



Monterey County

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Board Report

Legistar File Number: A 15-282

Consent

July 28, 2015

Introduced: 7/21/2015

Version: 1

Current Status: Agenda Ready

Matter Type: BoS Agreement

- a. Approve Amendment No. 17 to Professional Services Agreement No. A-10097 with ICF Jones & Stokes, Inc. where the Base budget is increased by \$208,856 to \$555,385 and the Contingency budget is increased by \$31,328 to \$83,307, for a total amount not to exceed \$638,692 to include redefined tasks associated with the completion of the Environmental Impact Report (EIR) for the Rancho Canada Village Subdivision (PLN040061) in Carmel Valley, and extend the term to June 30, 2016;
- b. Approve Amendment No. 17 to Funding Agreement No. A-10105 with Rancho Canada Venture, LLC where the Base budget is increased by \$208,856 to \$555,385, the Contingency budget is increased by \$31,328 to \$83,307, and the County staff time budget for the County fee is corrected from \$23,000 to \$23,960 and subject to the County of Monterey Land Use Fee Schedule, dated August 2, 2005, for a total amount not to exceed \$662,652 to allow funding to Monterey County for costs incurred by ICF Jones & Stokes, Inc. and County departments to include redefined tasks associated with the completion of the EIR for the Rancho Canada Village Subdivision (PLN040061) in Carmel Valley, and extend the term to June 30, 2016; and
- c. Authorize the Director of Planning to execute Amendment No. 17 to Professional Services Agreement No. A-10097, Amendment No. 17 to Funding Agreement No. A-10105 and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

(Amendment - REF150019/ICF Jones & Stokes, Inc. - PLN 040061/EIR for the Rancho Canada Village Subdivision, in Carmel Valley)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 17 to Professional Services Agreement No. A-10097 with ICF Jones & Stokes, Inc. where the Base budget is increased by \$208,856 to \$555,385 and the Contingency budget is increased by \$31,328 to \$83,307, for a total amount not to exceed \$638,692 to include redefined tasks associated with the completion of the Environmental Impact Report (EIR) for the Rancho Canada Village Subdivision (PLN040061) in Carmel Valley, and extend the term to June 30, 2016;
- b. Approve Amendment No. 17 to Funding Agreement No. A-10105 with Rancho Canada Venture, LLC where the Base budget is increased by \$208,856 to \$555,385, the Contingency budget is increased by \$31,328 to \$83,307, and the County staff time budget for the County fee is corrected from \$23,000 to \$23,960 and subject to the County of Monterey Land Use Fee Schedule, dated August 2, 2005, for a total amount not to exceed \$662,652 to allow funding to Monterey County for costs incurred by ICF Jones & Stokes, Inc. and County departments to include redefined tasks associated with the completion of the EIR for the Rancho Canada Village Subdivision (PLN040061) in Carmel Valley, and

- extend the term to June 30, 2016; and
- c. Authorize the Director of Planning to execute Amendment No. 17 to Professional Services Agreement No. A-10097, Amendment No. 17 to Funding Agreement No. A-10105 and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

SUMMARY:

Attachment A provides a summary of the Professional Services Agreement (PSA) and Funding Agreement (FA) and amendments.

DISCUSSION:

The County previously prepared a Draft EIR for the Rancho Canada Village Subdivision which was circulated for Public review. Comments on the DEIR were received. A variety of circumstances caused the processing of the Project to be put on hold, but processing of the Project has now resumed. The Project Applicant has submitted a new alternative to be considered as part of the Project review which will be evaluated by the EIR. The Draft EIR is being revised and recirculated to address the previously articulated concerns and to give Project level environmental analysis to the new alternative. ICF Jones & Stokes, Inc. has prepared an updated scope and proposed cost for the work. The remaining budget for the original tasks was reallocated to the redefined tasks and an additional increase was identified. Amendment No. 17 to PSA No. A-10097 with ICF Jones & Stokes, Inc. and Amendment No. 17 to FA No. A-10105 with Rancho Canada Venture, LLC identifies these changes and will provide the additional funding for the redefined tasks. Amendment No. 17 will increase the PSA by \$240,184 (\$208,856 Base budget plus a \$31,328 Contingency budget), for a total amount not to exceed \$638,692, and will increase the FA by \$240,184 (\$208,856 Base budget plus a \$31,328 Contingency budget), for a total amount not to exceed \$662,652, and extends the term of the PSA and FA through June 30, 2016.

There is a \$23,960 difference between the FA with Rancho Canada Venture, LLC and the PSA with ICF Jones & Stokes, Inc. This money reflects the original deposit to be used for staff time. Amendment No. 17 to the FA revises the number from \$23,000 to \$23,960 because the original FA called for payment of \$23,000 but \$23,960 was paid. Staff charges are currently being collected under the fee ordinance and there is no additional money being required by this FA. Amendment No. 17 to the FA simply addresses the difference between the original deposit amount and the actual amount provided by Rancho Canada Venture, LLC.


OTHER AGENCY INVOLVEMENT:


The Office of the County Counsel and Auditor-Controller have reviewed Amendment No. 17 as to form and legality, and fiscal provisions, respectively:

FINANCING:

There will be no impact to the General Fund as a result of the above actions. Pursuant to the terms of the FA with Rancho Canada Venture, LLC, Project Applicant, and the County, the expenses of ICF Jones & Stokes, Inc. to provide an EIR for the Rancho Canada Village Subdivision will be funded by the Applicants established in the FA. Separate fees for County staff costs associated with the Project will be paid by the Project Applicant in accordance with the County of Monterey Land Use Fee Schedule, dated August 2, 2005.

Prepared by: Luke Connolly, Management Specialist, RMA - Planning, Ext. 5173

Approved by: Mike Novo, Director, RMA - Planning, Ext. 5192 

Carl P. Holm, AICP, Acting Resource Management Agency Director 

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

Attachment A - Summary of PSA and FA

Attachment B - Amendment No. 17 to PSA with ICF Jones & Stokes, Inc.

Attachment C - Amendment No. 17 to FA with Rancho Canada Venture, LLC

Attachment D - Reference Documents