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City Council
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Vice Mayor Una Glass
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City Manager-City Attorney
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City Clerk
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City of Sebastopol City Council Staff Report

Reviewed by City Manager 

Meeting Date: July 5, 2016
To: Mayor and City Council
From: Kenyon Webster, Planning Director
Subject: Preparation of Environmental Impact Report (EIR) on Proposed KOWS Antenna Project, 1281 Pleasant Hill Road
Recommendation: Authorize Issuance of Request for Proposals (RFP) for EIR
Funding: Currently Budgeted: ___ Yes ___ No x N/A
Net General Fund Cost:
If Cost to Other Fund(s):
___ Yes ___ No x N/A

Introduction: This report recommends that the City Council authorize issuance of a Request for Proposals (attached) for preparation of an Environmental Impact Report (EIR) on an application for installation of a low-power radio tower on City property at 1281 Pleasant Hill Road.

Background: KOWS is a nonprofit community radio station and Federal Communications Commission (FCC) Emergency Alert Station, which began broadcasting in 2007. KOWS relocated its studio to the Sebastopol United Methodist Church at 500 North Main Street in 2015, after years of operation in Occidental, California.

Under the most recent proposal, KOWS proposes to construct and operate a Low Power (35 watt) FM Radio antenna, which would be installed on a 60' tall tower, and would have a 5' tall, 2" wide center pole rising an additional 5', for a total height of 65'. The tower would be 30" wide at ground level; 21" wide at 30'; 15" at 50'; and 12" at 60'. The tower would be installed at the southeast corner of the Pleasant Hill Road Reservoir site at 1281 Pleasant Hill Road. The lower portion of the radio tower would be painted flat green and the upper portion would be painted blue-gray. The structure would have open diagonal bracing.

A Use Permit for a similar 70-foot tower design in the same location was found exempt from the California Environmental Quality Act (CEQA) and was approved by the Planning Commission. That approval was appealed to the City Council on a variety of grounds. The appeal was sustained solely on the issue of CEQA compliance. The Council determined that an EIR should be prepared, and directed staff to return with the proposed scope of study for an EIR.

To help set the appropriate scope of study, staff prepared an Environmental Checklist/Initial Study Form (attached). Prospective consultants would consider the Checklist in identifying the appropriate scope of study for the EIR. The Checklist identifies visual impacts of the project as potentially significant, and requiring further review. The Checklist identifies some other issues as not having potential for significant impact, but meriting some additional study (biological and

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land use). The EIR consultant will make their own independent assessment of impact significance.

Any interested consultant could submit a proposal. Proposals will be evaluated by staff and a selection recommendation will be made to the Council.

Recommendation: It is recommended that the Council receive any public comments on this matter, provide any direction on the scope of study, and authorize staff to issue the Request for Proposals.

Attachments:

Request for Proposals
Environmental Checklist

INITIAL STUDY CHECKLIST

USE PERMIT APPLICATION, KOWS COMMUNITY RADIO
PLANNING FILE 2015-126

CITY OF SEBASTOPOL PLANNING DEPARTMENT
CITY HALL
7120 BODEGA AVENUE
SEBASTOPOL CALIFORNIA 95472

JUNE 28, 2016

I. Environmental Checklist Form – Mitigated Negative Declaration

1. Project title	KOWS Community Radio Tower
2. Lead agency name and address	City of Sebastopol Planning Department 7120 Bodega Avenue Sebastopol, CA 95472-9998 http://ci.sebastopol.ca.us
3. Contact person and phone number	Kenyon Webster Planning Director (707) 823-6167 kwebster@cityofsebastopol.org
4. Project location	1281 Pleasant Hill Road
5. Project sponsor's name and address	KOWS Community Radio, c/o Board Chair Arnold Levine, 266 Jesse Street, Sebastopol, CA 95472
6. General plan designation	Community Facilities
7. Zoning	Community Facilities
8. Description of project	KOWS proposes to construct and operate a Low Power (30 watt) FM Radio antenna, which would be installed on a 60' tall tower, and would have a 5' tall, 2" wide center pole rising an additional 5', for a total height of 65'. The tower would be 30" wide at ground level; 21" wide at 30'; 15" at 50'; and 12" at 60'. The tower would be installed at the southeast corner of the Pleasant Hill Road City of Sebastopol Reservoir site at 1281 Pleasant Hill Road. This site is in the City limits, but is surrounded by unincorporated territory. The lower portion of the radio tower would be painted flat green and the upper portion would be painted blue-gray. The structure would have open diagonal bracing.
9. Surrounding land uses and setting:	The subject property is also the site of large, City of Sebastopol water tanks. The site is within the City limits, but is surrounded by unincorporated territory. Uses in the vicinity include rural residential, vineyards, and orchards. A cemetery and several schools are nearby but not adjacent.
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)	FCC approval is required for the operation of the radio tower.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.



