Atascadero City Council
Staff Report – Community Development Department

Wal-Mart Project and EIR Update
EIR Request of Proposal Process

RECOMMENDATIONS:

Council:

1. Direct staff to issue a request for proposals (RFP) for an Environmental Impact Report (EIR) per the City’s purchasing policy for the Wal-Mart project; and,
2. Modify staff authorization to process a Planned Development rather than a Specific Plan for the Wal-Mart application by adopting Draft Resolution A.

DISCUSSION:

Background:

Project Applications
The City of Atascadero has received two separate General Plan Amendment applications for the following:

- A Wal-Mart Supercenter consisting of a commercial-retail store with grocery sales of approximately 142,811± square-feet with a 3,696± square-foot outdoor garden area for a total building area with outdoor garden center of 146,507± square feet. The General Plan Amendment requests the re-designation of 7.9± acres of MDR, (Medium Density Residential) to GC (General Commercial) to create a total site of 21.0± acres of GC (General Commercial).

- The proposed Annex project application is for 115,850± square-feet of commercial buildings located north of the Del Rio Road / El Camino Real intersection on the east and west side of El Camino Real. The General Plan Amendment requests the re-designation of 5.0± acres of SFR-X and CPK (Single-Family Residential – X and Commercial Park) to GC
(General Commercial) to create a total site of 15.0± acres of GC (General Commercial).

On March 11, 2008, the City Council directed staff to initiate the process of amending the General Plan and analyzing the projects. In that direction, the Council also directed staff to:

- define a comprehensive project area boundary
- prepare a Specific Plan
- prepare an EIR to analyze the impacts of the proposed project

Since that time, the Rottman Group has contacted the City via EDA (applicant representative) and requested not to be included in a Specific Plan (refer to letter on next page). Due to economic considerations, the Rottman Group does not plan to move forward with their proposed project at this time, and believes the project will need to be scaled down. The Rottman Group has stated that the scaled down project may eliminate the need for a General Plan Amendment on the Rottman site.

In addition, Wal-Mart has also contacted the City via EDA (applicant representative) and requested to move ahead with the project and EIR under a Planned Development rather than a Specific Plan (refer to letter on second page). Wal-Mart has stated that their project must move ahead now, and they are not in a position to wait for the Rottman Group.
May 27, 2008

Attn: Warren Frace

City of Atascadero
Community Development Department

Subject: Proposed Annex Application

Mr. Frace:

On behalf of the Rottman Group, I am writing this letter to update the City regarding the status of applications and to clarify the entitlements that the Rottman Group is requesting from the City.

The Rottman Group is currently changing the project scope of the Annex center and is working on a revised site plan. The revised site plan eliminates the need for any General Plan Amendment or Zone Change applications and removes the parcel west of El Camino Real from the project.

When the proposed site plan is complete eda will submit new applications to the city. The Rottman Group intends to secure a Conditional Use Permit and applicable subdivision map to entitle the revised project.

At this time the Rottman Group does not intend to process a Specific Plan for this project, but will continue to coordinate with the Wal-Mart project regarding offsite improvements and grading design.

Thank you for your time and consideration with this matter.

Regards,

Robert D. Winslow, PE
Associate - Project Manager
eda - design professionals
May 27, 2008

Attn: Warren Frace

City of Atascadero
Community Development Department

Subject: Proposed Wal-Mart Application

Mr. Frace:

On behalf of Wal-Mart Stores Inc., I am writing this letter to update the City regarding the status of applications and clarify the entitlements that Wal-Mart is requesting from the City.

Wal-Mart Stores Inc. desires to pursue the “150,000 square foot store” currently on file with the City. However, in light of economic developments and coordination with the Rottman Group, the Wal-Mart project team feels that it is appropriate to process this project separately from the Annex project. The description of the proposed Wal-Mart project has not changed.

Therefore, we are requesting the following entitlements be processed:

- General Plan Amendment
- Zone Change
- Planned Development Overlay Zone
- Vesting Tentative Parcel Map
- Other use or construction permits as required

At this time, Wal-Mart does not intend to process a Specific Plan for this project.

Thank you for your time and consideration with this matter.

Regards,

[Signature]

Robert D. Winslow, PE
Associate - Project Manager
eda - design professionals
Analysis:

Planned Development instead of Specific Plan

Early in the discussion of the Annex project, both the Rottman Group and staff agreed that a specific plan would be an ideal planning tool to create a master plan of the commercial areas surrounding El Camino Real and Del Rio Road. The primary benefit of the specific plan process is to coordinate the land uses, infrastructure and financing of an area with multiple owners. Unfortunately, with the Rottman Group’s withdrawal from the specific plan process there is no longer applicant support to fund an area wide master plan. If the City were to require a specific plan, the City could be obligated to fund the planning efforts beyond Wal-Mart’s site. The City could be reimbursed later for the specific plan as development occurs.

A planned development is another type of planning process that can also be used to master plan an area. Wal-Mart is requesting that a planned development be processed for their property only with an EIR. The City has used planned developments frequently on large master plan projects including the Home Depot Center and Dove Creek. The planned development process will provide the City with control over the size, architecture appearance, site design, landscaping, traffic circulation, infrastructure, and signage for the project. In addition, the EIR process will analyze the traffic impacts of the surrounding undeveloped commercial areas and will provide mitigation measures to ensure orderly development.

Due to the lack of cooperation from adjacent property owners, staff agrees with Wal-Mart’s request to substitute a planned development process for the specific plan. Approval of Draft Resolution A (Attachment 5) will allow staff to move forward on the planned development process.

Staff has received a letter from the First Assembly Church asking that its property located across the freeway on Del Rio Road be included in the specific plan process for a potential General Plan Amendment and zoning change (refer to Attachment 2). Since there is no interest in a specific plan from Wal-Mart or the Rottman Group, staff recommends that the First Assembly Church property not be considered for inclusion in any part of the planning process.

Environmental Review / CEQA

Due to the size and scope of the proposed Wal-Mart project and the General Plan Amendments, an EIR will be required in conformance with the California Environmental Quality Act (CEQA). The EIR would be processed simultaneously with the planned development application and would provide an analysis of the Wal-Mart project and a range of project alternatives. The EIR would also include
a “no project” alternative which would allow the Council to compare the impacts of approving the proposed project with the positive and negative impacts of development under the existing zoning.

EIR’s involving Wal-Mart projects are often the target of legal challenge. Due to the comprehensive scope, complexity and potential legal challenge of an EIR, the preparation of the documents will require an experienced and qualified professional consultant who will be under contract and managed by the City. The cost of preparing the EIR and planned development will be funded by Wal-Mart. Staff has requested the applicant submit a deposit to cover the upfront costs of initiating the consultant selection process, per the City’s fee schedule.

**Request for Proposal Process**

The City’s Purchasing Policy provides a process for the hiring of professional services consultants (refer to Attachment 1). Staff will be following the Purchasing Policy to select consultants for the EIR. The first step in the process is the issuance of a Request for Proposal (RFP) to qualified consultants requesting a proposal to perform a professional service for the City. The RFP describes the scope of work, the expectations, and performance requirements for the process. A draft RFP is attached (Attachment 3) along with a mailing list (Attachment 4) for Council’s information.

**Planned Development / EIR Process**

Planning staff will be responsible for the preparation of the planned development. The first step in the planned development process will be a community workshop. Although, there have been many public meetings regarding the Wal-Mart project, all of these meetings have focused on whether or not the City should process an application. To date, there have not been any public meetings to discuss the appearance, design, landscaping or layout of the proposed Wal-Mart project. Following the community workshop, a joint Planning Commission and City Council meeting will be held to select a final project description of the planned development.

