MEMO

Date: September 4, 2015

To: Facilities Master Planning and Oversight Committee:
   Ernie Moreno, chair; Scott Svonkin and Sydney Kamlager

From: James O'Reilly, chief facilities executive

RE: September 16, 2015 Facilities Master Planning and Oversight Committee

Please find attached background materials for the Facilities Master Planning and Oversight meeting to be held on September 16, 2015.

There will be a review of an Environmental Impact Report (EIR) Addendum for Valley College, a follow-up report regarding bond-funded information technology projects, the annual update from the Program Management Office and a presentation regarding recommendations for a request for qualifications (RFQs) for professional services for a districtwide Energy Policy Act program.

I would request at the meeting that you consider a vote to recommend the EIR item and the RFQ proposals item, as there will be related action items on the board report for October 7, 2015.

I will be joined by staff at the meeting to discuss the item on the agenda. Please feel free to call me at (213) 891-2048 if you have any questions.

C: Dr. Francisco Rodriguez, chancellor
   Dr. Adriana Barrera, deputy chancellor
   Dr. Erika Endrijonas, president, Valley College
   Thomas Hall, director, Facilities Planning and Development
   Bill Sewell, interim director, LACCD bond Program Management Office

JDO/drm
The LAVC Environmental Impact Report (EIR) was certified in 2003.

EIR Addenda followed in 2006 and 2011.

The EIR includes a mitigation measure, AQ-9, which requires that LAVC:

“Construct a temporary fence around the perimeter of the Child Development Center site to shield the Center from fugitive dust emissions. The fence shall have a minimum height of 8 feet and a solid or impermeable surface.”
Request – Nos. 1 and 2

1. Approve the EIR 2015 Addendum to the 2003 Valley College Facilities Master Plan EIR

2. Modify Mitigation Measure AQ-9 so it will continue to provide fugitive dust protection to the Child Development Center (CDC) while reducing unintentional impacts to safety. The mitigation measure, as amended, will be implemented as shown on the “Amended” site plan contained within the report.
Improvements to Original Mitigation Measure in 2003 EIR

- Modifying the 8-foot impermeable fence around the CDC as described in the EIR will:
  1. Improve the Fire Department’s ability to respond to emergencies;
  2. Improve the Sherriff’s ability to visually observe and physically access the site;
  3. Eliminate concealed spaces;
  4. Reduce obstructions to pedestrian traffic patterns;
  5. Maintain existing ADA paths of travel; and
  6. Eliminate potential code violation regarding exit discharge.
Change in Temporary Fence Location to Increase Safety

Yellow dashed line – original planned location of temporary 8-ft impermeable fence per mitigation measure

Red line – proposed locations of 8-ft impermeable fences pursuant to EIR Amendment
Proposed Measure to Improve Safety

- It is proposed that the impermeable fence be placed only along the western side of the CDC and closer to the source of the potential fugitive dust source.

- No fence is required to the north, east or south; construction will only be on the west side of the CDC.
Request – No. 3

- Update the Facilities Master Plan to reflect the following board-approved name changes:
  1. Valley Academic and Cultural Center (Board approved: March 2015)
  2. Student Union (Board approved: March 2015)
  3. Administration and Career Advancement (Board approved: July 2015)
This Addendum to the Los Angeles Valley College (“LAVC”) 2003 Facilities Master Plan Final Environmental Impact Report (“EIR”) has been prepared pursuant to Title 14 of the California Code of Regulations (“CCR”) section 15164.

The LAVC EIR was originally certified in 2003. There were Addendums to the EIR in 2006 and 2011. The EIR includes a mitigation measure, AQ-9, which requires that LAVC “construct a temporary fence around the perimeter of the Child Development Center site to shield the Center from fugitive dust emissions. The fence shall have a minimum height of 8 feet and a solid or impermeable surface.”

LAVC is moving forward with construction of the Valley Academic and Cultural Center (“VACC”) on the LAVC campus, and construction of the VACC triggers implementation of mitigation measure AQ-9.

Based on staff’s analysis, LAVC has determined that mitigation measure AQ-9 should be revised to have the temporary fencing located closer to the VACC construction site for the following reasons:

1. **Safety**

If an 8-foot impermeable fence is constructed around the CDC as currently described in the EIR, it will pose a safety hazard for reasons including but not limited to:

   a. Per California Building Code, Section 1027 Exit Discharge: [B] 1027.5 Access to a public way. The exit discharge shall provide a direct and unobstructed access to a public way. If an 8-foot impermeable fence is erected, a violation of this Code may be created.

   b. The Fire Department’s ability to fight fires at the CDC will be adversely impacted by the restricted access resulting from an 8-foot impermeable fence surrounding the entire CDC.

   c. An 8-foot impermeable fence will limit the Sherriff’s ability to visually observe and physically access the CDC.

