



Monterey County

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Board Report

Legistar File Number: A 18-465

December 11, 2018

Introduced: 11/26/2018

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Approve Funding Agreement No. 2 with Paraiso Springs Resort, LLC to fund costs for EMC Planning Group, Inc. incurred by Monterey County for processing this project where the Base Budget is \$14,695, the Contingency Budget is \$5,000, and the Contract Administration Fee is \$3,170, for a total amount not to exceed \$22,865 for a term from December 4, 2018 to May 31, 2019. Said agreement would allow attendance by EMC Planning Group, Inc. at Public Hearings associated with the Environmental Impact Report for the Paraiso Hot Springs Resort Project (PLN040183) in the Central Salinas Valley area; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Funding Agreement No. 2 and future amendments to the Agreement where the amendments do not substantially alter the scope of work or change the approved Agreement amount, subject to the approval of County Counsel as to form and legality.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Funding Agreement No. 2 with Paraiso Springs Resort, LLC to fund costs for EMC Planning Group, Inc. incurred by Monterey County for processing this project where the Base Budget is \$14,695, the Contingency Budget is \$5,000, and the Contract Administration Fee is \$3,170, for a total amount not to exceed \$22,865 for a term from December 4, 2018 to May 31, 2019. Said agreement would allow attendance by EMC Planning Group, Inc. at Public Hearings associated with the Environmental Impact Report for the Paraiso Hot Springs Resort Project (PLN040183) in the Central Salinas Valley area; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Funding Agreement No. 2 and future amendments to the Agreement where the amendments do not substantially alter the scope of work or change the approved Agreement amount, subject to the approval of County Counsel as to form and legality.

SUMMARY/DISCUSSION:

The Paraiso Springs Resort, LLC, formerly Thompson Holdings, LLC, (Project Applicant) requested environmental review of the proposal for the reconstruction and redevelopment of the Paraiso Hot Springs Resort (Project) located near Soledad, California. Due to the magnitude and complexity of the work for the Project, the Project Applicant agreed that the County retain EMC Planning Group, Inc. (EMC) to complete an Environmental Impact Report (EIR) for the Project. The Project Applicant entered into Funding Agreement (FA) No. A-12313 or FA No. 1 to fund the services provided by EMC who completed all identified work associated with the completion of the EIR. FA No. 1 expired on June 30, 2018.

The Project Applicant has requested that County obtain further assistance from EMC. The County has prepared a Professional Services Agreement (PSA) for additional services through EMC. FA No. 2 with the Project Applicant will fund the PSA and allow for EMC's attendance at Public Hearings (services) through the presentation of the EIR for the Project to the County of Monterey Planning Commission and Board of Supervisors (BOS), and covers the County's contract administration fees. Project review costs are separate from the funding for the services designated in FA No. 2 and are covered through permit application fees.

FA No. 2 will allow funding to EMC for services associated with the completion of the Project in the amount of \$22,865 (\$14,695 for Base Budget, \$5,000 for Project Contingency, and \$3,170 to the County for contract administration) for a term from December 4, 2018 to May 31, 2019.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller's Office have reviewed and approved FA No. 2 as to form and legality, and fiscal provisions, respectively.

FINANCING:

The County is obligated to pay for services completed by EMC through a Professional Services Agreement (PSA) between EMC and the County. The cost of these services will be funded through FA No. 2 between the County and the Project Applicant. The County requires a deposit from the Project Applicant in advance of services to fully fund and pay for any invoices associated with the services provided by EMC and to cover the County's contract administration fee. The PSA and FA No. 2 are structured so that there is no cost to the County associated with these Agreements with no impact to the General Fund.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

FA No. 2 will allow use of professional services by EMC to complete the Project. The Project could potentially impact the revenue base and quality of life within the County, including offering economic opportunities within the Salinas Valley. All services are fully funded by the Project Applicant. The recommended action supports the BOS Strategic Initiatives as indicated below:

- ☒ Economic Development
- ☐ Administration
- ☒ Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

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Reviewed by: John Dugan, AICP, RMA Deputy Director of Land Use and Community Development

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

The following attachment is on file with the Clerk of the Board:

Attachment A - FA No. 2 with Paraiso Springs Resort, LLC