Once the planned development scope is defined, the EIR consultant will begin the public scoping process to identify the environmental issues that will be addressed under the EIR. At this point, both staff and EIR consultants will work in parallel preparing the necessary documents and exhibits for draft plans. When the Draft EIR is completed, it will be released for public comment and review. Following the review process, hearing drafts will be prepared for public hearings before the Planning Commission and City Council.
Preliminary Project Process

1. EIR Consultant Hired
2. Community Workshop
3. Joint Planning Commission / City Council Meeting
4. Finalize Project Description
5. EIR Scoping
6. Environmental Analysis / Project Alternatives
7. Draft EIR
8. Public Review and Comment
9. Final EIR
10. Planning Commission Hearing
11. Council Hearing
Selection Committee Members
The City Purchasing Policy requires a selection committee be assembled to review the proposals that are received. Staff is considering a five member selection committee representing a cross section of professionals who have a range of experience working on large projects and EIR’s.

Preliminary Selection Committee Members:

- Warren Frace, Community Development Director
- Steve Kahn, Public Works Director
- Brian Pierik, City Attorney
- San Luis Obispo County Senior Planning Staff Member
- Local City Senior Planning staff or Director

The Selection Committee is setup to balance staff input with outside planning professionals and the City Attorney. The Selection Committee will convene to review all of the proposals that were received and determine a “short list” of consultants to interview. Based on the interview process and proposals, the Selection Committee will choose both a Specific Plan and an EIR consultant. These consultants will be recommended to the City Council for the awarding of a contract.

Conclusion:

The Del Rio / El Camino Real area represents the City’s most promising area for a large scale commercial development. Preparation of a planned development and EIR for the Wal-Mart project will establish the groundwork that will allow the build-out of the remaining vacant commercial parcels. The hiring of an EIR consultant and authorization of a planned development process will allow the Wal-Mart project to move forward.
FISCAL IMPACT:

The fiscal impact of this process on the City is expected to be minimal. The City’s cost recovery fees will require that planning staff time is covered for the preparation of the EIR. Additional processing fees for the General Plan amendment and planned development process will cover additional staff time.

ALTERNATIVES:

1. The City Council may direct staff to modify the draft RFP’s or modify the selection process.
2. The City Council may direct staff to investigate processing the Wal-Mart project under a different process than a planned development.

ATTACHMENTS:

1. Attachment 1: October 24, 2006 City Purchasing Policy: Professional Service >$40,000
2. Attachment 2: April 21, 2008 Letter from First Assembly Church
3. Attachment 3: Draft Request for Proposal for EIR
4. Attachment 4: Draft Consultant Mailing List
5. Attachment 5: Draft Resolution A - Wal-Mart Supercenter Re-Authorizing Staff to Process General Plan Amendment
3.0 City Council Award > $40,000.00

Professional service contracts exceeding $40,000 must be awarded by the City Council. A Formal Request for Proposal (RFP) or a Request for Qualifications (RFQ) process should be used, thereby assuring the City that it has engaged the most qualified consultant available for the engagement. The formal process generally takes more time and expense than informal solicitations of qualifications and in some instances may actually not be the most cost-effective approach.

3.1 Formal Request for Proposal or Request for Qualifications:

Developing the RFP or RFQ: Because RFP’s and RFQ’s ask for a subjective product, they should contain the greatest detail possible, and may include the following:

A precise description of the problem or objective
The services to be performed
The product to be provided
3.0 City Council Award > $40,000.00 (CONTINUED)

3.1 Formal Request for Proposal or Request for Qualifications: (continued)

Developing the RFP or RFQ (continued)

The anticipated time schedule for:

- Submittal of RFP/RFQ (date and time)
- Any pre-proposal conference (date, time and location)
- Review and evaluation of the proposals
- Award of the contract
- Commencement of work on the project
- Completion date

Evaluation factors and the relative importance of each.

Expectations or limitations on the part of the City, i.e.

- The format, form and quantity of any expected reports
- The extent/nature of assistance/cooperation available from the City

Expected content of the RFP/RFQ, including:

- The overall description of techniques to be used
- Listing of similar services provided to other clients
- Listing of available references to contact
- Description and qualifications of assigned lead and supporting personnel
- Time and staff expected to be expended
- Facilities and equipment to be used
- Portion of contract to be performed by sub-contractors
- Subcontractors/Subconsultants qualifications
- Cost, in summary and total, and desired method of payment. The RFP/RFQ for services may, but is not required to, state the amount budgeted for the service.

Contractual requirements including, but not limited to:

- Prohibition against assignment
- Indemnification
- Insurance requirements
3.0 City Council Award > $40,000.00 (CONTINUED)

3.1 Formal Request for Proposal or Request for Qualifications: (continued)

Developing the RFP or RFQ (continued)

8. Contract Requirements (continued)

   Bonding requirements
   Warranties
   Compliance with federal, state and City laws, rules and regulations
   Compliance with any grant related regulations
   Sample contract

Construction project management service RFP’s may require evidence be provided of experience in construction project design review and evaluation, construction mobilization and supervision, bid evaluation, project scheduling, cost-benefit analysis, claims review and negotiation, and general management and administration of a construction project.

b) Issuing the RFP/RFQ

   To ensure maximum exposure and competition, the responsible department shall prepare a list of potential firms to receive the RFP/RFQ. City staff shall make reasonable efforts to ensure that small business firms, located in San Luis Obispo County, are aware of the RFP/RFQ’s issued.

   If required or desired, the responsible department will submit the RFP/RFQ notice to be advertised in a local newspaper of general circulation. The notice will be published one or more times beginning at least fourteen calendar days prior to the designated closing. Additional advertisements may be placed in a regional newspaper of general circulation; appropriate professional or trade journals; and state or governmental publications designed for public notice.

   A reasonable length of time between solicitation and closing dates must be allowed to provide potential respondents time for preparation in accordance with the complexity, the size of the project, and the scope of advertising.

   City staff may conduct conferences to explain the requirements of the project. A sufficient amount of time should be allowed after the RFP/RFQ has been issued to allow potential respondents to become familiar with the project. Any clarification or changes required to the RFP/RFQ, as a result of the conference, shall be added as a written amendment. A summary of the conference shall be provided to all prospective respondents receiving the request.
3.0 City Council Award > $40,000.00 (CONTINUED)

3.1 Formal Request for Proposal or Request for Qualifications: (continued)

Issuing the RFP/RFQ (continued)

The requesting department shall prepare sufficient copies of the RFP/RFQ to allow distribution to potential respondents of record and responses to the published advertisements. In addition, the department shall maintain a list of RFP/RFQ’s issued and responses.

Amendments should be used to make any changes in quantities, descriptions, schedules, or to correct defects or ambiguities in the original RFP/RFQ. Amendments are provided to ensure that all potential respondents are furnished with the same information with which to prepare proposals.

Amendments to the RFP/RFQ shall be identified as such and shall require acknowledgment as such by firms receiving the RFP/RFQ. Amendments shall be sent to all known recipients of the RFP/RFQ within a reasonable time period before the closing date. If the time and date established for the receipt of proposals does not allow sufficient time for consideration and changes, the time and date will be modified by amendment.

Proposal Opening:

Proposals shall be submitted to the City Clerk’s office and shall be clearly identified with the Proposal number on the envelope. Faxed or other electronic proposals are not acceptable.

Proposals received by 5:00 p.m. of the designated closing day will be opened on the following workday for preliminary review.