Aesthetics



Agriculture Resources



Air Quality

KOWS Community Radio Initial Study Checklist

- | | | |
|--|---|---|
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION:

On the basis of this initial evaluation:

	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A NEGATIVE DECLARATION will be prepared.
X	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature  Date 6/28/16
 Kenyon Webster, CEQA Coordinator

II. Project Description

KOWS proposes to construct and operate a Low Power (30 watt) FM Radio antenna, which would be installed on a 60' tall tower, and would have a 5' tall, 2" wide center pole rising an additional 5', for a total height of 65'. The tower would be 30" wide at ground level; 21" wide at 30'; 15" at 50'; and 12" at 60'. The tower would be installed at the southeast corner of the Pleasant Hill Road City of Sebastopol Reservoir site at 1281 Pleasant Hill Road. This site is in the City limits, but is surrounded by unincorporated territory. The lower portion of the radio tower would be painted flat green and the upper portion would be painted blue-gray. The structure would have open diagonal bracing.

More detailed information, including analysis of several environmental impact issues, is provided by the application materials, staff reports, and extensive public comments available in the Planning Department project file, located at 7120 Bodega Avenue, Sebastopol, California. This file is available for public review. In addition, staff reports to the Commission and Council are currently posted on the City web site, as are meeting minutes for both the Commission and Council hearings on the matter.

After considering an appeal from the Planning Commission's approval of a Use Permit in conjunction with a CEQA determination that the project qualified for CEQA exemptions, the City Council approved the appeal on the sole grounds of CEQA compliance, determining that an Environmental Impact Report (EIR) should be prepared. In that this determination had been made by the Council, this Initial Study was subsequently prepared to help focus the scope of study of such EIR.

III. Evaluation of Potential Environmental Impacts

	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
<p>a), - d) Vistas, scenic character, and visual character may be affected. While extensive information and analysis was provided in the project review to date as documented by Planning Department file materials, this issue was the focus of considerable comment, and it appears appropriate that further analysis be conducted.</p> <p>The project does not include lighting. The tower will be painted to minimize glare. No substantial light or glare would result. No significant impact would occur.</p>				
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
<p>a). - c). The project site is not identified as Prime Farmland, Unique Farmland, or Farmland, or Farmland of Statewide Importance by the California Resource Agency. No significant impact would occur.</p> <p>The project is not agriculturally zoned, nor is it under a Williamson Act contract. No significant impact would occur.</p> <p>As it is located on a utilities site, has a very small footprint, and would not affect the ability to use other area lands as farmland, no significant impact would occur.</p>				
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
<p>a) – f) The project involves development of a prefabricated 65-foot radio tower with a minimal site footprint. Construction activities to install the tower including trenching will have short-term, temporary and minimal air impacts. No on-site air emissions would occur from operation of the facility. No significant impacts would occur.</p>				
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Discussion:				
<p>a) – f). The site has been fully developed with utility uses for decades. The site is maintained and includes minimal native shrubs. Most trees on the site are non-native. No trees will be removed in conjunction with the project. Construction of the project will involve minimal site disturbance including trenching for electrical conduits and a structural foundation. Operation of a fixed tower with no moving parts is not expected to have adverse effects on wildlife, including birds. The project site is not subject to any habitat conservation plan. While it appears that no significant impact would occur, there were comments that expressed concern about impacts on wildlife, and some additional review of these issues should be conducted.</p>				
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
<p>a) – d) The project site had been in utility use for decades. Substantial site work was required when the utility uses were developed. Neither the site nor any structures on it are designated City, State, or national landmarks, or listed in the State or National Register of historic resources or identified as potential historic resource in any identified reports or surveys, including the 1981 Western Sonoma County Historic Resources Survey for the City of Sebastopol Area. Neither is the site or the improvements associated with events that have made a significant contribution to California's history or cultural heritage; they are not associated with the lives of persons important in the past; do not include distinctive building characteristics or represent the work of an important creative individual, or possess high artistic values; nor have they yielded or are likely to yield important information in prehistory or history; and the existing on-site structures would not be altered as part of the project. There are no known cultural resources on the project site. There are no known paleontological or unique geological resources on the site or in the project area. While there is a developed cemetery in the project neighborhood, there are no known human remains on the project site, or known locations for human remains other than the developed cemetery. No significant impacts would occur. A standard requirement for all projects is that activities cease and appropriate agencies be contacted if any human remains are encountered during construction.</p>				
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a).- e).The site is not located within an Earthquake Fault Study Zone and no known fault traces traverse the site. Therefore, the risk of ground rupture within the limits of the site is considered to be low. As a result, the Building Code does not require any special structural engineering beyond the basic code requirements for construction. The project will be required to comply with current Building Code. No significant impact would occur.

