



Monterey County

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Board Report

Legistar File Number: A 16-016

January 26, 2016

Introduced: 1/19/2016

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Adopt a resolution to:
 1. Approve an agreement between the County and the California Department of Forestry and Fire Protection (Cal Fire) (Agreement Number 4CA02970), to provide fire protection services in South County in connection with the California Flats Solar Project (PLN120294), in a maximum amount not to exceed \$665,498, for a term beginning upon approval of the agreement by Cal Fire and County and ending June 30, 2017; and
 2. Authorize the Director of the County Resource Management Agency to sign the California Department of Forestry and Fire Protection Agreement Number 4CA02970 and future amendments to this Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount; and
- b. Approve a Funding Agreement between the County and California Flats Solar, LLC in a maximum amount not to exceed \$668,668 (for Cal Flats to provide up to \$665,498 for funding the above-referenced agreement with Cal Fire and \$3,170 for County contract administration) for a term from January 26, 2016 to June 30, 2017; and
- c. Authorize the Director of the County Resource Management Agency to execute the Funding Agreement and future amendments to this Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.
(PLN120294, California Flats Solar Project, South County)

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PROJECT INFORMATION:

Planning File Number: PLN120294

Provider of Services: California Department of Forestry and Fire Protection

Project Applicant: California Flats Solar, LLC

Project Location/Description: Parkfield, South County

Planner: John H. Ford, Planning Services Manager

Plan Area: South County

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Adopt a resolution to:
 1. Approve an agreement between the County and the California Department of Forestry and Fire Protection (Cal Fire) (Agreement Number 4CA02970), to provide fire protection services in South County in connection with the California Flats Solar Project (PLN120294), in a maximum amount not to exceed \$665,498, for a term beginning upon approval of the agreement by Cal Fire and County and ending June 30, 2017; and
 2. Authorize the Director of the County Resource Management Agency to sign the California Department of Forestry and Fire Protection Agreement Number 4CA02970

- and future amendments to this Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount;
- b. Approve a Funding Agreement between the County and California Flats Solar, LLC in a maximum amount not to exceed \$668,668 (for Cal Flats to provide up to \$665,498 for funding the above-referenced agreement with Cal Fire and \$3,170 for County contract administration) for a term from January 26, 2016 to June 30, 2017; and
 - c. Authorize the Director of the Resource Management Agency to execute the Funding Agreement and future amendments to this Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

SUMMARY:

See Attachment A for Summary of California Department of Forestry and Fire Protection Agreement Number 4CA02970 with the California Department of Forestry and Fire Protection and Funding Agreement (FA) with California Flats Solar, LLC.

DISCUSSION:

On February 10, 2015, the Board of Supervisors of the County of Monterey certified a Final Environmental Impact Report, adopted an ordinance approving a Development Agreement, and approved the California Flats Solar, LLC's (Cal Flats) application for a Use Permit to construct and operate a 280 megawatt alternating current photovoltaic solar energy project, known as the California Flats Solar Project, located near Parkfield in South Monterey County. Condition 89 (Mitigation Measure PS-1c) in the Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan requires Cal Flats to enter into an agreement with California Department of Forestry and Fire Protection (Cal Fire) to provide sufficient fire protection services during the non-peak fire season for the duration of project construction.

In discussions between Cal Fire and County, Cal Fire indicated that the manner to accomplish the condition would be for Cal Fire to enter into an agreement with the County and for Cal Flats to provide the funding. The proposed agreement (Agreement Number 4CA02970) between Cal Fire and the County will provide fire protection services to the South County area (which includes the Cal Flat project) served by the Parkfield Station during the non-peak fire season between now and June of 2017. All costs associated with providing services will be funded through the Funding Agreement between Cal Flats and the County. The Funding Agreement has been structured to insure that funds are on hand prior to submittal of invoices by Cal Fire, so there will be no impact on the County General Fund.

The term of Agreement Number 4CA02970 is effective when approved by both the County of Monterey Board of Supervisors and the California Department of Forestry and Fire Protection and runs through June 30, 2017. The term of the Funding Agreement is from January 26, 2016 through June 30, 2017.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller's Office have reviewed and approved the California Department of Forestry and Fire Protection Agreement and Funding Agreement as to form and legality, and fiscal provisions, respectively.

FINANCING:

There will be no cost to the County General Fund for providing Fire Protection Services to the area served by the Parkfield fire station. All costs of the agreement between the County and the California Department of Forestry and Fire Protection (CalFire) (Agreement Number 4CA02970), to provide fire protection services in South County will be reimbursed through the funding agreement between the County and California Flats Solar, LLC.

Prepared by: John H. Ford, Planning Services Manager, RMA - Planning, Ext. 5158
Approved by: Mike Novo, AICP, Director, RMA - Planning, Ext. 5192
<mailto:> Carl P. Holm, AICP, Director, RMA, Ext. 5103

All attachments are on file with The Clerk of the Board:

- Attachment A: Summary of Fire Protection Agreement and Funding Agreement
- Attachment B: Resolution Adopting Fire Protection Agreement with California Department of Forestry and Fire Protection (4CA02970);
- Attachment C: Funding Agreement with California Flats Solar, LLC