Any proposal received after the time specified in the RFP/RFQ shall be returned unopened.

To avoid disclosure of the contents of competing RFPs/RFQs, proposals will be opened in the presence of City Clerk or his/her designee and the Department Head or the Director of Administrative Services, requesting the proposals.

Respondents may modify or withdraw their proposals prior to the established closing date and time, without penalty. However, any modifications submitted after the established closing date and time will not be accepted. Such modifications will be returned to the respondent, unopened.
3.0 City Council Award  > $40,000.00 (CONTINUED)

3.1 Formal Request for Proposal or Request for Qualifications: (continued)

Issuing the RFP/RFQ (continued)

The City Clerk’s office shall maintain a list of proposals received, including name and address of respondent, the number of modifications received, if any, and any additional information requested. The register will be open to inspection after the award of the contract or the rejection of all proposals.

Proposals and modifications shall be shown only to the evaluation committee personnel, the City Clerk or his/her designee, and the Department Head (or the Director of Administrative Services) until a recommendation is made to Council or all proposals have been rejected.

Rejection of Proposals: The City reserves the right to reject any and all proposals, to accept or reject any one or more items of a proposal, or to waive any irregularities or informalities in the proposal or the RFP/RFQ process if to do so is deemed to best serve the interests of the City.

Evaluation Factors and Method: Because unique services are requested, cost is not considered the primary selection criteria.

Evaluation factors may include:

General quality and responsiveness of the proposal, including but not limited to:

- Responsiveness to the terms, conditions, and items of performance;
- Completeness and thoroughness of the proposal;
- Grasp of the problem, work to be performed, and approach to be used.

Organization and personnel making the proposal:

- Evidence of good organizational and management practices.
- Qualification of the personnel.
- Specialized experience of the firm and its personnel relative to the required services.
- References who can be contacted to verify past record of performance, i.e., completion of a quality product, in a timely manner, and within budget constraints.

- The financial condition of the firm.

Capacity of the firm to perform the subject project within a required time frame...
3.0  City Council Award  > $40,000.00 (CONTINUED)

3.1 Formal Request for Proposal or Request for Qualifications: (continued)

   Evaluation Factors and Method (continued)

   Evaluation factors may include: (continued)

   If appropriate, the price, in any of the following formats, may be considered.

   *Total price and price breakdown.*

   *Price range.*

   *Cost schedule.*

A Selection Committee shall be formed to evaluate the submitted data and determine the products that should receive further consideration. The Committee shall be appointed by the Department Head, subject to the approval of the City Manager or the Director of Administrative Services, and may consist of more than one department.

The Selection Committee may choose to interview all of the responding consultants, only the top few ranking consultants or to not perform interviews.

After the interviews (if applicable), the Selection Committee shall rank the consultants based on their proposals, interviews, and references.

Exceptions to Formal RFP/RFQ: The formal RFP/RFQ process may be bypassed in the following three instances:

In emergency situations where time is of the essence, the appropriate Department Head may dispense with the formal RFP/RFQ process to obtain services necessary in dealing with the emergency. Immediately following the emergency, the appropriate Department Head shall prepare a report to Council explaining the emergency and the items purchased.

When one known service provider is available, the Department Head shall prepare a report for Council approval requesting an exemption from the formal RFP/RFQ procedures and if applicable awarding the bid to the “sole source”.

When there are extenuating circumstances that would make the formal RFP/RFQ process not the most cost effective approach. This often relates to qualitative, artistic or proprietary software/technological issues. The appropriate Department Head shall prepare a report to Council requesting an exemption from the formal bidding procedures.
3.1 Formal Request for Proposal or Request for Qualifications: (continued)

Ongoing Professional Services

In some instances it is in the best interest of the City to have current ongoing contracts with multiple consultants for the same or very similar services. (i.e. services that can be defined as to scope of work but not as to required events such as contract planning services, public safety investigations, soils testing, contract building inspections services, etc.) These services would best be handled by establishing an eligibility list and by entering into annual ongoing professional service contracts.

The process for selecting firms for annual ongoing professional service contracts shall be generally the same as for other professional services contracts, however multiple firms may be awarded an ongoing contract based on the RFP/RFQ process and may be placed on the eligibility list. Additional firms/individuals may also be awarded contracts and placed on the eligibility list at a later date, using the RFP/RFQ process without impacting contracts currently in place.

Council shall award each ongoing contract that is expected to exceed $40,000.00 at a public meeting.

As events occur and need arises, work will be assigned to the consultants on the eligibility list at the sole discretion of the Department Head. The Department Head, however, shall make a reasonable attempt to rotate work between consultants subject to availability and special needs.

Negotiation: The Department Head or designee(s) shall discuss with the highest ranked firm(s) the requirements of the project, the scope of services needed to meet the requirements, and negotiate a reasonable fee/contract for the established work assignment.

3.2 Awarding the Contract:

The Department Head/Division Head shall prepare a report to Council recommending the most responsive consultant. The Council shall then award the contract in a public meeting.
3.0 CITY COUNCIL AWARD  > $40,000.00 (continued)

3.2 Awarding the contract (continued)

Except for urgencies all contracts exceeding $40,000.00 must be awarded by the City Council. Otherwise:

Such purchases are void and not considered an obligation of the city.
Invoices may be returned to the contractor/service provider unpaid.
The person ordering the unauthorized purchase may be held personally liable for the costs of the contract.

3.3 Contract and Purchase Order

A contract shall be prepared and the consultant shall sign the two original copies.

A purchase order shall also be prepared detailing the consultant’s name, service being purchased, estimated total price of the service being purchased and budget account to be charged. The purchase order shall be signed and dated by the Department Head.

The Department/Division will obtain a completed IRS form W-9 from the consultant.

Proof of insurance in accordance with the contract shall be obtained

The City Attorney shall sign the two original copies of the contract approving it as to form.

The City Manager or his/her Council designee shall sign the two original copies of the contract approving it as to form.

The entire purchase order, the W-9, proof of insurance and both original copies of the contract shall be submitted to the City Manager or the Director of Administrative Services for approval and signature.

One original copy of the executed contract shall be returned to the contractor/service provider and the other original shall remain in the City Clerk’s Office. A copy of the executed contract shall be sent to the initiating department and a copy to the Administrative Services Department.

3.4 Renewals

Contracts for ongoing services may include annual renewal provisions for up to five years.

3.5 Change Orders

The City Manager is authorized to issue change orders for changes or additions to the original scope of work that result in less than a 20% aggregate change in contract price. Change orders in excess of 20% shall be brought to the City Council for approval.
Mr. Warren Frace  
Community Development Director  
City of Atascadero

April 21, 2008

Dear Mr. Frace:

It is my understanding that the City of Atascadero will soon be conducting a Specific Plan Area Study at the North end of El Camino Real both adjacent to and across from the Outlet Center.

As the owner of 15.75 acres directly across the freeway (along Del Rio Road and bounded by highway 101 and San Ramon Road), we would like to be included in that study.

It is our desire and intention to develop our property in the near future. We hope to construct new Church facilities somewhere on the fifteen acres and allow the remaining property to be used for the building of housing or a neighborhood commercial center.

We are unaware at this time of how best to involve ourselves in this process. However, we look forward to working with the City in any capacity we can to gain a big picture view of how our property and the entire area may be best developed.

Please contact us at your convenience and let us know how we might join with you for the benefit of our community.