The nearest active faults to Sebastopol are the Healdsburg-Rodgers Creek and San Andreas faults, which are located approximately 8 miles northeast and 12 miles southwest of the city. The project site will be subjected to very strong ground shaking during a moderate to major earthquake along these faults. On the basis of current technology, as well as historical evidence, it is reasonable to assume that, during the life of the proposed project, the project site will be subjected to at least one moderate to severe earthquake that could produce potentially damaging ground shaking at the site. Further, it is anticipated that the project site will periodically experience small to moderate magnitude earthquakes. Adherence to the Building Code will reduce potential impacts from seismic activity to the proposed project site to a less than significant level.

According to the “Liquefaction Hazard Map” published by the Association of Bay Area Governments, the project site is not located in an area with susceptibility to liquefaction. No significant impact would occur.

The project site terrain has no identified landslide or expansive soils hazards. Due to the minimal nature of site improvements, the potential for erosion on this site is considered to be very low. No significant impact would occur.

The project does not involve any impacts to the City’s wastewater system, or include the development of septic systems. This issue is not applicable to this project, and no impacts will occur.

VII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a) – h) None of the proposed project’s anticipated uses would involve the transport, use, emission, or disposal of hazardous substances.

Short term construction and tower operations do not require the routine transport, use, or disposal of hazardous materials. No significant impact would occur.

In that the project does not involve the use of hazardous materials, the project does not pose any significant hazard to the public or the environment from the potential accidental release of such materials. No significant impact would occur.

The project is within approximately one-half mile of several schools (Twin Hills Middle School and Pleasant Hill Christian School). The project includes the use of routine construction materials, and the project proposal does not include activities or the use of materials that would emit hazardous emissions or handle hazardous, or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The low-power radio tower project complies with relevant FCC radio frequency emissions. No significant impacts would occur.

The project site is not listed as a LUST (Leaking Underground Tank Cleanup Site) location by the State of California. No significant impacts would occur.

The project site is not located within an airport land use plan and there are no public or private airstrips or airfields located within two miles of the City of Sebastopol. The height of the tower does not trigger any special requirements relative to air traffic. No significant impacts would occur.

The site is presently developed and has access to streets. Construction of the project will not impair implementation or physically interfere with an adopted emergency evacuation plan. The station is a designated emergency broadcast provider, and the applicants have stated the station provides local information in emergency conditions, which would be of community benefit. No significant impacts would occur.

The project site is not located in a wildlands area or urbanized area adjacent or intermixed with any heavily wooded wildlands. No significant impacts would occur.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a). – j). As a project involving a minimal footprint, and routine trenching to provide electrical service to the tower, on an existing site which has no natural water features, this development would not create any unusual water quality impacts. The project will be required to meet all City of Sebastopol storm water requirements as set forth in the Municipal Code. No significant impacts would occur.

Operation of the tower project will not require any water service. No significant impacts would occur.

The project site does not contain any naturally occurring creeks or natural bodies of water. If determined necessary by the City Engineer, a condition of approval will require the applicant to submit an Erosion Control Plan. No significant impacts would occur.

The project will effect minimal site changes affecting storm water, and thus meaningful impacts are not anticipated. There are no significant storm water-related impacts.

The proposed development site is not located in the 100-year special flood hazard area. No significant impacts would occur.

The project is not within the potential inundation area associated with failure of the Warm Springs/Coyote dams, located approximately 30 miles to the north. No significant impacts would occur.

The project site is not located in an area that is susceptible to inundation by seiche, tsunami, or mudflow. No significant impacts would occur.

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:				
a). – c) The project site is presently located within the City of Sebastopol. Detailed analysis of land use issues, including General Plan and Zoning conformance, and relationship to policies of the County of Sonoma was provided in staff reports to the Planning Commission and City Council. Conformity to applicable land use policies was a focus of community comments. Some additional review of this topic should be conducted.				
Neither a conservation plan, nor a natural community conservation plan has been adopted by the City for this project area. No significant impacts would occur.				
X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
a). – b) There are no known mineral resources associated with this project site. No significant impacts would occur. There are no locally-important mineral resource recovery sites delineated in the General Plan. No significant impacts would occur.				
XI. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a). - f).The proposed project does not appear to have potential to exceed established noise standards. Construction activities including installation of a prefabricated tower, and trenching to provide electrical connections will result in a limited and temporary increase in noise levels, however construction hours will be subject to City ordinance limits.

In terms of long-term effects, operation of a radio tower will not generate noise. No operations are anticipated that will generate excessive groundborne vibration or noise levels. Based on the above analysis, no significant noise impacts would occur.

The project site is not located near any public or private airfields or airstrips, nor is it located within an airport land use plan, so there would be no air traffic impact on the people residing in the project area relating to this project. No significant impacts would occur.

XII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a). – c). The project does not increase infrastructure capacity or remove key obstacles to growth, does not require a Zoning or General Plan amendment, and as such is not growth-inducing. The project is within the allowances of the Zoning Ordinance, and within the planned urban development of the General Plan. Based on the above analysis, the project is not considered to be growth-inducing. No significant impacts would occur.

