

RESOLUTION NO. 44-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLEASANT HILL
AUTHORIZING THE CITY MANAGER TO EXECUTE A FOURTH AMENDMENT TO
THE AMENDED AND RESTATED PROFESSIONAL SERVICES AGREEMENT WITH
FIRST CARBON SOLUTIONS INC. FOR THE OAK PARK BOULEVARD
LIBRARY/RESIDENTIAL/RECREATION FIELD DEVELOPMENT

WHEREAS, the Pleasant Hill Library Project is a desired project as noted by the recently resident approved half cent tax measure which will provide adequate funding for the project; and

WHEREAS, the City approved an initial agreement with First Carbon Solutions that identified issues that likely will need to be addressed in an Environmental Impact Report (EIR) and associated technical studies for the Oak Park Boulevard Library/Residential/Recreation Field development; and

WHEREAS, the City approved an Amended and Restated Agreement with First Carbon Solutions to complete pre-development application environmental studies including traffic analysis, biological resources, air quality analysis and cultural resource analysis that will need to be addressed in an EIR for the Oak Park Boulevard Library/Residential/Recreation Field development; and

WHEREAS, the City approved a First Amendment to the Amended and Restated Agreement with First Carbon Solutions to complete preparation of the Environmental Impact Report (EIR) for the Oak Park Boulevard Library/Residential/Recreation Field development; and

WHEREAS, the City approved a Second Amendment to the Amended and Restated Agreement with First Carbon Solutions to complete preparation of the Environmental Impact Report (EIR) for the Oak Park Boulevard Library/Residential/Recreation Field development; and

WHEREAS, the City approved a Third Amendment to the Amended and Restated Agreement with First Carbon Solutions to complete preparation of the Environmental Impact Report (EIR) for the Oak Park Boulevard Library/Residential/Recreation Field development; and

WHEREAS, the City wishes to amend the Amended and Restated Agreement a fourth time to add additional tasks that are deemed necessary complete the Environmental Review Process, including revisions for the proposed EIR necessary due to permitting from responsible agencies including the Army Corps of Engineers and the California Regional Water Quality Board and Department of Fish and Wildlife, preparation of a biological evaluation memo, and additional EIR administrative tasks including additional meetings and project management activities, it is necessary to amend the agreement; and

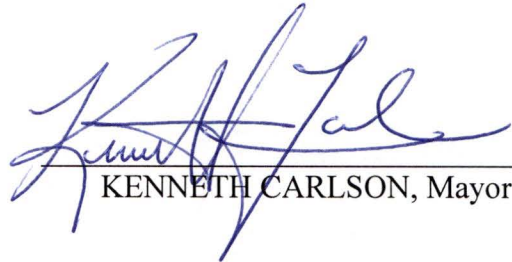
WHEREAS, First Carbon Solutions Inc. has submitted a proposal to the City of Pleasant Hill which is complete and acceptable.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pleasant Hill authorizes the City Manager to execute the Fourth Amendment to the Amended and Restated Professional Services Agreement with First Carbon Solutions Inc. attached as Exhibit 1

for environmental consulting services for the Oak Park Boulevard Library/Residential/ Recreation Field development in an amount not to exceed \$124,965, with a total contract amount not to exceed \$575,947 (Exhibit A to Exhibit 1).


ADOPTED by the City Council of the City of Pleasant Hill at a regular meeting of the City Council held on the 19th day of August, 2019, by the following vote:

AYES: Flaherty, Harris, Noack, Rinn, Carlson
NOES: None
ABSENT: None
ABSTAIN: None



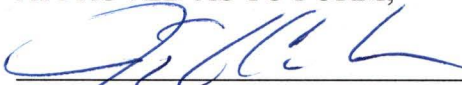
KENNETH CARLSON, Mayor

ATTEST:



CAROL WU, City Clerk

APPROVED AS TO FORM;



JANET E. COLESON, City Attorney

July 18, 2019

Troy Fujimoto, Senior Planner
City of Pleasant Hill
100 Gregory Lane
Pleasant Hill, CA 94523

Subject: Pleasant Hill Oak Park Properties Specific Plan EIR – revisions in support of revised Draft EIR (Augment #3)

Dear Mr. Fujimoto:

As requested, FCS provides this augment covering additional services required to support the preparation of the Draft EIR. Based on our understanding of the Oak Park Properties Specific Plan needs, the following additional tasks are included in the attached scope of work: Task A, preparation of Screencheck Draft EIR 2 (currently in process); Task B, preparation of Screencheck Draft EIR 3 (August 20); Task C, additional meetings/calls; Task D, additional management and coordination; Task E, preparation of a biological evaluation memo (as requested); and Task F, additional coordination and revisions in preparation of the 404 permit application package.

Should you desire additional information regarding this scope of work, please do not hesitate to contact me with any questions or comments at mbean@fcs-intl.com or (925) 357-2562 x1107.