Very sincerely,

Rick Comstock  
Pastor  
Atascadero First Assembly

5545 Arilla Avenue  
Atascadero, CA 93422  
Phone: 805-466-2626  
Fax: 805-466-5235  
chuch@atascaderofirst.com  
www.atascaderofirst.com
Request for Proposal for the Preparation of an Environmental Impact Report for a Wal-Mart Supercenter City of Atascadero, California

Proposals Requested by:
City of Atascadero
Community Development Department
6907 El Camino Real
Atascadero, CA 93422
Phone: (805) 461-5000
Fax: (805) 461-7612

Dated: August 15, 2008
Pre-Submittal Meeting: September 5, 2008
Proposals due: September 26, 2008
I. INTRODUCTION

The City of Atascadero (herinafter, City) will be hiring a qualified EIR Consultant to prepare an Environmental Impact Report for the Wal-Mart Supercenter located in the City of Atascadero, California. The EIR Consultant (herinafter, EIR Consultant) shall prepare the Environmental Impact Report in accordance with applicable State Guidelines and the California Environmental Quality Act. The Request for Proposal below summarizes the Project and the environmental and entitlement analysis expected for the Project as well as the time, location and format for submission of Proposals in accordance with this Request for Proposal. The preparation and format of the Environmental Impact Report shall be directed by the City. Preparation of the Environmental Impact Report will require close coordination with the City’s planned development process so that a legally defensible and timely Environmental Impact Report can be prepared in accordance with the schedule to be submitted with this Proposal.

A. Project Background

The Wal-Mart Supercenter project is located on a prime commercial corner of El Camino Real and Del Rio Road directly adjacent to U.S. Highway 101. The City of Atascadero considers this area as high priority for large scale commercial development.

On October 23, 2007, the City Council directed staff not to process a combined Wal-Mart Supercenter/Annex Shopping Center project with a 4-1 vote. At issue was the current General Plan land use designation for the Wal-Mart site which identifies the site as not exceeding 150,000 square feet of commercial development. The Wal-Mart Supercenter site was proposed as an 184,195 square foot commercial building, plus a 10,563 square foot outdoor garden center for a total of 194,758 square feet on 26.5 acres. The site also included two commercial-retail building pads along El Camino Real totaling 16,500 square feet.

On January 25, 2008, staff received the current application with revisions to the Wal-Mart Supercenter site. This revised application represents a reduced site of 21± acres, with a reduced building of approximately 142,811± square feet and a 3,696± square-foot outdoor garden area, for a total building area with outdoor garden center of 146,507± square feet. The proposed Annex project application was for 115,850± square feet of commercial buildings located north of the Del Rio Road/El Camino Real intersection on the east and west side of El Camino Real.

City Council policy requires that the Council authorize staff to process all General Plan Amendment applications. The Council’s policy also requires all General Plan Amendments to be reviewed and processed in a manner to facilitate citizen participation. On March 11, 2008, the Council approved an approach for Council action consistent with General Plan Amendment policy. Under this approach, the Council received the initial staff report, hearing public testimony on the proposed applications, and then directed staff to process the project applications as follows:

1. Process the combined Wal-Mart Supercenter/Annex Shopping Center project and return to the City Council for a Specific Plan project boundary approval.

2. Conduct community meeting(s) to solicit public concerns and discuss issues related to the project attempting to resolve as many issues as possible.
3. Conduct a joint City Council/Planning Commission study session to include general plan and environmental analysis early in the project review process. Incorporate comments from the Planning Commission and the public into the project to the extent possible.

4. Complete the EIR documentation and public review process with review by City staff.

Following this direction, the applicants for the Annex project notified the City that they were no longer interested in participating in the specific plan process on their holdings. Staff returned to the Council on August 12, 2008 for authorization to process only the Wal-Mart application under a planned development process.

B. Project Description and Location

The Wal-Mart Supercenter project consists of a request for a General Plan Land Use Diagram Amendment from SE, MDR, and HDR (Suburban Estates, Medium and High Density Residential) to GC (General Commercial) of a 21.0± acre site with a planned development overlay. Wal-Mart’s application proposes a commercial-retail/grocery store of approximately 142,811± square feet and a 3,696± square-foot outdoor garden area for a total building area with outdoor garden center of 146,507± square feet. Preliminary site plans indicate the entire site would be terraced to create a 650± space parking lot with one driveway on El Camino Real and two driveways on Del Rio Road. The planned development process will be managed by the City in consultation the EIR consultant.

The proposed project site requires the following entitlements:
- Environmental Impact Report;
- General Plan Land Use Diagram Amendment;
- Zoning Map Amendment;
- Planned Development Overlay (Master Plan of Development for Wal-Mart);
- Tentative Tract Map; and,
- Possible other agency approvals that may be necessary pursuant to applicable laws and regulations.

C. Environmental Analysis

An Environmental Impact Report (EIR) will be processed simultaneously with the planned development and will contain project-specific analysis on the proposed Wal-Mart Supercenter applications as well as the surrounding undeveloped commercial areas. Project alternatives will be prepared by the EIR consultant and will contain both land use and development policy alternatives. The EIR consultant will consult with City staff during the preparation of comprehensive analysis for the project and each alternative. The EIR Consultant will provide guidance on selecting a reasonable range of project alternatives. The EIR will also include a “no project” alternative which will allow the City Council to compare the impacts of approving the proposed project, an alternative project with the impacts of not approving the proposed project or any project alternatives.

The Wal-Mart Supercenter application will require project-specific environmental analysis. To date, staff has identified the main issues identified at previous public hearings for the Wal-Mart
Supercenter project, although other concerns or issue may arise through the public participation and scoping process as follows:

- Light and Glare – Site and Street lighting;
- Wayfinding and Signage;
- Aesthetics, Community Character, and Area Design;
- Landscaping – Caltrans and Public Streets;
- Native Tree Impact Analysis;
- Geo-Hazard and Soils;
- Visual Analysis; Biological Impacts;
- Traffic and Transportation Infrastructure Requirements;
- Grading Impacts;
- Cultural Resource Determinations - Historical and Archaeological;
- Air Quality Impacts – Including Greenhouse Gas Analysis Climate Change and Relationship to the U.S. Mayor’s Climate Protection Agreement;
- Water Quality and Storm Drainage Requirements;
- Economic Impact/Urban Decay Analysis;
- Municipal Services/Finance Required;
- Energy Efficiency & Low Impact Development Potential;
- Commercial and Residential Buffering;
- Project Alternatives;
- Cumulative Impacts;
- Utilities; and
- Watershed/Storm Water quality and drainage.

The City has a consulting arborist and a consulting biologist on staff to provide peer review and possible oversight of native tree preservation, landscaping, and any biological resource issues. The City has retained W-Trans, Inc to complete an in-depth analysis of each of the U.S. Highway 101 interchanges within the City of Atascadero. This study was completed in early 2008. The City prefers that W-Trans be retained by the EIR consultant in evaluating all transportation and circulation issues for this project, including coordination with the design development of citywide interchange design concepts. In addition, the City is currently in the process of producing a broader city-wide economic analysis as an update to the City’s economic development strategy with the firm Applied Development Economics. The economic development strategy analysis is not meant to substitute for analysis required by this EIR; however, the City will facilitate any required coordination efforts between the economic consultant and EIR consultant. **Please do not contact Applied Development Economics in preparation of this Proposal.** The EIR Consultant will not be required to coordinate with the Economic Consultant through the EIR process. Consultant contact information is listed as follows:

Steve Weinberger  
W-Trans (Preferred Transportation/Circulation Sub-Consultant)  
490 Mendocino Avenue, Suite 201  
Santa Rosa, CA 95401  
(707) 542-9500
D. **Scoping and Public Participation**

The City anticipates a robust public participation process. The City anticipates EIR consultant participation in the following public meetings:

1. **Community Outreach**: City Staff will coordinate a community meeting regarding design and character issue of the Wal-Mart project. The EIR consultant will be present.
2. **Joint City Council/Planning Commission**: Review and approve of a preferred project description. City staff will take the lead conducting this meeting. The EIR consultant will be present.
3. **EIR Scoping**: One (1) location. EIR consultant will take the lead with City Staff.
4. **Draft EIR/Draft Specific Plan Comments Open House**: One (1) location. EIR consultant will take the lead with City Staff. Specific Plan consultant will be present.
5. **Planning Commission**: Review Final EIR (Draft EIR with Response to Comments). Specific Plan and EIR consultants will collaborate with City staff and be present.
6. **City Council**: Proposed Certification of Final EIR. Specific Plan and EIR consultants will collaborate with City staff and be present.