There is no housing on the project site. No housing would be removed as part of the project and no displacement of people would occur. No significant impacts would occur.

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a). The project, an unoccupied radio tower, can be adequately serviced by existing police and fire facilities and would not have a significant effect on acceptable service ratios, response times, or other performance objectives. It will be required to meet relevant safety requirements as set forth in building codes. As a non-residential project, construction of this project will not contribute to the addition of school-aged children to the local school population, nor would it impact community parks or park services. No significant impacts would occur.

XIV. RECREATION

KOWS Community Radio Initial Study Checklist

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
a) – b). The proposed project, an unoccupied radio tower, would have no impacts on parks or recreational facilities. No significant impacts would occur.				
XV. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
G) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

a). - g). The project, an unoccupied radio tower, would have no substantial impacts on traffic or traffic patterns. Construction-related traffic will be short-term and minimal; operation of the tower may involve occasional maintenance visits.

The project site is not located near any public or private airstrips and therefore no significant impact related to this issue would occur.

The construction of the proposed project will not substantially increase hazards to streets or intersections, as no changes to streets or site access would occur as result of the project and the project would generate minimal traffic. No significant impacts would occur.

The project site is very large and can readily accommodate both short-term construction-related parking as well as occasional tower maintenance visits. Based on this analysis, no significant parking impacts would occur.

This project proposal does not conflict with City of Sebastopol adopted policies, plans, or programs supporting alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

KOWS Community Radio Initial Study Checklist

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
a). – g). The development of the unoccupied radio tower will not necessitate new water or wastewater treatment facilities, or require new storm water drainage facilities, or create new water demand, or generate a solid waste stream. It would not affect existing water utility uses on the site. No significant impacts would occur.				
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Discussion:				
a). The project has the potential for visual impacts. Further review of this issue should be conducted. Several other issues which do not appear to have potential for significant environmental impact are also identified in this Initial Study and appear to merit some additional review in an Environmental Impact Report.				

Documents incorporated by reference (documents available for review at the Sebastopol Planning Department, 7120 Bodega Avenue, Sebastopol, California): Project Use Permit and Appeal files.

City of Sebastopol
Planning Department

REQUEST FOR PROPOSAL

For Environmental Impact Report: KOWS Low-Power Radio Antenna, 1281 Pleasant Hill Road, Sebastopol

City of Sebastopol Planning Department

City Hall

7120 Bodega Avenue

Sebastopol, CA 95472

(707) 823-6167

Release Date: July 6, 2016

Deadline for Submittal: 4:00 p.m. Monday August 8, 2016

INTRODUCTION

The City of Sebastopol is a small town located on the western edge of the Santa Rosa plain, adjacent to the Laguna de Santa Rosa wetlands complex. The City's small population belies Sebastopol's importance in a service area of more than 40,000 residents of unincorporated West Sonoma County. Located approximately 50 miles north of San Francisco, Sebastopol also acts as a gateway to the Russian River resorts and the Sonoma County coast, providing a transition from the urban environment of Santa Rosa to the unincorporated lands of West Sonoma County.

The City of Sebastopol, California is releasing this Request for Proposal ("RFP") to interested consultant firms (hereinafter referred to as "Consultant") to prepare an Environmental Impact Report for the above-referenced project. The EIR shall be prepared in full compliance with the California Environmental Quality Act. The EIR is expected to be focused on a limited set of issues.

To help set the appropriate scope of study, staff prepared an Environmental Checklist Form (attached). Prospective consultants should consider the Checklist in identifying the appropriate scope of study for the EIR. In addition to analysis of any potentially significant environmental impacts, the EIR should include some review of issues found not to be potentially significant, and of any issues where the Initial Study indicated that some additional review may be appropriate. If prospective consultants recommend additional topics for review in the EIR, the City is open to considering such recommendations.

Any interested consultant may submit a proposal.

Proposals will be evaluated by City staff and a selection recommendation will be made to the City Council.

PROPOSED PROJECT

KOWS is a nonprofit community radio station and Federal Communications Commission (FCC) Emergency Alert Station, which began broadcasting in 2007. KOWS relocated its studio to the Sebastopol United Methodist Church at 500 North Main Street in 2015, after years of operation in Occidental, California.

Under the most recent proposal, KOWS proposes to construct and operate a Low Power (30 watt) FM Radio antenna, which would be installed on a 60' tall tower, and would have a 5' tall, 2" wide center pole rising an additional 5', for a total height of 65'. The tower would be 30" wide at ground level; 21" wide at 30'; 15" at 50'; and 12" at 60'. The tower would be installed at the southeast corner of the Pleasant Hill Road City of Sebastopol Reservoir site at 1281 Pleasant Hill Road. This site is in the City limits, but is surrounded by unincorporated territory. The lower portion of the radio tower would be painted flat green and the upper portion would be painted blue-gray. The structure would have open diagonal bracing.

