right-of-way (ROW), is relatively minimal, Caltrans may agree to this provision as it has with the

County of Orange regarding other improvements to Laguna Canyon Road. However, as the cost of the work in Caltrans ROW will likely exceed the \$1 million limit for a Caltrans Encroachment Permit, the project may still be designated a Caltrans Oversight project. In that case, Caltrans would then be a Responsible Agency under CEQA. For Caltrans Oversight projects, technical studies for work within Caltrans ROW will require Caltrans Environmental approval.

Regardless of whether or not it is designated a Caltrans Oversight project, technical studies for improvements within Caltrans ROW will be required to follow Caltrans standards and templates, as applicable. Caltrans specialists will not review portions of the project that are not within Caltrans ROW and in turn, it is preferable to not have Caltrans technical comments on areas that are not within its' jurisdiction. Caltrans reports are more comprehensive and often require adherence to federal standards that would otherwise not be applicable. Therefore, in general, the project team will prepare separate memos/studies that address impacts for Caltrans ROW and memos/studies for the complete project limits. Caltrans will only review and approve the memos/studies that include its' ROW. All records searches and field surveys will support both documents. Based on our experience, this is the most efficient approach to complete the CEQA compliance.

The circulation modifications proposed for Laguna Canyon Road are related to the changes to the parking lots; therefore, these items cannot be considered a separate project for Caltrans consideration. Also, since the proposed improvements are being considered as a "new" project for CEQA purposes, it would be prudent to conduct the traffic study after the conceptual design is complete, so that it can be determined whether or not the circulation improvements are required (e.g., are sufficient additional parking spaces being added that require the additional southbound turn lane from Laguna Canyon Road onto Forest Avenue).

Given the numerous improvements outside the footprint analyzed in the FEIR, substantially different scale of the proposed improvements, it is our opinion that it is best to prepare a new Initial Study/Mitigated Negative Declaration (IS/MND) for the current project. Because Caltrans is a Responsible Agency under CEQA the City will want to consider asking Caltrans if they would like to review the Administrative Draft IS/MND and provide comments, so that these can be addressed prior to public review of the document. This can be discussed in the early coordination meeting with Caltrans.

## **SCOPE OF WORK**

The project team will work closely with the City during the project definition stage of work. As a result of and subsequent to this collaborative effort, a thorough Project Description for use in the IS/MND will be prepared. Coordination with City representatives will be conducted to refine and finalize the Project Description and develop a mutual understanding of the issues to be addressed to satisfy CEQA requirements. The Project Description will include project-level plan information for project construction and operation.

The environmental document will include this detailed Project Description based on the designs developed by the project team. All components of the proposed project, including on-site and off-site improvements, will need to be included in the Project Description. The Project Description will be used to determine the potential environmental effects of project implementation and to identify appropriate mitigation measures, if necessary. The draft Project Description will be submitted to the City for review and comment. For purposes of this scope and budget, one round of comments from the City on the Project Description will be incorporated.

### **TASK 5.1: TECHNICAL ANALYSIS**

A discussion of the technical reports to be conducted is provided below. For budget purposes, unless otherwise stated, it is specified that no more than two iterations of each report shall be prepared.

#### **TASK 5.1.1: AIR QUALITY**

Caltrans Memorandum : The Air Quality Specialist will prepare an Air Quality Analysis memorandum in

accordance with the Caltrans Transportation Project Level Carbon Monoxide (CO) Protocol and the South Coast Air Quality Management District (SCAQMD) CEQA Handbook air quality guidelines.

The Air Quality Specialist will conduct the screening analyses specified in the CO protocol and, if warranted, conduct CALINE4 modeling for CO hot spots for up to 20 receptor locations for the Existing, Existing plus Project, Future No Build, and Future with Project Alternatives.

Construction would occur during implementation of the proposed project. Air quality impacts from demolition, grading, paving and other construction sources will be analyzed based on the equipment used, length of time for a specific construction task, equipment power type (gasoline or diesel engine), equipment emission factors approved by the EPA (AP-42 Handbooks), horsepower, load factor, and percentage of time in use. Exhaust and dust emissions from worker commutes and equipment travel will be calculated based on available information regarding these activities. Fugitive dust (PM2.5 and PM10) emissions would result from wind erosion of exposed soil and soil storage piles, grading operations, and vehicles traveling on paved and unpaved roads. Emissions associated with asphalt paving will be calculated when specific data are available. Emission factors included in the SCAQMD's most recently updated CEQA Guidelines will be used for construction dust emission estimates. These emissions will be calculated based on construction information available and provided to the Air Quality Specialist.

The Air Quality Specialist will calculate the short-term construction and long-term regional greenhouse gas emissions to determine the proposed project's potential global warming and climate change impact.

IS/MND Section: The proposed project is located in Orange County, which is part of the South Coast Air Basin (Basin). Air quality in this area is administered by the South Coast Air Quality Management District (SCAQMD). The Air Quality Specialist will document the baseline and project setting for the proposed project. The Air Quality Specialist will calculate the construction emissions, commensurate with available project-specific information and current regulatory requirements. In addition, the following project-related long-term operational impacts will be calculated in the air quality technical study: project-related mobile and stationary source emissions that have regional effects and calculated with CalEEMod model (version 2013.2.2) or equivalent model; the carbon monoxide (CO) hot spot qualitative analysis for the proposed project.

In addition, the Air Quality Specialist will calculate the project-related greenhouse gases emissions and assess their potential effects on global climate changes, and review regulatory requirements by the Air Resources Board (ARB), SCAQMD, or other pertinent public agencies. Emissions of carbon dioxide (CO<sub>2</sub>) and other major GHGs such as methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O) from direct and indirect project-related sources will be calculated and documented, commensurate with available project-specific information.

The scope of work assumes preparation of the air quality and GHG/GCC checklist responses, not a stand-alone technical report.