E. **Minimum EIR Consultant Requirements**

1. Have no record of unsatisfactory performance. EIR Consultants who are or have been seriously deficient in current or recent contract performance, in the absence of circumstances properly beyond the reasonable control of the EIR Consultant, shall be presumed to be unable to meet this requirement.
2. Have no conflict of interest or past project history in direct representation of Wal-Mart or the Rottman Group, Inc. in the planning or environmental analysis of a Wal-Mart or a Wal-Mart-affiliated project. The City requests disclosure of any consultant work on Wal-Mart or Wal-Mart-affiliated projects and a summary of the project results.
3. Demonstrate ability to maintain adequate files and records and meet statistical reporting requirements.
4. Demonstrate administrative and fiscal capability to provide and manage the proposed services and to ensure a complete audit trail.
5. Meet other presentation and participation requirements listed in this Request for Proposal (RFP).
6. Desired Qualifications: The EIR Consultant for the project described in this RFP shall have the demonstrated expertise and capability in preparing a legally
defensible EIR that meets all City, County, Regional, and State Environmental guidelines and procedures.

F. Correspondence

All questions shall be directed to:
City of Atascadero
Community Development Department
Attn: Warren Frace, Director
6907 El Camino Real
Atascadero, CA 93422
805/470-3402
wfrace@atascadero.org

All proposals, shall be submitted to:
City of Atascadero
City Clerk
Attn: Marcia Torgerson
6907 El Camino Real
Atascadero, CA 93422

G. Proposal Submittal Deadline

All proposals must be received at the address listed above no later than 5:00 PM Friday, September 25, 2008. Electronically transmitted proposals will not be accepted. Postmarks will not be accepted in lieu of actual receipt. All proposals shall be in a sealed envelope clearly marked “REQUEST FOR PROPOSAL.” Late or incomplete proposals will not be considered.

II. PROPOSAL REVIEW TIMELINE

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<tbody>
<tr>
<td>A. Pre-Submittal Meeting</td>
<td>September 5, 2008</td>
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<tr>
<td>B. Deadline for Submittal</td>
<td>September 25, 2008</td>
</tr>
<tr>
<td>C. Oral Interviews (Preliminary Date)</td>
<td>Week of October 13, 2008</td>
</tr>
<tr>
<td>E. Beginning Date for Contract Work</td>
<td>November 2008</td>
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</tbody>
</table>

III. PROGRAM DESCRIPTION/REQUIREMENTS

A. Scope of Services

The EIR Consultant shall prepare an Environmental Impact Report (EIR) for the Project under direction of the City and in accordance with the California Environmental Quality Act (CEQA).
This will include the preparation of an Initial Study to determine what additional technical studies will need to be prepared for the planned development and to establish the base analysis for the EIR. Project schedules shall be prepared and updated on a regular basis (every 60 days) with a regular monthly call that shall last approximately one hour to make sure that all deliverables and information needs are being obtained and met so to minimize project delays. This scope should include the deliverables identified below.

**B. Deliverables**

The deliverables shall be prepared in accordance with the agreed upon schedule as may be updated by mutual agreement of the EIR Consultant and the City.

1. Twenty (20) copies of a working draft version of the Draft EIR for City staff to review.
2. Twenty (20) copies of the preliminary (screen check) Draft EIR for City staff review.
3. Seven (7) copies of the Appendices for the preliminary Draft EIR for City staff review.
4. Fifty (50) copies and one (1) reproducible master of the Draft EIR and appendices for public review and 100 CD’s in PDF format.
5. Ten (10) copies of the preliminary Final EIR for City staff review.
6. Fifty (50) copies and one (1) reproducible master of the Final EIR and 100 CD’s in PDF format.

The EIR Consultant will be responsible for coordination of all electronic and mail noticing requirements in accordance with CEQA and communication with the City on all document reviews. The EIR Consultant shall coordinate and manage the preparation and distribution of the Notice or Preparation/Initial Study, Draft EIR and Final EIR to all necessary agencies, participants, and the City. The City will request that certain meeting notices be mailed to all addresses in the City. We anticipate that the EIR Consultant will need additional communications and meetings with the City staff to confirm the scope of the studies.

The Del Rio Area Specific Plan will be managed by the City in consultation with a separate professional planning consultant simultaneously with the Environmental Impact Report.

**C. Work Schedule**

EIR Consultant shall present a preliminary schedule for the Project as part of their proposal assuming a November 2008, kick-off meeting with the City. The schedule should include a three week review period of all internal draft documents and 60 days for all City review.
IV. PROPOSAL CONDITIONS

A. Contingencies

This Request for Proposal (RFP) does not commit the City to award a contract. The City reserves the right to accept or reject any or all proposals, or waive minor irregularities, if the City determines it is in the best interest of the City to do so. The City will notify all EIR Consultants, in writing, of selection and/or rejection of proposals.

B. Acceptance or Rejection of Proposals

Proposals shall remain open, valid and subject to acceptance anytime up to six months after the proposal submission/opening date and time. The City realizes that conditions other than cost are important and will award contract(s) based on the proposal(s) that best meet the needs of the City.

C. Modifications

The City reserves the right to issue addenda or amendments to this RFP.

D. Proposal Submittal

To be considered, all proposals must be submitted in the manner set forth in the RFP. It is the EIR Consultant’s responsibility to ensure that its proposal arrives on or before the specified time.

E. Incurred Costs

This RFP does not commit the City to pay any costs incurred in the preparation of a proposal in response to this request. All costs incurred in developing a proposal are the sole responsibility of the EIR Consultant.

F. Negotiations

The City may require the potential EIR Consultant(s) selected to participate in negotiations to submit price, technical, or other revisions of their proposals, as may result from negotiations.

G. Final Authority

The final authority to award contracts rests with the City.

V. PROPOSAL REQUIREMENTS

A. General

1. All interested and qualified EIR Consultants are invited to submit a proposal for consideration. Submittal of a proposal indicates that the EIR Consultant has read and understands this entire RFP, to include all appendices, attachments, exhibits, schedules, addenda (as applicable), and all concerns regarding this RFP have been satisfied.
2. Proposals must be submitted in the format described below. Proposals shall be prepared in such a way as to provide a straightforward, concise description of capabilities to satisfy the requirements of this RFP. Emphasis should be concentrated on conformance to the RFP instructions, responsiveness to the RFP requirements, and on completeness and clarity of content.

3. Proposals must be complete in all respects as required in this section. At the City’s discretion, a proposal may not be considered if it is conditional or incomplete.

4. Proposals must be received at the designated location no later than the date and time as specified in this RFP.

5. In developing the proposal the EIR Consultant should carefully review this Proposal to take into consideration the rights, obligations, and costs associated therewith. Any revision to the RFP which the EIR Consultant desires must be specified in the proposal.