A Use Permit for a similar 70-foot tower design in the same location was found exempt from the California Environmental Quality Act (CEQA) and was approved by the Planning Commission. That approval was appealed to the City Council on a variety of grounds. There has been a high degree of public controversy concerning the project. The appeal was sustained solely on the issue of CEQA compliance. The Council determined that an EIR should be prepared, and directed staff to return with the proposed scope of study for an EIR.

Prospective consultants may wish to review past staff reports on the project, which may be found on this page of City web site <http://ci.sebastopol.ca.us/page/meeting-dates-agendas-minutes-reports> The May 3 and May 31 staff reports provide detailed information about the project as well as extensive public comments; the minutes for those meetings may also be informative.

PROJECT MANAGEMENT

The City Planning Department will manage the consultant contract. The consultant will be required to maintain close communication with City staff to ensure that the City's project objectives are achieved, including cost and schedule. Consultant will be required to designate a primary Project Manager who will coordinate the consultant team and serve as the principle liaison to the City staff and lead the consultant team at community presentations and meetings.

TECHNICAL REQUIREMENTS

The EIR shall be prepared in full compliance with CEQA. The selected consulting team is expected to be made up of members who have appropriate expertise and who will be available to perform the work for the City of Sebastopol within the project schedule. Consultants are expected to have appropriate knowledge and experience to ensure adequacy.

Five copies of a preliminary draft of the Draft EIR (DEIR) shall be submitted to City staff within 75 days from authorization to proceed. Five copies of a second preliminary draft shall be provided to City staff within 15 days following transmittal of staff comments on the preliminary draft to the consultant, if such second draft is requested by City staff. Within 10 days of such transmittal the consultant shall then prepare 20 copies of the DEIR, and shall also deliver a complete electronic copy of the report suitable for posting on the City web site.

The scope of work shall include response to comments on the DEIR and preparation of the Final EIR (FEIR), as well as preparation of required notices and preparation of summary information suitable for incorporation into City staff reports.

Written responses conforming to CEQA requirements to all substantive comments on the DEIR shall be provided. Five copies of the FEIR including a preliminary draft of the response to comments shall be provided to City staff within 30 days after the close of the public comment period. Five copies of a second preliminary draft shall be provided to City staff within 15 days following transmittal of staff comments to the consultant, if such second draft is requested by

City staff. The consultant shall prepare 20 copies of the Final REIR within 10 days from approval to proceed by City staff, and shall also deliver a complete electronic copy of the report suitable for posting on the City web site.

Attendance at hearings. The consultant will be required to attend a minimum of three public meetings to make presentations and respond to questions.

PROPOSAL

Please provide five copies of a written proposal by or before the date specified for preparation of the above report. The proposal should provide a breakdown of major cost elements, and a schedule for preparation of the materials specified. Any issues, concerns or recommendations with the scope of work that you may identify can also be included in the proposal. Incomplete proposals and proposals not organized according to this format may be rejected. Faxed or emailed proposals will be rejected.

A Transmittal letter shall precede the body of the proposal. It shall include the following information:

- a. It shall be signed by an officer of the Consultant designated as the Prime Consultant who is authorized to bind the firm contractually. In case of a joint venture, an officer of each joint venture partner shall sign. In case of sub-consultants an officer of each sub-consultant shall sign.
- a. The Consultant shall confirm the receipt of the RFP and all addenda thereto.
- b. It shall specify the name, title, address, and telephone number of the individual to whom correspondence and other contacts should be directed during the consultant selection process.
- c. It shall specify the name, title, address, and telephone number of the individual who will negotiate with the City and who is authorized to contractually bind the Consultant.
- d. The Consultant shall state its willingness and ability to accept the terms and conditions in the Agreement for Services attached to this RFP, or shall list those terms and conditions to which it takes exception. If exception is taken, proposed alternative language shall be provided. The City shall not be bound by any proposed changes and may eliminate the proposal from future consideration based on the proposed changes. If no exceptions are included in the proposal the standard terms will be considered acceptable.
- e. A statement that the firm can meet the City's insurance requirements, including certificates of insurance naming the City, its officers, officials, employees and volunteers as additional insureds. Completed insurance endorsements will be required if your firm is selected. All endorsements must be on forms acceptable to the City.

- f. A statement that the firm does not have identified conflicts of interest in regard to the proposed project.

Provide the following information on the project team in brief form:

- a. A general description of the project team.
- b. The address and telephone number of each involved firm.
- c. List of comparable CEQA documents prepared by consultant or proposed sub-consultants within the last five years.
- d. Summary description of any litigation (and outcomes) that the firm has been involved in concerning the adequacy of CEQA documents prepared by the firm or proposed subcontractors, within the last five years.
- e. The current size of the Firm.
- f. A list of any of the Firm's contracts terminated (partially or completely) by clients for convenience or default within the past five years. Include contract value, description of work, sponsoring organization, contract number, and the name and telephone of the contracting entity.
- g. Copies of, or links to comparable CEQA documents prepared by consultant.