#### **TASK 5.1.2: NOISE**

Caltrans Technical Noise Memorandum: The Noise Specialist will prepare a technical noise memorandum consistent with the Caltrans Traffic Noise Analysis Protocol (May 2011) because the proposed project is a Type 3 project. The technical memorandum will also evaluate construction noise impact in terms of maximum levels (L<sub>max</sub>) and the frequency of occurrence at adjacent noise-sensitive locations. Analysis requirements will be based on the sensitivity of the area and the City's Noise Ordinance specifications.

IS/MND Section: The Noise Specialist will prepare the noise section of the IS/MND. A discussion of existing and future planned developments in the project vicinity will be included.

Ambient noise level measurements will be conducted to establish the existing noise environment at noise sensitive uses in the project area. Short-term (15-minute) noise level measurements will be made at up to 10 locations to document the existing noise environment. Observations of other noise sources, barriers, terrains, building heights, and other site-specific information will be noted during each measurement

period.

Noise impacts associated with activities at the new parking lot will be analyzed in order to assure that future operations will not exceed the City of Laguna Beach Noise Ordinance. Additionally, any other noise sources that will operate long-term as a result of the project will also be analyzed.

Noise impacts from construction sources will be analyzed based on the equipment expected to be used, length of a specific construction task, equipment power type (gasoline or diesel engine), horsepower, load factor, and percentage of time in use. The construction noise impact will be evaluated in terms of maximum levels (L<sub>max</sub>) and the frequency of occurrence at adjacent sensitive locations. Analysis requirements will be based on the sensitivity of the area and the Noise Ordinance specifications of the City.

Noise abatement measures, if necessary, to protect noise sensitive uses that may be impacted will be evaluated so that the noise standards in the City's Noise Ordinance are met.

### **TASK 5.1.3: CULTURAL RESOURCES**

**Records Search** The Cultural Resources Specialist will contact the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton to obtain a cultural resources records search for the project area. The SCCIC is the State-designated repository for records concerning cultural resources in Orange County. The objectives of this research will be to establish the status and extent of previous cultural resources studies and surveys in the project area and to note what types of resources might be expected to occur. Data sources that will be consulted at the SCCIC include archaeological resource records, historic maps, reports from previous studies, and the State Historic Resource Inventory (HRI), which contains listings for the National Register of Historic Places (National Register), California Register of Historical Resources (California Register), California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI).

**Field Survey:** Based on the results of the records search, a systematic on-site pedestrian survey will be conducted. The purpose of the field survey will be: (1) to locate and document previously unidentified sites and (2) to field check and update existing documentation on previously recorded sites. Any sites that are identified during the records search or the survey will be documented on Department of Parks and Recreation (DPR) forms (Series 523). The archaeological survey will be conducted at the same time as the paleontological survey by field personnel trained to recognize both archaeological and paleontological resources. Accuracy of the field survey is dependent on ground visibility. Depending on the time of year and the type of vegetation present, resources may not be observed during the survey, but will become apparent during project-related ground-disturbing activities.

**Caltrans Reports: Historical Resources Compliance Report** The Cultural Resources Specialist will prepare an HRCR, the cover document for all Caltrans cultural reports that are required. This report will summarize all archaeological, architectural, historical, and Native American consultation findings within the Caltrans ROW. All tasks and documents are consistent with the guidelines set forth in the California Department of Transportation SER Caltrans Environmental Handbook, Volume 2, Cultural Resources (February 21, 2013).

**Archaeological Survey Report:** The Cultural Resources Specialist will prepare an ASR that details results of the records search and archaeological field survey within Caltrans ROW.

**Project Area Limits Map:** In consultation with Caltrans, Cultural Resources Specialist will develop a Project Area Limits (PAL) map for the project limits within the Caltrans ROW on a base map provided by the project engineer.

**Native American Consultation:** As directed by Caltrans, the Cultural Resources Specialist will conduct Native American consultation. This will include contacting the Native American Heritage Commission for (1) a search of its Sacred Lands File, and (2) a list of parties with cultural ties to the APE. All parties will receive a letter describing the project and inviting comments on cultural resource concerns. Each unanswered letter will be followed by up to two telephone calls and/or emails. A summary of the Native



American consultation will appear in the Historic Property Survey Report (HPSR) and the Archaeological Survey Report (ASR). The Native American Consultation required for the Caltrans report will be used to comply with AB 52 (2014).

**City Report:** The cultural resources report for the complete project will be consistent with the OHP's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format. The report will include an abstract (summary of findings and recommendations), introduction, natural setting, cultural setting, methods, results, an impacts analysis, and recommendations. The project area includes the Laguna Beach sewer digester building which is more than 50 years of age and listed in the City's historic register with a K rating. As such, it is a historical resource under CEQA. Therefore, potential project impacts on this historical resource must be analyzed and, if appropriate, mitigation measures must be provided to minimize project impacts. An architectural historian will complete the project impacts analysis. This scope stipulates that no historical research will be completed and that no historic-period resources will be documented or evaluated in the project area.

#### **TASK 5.1.4: PALEONTOLOGY**

The Paleontological Identification Report / Paleontological Evaluation Report (PIR/PER) prepared for Caltrans compliance will be sufficient for the complete project area.

All tasks will be conducted/prepared per the guidelines set forth in the State of California Department of Transportation (Caltrans) Standard Environmental Reference (SER) Environmental Handbook, Volume 1, Chapter 8 – Paleontological Resources (Last updated: January 12, 2015), guidelines of the Society of Vertebrate Paleontology (SVP), and current best practices. Preparation of a PIR/PER involves a locality and literature search, a field survey, and documentation of the research results in the report.

**Locality Search:** The Paleontologist will conduct a paleontological locality review and literature search of the project's Area of Potential Disturbance (APD) through the Natural History Museum of Los Angeles County (LACM). This institution houses pertinent paleontological information necessary to determine whether previously recorded fossil localities exist within the project area boundaries. The Paleontologist will also conduct geological/fossil research from in-house records and the project's geotechnical report, if available. The objectives of all the research (both by the museum and the Paleontologist) will be: (1) to establish the status and extent of previously recorded localities within the project area, and (2) to note what type of formations and geologic units are likely to be encountered within the project area based on the existing data from regional and local geological maps. All pertinent references will be reviewed and all information will be included in the PIR/PER.