   d. An 8-foot impermeable fence creates concealed spaces which increases the likelihood of illegal activities near the CDC.

   e. Given the existing access routes to and from the CDC, an 8-foot impermeable fence will obstruct pedestrian traffic on sidewalks at certain locations.

   f. Given the existing access routes to and from the CDC, an 8-foot impermeable fence will obstruct designated ADA paths of travel at certain locations.
2. **Changed Circumstances**

   a. The 2003 EIR, and Mitigation Measure AQ-9, was prepared before the CDC was constructed, and without full knowledge of where the source of fugitive dust might actually come from or without knowledge of what the CDC’s building configuration might ultimately be. The risk of fugitive dust from the VACC comes from the southwest side of the CDC. At the time the EIR was written, the CDC was envisioned to be a structure positioned in the center of the site, surrounded by a fenced playground. However, the CDC’s building configuration as was actually constructed has the building face near the property south and west property lines with the majority of the play areas either in the center of the site or on the westerly part of the site. As such, the building itself acts as an impermeable barrier separating the current proposed project from the play areas. Only one small patio area to the west of the site is not surrounded by the building structure. It is used infrequently. Therefore, the actual configuration of the CDC does not complement the existing language of mitigation measure AQ-9.

3. **The Modified Mitigation Measure is Just as Effective as the Old Mitigation Measure in Protecting The CDC Against Fugitive Dust**

   To eliminate the safety concerns indicated above, it is proposed that the impermeable fence be placed only along the westerly side of the CDC which is the direction of the potential source of fugitive dust from the VACC project. There will not be any construction directly to the north, east, or south. This protects the small patio area on the west of the site. Other play areas within the facility are protected from fugitive dust by the building structure itself therefore nullifying the need for a temporary impermeable fence for those locations.

   To determine whether the revised mitigation measure would be as effective as the original mitigation measure in controlling fugitive dust impacts on the CDC, LAVC retained its consultant, ICF International (“ICF”), to evaluate whether the proposed revision to mitigation measure AQ-9 would change the effectiveness of the mitigation measure. ICF’s analysis is included as Exhibit A to this Addendum. ICF has determined that the revision to the mitigation measure will not decrease the effectiveness of the mitigation measure AQ-9.

   **Project location**

   This Addendum to the EIR relates to the LAVC campus – 5800 Fulton Ave, Valley Glen, CA 91401

   **Current Request**

   LAVC seeks to modify mitigation measure AQ-9 so that it will continue to provide fugitive dust protection to the CDC, while also reducing unintentional impacts to safety. The mitigation measure, as amended, will be implemented as shown on the “Amended” site plan contained within the ICF report.
CEQA Guidelines Section 15162 and 15164 Determination

Consistent with the requirements of CEQA Guidelines Section 15162, the Los Angeles Community College District Board of Trustees ("Board") must determine whether the proposed changes to the EIR MMRP, specifically mitigation measure AQ-9, trigger the need for a subsequent EIR. Under CEQA, when an EIR has been certified for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of a new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects; or

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows and of the following:

   A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

   B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

   C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

   D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If any of the triggers set forth above occurs, the Board would be required to prepare a subsequent EIR, unless "only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation," in which case a "supplement to an EIR" would suffice (see CEQA Guidelines, §15163). If there are no grounds for either a subsequent EIR or a supplement to an EIR, then the District may prepare an addendum pursuant to CEQA Guidelines, Section 15164, explaining
why “some changes or additions” to the Subsequent EIR “are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.”

Staff has concluded that an Addendum to the EIR is the appropriate document under CEQA for the request to modify mitigation measure AQ-9 for the following reasons:

a. The proposed modifications to mitigation measure AQ-9 would not alter any of the conclusions of the EIR regarding the significance of environmental impacts. The proposed modification will not increase the number of facilities at LAVC, will not change approved student enrollment numbers, or change land use designations. Therefore, the impacts on the physical environment will be unchanged by this Addendum.

b. The proposed modification to mitigation measure AQ-9 will not decrease the effectiveness of the EIR MMRP because the mitigation measure modification will not increase the fugitive dust impacts that the CDC may be subject to.

**Exhibit A:** ICF Memorandum re “2003 Los Angeles Valley College Facilities Master Plan EIR - Change to Mitigation Measure AQ-9.”

**Exhibit B:** LAVC letter Re: “Temporary Fence around the Child Development Center per 2003 LAVC Facilities Master Plan.”
Los Angeles Valley College (LAVC) is proposing to modify Mitigation Measure AQ-9 as presented in the 2003 Los Angeles Valley College Facilities Master Plan Final EIR. The original and modified mitigation measures are provided below:

- Original Mitigation Measure AQ-9: Construction of a temporary fence around the perimeter of the Child Development Center site to shield the Center from fugitive dust emissions. The fence shall have a minimum height of 8 feet and a solid or impermeable surface.