In summary fashion, describe the following to exhibit the team's ability to perform the tasks:

a. Most recent similar projects prepared by the project team or the Prime Consultant which will demonstrate the competence of the team to perform the work. Include a project on which the principal team members worked together, if possible. At least three projects should be described, if possible, to demonstrate adequate experience. Each description shall include:

- The name of the client and a contact name, address, and telephone number.
- The descriptions should include budget performance and schedule performance, and must clearly indicate the scope of the Consultant's involvement in each project.
- The key personnel involved and the sub-consultants employed.

Sub-consultants should identify at least three recent projects of a similar nature as references. Give the following information on each project:

- The name and location of the project.

- The year the project was started and completed.
- The firm's project responsibilities.
- The name, title, and telephone number of a contact person with the client who is familiar with the project.

Provide a description of the project team's proposed technical and management approach to the project. Include the following information:

- h. A description of the project team's organization required to conduct this project.
- i. The team's identification of the critical project elements that may arise during the term of the contract.
- j. The team's approach to control cost, schedules, and quality.
- k. Any assumptions or limitations as to technical study scope or process.
- l. A budget.
- m. Provide the following information on the project team's personnel:
 - a. The name, position, and resume of the proposed Project Manager who will be the actual key contact with City staff.
 - b. The name, position, resume, and proposed responsibilities for other key personnel. Indicate their present assignments and their availability.
 - c. Describe any special resources the project team may bring to the Project, such as specific recent experience working on comparable projects, recent experience on area projects. Elaborate on why the project team stands above the competition.

SELECTION CRITERIA

Proposals will be evaluated on the following factors, but may not be limited to these factors:

- Understanding of assignment.
- Technical competence/past performance record. Please include a firm resume and at least three references for comparable assignments.
- Staffing capability.
- Approach to work.
- Quality control.

- Demonstrated ability to deliver complete and timely work products.
- Cost.
- Ability to meet City's insurance requirements. The proposal shall contain a statement of liability for the accuracy, validity and reliability of services including insurance.

City staff will review proposals and may require an interview.

No reimbursement will be made by the City for any costs incurred by the consultant candidates related to the preparation and/or presentation of the proposals.

The City reserves the right to reject any and all proposals.

CONTRACT

The selected consultant will be required to enter into a contract with the City. Such contract will not be executed until funds necessary have been identified.

COMMUNICATIONS

Unless otherwise authorized by City staff, all correspondence, questions, or other communications regarding the proposal should be directed to City staff, and no communications with the project applicant, members of City boards or commissions, or the City Council shall be made. Doing so may be grounds for disqualification.

Please contact Kenyon Webster, Planning Director, with any questions at (707) 823-6167 or email at kwebster@cityofsebastopol.org.

PROPOSAL SUBMITTAL PROCEDURE

1. The proposal shall be submitted as one (1) original signed copy plus five (5) photocopies.
2. All questions regarding the RFP shall be directed to:
Kenyon Webster, Planning Director, City of Sebastopol
Telephone (707) 823-6167
e-mail kwebster@cityofsebastopol.org
3. The proposal shall be addressed to:
Kenyon Webster, Planning Director
Planning Department, City Hall, 7120 Bodega Avenue
Sebastopol, CA 95472

Proposals will be accepted until the deadline listed on the first page of this RFP. No facsimiles or email submittals will be accepted.

SELECTION PROCESS

The Consultant selection process is as follows:

- a. The Request for Proposal (RFP) Phase - RFP is prepared and made available to interested Consultants.
- b. The Selection Phase starts with the receipt of proposals from interested Consultants. The proposals will be reviewed by staff. Staff may invite selected consultants to participate in an interview process. All firms submitting proposals will be notified as to their selection status. A recommendation resulting from this review process will be forwarded to the Sebastopol City Council. The City Council will make the final determination of which firm, if any, shall be awarded a contract.
- c. The City reserves the right to reject any and all proposals and to terminate the selection process at any time for any reason without liability to the City. This RFP is not to be construed as a contract or commitment of any kind.

EVALUATION CRITERIA

1. Quality of Proposal
2. Submittal conforming to requirements of RFP.
3. Proposal is concise, relevant, informative, and complete.
4. Complete descriptions and related information on projects used as examples of experience.
5. Experience of Consulting Team.
 1. Number and relevance of projects described to demonstrate the competence of the Consulting Team.
 2. Demonstrated ability to deliver CEQA documents.
 3. Strong communication abilities.
 4. Degree of responsibility of Project Team's firms in described projects.
6. Management Approach to Consulting Team.
 1. Clear and logical description of proposed Consulting Team approach.
 2. Clear and logical description of costing, schedule, and quality control methodology.
 3. Clear statement of team responsibilities and reporting relationships.
1. Availability of team personnel and adequacy of proposed team organization.