**Paleontological Field Survey:** The Paleontologist will complete a paleontological field survey of the project's Area of Potential Disturbance (APD) to (1) to identify and document previously unrecorded resources and (2) to assess the current condition of previously recorded resources, if present, and update existing documentation. Locality forms will be used for all documentation. Since this proposal assumes negative findings, if any resources are identified within the APD, a budget augment will be necessary for their documentation. The paleontological survey will be a focused survey and will be concentrated on those areas of the project that have access and where the ground surface is not obscured by paving, existing buildings or landscaping. This survey will be conducted at the same time as the cultural resources survey by individuals who are trained to recognize both paleontological and cultural resources. The cost for the survey will appear only in the cultural resources budget. Accuracy of the field survey is dependent on ground visibility. Depending on the time of year and the type of vegetation, or extent of paving present, resources may not be observed during the survey, but may become apparent during project-related, ground-disturbing activities.

#### **TASK 5.1.5: BIOLOGICAL RESOURCES**

**Caltrans No Effect Memo** The project team does not anticipate any adverse impacts to biological resources within the Caltrans ROW portion of the proposed project area. Therefore, in lieu of a Caltrans Natural Environment Study (NES) or NES (Minimal Impact) Report, the Biologist will prepare a concise "No Effect Memo" in accordance with Caltrans "No Effect Guidance" memorandum dated July 22, 2010 and

specifically pertaining to the portion of the proposed project located within the Caltrans ROW.

City Report: The Biologist proposes to complete the tasks described here to confirm that the biological conditions on the current site are essentially the same as analyzed for the original EIR and that the conclusion of “no significant biological impacts” is still valid.

This proposal does not include a scope of work or budget to conduct focused surveys for special-status plant or animal species or a jurisdictional waters delineation. While the existing Laguna Canyon flood control channel is likely jurisdictional, any crossing improvements will be constructed above the channel walls and no modifications within the channel section will be required. Should the biologist find that there are biological resources present that would necessitate further analysis or study, a supplemental proposal for that work would be provided.

The Biologist will conduct a reconnaissance-level survey of the project area to confirm that there are no substantial biological resources on site, and the analysis and conclusions documented in the Initial Study and EIR for the original project are still valid. While on-site, the biologist will generally assess the vegetation on surrounding hillsides to aid in the review of landscape plans. Following the site visit, the Biologist will prepare a memorandum documenting the results of the site visit.

Landscape Review: A biologist who is well-versed the natural vegetation of Laguna Canyon and surrounding hillsides will be available to consult with the project landscape architect, to assist in identifying a plant palette that is drought tolerant, non-invasive, is ecologically suitable and reflects the character of Laguna Beach.

#### Optional Task: Jurisdictional Delineation

If it is determined that the bridge over the channel cannot be constructed without reinforcement to the channel walls, then preparation of a jurisdictional delineation would be necessary. If necessary, the Biologist will conduct a jurisdictional delineation in accordance with the current criteria and guidelines of the United States Army Corps of Engineers (USACE) and California Department of Fish and Wildlife (CDFW). Specifically, the Biologist will delineate the jurisdictional limit of all waters of the U.S. and any adjacent wetlands within the designated project study area. The Biologist will also delineate the extent of any streambeds and/or associated riparian habitat in the project study area that may be subject to potential jurisdiction by the CDFW under Section 1602 of the California Fish and Game Code.

A technical letter report summarizing the methods and results of the jurisdictional delineation will be prepared. This report will be suitable for submittal to the applicable agencies for purposes of regulatory permitting and/or for inclusion as a technical appendix in any environmental documentation. Accordingly, the report will identify and quantify jurisdictional areas and features in the project study area. The jurisdictional delineation report will be provided in draft form for review by the client and any others as directed. Upon receipt of all comments or suggested revisions, if any, the Biologist will finalize the report and distribute a PDF copy of it to the client.

It is unclear at this time whether any regulatory permits (i.e., Section 404 permit, Section 401 Water Quality Certification, and/or Section 1602 Streambed Alteration Agreement) will be necessary for the proposed project. If regulatory permits are required, an applicable scope of work and cost estimate for that work can be provided upon request.

#### **TASK 5.1.6: WATER QUALITY**

The Water Quality Specialist will prepare a Water Quality Memorandum for the project to comply with both City and Caltrans standards. The memorandum will discuss watershed characteristics, groundwater hydrology, regulatory requirements, pollutants of concern, and receiving waters conditions, objectives, and beneficial uses. Disturbed soil area, new impervious surface area and construction and treatment BMP information, to be provided by the project engineer, will be incorporated into the memorandum. The project's potential impact on water quality will be evaluated and mitigation measures necessary to prevent adverse water quality impacts will be identified.

#### **TASK 5.1.7: TRAFFIC/TRANSPORTATION**

The Transportation Specialist will engage in three tasks to provide traffic support for the Laguna Beach Village Entrance project. First, the Transportation Specialist will collect data regarding existing parking and traffic operations. In addition to vehicular volumes, the City may also wish to consider the effects of pedestrians at the Broadway (SR-133)/Forest Avenue and Ocean Avenue/Forest Avenue intersections. As part of this effort, the Transportation Specialist anticipates collecting peak hour intersection turn movement and pedestrian crossing data at up to three intersections on a typical weekday and a non-holiday Saturday. On the same days, the Transportation Specialist will collect hourly parking accumulation data for both the City employee lot between the hours of 7:00 a.m. and 7:00 p.m. The Transportation Specialist will simultaneously collect 24-hour traffic volume data at the two driveways into the parking lot and at the two bridges over the flood channel. This data will indicate times of peak parking demand and inbound and outbound traffic flows. The data will allow the Transportation Specialist to complete the next two tasks, supporting the design phase and preparing a traffic report for the environmental analysis.