B. Proposal Presentation

Seven (7) written proposals are required. An individual authorized to bind the EIR Consultant firm shall sign the original cover page of the proposal. The proposal shall contain a “not-to-exceed” total fee schedule. The fee proposal shall indicate the expected total fee for the work described in the EIR Consultant services proposal. The total fee shall also be itemized by task, including EIR Consultant staff time and hourly rates, and other direct costs such as printing and travel. The fee schedule shall also be signed by an individual authorized to bind the EIR Consultant firm.

1. **Statement of Certification** - Include the following in this section of the proposal:

   (a) A concise statement of the services proposed, clearly labeled “The Preparation of an Environment Impact Report for the Wal-Mart Supercenter, City of Atascadero, California.”

   (b) A statement that the EIR Consultant will provide the services as described in the proposal within the time frames outlined in the RFP.

   (c) A statement that all aspects of the proposal, including cost, have been determined independently, without consultation with any other prospective EIR Consultant or competitor for the purpose of restricting completion.

   (d) A statement that all declarations in the proposal and attachments are true and that this shall constitute a warranty, the falsity of which shall entitle the City to pursue any remedy by law.

   (e) A statement that the EIR Consultant agrees that aspects of the RFP and the proposed submittal shall be binding if the proposal is selected and the contract awarded.
(f) A statement that the EIR Consultant agrees to provide the City with any other information determined necessary for an accurate determination of the EIR Consultant’s ability to perform services as proposed.

(g) A statement that the prospective EIR Consultant, if selected, will comply with all applicable rules, laws and regulations.

2. **Proposal Description** - A detailed description of the proposal being made, to include the following:

   (a) Brief synopsis of the EIR Consultant’s understanding of the City’s needs and how the EIR Consultant plans to meet these needs;

   (b) Narrative description of the proposed plan to achieve the program objectives and requirements;

   (c) Detailed plan of activities;

   (d) Milestones and deliverable charts, number of copies of draft and final documents, as applicable;

   (e) Proposed timeline;

   (f) Explanation of any assumptions and/or constraints; and

   (g) A description of all Wal-Mart required work and outcomes over the past ten years.

3. **Statement of Experience** - Include the following in this section of the proposal:

   (a) Business name, address, and phone/fax numbers of the prospective EIR Consultant and legal entity such as corporation, partnership, etc;

   (b) Number of years the prospective EIR Consultant has been in business under the present business name, as well as related prior business names;

   (c) A statement that the prospective EIR Consultant has a demonstrated capacity to perform the required services;

   (d) List any applicable licenses or permits presently held and indicate ability to obtain the required services;

   (e) A statement that the EIR Consultant has an organization that is adequately staffed and trained to perform the required services or demonstrate the capability for recruiting such staff; and
(f) A statement of qualifications for the proposed project highlighting the firm’s specific experience in the preparation of documents focusing on environmental impact reports.

4. Contracts completed during the last five years, involving similar project analysis.

(a) For each such contract show:

(i) Date of completion and duration of each contract;

(ii) Type of service;

(iii) Total dollar amount contracted for and amount received;

(iv) Location of area served; and

(v) Name, address, and phone/fax numbers of agency with which contracted and agency contact person administering the contract. If none, so state.

(b) If any contract was terminated prior to the original termination date during the last five years, show for each contract:

(i) Date of completion and duration of each contract;

(ii) Type of service;

(iii) Total dollar amount of contracted for and amount received;

(iv) Location of area served;

(v) Name, address, and phone/fax numbers of agency with which contracted and agency contact person administering the contract; and

(vi) If none, so state.

(c) Contracts currently in effect - show the following for each contract:

(i) Date due for completion and duration of contract;

(ii) Type of service;

(iii) Total contract amount;

(iv) Name, address, and phone/fax or e-mail numbers of agency with which the organization is currently contracting and agency contact person administering the contract; and
(v) If none, so state.

(d) References. Provide a minimum of five (5) professional references for similar contracts, either in progress or completed by the EIR Consultant, within the past three (3) years. Please provide the name, address, and telephone number for each of these references and a brief description of the contract(s) for which the EIR Consultant provided services.

(e) Describe controlling interests held in any other firms providing equivalent or similar services. If none, so state.

(f) Describe financial interest in other lines of business. If none, so state.

(g) Describe any pending litigation involving prospective EIR Consultant or any officers, employees, and/or EIR Consultants thereof, in connection with contracts. If none, so state.

(h) Describe any convictions or adverse court rulings involving fraud and/or related acts of all officers, EIR Consultants, and employees. If none, so state.

(i) A statement that the EIR Consultant does not have any commitments or potential commitments which may impact on the EIR Consultant’s ability to perform the contract services.

(j) Statement that the EIR Consultant does not have any financial conflicts of interest with either Wal-Mart, Inc. or the Rottman Group, Inc.

5. Key Personnel and Sub-Contracted EIR Consultant Information

(a) If an EIR Consultant plans to subcontract any portion of the service delivery described in the RFP, the EIR Consultant must include a written justification for subcontracting. Attach a statement from each subcontracted EIR Consultant, signed by a duly authorized officer, employee, or agent of the subcontracted organization/firm that includes the name and address of that organization/firm, type of work to be performed and percentage of the total work of the proposal. The statement must also affirm that the sub-contracted EIR Consultant will perform all work indicated and will comply with all items as indicated above. This information will be used to determine the potential responsibility of the EIR Consultant.

(b) Describe the experience, qualifications and other vital information, including relevant experience on previous similar projects, of all key individuals who may be assigned to a client transaction. Key personnel include partners, managers, associates and other professional staff that will
perform work and/or services in this project. This information shall include functions to be performed by the key individuals.

Failure to provide this information may deem the response to the Request for Proposal for qualifications non-responsive.

6. Insurance. The Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, employees, or sub consultants.

Minimum Scope of Insurance. Coverage shall be at least as broad as:
(a) Insurance Services Office Commercial General Liability coverage (occurrence form CG 0001).
(b) Insurance Services Office form number CA 0001 (Ed. 1/87) covering Automobile Liability, code 1 (any auto).
(c) Workers’ Compensation insurance as required by the State of California and Employer's Liability Insurance.
(d) Errors and Omissions Liability insurance as appropriate to the consultant's profession.

Minimum Limits of Insurance. Consultant shall maintain limits no less than:
(a) General Liability: $1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
(b) Automobile Liability: $1,000,000 per accident for bodily injury and property damage.
(c) Employer's Liability: $1,000,000 per accident for bodily injury or disease.
(d) Errors and Omissions Liability: $1,000,000 per occurrence.

Deductibles and Self-Insured Retentions. Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials, employees and volunteers; or the Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

7. Task Budget. Submit a Task Budget corresponding to the project budget in the Request for Proposal. Indicate the percentage of the total budget assigned to each task itemized in the project budget, to facilitate comparative analysis of the level of effort proposed for each task.
VI. PROPOSAL EVALUATION AND SELECTION

A. Evaluation Process

All proposals will be reviewed by the City. A primary consideration shall be the effectiveness of the EIR Consultant’s organization in the delivery of comparable or related services based on demonstrated performance. A City approved selection committee will review all proposals. The selection committee will conduct interviews of the most qualified firms based on the proposals submitted.