2. Experience of Consulting Team Manager(s)
 1. Description of relevant projects and degree of responsibility.
 2. Evidence that back-up staff can be provided with qualifications similar to the primary candidate.
 3. Cost and schedule of performance in described projects.
3. Special Resources of Consulting Team.
4. As applicable, interview presentation and responses.

STANDARD AGREEMENT FOR SERVICES

This standard form, *Agreement for Services*, is an example of the form of contract that the successful Consultant will be expected to execute. This form is included as Attachment A to this RFP. The Consultant is reminded that any proposed change to the *Agreement for Services* will be considered in determining the firm's suitability for inclusion in the interview process.

Attachments:

- Environmental Checklist
- Standard Consultant Agreement

AGREEMENT

THIS AGREEMENT, entered into this _____ day of _____, 2016, by and between the CITY OF SEBASTOPOL, a municipal corporation (hereinafter referred to as "City"), and _____, a California corporation, whose business address is _____ (hereinafter referred to as "Contractor"), is made with reference to the following:

RECITALS:

A. The City is a municipal corporation duly organized and validly existing under the laws of the State of California with the power to carry on its business as it is now being conducted under the statutes of the State of California and the Charter of the City.

B. The City and Contractor desire to enter into an agreement for consultant services for _____; upon the terms and conditions set forth herein.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

1. TERM:

The term of this Agreement shall commence on the _____, and shall

terminate on the _____, unless terminated earlier as set forth herein.

2. SERVICES TO BE PERFORMED BY CONTRACTOR:

Contractor shall perform each and every service set forth in Exhibit "A", which is attached hereto and incorporated herein by this reference.

From the effective date of this Agreement to the end of the contract, Contractor shall make monthly reports in such form as City may require to City concerning the status of the project.

3. COMPENSATION TO CONTRACTOR:

Contractor shall be compensated for service performed pursuant to this Agreement in the total amount of \$_____ (_____dollars and no cents) unless otherwise approved in advance and in writing by the City. Invoices for work performed pursuant to the Agreement may be submitted on a monthly basis.

4. NOTICES:

All notices, demands, requests, or approvals to be given under this Agreement, shall be

given in writing and conclusively shall be deemed served when delivered personally or on the second business day after the deposit thereof in the United States mail, postage prepaid, registered or certified, addressed as hereinafter provided.

All notices, demands, requests, or approvals from Contractor to City shall be addressed to City at:

Sebastopol Planning Department
714 Johnson Street
Sebastopol, CA 95472

ATTN: Director of Planning

All notices, demands, requests, or approvals from City to Contractor shall be addressed to Contractor at:

ATTN: _____

5. INDEPENDENT CONTRACTOR:

Both parties hereto in the performance of this Agreement will be acting in an independent

capacity and not as agents, employees, partners, or joint venturers of one another.

Neither the City nor its officers or employees shall have any control over the conduct of Contractor or any of Contractor's employees, except as herein set forth.

6. INTEGRATED CONTRACT:

This Agreement represents the full and complete understanding of every kind or nature whatsoever between the parties hereto and all preliminary negotiations and agreements of whatsoever kind or nature are merged herein. No verbal agreement or implied covenant shall be held to vary the provisions hereof. Any modification of this Agreement will be effective only by written agreement signed by both City and Contractor.

7. COST OF LITIGATION:

If any legal action is necessary to enforce any provisions hereof or for damages by reason of an alleged breach of any provisions of this Agreement, the prevailing party shall be entitled to receive from the losing party all costs and expenses and such an amount as the court may adjudge to be reasonable attorney's fees.

8. HOLD HARMLESS:

Contractor shall indemnify, defend, and hold harmless City, its City Council, boards and commissions, officers, agents, and employees from and against any and all loss, damages, liability, claims, suits, costs and expenses, whatsoever, including reasonable attorneys' fees, regardless of the merit or outcome of any claim or suit, arising from the negligent acts, omissions or willful misconduct of the Contractor in connection to the services or work conducted pursuant to this Agreement.

Contractor shall indemnify, defend, and hold harmless the City, its City Council, boards and commissions, officers, agents and employees from and against any and all claims and losses whatsoever, including reasonable attorneys' fees, accruing or resulting to any and all persons, firms or corporations furnishing or supplying work, services, materials, equipment or supplies to the extent caused by Contractor's negligent performance in connection with services or work conducted or performed pursuant to this Agreement and arising out of such negligent activities or work, and from any and all claims and losses whatsoever, including reasonable attorneys' fees, accruing or resulting to any person, firm or corporation for damage, injury or death arising out of Contractor's operations.