The Transportation Specialist will support the design phase of the Laguna Beach Village Entrance project by suggesting methods for separating vehicle, bicycle, and pedestrian paths of travel. The Transportation Specialist will also assist the design by considering internal circulation. Specifically, the Transportation Specialist will estimate vehicular volume near the proposed bridge over the flood channel and calculate whether the design will function without excessive delay. Pedestrian volume between the enhanced parking area and the Festival of the Arts is likely to be higher (during Festival Season) after completion of the project. The Transportation Specialist will estimate future pedestrian volume and consider the effects of pedestrian traffic on the operation of the Laguna Canyon Road (SR-133)/Project Entrance, Broadway (SR-133)/Forest Avenue, and Ocean Avenue/Forest Avenue intersections. Future traffic volumes will be calculated as a sum of existing volume, regional traffic growth, and traffic increases due to the project. For roadway modifications that are required within Caltrans right-of-way, the Transportation Specialist will review the preliminary designs for consistency with the Highway Design Manual.

Once a final design is selected, the Transportation Specialist will support the environmental phase by preparing a traffic impact analysis evaluating peak hour traffic volume at the intersections of Laguna Canyon Road (SR-133)/Project Entrance, Broadway (SR-133)/Forest Avenue, and Ocean Avenue/Forest Avenue and confirming that the traffic volumes and level of service do not exceed those analyzed in the Village Entrance EIR (June 2011). The Transportation Specialist will review mitigation measures identified in the previous environmental document to determine whether they would still be required for the currently proposed project. The data collection described above will allow the Transportation Specialist to determine times of peak parking demand and inbound and outbound traffic flows and trip rates per utilized parking space. It is anticipated that during the summer season, every space in the parking lot will be occupied at the peak and the inbound and outbound flows will be proportional to the data collected. During the non-summer season, traffic volume could increase by the same proportion that parking increases. Existing traffic data, regional growth, and traffic generated by the expanded parking supply will combine to account for future traffic volume at the studied intersections. The traffic analysis will present results using both the City's preferred Intersection Capacity Utilization (ICU) methodology and Caltrans preferred Highway Capacity Manual (HCM) methodology. In order to prepare the HCM analysis, the Transportation Specialist will request signal timing plans from either the City or Caltrans. As an optional task, the traffic volume data generated for the traffic impact analysis can be used to prepare a traffic microsimulation illustrating traffic flow between the surrounding intersections, the parking lot, and Laguna Canyon Road. The Transportation Specialist will revise the traffic analysis based on one round of comments from the City and Caltrans.

#### **TASK 5.2: IS/MND**

Screencheck IS/MND The environmental lead will prepare a Screencheck Draft IS/MND for the proposed project in City format, consistent with the requirements of CEQA, the State CEQA Guidelines, the City, and Caltrans, as applicable. The Screencheck IS/MND will include a description of the project a discussion of project objectives, geographical setting, related projects, and any additional information required pursuant to State CEQA Guidelines Section 15063(d). The technical analyses will be incorporated into the environmental document. The Screencheck Draft IS/MND will also include a limited General Plan

## Consistency Analysis.

If, based on the information provided in the technical studies or analysis provided in the IS/MND, the proposed project may result in an impact that cannot be reduced to a less than significant level, the environmental lead will immediately apprise the City of the issue and work proactively with City staff and the Applicant to identify (1) additional measures, project changes, or design features that may reduce the potential impact to a less than significant level, or (2) the most expedient method of providing appropriate environmental clearance under CEQA.

The environmental lead will submit five printed copies of the Screencheck Draft IS/MND to the City for review and two copies for Caltrans review if requested by the City. For purposes of this scope, the environmental lead will respond to two rounds of comments from the City and one round from Caltrans. The environmental lead will respond to comments on the Screencheck Draft IS/MND and will complete any necessary revisions. The environmental lead will prepare a Draft Notice of Intent (NOI) to adopt an IS/MND. The environmental lead will also prepare a distribution list for review and comment by City staff.

**Proofcheck Draft IS/MND** The environmental lead will provide the preprint version (i.e., Proofcheck IS/MND) of the Draft IS/MND to City staff for a limited final review prior to printing. The purpose of submitting this preprint version will be to review the changes to the document during the second round of comments allowed under Task 3, resolve any remaining questions that arise from comments, and verify the City is satisfied with the overall Draft IS/MND. The environmental lead specifies 6 hours of professional staff time for final corrections after receipt of comments on the preprint version of the Draft IS/MND.

**Circulation of Draft IS/MND** Once the preprint Draft IS/MND and the NOI are approved for public review, the environmental lead will distribute up to 20 printed copies of the document to a distribution list for the project developed by the environmental lead with City staff input. The document will be distributed via a delivery service (with delivery confirmation) and/or United States Postal Service (USPS) Certified Mail (USPS certified mail is only recommended for Post Office boxes).

The City will be responsible for publication of the public notice in a general circulation newspaper. The environmental lead will file the NOI with the County Clerk to begin the required public review period. If desired, the environmental lead will also file a Notice of Completion (NOC) with the State Clearinghouse. The City will provide a check for all necessary filing fees to be submitted to the County Clerk.

**Prepare Response to Comments and Final IS/MND** The environmental lead will prepare written responses to comments received on the Draft IS/MND that raise substantive environmental issues and submit the responses for review to City staff after the close of the public comment period. The environmental lead specifies 27 professional staff hours for the preparation of responses to comments. If a large number of comments are received or comments require additional technical analysis, a budget augment may be warranted. Any revisions to the IS/MND will be shown in an errata section included in the responses to comments document. Responses to comments and the Errata will be submitted to City staff for one round of review. The environmental lead will distribute responses to comments received from public agencies prior to the first public hearing (usually Planning Commission) on the project. The responses will be distributed via overnight delivery service (with delivery confirmation).

The environmental lead will also prepare a Mitigation Monitoring and Reporting Program (MMRP) in accordance with CEQA Guidelines Section 15097 for use in ensuring implementation of the mitigation measures for the project. The Final MMRP will be provided to the City Planning Commission along with the IS/MND for approval.