- Modified Mitigation Measure AQ-9: Construction of a temporary fence along the Campus Drive frontage of the Child Development Center site to shield the Center from fugitive dust emissions. The fence shall have a minimum height of 8 feet and a solid or impermeable surface.

After reviewing the air quality analysis presented in the 2010 Update to the 2003 Los Angeles Valley College Facilities Master Plan Final EIR Addendum and the LAVC provided architectural drawings (attached) that show the locations of the Child Development Center, area of proposed construction activity, and proposed temporary fence locations along the Campus Drive frontage of the Child Development Center and surrounding the area of proposed construction activity, it is our determination that the proposed modification to Mitigation Measure AQ-9 would have no negative effect on shielding the Child Development Center from nearby construction activity fugitive dust emissions.

The proposed modification would have no effect on regional or local particulate matter (PM) emissions; and furthermore, the temporary fence proposed to surround the actual area of proposed construction activity would be more effective at controlling PM emissions that would occur.

It is reiterated that PM emissions occur as a result of demolition activity, ground disturbance activity, or tail-pipe emissions. Since this proposed modification to Mitigation Measure AQ-9 would not affect the level of demolition activity, ground disturbance activity (i.e., site grading or excavation activity), or tail-pipe emissions (i.e., require additional construction equipment operation or haul truck activity), there would be no potential for regional or local PM emissions to increase.

Also note that PM emissions are more effectively controlled at the emissions source than at a more-distant sensitive receptor location. This is because: 1) PM concentrations decrease as distance from an emissions source increase, and 2) any PM emissions reductions at the emissions source will lead to proportional
decreases in PM concentrations as distance from the PM emissions sources increases. For example, a 20 percent reduction in PM emissions would lead to a 20 percent reduction in PM concentrations (assuming identical climate conditions). As such, the temporary fence proposed to surround the actual area of proposed construction activity would more effectively control PM emissions at the source, and therefore reduce PM concentrations at all distances beyond the source, including the Child Development Center.

Attachment:
Los Angeles Valley College Architectural Drawings
AQ.9 Construct a temporary fence around the perimeter of the Child Development Center site to shield the Center from fugitive dust emissions. The fence shall have a minimum height of 8 feet and a solid or impermeable surface.

8' TALL CHAIN LINK JOBSITE PERIMETER FENCE WITH VISION SCREEN FABRIC

3 EA. MIN ADA ACCESS CABLE GATES, TYP.

Access to play yard areas to be determined, TYP.

375 FEET appx.

225 FEET appx.
8 TALL CHAIN LINK FENCE PERIMETER FENCE WITH VISION SCREEN FABRIC

AQ.9 Construct a temporary fence at the west-facing play yard along the Campus Drive frontage of the around the perimeter of the Child Development Center site to shield the one west-facing play yard at the Center from fugitive dust emissions. The fence shall have a minimum height of 8 feet and a solid or impenetrable surface.
5-18-2015

Re: Temporary Fence around the Child Development Center per 2003 LAVC Facilities Master Plan

Original Mitigation Measure AQ-9 - Construction of a temporary fence around the perimeter of the Child Development Center site to shield the Center from fugitive dust emissions. The fence shall have a minimum height of 8 feet and a solid or impermeable surface.

This mitigation measure should be revised to have the temporary fencing located closer to the Project site for the following reasons:

1. **Safety**

   If an 8-foot impermeable fence is constructed around the CDC as described in the EIR, it will pose a serious safety hazard for reasons including but not limited to:

   a. Per *California Building Code, Section 1027 Exit Discharge: [B] 1027.5 Access to a public way*, the exit discharge shall provide a direct and unobstructed access to a public way. If an 8-foot impermeable fence is erected, a violation of this Code is created.
   
   b. The Fire Department’s ability to fight fires at the CDC will be adversely impacted by the restricted access resulting from an 8-foot impermeable fence.
   
   c. An 8-foot impermeable fence will limit the Sheriff’s ability to visually observe and physically access the CDC.
   
   d. An 8-foot impermeable fence creates concealed spaces which increase the likelihood of nefarious activities; both day and night.
   
   e. Given the existing access routes to and from the CDC, an 8-foot impermeable fence will obstruct pedestrian traffic on sidewalks at certain locations and will cause pedestrians to use alternate routes. This significantly increases the likelihood that a pedestrian will be struck by a vehicular traffic.
   
   f. Given the existing access routes to and from the CDC, an 8-foot impermeable fence will obstruct designated ADA paths of travel at certain locations; a violation of Code and the Americans with Disabilities Act