Sincerely,



Mary Bean, Vice President
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PROJECT APPROACH

The City has requested that revisions be made to the previously submitted Screencheck Draft EIR to reflect updates to the proposed Oak Park Properties Specific Plan (Specific Plan), including the two separate projects (Civic Project and Residential Project) that may be implemented pursuant to the Specific Plan. In addition, the Team has requested evaluation of potential effects on federally listed species per the US Endangered Species Act (ESA) Section 7 and in further support of the CAA Section 404 work. FCS has also provided ongoing coordination related to the 404 permit application in advance of the submittal to the USACE. FCS will perform the following additional tasks in support of the preparation of the Draft EIR and the Section 404 permit application package.

SCOPE OF SERVICES

Task A: Preparation of Screencheck Draft EIR 2

FCS has prepared and submitted five versions of the updated EIR project description (May 16, May 23, May 28, June 19, July 12) as well as an updated biological resources section to reflect the Oak Park Properties Specific Plan and two separate projects (Civic and Residential) for Team review and input. This includes addressing City comments on the multiple rounds of the Project Description.

FCS will prepare a Screencheck Draft EIR #2 (SDEIR2) to reflect the Oak Park Properties Specific Plan and the two separate projects (Civic Project and Residential Project) reflected in the updated project description. The updated sections will be reviewed by the project team in a series of in-person meetings throughout July and August, with 10 hard copies of each section provided for review by team members during each 4-hour meeting. (July 12, July 22, July 29, and August 8)

The preparation of SDEIR 2 will require extensive reorganization and updating of all 14 EIR topical sections plus the alternatives chapter. Preparation of a new Screencheck Draft EIR is not included in the existing contract.

At this point in time, it is assumed that updated quantitative modeling for transportation/traffic, air quality/GHG emissions/energy, and noise is not required. If construction details or phasing are changed as part of the updated project description process that would require such additional modeling, a separate scope and budget would be required for such effort.

Deliverables: Up to 5 electronic rounds of updated Project Description and Biological Resources section; 10 hard copies of each topical section of Screencheck Draft EIR 2

Task B: Preparation of Screencheck Draft EIR 3

It is assumed that the Team will provide comments on SDEIR2 as part of the 4-hour team meetings. FCS will revise SDEIR2 to reflect Team comments and will prepare a consolidated screencheck document (SDEIR 3) for review at the August 20, 2019 team meeting. This task assumes a modest amount of

follow-up to address comment bubbles and requests for information from the team via comments provided during the 4-hour meetings. This task is not identified in the existing contract.

Following the August 20 team meeting, this scope assumes that any final edits would be minor. FCS will submit the Draft EIR to the City to proceed with publication by August 30, 2019.

Deliverables: electronic Screencheck Draft EIR 3

Task C: Additional Meetings/Calls

Augment #2 assumed FCS attendance of up to a total of 53 meetings. To support and facilitate the preparation of SDEIR #2, the City scheduled additional calls and meetings to discuss the two projects, preferred terminology, and additional information and materials to support the regulatory permitting packages. The City also scheduled a series of 4-hour meetings to facilitate review of the SDEIR2 and SDEIR3. This represents 10 additional meetings/calls, taking the total number of meetings/calls up to 63. The additional meetings and calls are shown in red text below:

1. Mar 19 (kickoff mtg at City)
2. Apr 11 (team mtg at City)
3. Sep 25 (mtg w/ Greg/Troy)
4. Oct 11 (bi-weekly team mtg)
5. Oct 25 (bi-weekly team mtg)
6. Nov 15 (bi-weekly team mtg)
7. Nov 29 (bi-weekly team mtg)
8. Dec 7 (conf call w/ Greg/Troy)
9. Dec 13 (bi-weekly team mtg)
10. Jan 7 (conf call w/ Greg/Troy)
11. Jan 10 (bi-weekly team mtg)
12. Jan 16 (conf call w/ Greg/Troy/Ananthan)
13. Jan 22 (conf call w/ Steve)
14. Jan 24 (bi-weekly team mtg)
15. Jan 29 (conf call w/ Steve/Greg/Troy)
16. Feb 7 (bi-weekly team mtg)
17. Feb 7 (CEQA update approach mtg)
18. Feb 20 (bi-weekly team mtg)
19. Mar 7 (bi-weekly team mtg)
20. Mar 11 (conf call w/ landscape architect regarding headwall locations)
21. Mar 12 (ADEIR review workshop mtg)
22. Mar 12 (conf call w/ Swinerton regarding permitting)
23. Mar 21 (bi-weekly team mtg)
24. Mar 26 (photometrics call)
25. Mar 26 (construction details call part 1)
26. Mar 26 (CEQA Alternative call w/ City)
27. Mar 28 (field site mtg re headwalls locations)