The environmental lead will attend two City Planning Commission meetings/hearings and one City Council meeting/hearing regarding the proposed project. Following the City's approval of the IS/MND, the environmental lead will prepare and file a Notice of Determination (NOD) with the County Clerk. If desired, a copy of the NOD will also be sent to State Clearinghouse. The City shall provide a check for all necessary filing fees to be submitted to the County Clerk with the NOD.

### **TASK 5.3: FILE AND PROCESS A SITE PLAN APPROVAL AT THE CITY ALONGSIDE THE CEQA DOCUMENTS**

The proposed project is located in the Coastal Zone. The City currently has approval authority for the proposed project under the City's Local Coastal Program. The project team will prepare a Coastal Development Permit (CDP) for review by the City as part of the project approval.

### **TASK 5.4: CALTRANS SUBMITTAL FOR PRELIMINARY REVIEW**

The project team will coordinate with Caltrans staff during development of the project design and preparation of the IS/MND to ensure that the proposed project components that are within Caltrans right-of-way or affect Caltrans right-of-way are designed to meet appropriate design requirements. The intent of this coordination is to ensure that the design plans and IS/MND support an application for an encroachment permit from Caltrans, should one be needed. In addition, preliminary comments from Caltrans will provide an opportunity to identify design issues to be resolved in the CD phase.

### **PROJECT MANAGEMENT**

This task represents an active project management role and includes attendance at various project meetings and coordination with agencies and interested parties. The project management role provides a mechanism to ensure that there is adequate exchange of information during project start-up and preparation of the IS/MND. This task includes notifying the City of problems as they are encountered and working expeditiously to resolve problems. Important elements of this task will be to maintain the project schedule, oversee the budget, and coordinate efforts with other consultants. The environmental lead will maintain ongoing verbal and email communication with the City.

### **MEETING ATTENDANCE**

Attendance at (2) two public workshops and (3) three public meetings/hearings are included in environmental lead's scope of work. The budget anticipates attendance by one or two environmental staff persons at the meetings, depending upon the issues to be discussed. During the environmental documentation process, the project team will monitor the number of meetings actually attended to determine compliance with this estimate. Any additional meetings will be attended with the City's prior written approval.

### **TASK 5 KEY MILESTONES AND DELIVERABLES**

- Project Description
- Screencheck IS/MND
- Proofcheck IS/MND
- Draft IS/MND
- Final IS/MND
- Caltrans Submittal for preliminary review
- Meeting Agendas and Notes

### **TASK 6: SCHEMATIC DESIGN**

The project team will prepare a Schematic Design package for the on-site parking and Village Entry Linear Park project along with a cost estimate and for review and comment by the City and for the purposes of scoping the construction phase of the project.

#### **6.1 PLAN PREPARATION**

Prepare an integrated set of Schematic Design Level landscape, architecture and civil, traffic, structural and electrical engineering plans for the approved Village Entry Site Plan including:

- Landscape: Design solutions for linear park, bike/ ped trails, Low Impact Development measures and parking lot shading including: hardscape areas and materials, plant palette and tree forms, planting plan, and grading.
- Structural: Conceptual systems and strategies for bridges, digester and storage buildings, carports, site retaining and rock debris walls.
- MEP: Conceptual site lighting plan including power service and distribution; security, fire suppression, odor control and another other special electrical and mechanical systems.

- Civil: Conceptual engineering solutions for drainage system, grading plan, stormwater management, parking lot layouts, fire department access, demolition plans, and curb and gutter treatments, utility services or relocation, Utility services or relocation (per records only), Horizontal Control Layout for all site features, trails, bridges, etc.
- Traffic: Public street access ways & parkway improvements and other mitigation measures as required by approved EIR
- Demolition: Demolition and grading plan for entire site, coordinated with the Environmental Reports and provide a mitigation plan if needed.
- Architecture: Exterior improvements to Historic Digester Building; additional storage structures
- Preliminary Water Pollution Control Program for improvements to Laguna Canyon Road (SR-133) for review by Caltrans (Optional Task if required by Agency)

## 6.2: COSTING

Develop an itemized schematic-level cost estimate in a City-approved format and submit them to the City for review and comment. Update the Concept Level Cost Estimate using the more detailed Schematic Plans.

### TASK 6 KEY MILESTONES AND DELIVERABLES

- Schematic Design package in City-approved format including landscape, civil, architecture, structural, electrical and traffic drawings as described above
- Schematic-level cost estimate in City-approved format
- Outline Specifications or Basis of Design Document
- Preliminary Water Pollution Control Program for improvements to Laguna Canyon Road (SR-133) for review by CalTrans (Optional Task is required)
- Meeting Agendas and Notes
- All plans to be submitted in PDF format for City review.

## OPTIONAL ADDITIONAL SERVICES

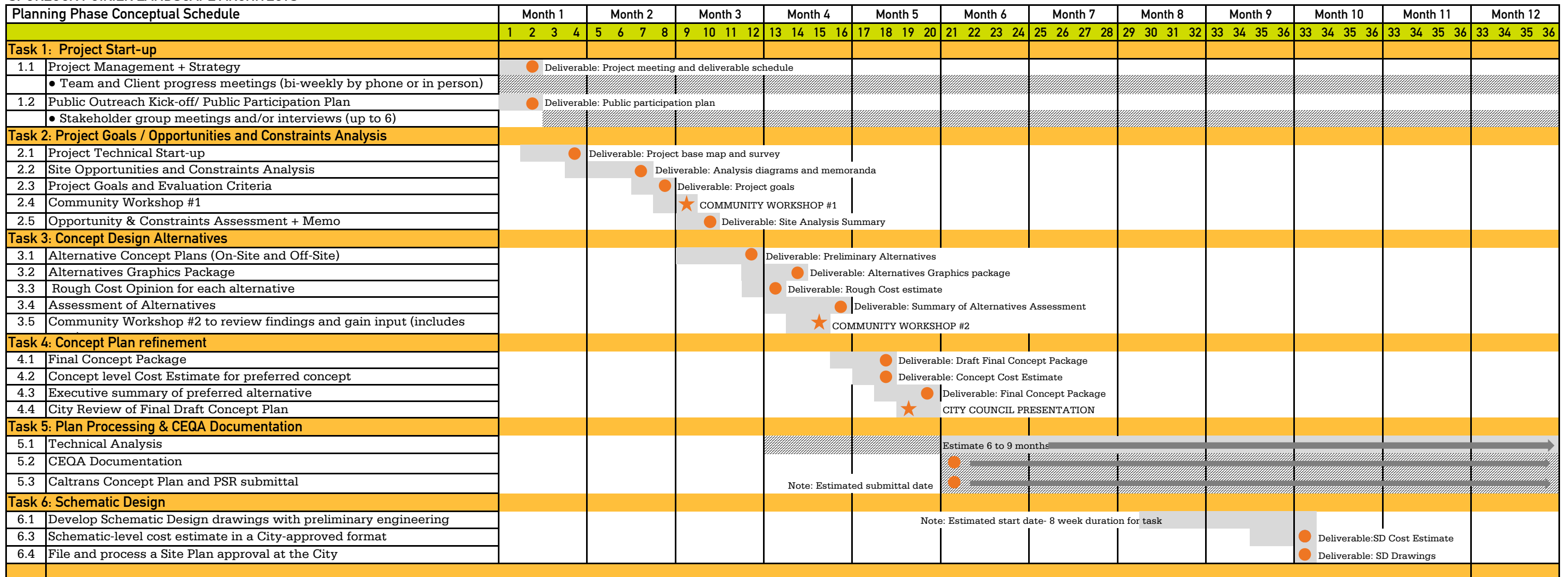
Optional additional Outreach Tasks:

