



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



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Director

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Chief Deputy Director

March 5, 2019

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**AWARD CONTRACT TO PREPARE LOS ANGELES COUNTY  
WIRELESS COMMUNICATION FACILITY ORDINANCE  
(ALL SUPERVISORIAL DISTRICT) (3-VOTES)**

**SUBJECT**

Award a 2-year contract (Contract) to CityScope Consultants, Inc. (Contractor), in the sum not to exceed \$181,500, to prepare the Los Angeles County (County) Wireless Communication Facility (WCF) Ordinance.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the Contract is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15378 (b) (4) of the CEQA Guidelines.
2. Approve and direct the Chair to sign the attached 2-year contract with the Contractor, effective the day after the Board's approval, with up to 6 month-to-month renewal options with the Maximum Contract Sum (MCS) not to exceed \$181,500 including 10% (\$16,500) contingency, and to suspend work if, in the opinion of the Director of Regional Planning (Director), it is in the best interest of the County.
3. Authorize the Director to approve and execute amendments to incorporate necessary changes to the Contract that do not significantly affect the scope of work or exceed the MCS of \$181,500 including 10% (\$16,500) contingency, and to suspend work if, in the opinion of the Director, it is in the best interest of the County.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will award a contract to CityScape Consultants, Inc. who will assist the Department with moving forward to establish standards and an ordinance regarding Wireless Communication Facilities (WCF).

A WCF is a ground-mounted or structure-mounted antenna with any necessary appurtenance, such as an equipment box. Currently, a WCF is not considered a land use in the County's Planning and Zoning Code (Title 22) so there are no clear development standards established to properly evaluate these cases in the unincorporated areas. Although current federal, state, and court case laws related to WCF have been implemented through Department policy memos, the time to process each application is inefficient and laborious.

Between 2015 and 2017, the number of WCF applications submitted to the Department of Regional Planning (DRP) increased by 364% from 39 to 181. In order to provide effective oversight for this type of use, it is crucial for the County to codify WCF as a land use and to establish appropriate development standards. This Contract will prepare an ordinance amending Title 22 to include WCF.

### **Implementation of Strategic Plan Goals**

The approval of this Contract supports the County's 2016-2021 Strategic Plan Goal II, Foster Vibrant and Resilient Communities, Strategy II.2, Support the Wellness of Our Communities. The Contract allows the County to establish appropriate development standards for WCFs located in the unincorporated areas.

### **FISCAL IMPACT/FINANCING**

The MCS of the Contract is \$181,500 including 10% (\$16,500) contingency, which is based on the work outlined in the Statement of Work and the price quoted by the Contractor. This Contract is being funded by Net County Cost through DRP's Operating Budget for Fiscal Year 2018-2019.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Contract (Attachment) is consistent with all applicable Board mandated provisions, including those pertaining to hiring qualified County employees targeted for layoffs, contractor responsibility and debarment, Child Support program, GAIN/GROW participants, Safely Surrendered Baby Law, and the provisions of Paid Jury Service time for Contractor employees.

This is a non - Prop A contract because the project is highly technical and also temporary in nature. Consequently, there are no departmental employee relations issues and the

contract will not result in a reduction of County services. Furthermore, DRP evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to this Contract. The Contractor was selected based upon the quality of its proposal without regard to race, creed, gender, or color.

The Contractor agrees to all standard contract provisions. County Counsel has approved the Contract as to form.

### **ENVIRONMENTAL DOCUMENTATION**

The services provided through this Contract will not have an effect on the environment and therefore, this Contract is exempt from CEQA, pursuant to Section 15378 (b) (4) of the CEQA Guidelines.

### **CONTRACTING PROCESS**

#### **Union Notification**

Consistent with the provisions of the memorandum of understandings between the County and unions, DRP consulted the Service Employees International Union Local 721 (SEIU) and California Association of Professional Employees (CAPE) prior to the release of the Request for Proposals (RFP). SEIU had no objections to DRP moving forward with the solicitation. CAPE met with DRP for additional information and was satisfied with DRP's response to continue with the RFP process.

#### **Solicitation Outreach**

The RFP was released on October 22, 2018, to all registered County vendors through the County of Los Angeles Internal Services Department registered vendor system. DRP also posted on its website, actively promoted on its social media platforms, and advertised on the American Planning Association Los Angeles Chapter website. In addition, DRP solicited input from other jurisdictions with similar ordinances and issued individual invitations to leading experts in the WCF consulting industry.

#### **Proposal Evaluation**

DRP received two proposals from the following vendors by the November 29, 2018 deadline:

1. CityScape
2. Telecom Law Firm P.C. (Telecom)

Both proposals were deemed complete and met minimum requirements. A five-member evaluation committee (Committee), comprised of DRP and Department of Public Works staff, was formed to evaluate the proposals. Using the Informed Averaging method, the

Committee objectively reviewed the proposals according to the evaluation criteria outlined in the RFP and took into consideration team qualifications, project management and project approach. In addition, DRP conducted reference checks and evaluated costs. Combing the scores of the business and cost proposals, Telecom ranked first and CityScape second.

### **Contract Negotiation**

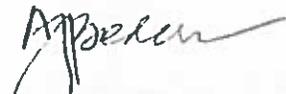
DRP initiated contract negotiation with Telecom, which requested modification to the County's standard contract language related to insurance. Chief Executive Office Risk Management and County Counsel advised against accepting such change as it would expose the County to additional liability. Telecom was unwilling to proceed without the modification and the negotiation was terminated. DRP contacted CityScape, which accepted the County's contract terms without any exceptions.

### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of this Contract will allow the County to complete a WCF Ordinance to properly regulate the WCFs in the unincorporated areas.

If you have any questions, please contact Ms. Hsiao-Ching Chen at (213) 974-6559 or via email at [hchen@planning.lacounty.gov](mailto:hchen@planning.lacounty.gov).

Respectfully submitted,

  
AMY J. BODEK, AICP  
Director

AJB:JH:HC:el

Attachment

c: Executive Office, Board of Supervisors  
Board Deputies  
Chief Executive Office  
County Counsel