



Monterey County

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Board Report

Legistar File Number: A 17-298

July 11, 2017

Introduced: 6/23/2017

Version: 1

Current Status: Consent Agenda

Matter Type: BoS Agreement

- a. Approve the Professional Services Agreement with Denise Duffy & Associates, Inc. where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and
- b. Approve Funding Agreement No. 3 with Jeffrey and Monica LaTourette where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to allow funding to Monterey County for costs incurred by Denise Duffy & Associates, Inc. to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and
- c. Authorize the Chief of Planning Services to execute the Professional Services Agreement with Denise Duffy & Associates, Inc. and Funding Agreement No. 3 with Jeffrey and Monica LaTourette and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved amount of the Agreements.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve the Professional Services Agreement with Denise Duffy & Associates, Inc. where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and
- b. Approve Funding Agreement No. 3 with Jeffrey and Monica LaTourette where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to allow funding to Monterey County for costs incurred by Denise Duffy & Associates, Inc. to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and
- c. Authorize the Chief of Planning Services to execute the Professional Services Agreement with Denise Duffy & Associates, Inc. and Funding Agreement No. 3 with Jeffrey and Monica LaTourette and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved amount of the Agreements.

SUMMARY:

In 2004, Monterey County received an application by Jeffrey and Monica LaTourette to subdivide an approximately 48-acre site into nineteen (19) residential lots ranging in size from approximately one (1) to seven (7) acres (Project). The Project includes the expansion of the Woodland Heights Mutual Water System to provide for the proposed nineteen (19) lots, usage

of the existing main access road in the Woodland Heights Subdivision or providing an alternative access road directly north of King Road in the Prunedale area of North County. Individual septic systems are proposed for wastewater disposal for the proposed sites. Staff determined that an environmental impact report (EIR) would be required for the Project. CEQA, in this case an EIR, must be completed before a project can be considered.

DISCUSSION:

On June 8, 2004, the Board of Supervisors (BOS) approved the original Professional Services Agreement (PSA) with Denise Duffy & Associates, Inc. (DD&A) and the original Funding Agreement (FA) with Jeffrey and Monica LaTourette (Project Applicants) to provide an Environmental Impact Report (EIR) for the Project in the amount of \$280,101 for the PSA and \$365,349 for the FA for a term from May 3, 2004 to June 30, 2005. On August 15, 2006, the BOS approved a second PSA and FA No. 2 for the Project in the amount of \$241,431 for the PSA and \$314,910 for FA No. 2 for a term from August 15, 2006 to June 30, 2007. DD&A did not complete the EIR for the Project prior to allowing expiration of the original PSA and FA and second PSA and FA No. 2.

This PSA with DD&A will allow completion of the EIR for the Project in the amount of \$161,305 (\$140,265 for Base Budget and \$21,040 for Project Contingency) for a term from June 27, 2017 to June 27, 2019. FA No. 3 with Jeffrey and Monica LaTourette will allow funding to DD&A for services associated with the completion of the EIR in the amount of \$161,305 (\$140,265 for Base Budget and \$21,040 for Project Contingency) for a term from June 27, 2017 to June 27, 2019. The applicant has unused funds on deposit with RMA-Planning that are being credited towards the increase in deposit.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller Office have reviewed and approved the Agreements as to form and legality, and fiscal provisions, respectively.

FINANCING:

The PSA is between the County and DD&A. The County is obligated to pay for work completed by DD&A. The cost of this work will be funded through FA No. 3 between the County and the Project Applicants. The County requires a deposit from the Project Applicants in advance of work to fully fund and pay any invoices associated with the work of DD&A. The PSA and FA No. 3 are structured so that there will be no cost or out of pocket expenditure to the County associated with these Agreements.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Monterey County is obligated to process applications for development. Staff is processing this application in accordance with all applicable policies and regulations that address proper management of our land resources. The PSA with DD&A and FA No. 3 with the Project Applicants will allow for completion of an EIR for the Project. All services to complete the EIR are fully funded by the Project Applicants.

Check the related Board of Supervisors Strategic Initiatives:

Economic Development

Administration

Health & Human Services

Infrastructure

Public Safety

Prepared by: Bob J. Schubert, Senior Planner, (831) 755-5183

Approved by: Jacqueline R. Onciano, Chief of Planning Services

Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the Clerk of the Board.

Attachment A - PSA with DD&A

Attachment B - FA No. 3 with Jeffrey and Monica LaTourette