- Informational Content: Preparation of (4) info sheets and (3) fliers announcing workshops; preparation of content for city's website; road show kit for presentations to local stakeholder organizations; and media outreach.
- Additional tasks include meetings facilitated by Outreach consultant with the City Council and Planning Commission, following each of the three public workshops.

Optional additional Outreach Tasks:

- Caltrans Encroachment Permits or Approvals
- Topographic surveys for Laguna Canyon Road and Forest/Broadway/Laguna Canyon Road
- Underground Utility investigation and mapping
- Easements or license agreements with OCFCD for bridges
- Mechanical Engineering for Sewer Lift Station Odor Control installation

## LAGUNA BEACH VILLAGE ENTRY SPURLOCK POIRIER LANDSCAPE ARCHITECTS



**Legend:**

- Deliverable
- ★ Public Meeting or Workshop
- [Solid Grey Box] Concentrated activity
- [Hatched Box] On-going activity

Note: See proposal dated February 13, 2015 for full task and deliverable descriptions

# Fee Schedule

Per the RFP, our proposed fee is in a separate envelope



# Contract Exceptions

Spurlock Poirier Landscape Architects hopes to have the opportunity to further discuss clauses included in the sample Professional Services Agreement included in this RFP, should we be awarded this project. Below are those clauses and proposed changes to the content, which are open to negotiation:

## 2.1.1 INSURANCE COVERAGE REQUIRED

PROPOSED CHANGE: Existing language in paragraph (2) Automobile Liability Insurance. We would propose to strike the word “owned” as our firm has no owned automobiles and no insurance coverage for owned, only hired and non-owned vehicles.

## SECTION THREE: INDEMNIFICATION

REASON FOR EXCEPTION: Original language is overly broad, (“any and all”, “without limitation”) and inappropriate parties are included in the indemnity. It also includes language regarding SPLA’s duty to defend public entities (CITY). Spurlock Poirier expressly notes as to the indemnity provision that Civil Code Section 2782.8(a) indicates that a public agency may only enforce claims that purport to indemnify, including the duty and the cost to defend, against a design professional that arise out of, pertain to, or relate to the negligence, recklessness or willful misconduct of the design professional. This section cannot be waived or modified by contractual agreement, act or omission of the parties. We propose revised language below.

### PROPOSED REPLACEMENT LANGUAGE:

*3.1 Indemnification. To the full extent allowed by law, CONSULTANT shall indemnify, , and hold harmless but not defend, the CITY and its officers, officials, employees, agents and volunteers (“Indemnitees”) from and against liability, loss, damage, claims, suits, actions, arbitrations proceedings, administrative proceedings, regulatory proceedings, civil penalties and fines, reasonable expenses and costs (including, reasonable attorney’s fees and costs and fees of litigation) (collectively, “Liability”), arising out of with CONSULTANT’s negligent acts, errors or omissions in the performance of the professional services provided under this Agreement or its failure to comply with any of its obligations contained in this Agreement, except such Liability caused by the negligence or willful misconduct of the CITY, its consultants and contractor(s), as determined by a Court of competent jurisdiction.*

*3.1.1 CONSULTANT’s obligation to indemnify shall not be excused because of CONSULTANT’s inability to evaluate Liability or because CONSULTANT evaluates Liability and determines that CONSULTANT is not liable to the claimant. CONSULTANT must respond within 30 days to the tender of any claim for indemnity by the CITY, unless this time has been extended by the CITY.*

*3.1.4 Notwithstanding the foregoing, to the extent that this Agreement includes design professional services under Civil Code Section 2782.8, as may be amended from time to time, such duties of CONSULTANT to indemnify shall only be to the full extent permitted by Civil Code Section 2782.8.*

#### 4.3 PROPRIETARY INFORMATION

**REASON FOR EXCEPTION:** The Consultant provides a professional service to our Clients. Construction documents—drawings, specifications and reports, whether on hard copy or electronic files—are instruments of that service. To comply with the request for transfer of ownership of the final documents on completion of the project and upon payment in full for our services, we propose the modified clause below which includes the stipulation that the Client indemnifies the Consultant against unauthorized reuse and unauthorized changes to our documents.