9. INSURANCE:

Contractor shall provide proof of insurance to City and shall maintain such insurance during the life of this Agreement to the City's satisfaction. Comprehensive General Liability shall be maintained at a minimum of \$1,000,000. Worker's Compensation limits of \$1,000,000 per

accident shall be maintained per the State Labor Code. Comprehensive Automobile Liability Insurance shall be maintained at a minimum of \$300,000.

All required general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

The named additional insured with respect to this contract shall include the following:
The CITY OF SEBASTOPOL, its Officers, Officials, Employees and Volunteers.

The named additional insured are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the contractor; and with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance, or as a separate City's policy.

For any claims related to this project, the Contractor's insurance coverage shall be primary insurance as respects the named additional insured. Any insurance or self-insurance maintained by the named additional insured shall be excess of the Contractor's insurance and shall not contribute with it.

Each insurance policy required by this clause shall be endorsed to state that coverage

shall not be canceled by either party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City Acceptability of Insurers Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A: VII. Contractor shall furnish the City with any original certificates and amendatory endorsements affecting the coverage required by this clause. The endorsements should be on forms provided by the City or on other than the City's forms or a separate City's policy, provided those forms or policies are approved by the City and amended to conform to the City's requirements. All certificates and endorsements are to be received and approved by the City before the contract is executed by the City. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time. All certifications and endorsements shall reference the appropriate policy number, names of insured, and shall be signed by an authorized representative of the insurer. Contractors shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverage for subcontractors shall be subject to all of the requirements stated herein.

10. PROHIBITION AGAINST TRANSFERS:

Contractor shall not assign, sublease, hypothecate, or transfer this Agreement or any interest therein directly or indirectly, by operation of law or otherwise without the prior written consent of the City. Any attempt to do so without said consent shall be null and void, and any assignee, subleasee, hypothecatee or transferee shall acquire no right or interest by reason of

such attempted assignment, hypothecation or transfer.

The sale, assignment, transfer or other disposition of any of the issued and outstanding capital stock of Contractor, or of the interest of any general partner or joint venturer or syndicate member or cotenant, if Contractor is a partnership or joint venturer or syndicate or cotenancy, which shall result in changing the control of Contractor, shall be construed as an assignment of this Agreement. Control means fifty (50) percent or more of the voting power of the corporation.

11. COUNTERPARTS:

This Agreement may be executed in several counterparts, each of which is an original, all of which together constitute one and the same document.

12. PERMITS AND LICENSES:

Contractor, at its sole expense, shall obtain and maintain during the term of this Agreement, all appropriate permits, licenses and certificates that may be required in connection with the performance of services hereunder.

13. NON-DISCRIMINATION:

Contractor and Contractor's employees shall not discriminate because of sex, race, age,

marital status, color, religion, ancestry, sexual orientation, national origin, AIDS, or handicap against any person by refusing to furnish such person any accommodation, facility, service or privilege offered to or enjoyed by the general public. Nor shall Contractor or Contractor's employees publicize the accommodations, facilities, services, or privileges in any manner that would directly or inferentially reflect upon or question the acceptability of the patronage or any person because of sex, race, age, marital status, color, religion, ancestry, sexual orientation, national origin, AIDS, or handicap, all subject to reasonable orders of the City.

In the performance of this Agreement, Contractor shall not discriminate against any employee or applicant for employment because of sex, race, age, marital status, color, religion, ancestry, sexual orientation, national origin, AIDS, or handicap. Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their sex, race, age, marital status, religion, color, ancestry, sexual orientation, national origin, AIDS, or handicap.

Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Contractor shall permit access to Contractor's records of employment, employment advertisements, application forms, and other pertinent data and records by the State Fair Employment, or any other agency of these State of California designated by the authority, for the

purpose of investigation to ascertain compliance with this Section.

14. WAIVER:

A waiver by the City of any breach of any term, covenant, or condition contained herein shall not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained herein, whether of the same or a different character.

15. TERMINATION:

In the event Contractor hereto fails or refuses to perform any of the provisions hereof at the time and in the manner required hereunder, Contractor shall be deemed in default in the performance of this Agreement. If such default is not cured within a period of two (2) days after receipt by Contractor from City of written notice of default, specifying the nature of such default and the steps necessary to cure such default, City may terminate this Agreement forthwith giving the Contractor written notice thereof.

In the event that City duly notifies Contractor prior to completion of the project, that City wishes to cancel preparation of the work products require under this Agreement, City may terminate this Agreement forthwith by giving to the Contractor written notice thereof. City shall reimburse Contractor for costs and expenses incurred up to the cancellation date. This reimbursement shall be made within thirty (30) days of City receipt of Contractor invoices for

costs and expenses incurred, and receipt of all work products produced up to the cancellation date.

16. REPORTS:

Contractor shall, at such time and in such form as the City may require, furnish reports concerning the status of services required under this Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed the day and the year first above written.

CITY OF SEBASTOPOL,
a municipal corporation

BY: _____
City Manager

CONTRACTOR:

BY: _____

Exhibit "A"

Project Description and Scope