B. Final Approval

Any contract resulting from this RFP will be awarded by the City.
EXHIBITS

(Note: Exhibits not attached to Council Report)

Exhibit 1: Planned Development Project Area
Exhibit 2: Planned Development Project Area Aerial
Exhibit 3: General Plan & Zoning Diagram
Exhibit 4: Wal-Mart Super Center Site Plan
Exhibit 5: Wal-Mart - Location Map, General Plan and Zoning
Exhibit 6: Wal-Mart - Existing Project Site Aerial
Exhibit 7: Wal-Mart - Preliminary Conceptual Site Plan
Exhibit 8: Wal-Mart - Preliminary Conceptual Elevations
Exhibit 9: Wal-Mart – Preliminary Floor Plan
Exhibit 10: Wal-Mart – Preliminary Grading Plan
Exhibit 11: Wal-Mart – Preliminary Cross Sections
Exhibit 12: Wal-Mart – Preliminary Utility Plan
Exhibit 13: Wal-Mart Justification Statement
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<th>CONSULTANT</th>
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<td>SLO/SANTA BARBARA COUNTY</td>
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<tr>
<td>Cannon Associates</td>
<td>364 Pacific Street, San Luis Obispo, CA 93401</td>
<td>(805) 547-0800</td>
<td>(805) 547-0901</td>
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<tr>
<td>Rincon Consultants, Inc</td>
<td>1530 Monterey Stree, Ste. D San Luis Obispo, CA 93401</td>
<td>(805) 541-2622</td>
<td>(805) 541-5512</td>
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<tr>
<td>Crawford Multari Clark &amp; Mohr</td>
<td>641 Higuera Street, Ste. 302 San Luis Obispo, CA 93401</td>
<td>(805) 544-1680</td>
<td>(805) 544-3067</td>
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<tr>
<td>Douglas Wood &amp; Associates</td>
<td>1461 Higuera Street, Ste. A San Luis Obispo, CA 93401</td>
<td>(805) 544-1680</td>
<td>(805) 544-3067</td>
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<tr>
<td>Dudek &amp; Associates, Inc</td>
<td>621 Chapala Street, Santa Barbara, CA 93101</td>
<td>(805) 963-0651</td>
<td>(805) 963-2074</td>
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<td>LSA Associates, Inc *</td>
<td>1998 Santa Barbara St, Ste. 120 San Luis Obispo, CA 93401</td>
<td>(805) 782-0745</td>
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<td>Morro Group, Inc</td>
<td>1422 Monterey Street, Ste. C200 San Luis Obispo, CA 93401</td>
<td>(805) 543-7095</td>
<td>(805) 543-2367</td>
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<td>Padre Associates, Inc</td>
<td>811 El Capitan Way, Ste. 130 San Luis Obispo, CA 93401</td>
<td>(805) 786-2650</td>
<td>(805) 781-2651</td>
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<tr>
<td>Penfield &amp; Smith</td>
<td>210 East Enos Drive, Ste. A Santa Maria, CA 93454</td>
<td>(805) 925-2345</td>
<td>(805) 925-1539</td>
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<td>Rick Engineering Company</td>
<td>715 Tank Farm Road, Ste. 110 San Luis Obispo, CA 93401</td>
<td>(805) 544-0707</td>
<td>(805) 544-2052</td>
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<td>SWCA</td>
<td>1422 Monterey Street, Ste. C200 San Luis Obispo, CA 93401</td>
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<td>Tetra Tech, Inc</td>
<td>8634 Paseo De Vaca, Atascadero, CA 93422</td>
<td>(805) 448-4079</td>
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<tr>
<td>URS</td>
<td>130 Robin Hill Road, Ste. 100 Santa Barbara, CA 93117</td>
<td>(805) 964-6010</td>
<td>(805) 964-0259</td>
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<tr>
<td>Wallace Group</td>
<td>612 Clarion Court, San Luis Obispo, CA 93401</td>
<td>(805) 544-4011</td>
<td>(805) 544-4294</td>
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<td>SOUTHERN CALIFORNIA</td>
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<tr>
<td>AEI-CASC Consulting</td>
<td>937 South Via Lata, Ste. 500 Colton, CA 92324</td>
<td>(909) 783-0101</td>
<td>(909) 783-0108</td>
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<tr>
<td>Albert A. Webb Associates</td>
<td>3788 McCray Street, Riverside, CA 92506</td>
<td>(951) 686-1070  (951) 788-1256</td>
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<tr>
<td>Arcadis U.S., Inc</td>
<td>9474 Kearny Villa Road, Ste. 103 San Diego, CA 92126</td>
<td>(858) 530-8772  (858) 530-8756</td>
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<tr>
<td>Bauer Planning &amp; Environmental Services, Inc</td>
<td>220 Commerce, Ste. 230 Irvine, CA 92602</td>
<td>(714) 508-2522  (714) 508-2113</td>
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<tr>
<td>Bon Terra Consulting</td>
<td>40810 County Circle Drive, Ste. 120 Temecula, CA 92591</td>
<td>(951) 587-9230  (951) 687-9231</td>
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<tr>
<td>Chambers Group, Inc</td>
<td>17671 Cowan, Ste. 100 Irvine, CA 92614</td>
<td>(949) 261-5414  (949) 261-8950</td>
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<tr>
<td>Christopher A. Joseph &amp; Associates</td>
<td>11849 W. Olympic Blvd., Ste. 101 Los Angeles, CA 90064</td>
<td>(310) 473-1600  (310) 473-9336</td>
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<tr>
<td>Cotton Bridges Associates</td>
<td>999 Town and Country, 4th Floor Orange, CA 92868</td>
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<td>David Evans and Associates, Inc</td>
<td>800 North Haven Avenue, Ste. 300 Ontario, CA 91764</td>
<td>(909) 481-5750  (909) 481-5757</td>
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<td>Downtown Solutions</td>
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<td>DUKEK Engineering + Environmental</td>
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<td>EARSI</td>
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<td>(949) 646-8958  (949) 646-5496</td>
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<td>Earth Tech, Inc</td>
<td>1461 E. Cooley Drive, Ste. 100 Colton, CA 92324</td>
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<td>Ecology and Environment, Inc</td>
<td>437 J Street, San Diego, CA 92101</td>
<td>(619) 696-0578  (619) 696-0578</td>
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<td>ECORP Consulting, Inc</td>
<td>215 N. Fifth Street, Redlands, CA 92374</td>
<td>(909) 307-0046  (909) 304-0056</td>
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<td>EDAW, Inc</td>
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<td>(213) 593-7700  (213) 593-7715</td>
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<td>EIP Associates *</td>
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<td>Envirom Corporation</td>
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<td>Environmental Science Associates</td>
<td>707 Wilshire Blvd., Ste. 1450 Los Angeles, CA 90017</td>
<td>(323) 933-6111  (323) 934-1289</td>
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<td>6330 San Vicente Blvd., Ste. 200</td>
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<td>8690 Balboa Avenue, Ste. 200</td>
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<td>Hogle Ireland, Inc</td>
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<td>ITS, Corp.</td>
<td>12396 World Trade Drive, Ste. 303</td>
<td>San Diego</td>
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<td>Jones &amp; Stokes *</td>
<td>17310 Red Hills Avenue, Ste. 320</td>
<td>Irvine</td>
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<td>KCT Consultants, Inc</td>
<td>4344 Latham Street, Ste. 200</td>
<td>Riverside</td>
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<td>Lilburn Corporation</td>
<td>1905 Business Center Drive, San Bernardino</td>
<td>CA</td>
<td>92408</td>
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<td>Michael Brandman Associates *</td>
<td>621 E. Carnegie Drive, Ste. 100</td>
<td>San Bernardino</td>
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<td>Quad Knopf</td>
<td>5080 California Avenue, Ste. 400 Bakersfield, CA 93309</td>
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<td>(661) 616-5970</td>
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<td>Quad Knopf, Steve Brandt</td>
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<td>RGP Planning &amp; Development Sevices</td>
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<td>Stantec Inc</td>
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<td>T &amp; B Planning Consultants, Inc</td>
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<td>Templeton Planning Group</td>
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<td>(949) 718-0640</td>
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<td>Terra Nova Planning and Research, Inc</td>
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<td>(760) 320-9040</td>
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<td>Terry A. Hayes Associates, LLC</td>
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<td>The Berger Group</td>
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<td>(858) 456-5575</td>
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<td>The Planning Center</td>
<td>1580 Metro Drive, Costa Mesa, CA 92626</td>
<td>(714) 966-9220</td>
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<td>Tom Dodson &amp; Associates</td>
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<td>(909) 882-3612</td>
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<td>UltraSystems</td>
<td>100 Pacifica, Ste. 250 Irvine, CA 92618</td>
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<td>West Coast Environmental and Engineering</td>
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<td>(805) 644-7976</td>
<td>(805) 644-5929</td>
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<td>Willdan</td>
<td>13191 Crossroads Parkway North, Ste. 405 Industry, CA 91746-3497</td>
<td>(562) 908-6200</td>
<td>(562) 695-2120</td>
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**NORTHERN CALIFORNIA**

