



Legislation Details (With Text)

**File #:** 21-756

**Type:** Consent Calendar      **Status:** Passed

**File created:** 10/4/2021      **In control:** City Council/Public Financing Authority

**On agenda:** 10/19/2021      **Final action:** 10/19/2021

**Title:** Approve and authorize execution of a Professional Services Contract with LSA Associates, Inc. in the amount of \$241,250, for preparation of the Bella Terra Residential Project Environmental Impact Report (EIR); approve and authorize execution of a reimbursement agreement with Bella Terra Associates, LLC in the amount of \$241,450 to fund the EIR; approve an increase in the Community Development Department’s Professional Services listing authority by \$241,450 and appropriate fund to be fully reimbursed

**Attachments:** 1. Att #1 LSA Associates, Inc., 2. Att # 2 Reimbursement Agreement, 3. Att #3 CEQA AwardByVendorList.pdf

Date	Ver.	Action By	Action	Result
10/19/2021	1	City Council/Public Financing Authority	approved	Pass

**REQUEST FOR CITY COUNCIL ACTION**

**SUBMITTED TO:** Honorable Mayor and City Council Members

**SUBMITTED BY:** Oliver Chi, City Manager

**PREPARED BY:** Ursula Luna-Reynosa, Director of Community Development

**Subject:**

**Approve and authorize execution of a Professional Services Contract with LSA Associates, Inc. in the amount of \$241,250, for preparation of the Bella Terra Residential Project Environmental Impact Report (EIR); approve and authorize execution of a reimbursement agreement with Bella Terra Associates, LLC in the amount of \$241,450 to fund the EIR; approve an increase in the Community Development Department’s Professional Services listing authority by \$241,450 and appropriate fund to be fully reimbursed**

**Statement of Issue:**

Transmitted for your consideration are a professional services contract with LSA Associates, Inc. for preparation of the Bella Terra Units Environmental Impact Report (EIR) and a reimbursement agreement with Bella Terra Associates, LLC to fund the EIR.

**Financial Impact:**

An appropriation of \$241,450 from the General Fund to the Community Development Department Professional Services Account 10060201.69365 is required. These funds will be offset by the attached reimbursement agreement with the developer of the project, Bella Terra Associates, LLC.

**Recommended Action:**

- A) Approve and authorize the Mayor and City Clerk to execute a “Professional Services Contract” between the City of Huntington Beach and LSA Associates, Inc. for the Bella Terra Units Environmental Impact Report” in the amount of \$241,450 as prepared by the City Attorney (Attachment No. 1); and,
- B) Approve and authorize the Mayor and City Clerk to execute a “Reimbursement - Planning - Agreement Between the City of Huntington Beach and Bella Terra Associates, LLC for Costs Incurred for the Bella Terra Units Environmental Impact Report” in the amount of \$241,450 as prepared by the City Attorney (Attachment No. 2); and,
- C) Approve an increase in the Community Development Department’s professional services listing authority by \$241,450 for the preparation of the Bella Terra Units Environmental Impact Report to ensure compliance with Administrative Regulation Number 228, Section 7.1; and,
- D) Appropriate funds as revenues are received in the amount of \$241,450 from the General Fund to the Community Development Department Professional Services Account 10060201.69365 for the Professional Services Contract between the City and LSA Associates, Inc., which is funded by a reimbursement agreement.

**Alternative Action(s):**

The City Council may make the following alternative motions:

- A. Deny the professional services contract between the City and LSA, Associates Inc.
- B. Deny the reimbursement agreement between the City and Bella Terra Associates, LLC
- C. Continue the item and direct staff accordingly

**Analysis:**

A Professional Services Contract between the City and LSA Associates, Inc. is necessary to prepare the required environmental documentation pursuant to the California Environmental Quality Act (CEQA) for the proposed applicant-initiated project. This contract will require an appropriation of funds by the City. Funding for the environmental documentation is included in the reimbursement Agreement with Bella Terra Associates, LLC, the project applicant.

The project is a request to redevelop a portion of the existing Bella Terra shopping center by demolishing the existing 149,001 sq. ft. Burlington Coat Factory and an adjacent 33,331 sq. ft. retail commercial building (Building E) and constructing a new mixed-use project consisting of residential apartments units and new ground floor retail space. The project consists of three applications: Site Plan Review (SPR) No. 2021-002, General Plan Amendment (GPA) No. 2021-001, and Zoning Text Amendment (ZTA) No. 21-003.

Planning staff requested proposals from firms on the pre-qualified vendor list (attachment 3). The proposal from LSA Associates, Inc. was selected due to the quality of their proposal and experience working on environmental documents in the City, including the Atlanta Avenue Widening Recirculated MND and the Seacliff Senior Living MND, as well as similar projects in other jurisdictions.

Staff recommends the City Council approve the contract with LSA, for \$241,450, and authorize the Mayor and City Clerk to execute the documents. Staff also recommends the City Council approve the Reimbursement Agreement with Bella Terra Associates, LLC. There have been many reimbursement agreements approved over

the years for environmental documentation, particularly EIRs for applicant- initiated projects. This is an acceptable method to ensure timely entitlement processing and a greater level of detailed environmental evaluation.

**Environmental Status:**

Projects over with public agencies exercise ministerial authority, such as the subject professional services contract and reimbursement agreement, are categorically exempt from the California Environmental Quality Act pursuant to Section 15300.1.

**Strategic Plan Goal:**

Non Applicable - Administrative Item

**Attachment(s):**

1. Professional Services Contract between the City of Huntington Beach and LSA Associates, Inc. for the Bella Terra Units Environmental Impact Report.
2. Reimbursement - Planning - Agreement Between the City of Huntington Beach and Bella Terra Associates, LLC for Costs incurred for the Bella Terra Units Environmental Impact Report
3. Award for Project On-Call Environmental (CEQA) Consulting Services