2. **Changed circumstances**

   a. The EIR, and Mitigation Measure AQ-9 was prepared before the CDC was constructed, and without full knowledge of where the source of fugitive dust might actually come from or without knowledge of what the CDC’s building configuration might ultimately be. The risk of fugitive dust from the current proposed project comes from the southwest side of the CDC. At the time the EIR was written, the CDC was envisioned to be a structure positioned in the center of the site, surrounded by a fenced playground. However, the CDC’s building configuration as was actually constructed, has the building face near the property south and west property lines with the majority of the play areas either
LOS ANGELES COMMUNITY COLLEGE DISTRICT
DEPARTMENT OF FACILITIES PLANNING AND DEVELOPMENT
SUSTAINABLE BUILDING PROGRAM

in the center of the site or on the westerly part of the site. As such, the building itself acts as an
impermeable barrier separating the current proposed project from the play areas. Only one small patio
area to the west of the site is not surrounded by the building structure. It is used infrequently.

3. Proposed Alternative Mitigation Measure to Eliminate Safety Concerns

To eliminate the safety concerns indicated in Item #1 above, it is proposed that the impermeable fence
be placed only along the westerly side of the CDC which is the direction of the potential source of
fugitive dust from the current proposed project. There will not be any construction directly to the north,
east, or south. This protects the small patio area on the west of the site. Other play areas within the
facility are protected from fugitive dust by the building structure itself therefore nullifying the need for a
temporary impermeable fence.

By signing below, I am approving the changes mentioned above. New temporary fence at entire
building perimeter will be eliminated and replaced with partial fence at Campus Dr. playground and at
the adjacent South East corner of the new construction site.

M. Strauss
Position: CDA
Location: LAVC-CPT

8/5/15
This report is a follow up to a presentation made on April 29, 2015 to the Facilities Master Planning and Oversight Committee (FMP&OC). The presentation included an account status update as it related to the 40J districtwide IT account, its associated projects, budgets and expenditures, along with an assessment of each of the projects included as part of the 40J districtwide IT account.

Since then, the PMO has worked with a variety of committees and stakeholders to develop a districtwide IT Strategic Execution Plan (SEP). The presentation will review the process undertaken to develop the SEP, major events and stakeholders involved. The districtwide IT SEP will outline priorities advised by the Technology Program and Planning Committee and the projects listed by priority by the colleges as well as an outline of the next steps for successful implementation.

# # #
PROGRAM MANAGEMENT OFFICE ANNUAL UPDATE
Executive Overview

The PMO annual update report will present a year in review on progress made on the BuildLACCD Program from June 2014 to June 2015.

As the focus of the Bond Program is a strong program finish, the report will highlight each college’s project execution and completion plan, performance accountability and continued process improvement and transparency, client feedback, a six-month procurement and project delivery look-ahead, as well as additional metrics analyzed on a regular basis at the program level.

# # #
DATE: August 31, 2015

TO: Facilities Master Planning and Oversight Committee
    Chancellor Francisco C. Rodriguez

FROM: John P. Dacey, Esq., Lead Construction Counsel JPD
    James O’Reilly, Chief Facilities Executive

SUBJECT: District-Wide Energy Policy Act Program -
Request for Qualifications and Proposals for
Professional Services

Meeting Date: September 16, 2015

EXECUTIVE SUMMARY

I. Request for Qualifications and Proposals for District-wide EPACT 2005
   Professional Monetization Services

The Board previously authorized Facilities Planning and Development to conduct a Request for
Qualifications and Proposals to identify potential professional service providers to perform
District-wide EPACT 2005 Monetization Services. EPACT refers to the Energy Policy Act of
2005 passed by the United States Congress.

As previously advised, the District seeks to secure such services so as to try and generate money
for the District from either money paid by Designers and/or reduced design fees (the District
would otherwise have to pay to Designers) by providing tax deductions to Designers based on
installing certain energy efficient building systems in District owned buildings. The types of
energy efficient improvements that qualify for the tax deductions include interior lighting
systems, heating, cooling, ventilation and hot water systems, and/or a building’s envelope.

The current procurement process underway has the following key dates:

Statements of Interest due: August 31, 2015
Statement of Qualifications due: September 11, 2015
Proposals due: September 11, 2015
Interviews: September 14, 2015
Provided the procurement proceeds as scheduled above, FPD plans to bring its recommendations to the Chancellor and this Committee at the September 16, 2015 Committee Meeting and has tentatively scheduled the October 7, 2015 Board Meeting as the target date for an award.

The procurement is being overseen by Tom Hall, Director of Facilities Planning and Development, as the District Contracting Officer, and by Lead Construction Counsel.

FPD’s recommendations will also be submitted in writing in advance of the September 16, 2015 Committee Meeting as soon as the Proposals have been evaluated and any interviews conducted.

[End of Executive Summary]