**PROPOSED REPLACEMENT LANGUAGE:**

*The City acknowledges the Consultant's construction documents, including electronic files, as instruments of professional service. Nevertheless, the final construction documents prepared under this Agreement shall become the property of the City upon completion of the services and payment in full of all monies due to the Consultant. The City shall not reuse or make any modification to the construction documents without the prior written authorization of the Consultant. The City agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Consultant, its officers, directors, employees and subconsultants (collectively, "Consultant") against any damages, liabilities or costs, including reasonable attorneys' fees and defense costs, arising from or allegedly arising from or in any way connected with the unauthorized reuse or modification of the construction documents by the City or any person or entity that acquires or obtains the construction documents from or through the City without the written authorization of the Consultant.*

#### 4.5 RETENTION OF FUNDS

**PROPOSED CHANGE:** Strike entire clause 4.5, which implies retainage in lieu of a performance bond. Consultant is performing a professional service, and not delivering a product or performing construction work.

#### 4.9 MEDIATION / ARBITRATION

**REASON FOR EXCEPTION:** We propose adding language to allow for mediation as the first course of dispute resolution- to have in place a mechanism to resolve conflicts consensually and possibly avoid litigation altogether.

**PROPOSED REPLACEMENT LANGUAGE:**

*If a dispute arises or relates to the services provided under this Agreement, or the breach thereof, the parties agree to try in good faith to settle the dispute by mediation before JAMS ADR Services, prior to resorting to arbitration. If a dispute cannot be settled by mediation as described above, then the dispute shall be settled by arbitration in accordance with the JAMS Comprehensive Arbitration Rules & Procedures, and judgment upon the award rendered may be entered in any court having jurisdiction thereof, if the amount in controversy is \$75,000.00 or less.*

Legal Actions. Legal actions in excess of \$75,000.00 concerning any dispute, claim or matter arising out of or in relation to this Agreement shall be instituted or maintained in the Municipal and Superior Courts of the State of California in the County of Orange, or in any other appropriate court with jurisdiction in such County, and CONSULTANT agrees to submit to the personal jurisdiction of the court. If any claims related to the performance hereunder be asserted against either party hereto, then the party claimed against shall receive reasonable assistance from the other.

#### 4.11 ATTORNEYS' FEES

PROPOSED CHANGE: Strike entire clause 4.11, and assume each party to a lawsuit will pay their own legal expenses, including attorneys' fees, court costs, expert-witness fees and other related expenses.

#### (NEW) 4.14 LIMITATION OF LIABILITY

PROPOSED CHANGE: Add this clause so that the risk the Consultant must bear be commensurate with the financial return.

#### PROPOSED LANGUAGE:

*Notwithstanding anything to the contrary set forth herein, it is hereby agreed, with respect to any claims and liabilities of Consultant or the City that (i) the sole and exclusive remedy shall be against Consultant and its corporate assets or against the City and its company assets, as applicable, and not against any of their respective officers, shareholders, members, managers or affiliates, (ii) no officer, shareholder, member, manager or affiliate of Consultant or of the City shall be sued or named as a party in any suit or action, (iii) no judgments shall be taken against any officer, shareholder, member, manager or affiliate of Consultant or of the City; and (iv) the City agrees to limit the liability to the City, and to all construction contractors and subcontractors on the project, due to the Consultant's negligent acts, errors or omissions such that the total aggregate liability of the Consultant to all those named above shall not exceed the amounts of the available insurance policy limits.*

#### 4.15 EXTENSION OF TIME FOR DELAY

PROPOSED CHANGE: Due to proposed added clause above, revise this clause to become 4.15.

**ATTACHMENT B**  
**SCOPE VERIFICATION FORM**

1. Design Elements, including all sub-numbers.

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>INCLUDED? (Y/N)</u>
1.1.	<u>Prepare drawings for various bridge locations.</u>	Y
1.2.	<u>Design a landscaped pathway from Forest Avenue to the Art Festivals.</u>	Y
1.3.	<u>Design a surface parking lot at 725 Laguna Canyon Road.</u>	Y
1.4.	<u>Design improvements within the Caltrans Right-of-Way of Laguna Canyon Road (State Route 133).</u>	Y
1.5.	<u>Prepare drawings for the renovation of the historic digester building.</u>	Y
1.6.	<u>Prepare drawings for the renovation of the median on Laguna Canyon Road.</u>	Y
1.7.	<u>Evaluate options for carport structure.</u>	Y
1.8.	<u>Prepare drawings for storage buildings to be constructed behind City Hall to house Police support services and evidence storage.</u>	Y
1.9.	<u>Other Considerations of Note (not all inclusive).</u>	Y

2. Design Service, including all sub-numbers.

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>INCLUDED? (Y/N)</u>
2.1.	<u>Conceptual Design</u>	Y
2.2.	<u>Schematic Design</u>	Y

3. CEQA Documentation and Entitlements, including all sub-numbers.

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>INCLUDED? (Y/N)</u>
3.1.	<u>Prepare CEQA documents for the new parking lot at 725 Laguna Canyon Road</u>	Y
3.2.	<u>Work with the City, Cal-trans, County Flood Control and other agencies as required to obtain entitlements for the project.</u>	Y
3.3.	<u>As stated above, it is the City's desire that the City shall be the lead agency during the CEQA process; therefore, the designer shall petition Caltrans to delegate lead status to the City for CEQA.</u>	Y