28. Mar 29 (construction details call part 2)
29. Apr 3 (pre-call with Troy and Greg)
30. Apr 4 (bi-weekly team mtg)
31. Apr 9 (overall team permitting mtg)
32. Apr 9 (specific plan, etc. mtg)
33. Apr 18 (bi-weekly team mtg)
34. Apr 25 (feasibility of options mtg)
35. May 1 (permitting call)
36. May 2 (restructuring call w/ Steve)
37. May 3 (creek regulatory mtg)
38. May 16 (bi-weekly team mtg)
39. May 30 (bi-weekly team mtg)
40. Jun 12 (bi-weekly team mtg)
41. Jun 13 (permitting mtg)
42. Jun-15 (permitting mtg)
43. Jun 18 (maintenance plan, etc. call)
44. Jun 27 (bi-weekly team mtg)
45. Jul-2 – permitting mtg
46. Jul-3 – Mtg with Troy and Sarah
47. Jul 11 (AQ modeling call in lieu of bi-weekly team mtg)
48. July 12 (4-hour mtg to review SDEIR2 Project Description and Executive Summary chapters and mitigation measures approach)
49. July 22 (4-hour mtg to review SDEIR2 Geology/Soils, Hazards/HazMat/Wildfire, and Population/Housing sections)
50. Jul 25 (bi-weekly team mtg)
51. July 30 (4-hour mtg to review SDEIR2 biological resources, cultural resources, and hydrology/water quality sections)
52. Aug 8 (bi-weekly team mtg)
53. Aug 8 (4-hour meeting to review SDEIR2 Aesthetics, Air Quality, GHG Emissions/Energy, Land Use, Noise, Public Services, and Transportation sections)
54. Aug 20– 4-hour mtg to review SDEIR3 prior to publication
55. Aug 22 (bi-weekly team mtg)
56. Team mtg after end of DEIR public review period to review comments
57. TBD
58. TBD
59. TBD
60. TBD
61. TBD
62. TBD
63. TBD

Deliverables: Attendance at up to 10 additional meetings/calls

Task D: Additional Project Management Time

Our augment #1 assumed a 55-week EIR schedule from project initiation until Final EIR submittal (approximately) on August 19, 2019. The updated EIR schedule (see below) shows a Final EIR submittal date of January 9, 2020; therefore, 20 weeks have been added to the EIR schedule and additional support and associated budget are required. In addition to the research, analysis, communications, and report writing tasks, FCS will provide ongoing support to City staff and discussions of technical issues. Furthermore, this task includes project management time related to management and coordination of both the EIR and the biological regulatory permitting and consultation tasks included in Augment #2. This task assumes an additional 60 hours of project management time.

Deliverables: Additional, on-going project management and coordination for the EIR revisions and new environmental permitting efforts

Task E: Biological Evaluation Letter

As requested by the permitting team, FCS will prepare a biological evaluation letter that summarizes the various assessments that have been conducted regarding potential federally-listed species in the plan area. Specifically, the letter will include a summary of the assessments completed by Live Oak Associates in 2018 and a California Red Legged Frog Habitat Assessment completed by FCS in 2018. The biological evaluation letter will provide conclusions regarding the potential need (or lack thereof) for a formal or informal Endangered Species Act Section 7 consultation with U.S. Fish and Wildlife Service in support of the Clean Water Act Section 404 Permit application for bank stabilization work in Grayson Creek. This task does not include actual formal or informal ESA Section 7 consultation with USFWS; if requested, a separate scope and budget would be required for such effort.

Deliverables: Biological evaluation letter

Task F: Additional Coordination for 404 Permit Application

FCS's scope for the 404 permit application package assumed one round of internal comments and revisions before submittal to USACE. We have completed one round of review and received robust input. We have also followed up diligently with the City and with the permitting team generally in preparing the updated application package. Given the continuing updates to the EIR project description and ongoing discussions regarding the preferred terminology for the two separate projects, we anticipate that there will be additional comments and edits required before submittal of the 404 application package to USACE. This task provides a modest amount of additional time to complete anticipated final edits.

Schedule Moving Forward

Task/Milestone	Date Estimate
Publish Draft EIR	August 30, 2019
Close of 45-day Draft EIR Public Review & Comment Period	October 14
Review public comments on Draft EIR with City	October 21
Submit Administrative Final EIR	November 22
Receive City Comments on Administrative Final EIR	December 6
Submit Screencheck FEIR	December 20
City provides consolidated comments on Screencheck FEIR	January 3, 2020
Submit Final EIR, MMRP, & Findings	January 8
Publish Final EIR	January 9
Public Hearings	TBD

Estimated Cost

The cost to complete the tasks in this scope of work is a fixed-fee price of \$124,965 as shown in the following table. Additional services requested by the City or the natural resources and cultural resources agencies that are not described in this scope of work will be performed on a time-and-materials basis or under a separate scope of work and cost.

Task	Costs
Task 1: Preparation of Screencheck Draft EIR #2 (sections provided in July and August)	\$60,100
Task B: Preparation of Screencheck Draft EIR #3 (to be provided on August 20)	\$21,060
Task C: Additional Meetings and Calls	\$19,750
Task D: Additional Project Management	\$14,400
Task E: Biological Evaluation Memo	\$3,720
Task F: Additional coordination for 404 Permit application package	\$2,935
Direct costs	\$3,000
Total Cost	\$124,965

The assumptions used in calculating the proposed costs are:

- Direct Costs associated with the tasks described above include mileage for travel to the site, GIS/reprographics, and postage.
- The price is valid for up to 30 days from the date of this scope, after which it may be subject to revision.