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<td>414 Jackson Street, Ste. 404 San Francisco, CA 94111</td>
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<td>Denise Duffy &amp; Associates, Inc</td>
<td>947 Casa Street, Ste. 5 Monterey, CA 93940</td>
<td>(831)373-4341</td>
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<td>Design, Community &amp; Environment *</td>
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<td>Dyett &amp; Bhatia</td>
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<td>EMC Planning Group</td>
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<td>H. T. Harvey &amp; Associates</td>
<td>983 University Avenue, Building D Los Gatos, CA 95032</td>
<td>(408) 458-3215</td>
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<td>Freedman Tung &amp; Bottomley</td>
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<td>(415) 291-9455</td>
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<td>Lamphier - Gregory</td>
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<td>Mogavero Notesteine Associates</td>
<td>2012 K Street, Sacramento, CA 95814</td>
<td>(916) 443-1033</td>
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<td>Cheryl Taylor, Precision Civil Engineering, Inc</td>
<td>653 W. Fallbrook, Fresno, CA 93711</td>
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<td>Raney Planning &amp; Management, Inc</td>
<td>1501 Sports Drive, Sacramento, CA 95834</td>
<td>(916) 372-6100</td>
<td>(916) 419-6108</td>
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<td>ROMA</td>
<td>1527 Stockton Street, San Francisco, CA 94133</td>
<td>(415) 616-9900</td>
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<td>SASAKI</td>
<td>77 Geary Street, 4th Floor, San Francisco, CA 94108</td>
<td>(415) 776-7272</td>
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<td>Wagstaff and Associates</td>
<td>2512 Ninth Street, Ste. 5 Berkeley, CA 94710</td>
<td>(510) 540-0303</td>
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<td>Wahlstrom &amp; Associates</td>
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<td>Winzler &amp; Kelly</td>
<td>1735 North First Street, Ste. 301 San Jose, CA 95112</td>
<td>(408) 451-9615</td>
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<td>Wallace Roberts &amp; Todd, LLC</td>
<td>1328 Mission Street, 4th Floor, San Francisco, CA 94103</td>
<td>(415) 575-4722</td>
<td>(415) 436-9837</td>
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<tr>
<td>Wood Rodgers, Tom Proulx, Director of Business Development</td>
<td>580 2nd Street, #200, Oakland, CA 94607 (<a href="mailto:tproulx@woodrodgers.com">tproulx@woodrodgers.com</a>)</td>
<td>510-208-2404</td>
<td>cell 510-551-3147</td>
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DRAFT RESOLUTION A


WHEREAS, an application has been received from EDA Design Professionals, 1998 Santa Barbara Street, San Luis Obispo, CA 93401 (Applicant) and Wal-Mart Stores, Inc. 2001 S.E. 10th Street, Bentonville, AR 72716-0550 (Property Owner), to consider a project consisting of a General Plan Land Use Diagram and Text Amendment for a commercial-retail store with a building for grocery sales of approximately 142,811± square feet and a 3,696± square-foot outdoor garden area, for a total building area with outdoor garden center of 146,507± square feet on a 21.0± acre project site located at the southeast corner of El Camino Real and Del Rio Road. (APN: 049-112-002, 018, 019, 022, 036, 039, 049-151-037, 040, 041); and,

WHEREAS, the Atascadero City Council authorized staff to process the proposed application at a public meeting on March 11, 2008 consistent with the City’s General Plan Amendment Policy; and,

WHEREAS, Wal-Mart has requested that Council consider amending the requirement for a specific plan and instead require a planned development; and,

WHEREAS, the Atascadero City Council considered amending the staff authorization to process the proposed application at a public meeting on August 12, 2008 consistent with the City’s General Plan Amendment Policy; and,

NOW THEREFORE, the City Council of the City of Atascadero, hereby resolves to reauthorize staff to process the requested General Plan Land Use Diagram and Text Amendment for Wal-Mart Stores, Inc. (APN: 049-112-002, 018, 019, 022, 036, 039, 049-151-037, 040, 041), and a General Plan Text Amendment to allow a commercial store of an approximate 146,507± square-foot building (with outdoor garden center) on the project site. The General Plan shall be
processed concurrently with a planned development for the Wal-Mart properties. Community workshops and joint Planning Commission and City Council study sessions will be held to determine a preferred project description.

Exhibit A: Wal-Mart - Location Map, General Plan and Zoning  
Exhibit B: Wal-Mart - Existing Project Site Aerial  
Exhibit C: Wal-Mart - Proposed Conceptual Site Plan  
Exhibit D: Wal-Mart - Proposed Conceptual Elevations  
Exhibit E: Wal-Mart - Floor Plans  
Exhibit F: Wal-Mart - Grading Plan  
Exhibit G: Wal-Mart - Cross Sections  
Exhibit H: Wal-Mart - Utility Plan

On motion by Council Member _________________________, and seconded by Council Member ______________________, the foregoing resolution is hereby adopted in its entirety by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ADOPTED:

CITY OF ATASCADERO, CA

_______________________________________
Mike Brennler
Mayor

ATTEST:

_______________________________________
Marcia McClure Torgerson, C.M.C., City Clerk

APPROVED AS TO FORM:

_______________________________________
Brian Pierik, City Attorney
EXHIBIT A: Location Map, General Plan & Zoning – Wal-Mart Supercenter

- Project Area 21.0± Acres
- Del Rio Road
- GC 10.7±
- El Camino Real
- MDR 10.3± Acres

No land use or zone change proposed.
EXHIBIT B: Project Site Aerial – Wal-Mart Supercenter

Existing Designations:
- General Commercial
- Commercial Retail

Proposed Designations:
- General Commercial/High Density Residential
- Commercial Retail/Residential Multi-family

Area of conversion from Commercial Retail to Residential Multi-family
EXHIBIT C: Proposed Conceptual Site Plan – Wal-Mart Supercenter
EXHIBIT D: Proposed Conceptual Elevations – Wal-Mart Supercenter
EXHIBIT E: Proposed Floor Plan – Wal-Mart Supercenter
EXHIBIT F: Proposed Grading Plan – Wal-Mart Supercenter
EXHIBIT G: Proposed Cross Sections – Wal-Mart Supercenter