**LAGUNA BEACH VILLAGE ENTRY**  
**SPURLOCK POIRIER LANDSCAPE ARCHITECTS**

Planning Phase Conceptual Schedule		Month 1				Month 2				Month 3				Month 4				Month 5				Month 6				Month 7				Month 8				Month 9				Month 10				Month 11				Month 12			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	33	34	35	36	33	34	35	36	33	34	35	36
<b>Task 1: Project Start-up</b>																																																	
1.1	Project Management + Strategy	● Deliverable: Project meeting and deliverable schedule																																															
	● Team and Client progress meetings (bi-weekly by phone or in person)	[Hatched bar]																																															
1.2	Public Outreach Kick-off/ Public Participation Plan	● Deliverable: Public participation plan																																															
	● Stakeholder group meetings and/or interviews (up to 6)	[Hatched bar]																																															
<b>Task 2: Project Goals / Opportunities and Constraints Analysis</b>																																																	
2.1	Project Technical Start-up	● Deliverable: Project base map and survey																																															
2.2	Site Opportunities and Constraints Analysis	● Deliverable: Analysis diagrams and memoranda																																															
2.3	Project Goals and Evaluation Criteria	● Deliverable: Project goals																																															
2.4	Community Workshop #1	★ COMMUNITY WORKSHOP #1																																															
2.5	Opportunity & Constraints Assessment + Memo	● Deliverable: Site Analysis Summary																																															
<b>Task 3: Concept Design Alternatives</b>																																																	
3.1	Alternative Concept Plans (On-Site and Off-Site)	● Deliverable: Preliminary Alternatives																																															
3.2	Alternatives Graphics Package	● Deliverable: Alternatives Graphics package																																															
3.3	Rough Cost Opinion for each alternative	● Deliverable: Rough Cost estimate																																															
3.4	Assessment of Alternatives	● Deliverable: Summary of Alternatives Assessment																																															
3.5	Community Workshop #2 to review findings and gain input (includes	★ COMMUNITY WORKSHOP #2																																															
<b>Task 4: Concept Plan refinement</b>																																																	
4.1	Final Concept Package	● Deliverable: Draft Final Concept Package																																															
4.2	Concept level Cost Estimate for preferred concept	● Deliverable: Concept Cost Estimate																																															
4.3	Executive summary of preferred alternative	● Deliverable: Final Concept Package																																															
4.4	City Review of Final Draft Concept Plan	★ CITY COUNCIL PRESENTATION																																															
<b>Task 5: Plan Processing &amp; CEQA Documentation</b>																																																	
5.1	Technical Analysis	[Hatched bar]																																															
5.2	CEQA Documentation	● [Hatched bar]																																															
5.3	Caltrans Concept Plan and PSR submittal	● [Hatched bar]																																															
<b>Task 6: Schematic Design</b>																																																	
6.1	Develop Schematic Design drawings with preliminary engineering	Note: Estimated start date- 8 week duration for task																																															
6.3	Schematic-level cost estimate in a City-approved format	● Deliverable:SD Cost Estimate																																															
6.4	File and process a Site Plan approval at the City	● Deliverable: SD Drawings																																															

- Legend:**
- Deliverable
  - ★ Public Meeting or Workshop
  - [Solid Grey] Concentrated activity
  - [Hatched Grey] On-going activity

Note: See proposal dated February 13, 2015 for full task and deliverable descriptions

**LAGUNA BEACH VILLAGE ENTRY**  
**SPURLOCK POIRIER LANDSCAPE ARCHITECTS**

Planning Phase Conceptual Schedule + Fee per Task		Month 1				Month 2				Month 3				Month 4				Month 5				Month 6				Month 7				Month 8				Month 9				Month 10				Month 11				Month 12				Fee per Task
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	33	34	35	36	33	34	35	36	33	34	35	36	
<b>Task 1: Project Start-up</b>																																																		<b>\$63,493</b>
1.1	Project Management + Strategy	● Deliverable: Project meeting and deliverable schedule																																																\$57,193
	● Team and Client progress meetings (bi-weekly by phone or in person)	On-going activity																																																--
1.2	Public Outreach Kick-off/ Public Participation Plan	● Deliverable: Public participation plan																																																\$4,580
	● Stakeholder group meetings and/or interviews (up to 6)	On-going activity																																																--
<b>Task 2: Project Goals / Opportunities and Constraints Analysis</b>																																																		<b>\$101,396</b>
2.1	Project Technical Start-up	● Deliverable: Project base map and survey																																																\$20,989
2.2	Site Opportunities and Constraints Analysis	● Deliverable: Analysis diagrams and memoranda																																																\$46,394
2.3	Project Goals and Evaluation Criteria	● Deliverable: Project goals																																																\$1,348
2.4	Community Workshop #1	★ COMMUNITY WORKSHOP #1																																																\$11,411
2.5	Opportunity & Constraints Assessment + Memo	● Deliverable: Site Analysis Summary																																																\$8,468
<b>Task 3: Concept Design Alternatives</b>																																																		<b>\$124,571</b>
3.1	Alternative Concept Plans (On-Site and Off-Site)	● Deliverable: Preliminary Alternatives																																																\$66,304
3.2	Alternatives Graphics Package	● Deliverable: Alternatives Graphics package																																																\$18,142
3.3	Rough Cost Opinion for each alternative	● Deliverable: Rough Cost estimate																																																\$8,026
3.4	Assessment of Alternatives	● Deliverable: Summary of Alternatives Assessment																																																\$4,196
3.5	Community Workshop #2 to review findings and gain input (includes	★ COMMUNITY WORKSHOP #2																																																\$11,071
<b>Task 4: Concept Plan refinement</b>																																																		<b>\$59,078</b>
4.1	Final Concept Package	● Deliverable: Draft Final Concept Package																																																\$38,034
4.2	Concept level Cost Estimate for preferred concept	● Deliverable: Concept Cost Estimate																																																\$3,681
4.3	Executive summary of preferred alternative	● Deliverable: Final Concept Package																																																\$3,676
4.4	City Review of Final Draft Concept Plan	★ CITY COUNCIL PRESENTATION																																																\$3,781
<b>Task 5: Plan Processing &amp; CEQA Documentation</b>																																																		<b>\$143,101</b>
5.1	Technical Analysis	Estimate 6 to 9 months																																																\$45,010
5.2	CEQA Documentation	On-going activity																																																\$37,058
5.3	Caltrans Concept Plan and PSR submittal	Note: Estimated submittal date																																																\$21,127
<b>Task 6: Schematic Design</b>																																																		<b>\$88,655</b>
6.1	Develop Schematic Design drawings with preliminary engineering	Note: Estimated start date- 8 week duration for task																																																\$84,044
6.3	Schematic-level cost estimate in a City-approved format	● Deliverable:SD Cost Estimate																																																\$4,611
6.4	File and process a Site Plan approval at the City	● Deliverable: SD Drawings																																																--
																																																		<b>\$580,294</b>

- Legend:**
- Deliverable
  - ★ Public Meeting or Workshop
  - Concentrated activity
  - On-going activity

Note: See proposal dated February 13, 2015 for full task and deliverable descriptions