



Legislation Details (With Board Report)

File #: A 21-066 **Name:** PLN050692 - Charolais Ranch Subdivision

Type: BoS Agreement **Status:** Passed - RMA Administration

File created: 3/2/2021 **In control:** Board of Supervisors

On agenda: 3/9/2021 **Final action:** 3/9/2021

Title: a. Approve Professional Services Agreement with Rincon Consultants, Inc., to prepare an Environmental Impact Report for the Charolais Ranch Subdivision Project (PLN050692) where the Base Budget is \$129,442.00, and the Contingency Budget is \$19,416.30, for a total amount not to exceed \$148,858.30, for a term from February 24, 2021 to February 23, 2026;
 b. Approve a Funding Agreement with The Don Chapin Company, Inc., to fund costs for Rincon Consultants, Inc., incurred by Monterey County for preparing an Environmental Impact Report for the Charolais Ranch Subdivision Project (PLN050692) where the Base Budget is \$129,442.00, the Contingency Budget is \$19,416.30, and the Contract Administration Fee is \$3,424.00, for a total amount not to exceed \$152,282.30, for a term from February 24, 2021 to February 23, 2026; and
 c. Authorize the Housing and Community Development Director or designee to execute the Professional Services Agreement, Funding Agreement and up to three (3) future amendments to the Agreements where the amendments do not significantly alter the scope of work or increase the approved amount of the Agreements, subject to review and approval by the Office of the County Counsel as to form.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - PSA with Rincon Consultants, Inc., 3. Attachment B - FA with The Don Chapin Company, Inc., 4. Completed Board Order Item no. 35, 5. Executed FA for Charolais Ranch Subdivision 030921, 6. Executed PSA with Rincon Consultants for Charolais Ranch 030926

Date	Ver.	Action By	Action	Result
3/9/2021	1	Board of Supervisors	approved - rma administration	Pass

a. Approve Professional Services Agreement with Rincon Consultants, Inc., to prepare an Environmental Impact Report for the Charolais Ranch Subdivision Project (PLN050692) where the Base Budget is \$129,442.00, and the Contingency Budget is \$19,416.30, for a total amount not to exceed \$148,858.30, for a term from February 24, 2021 to February 23, 2026;

b. Approve a Funding Agreement with The Don Chapin Company, Inc., to fund costs for Rincon Consultants, Inc., incurred by Monterey County for preparing an Environmental Impact Report for the Charolais Ranch Subdivision Project (PLN050692) where the Base Budget is \$129,442.00, the Contingency Budget is \$19,416.30, and the Contract Administration Fee is \$3,424.00, for a total amount not to exceed \$152,282.30, for a term from February 24, 2021 to February 23, 2026; and

c. Authorize the Housing and Community Development Director or designee to execute the Professional Services Agreement, Funding Agreement and up to three (3) future amendments to the Agreements where the amendments do not significantly alter the scope of work or increase the approved amount of the Agreements, subject to review and approval by the Office of the County Counsel as to form.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve Professional Services Agreement with Rincon Consultants, Inc., to prepare an Environmental Impact Report for the Charolais Ranch Subdivision Project (PLN050692) where the Base Budget is \$129,442.00, and the Contingency Budget is \$19,416.30, for a total amount not to exceed \$148,858.30, for a

term from February 24, 2021 to February 23, 2026;

b. Approve a Funding Agreement with The Don Chapin Company, Inc., to fund costs for Rincon Consultants, Inc., incurred by Monterey County for preparing an Environmental Impact Report for the Charolais Ranch Subdivision Project (PLN050692) where the Base Budget is \$129,442.00, the Contingency Budget is \$19,416.30, and the Contract Administration Fee is \$3,424.00, for a total amount not to exceed \$152,282.30, for a term from February 24, 2021 to February 23, 2026; and

c. Authorize the Housing and Community Development Director or designee to execute the Professional Services Agreement, Funding Agreement and up to three (3) future amendments to the Agreements where the amendments do not significantly alter the scope of work or increase the approved amount of the Agreements, subject to review and approval by the Office of the County Counsel as to form.

SUMMARY/DISCUSSION:

In December 2006, the County of Monterey Housing and Community Development (HCD) Department, formerly Resource Management Agency (RMA) (hereinafter, County), received an application (PLN050692) for the Charolais Ranch Subdivision Project (Project). The Project, located in north Monterey County just south of Pesante Road, east of Prunedale (Assessor's Parcel Number 125-051-012-00), includes the subdivision of 130.8 acres into twenty-six (26) residential lots ranging in size from approximately one and one-half (1.5) to three and one-half (3.5) acres and three (3) separate open space areas totaling 73.23 acres.

As a large-scale subdivision, potentially significant impacts may result from the subdivision project including but not limited to traffic, biology, and water supply, which need to be analyzed as part of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA).

The Professional Services Agreement (PSA) between the County and Rincon Consultants, Inc., will allow for the preparation of the EIR for the Project for a total amount not to exceed \$148,858.30 (\$129,442.00 for Base Budget and \$19,416.30 for Contingency Budget) for a term from February 24, 2021 to February 23, 2026. The Funding Agreement (FA) between the County and The Don Chapin Company, Inc. (Project Applicant), will allow funding to the County for costs associated with the completion of the EIR in the same amount and within the same timeframe as the PSA.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller's Office have reviewed and approved the PSA and FA as to form and fiscal provisions, respectively.

FINANCING:

Pursuant to the terms of the FA between The Don Chapin Company, Inc., and the County, EIR services provided by Rincon Consultants, Inc., and County Contract Administration fees will be paid by The Don Chapin Company, Inc., with an advanced deposit. 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. The PSA and FA 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:

The PSA with Rincon Consultants, Inc., and FA with the Project Applicant will allow for completion of an EIR for the Project which could potentially impact the revenue base and quality of life within the County. All services to complete the EIR are fully funded by the Project Applicant. The recommended action supports the

BOS Strategic Initiatives as indicated below:

- Economic Development
 - Administration
 - Health and Human Services
- Infrastructure
 - Public Safety

Prepared by: Kathleen Nielsen, Management Analyst II, HCD Special Programs

Reviewed by: Craig Spencer, HCD Planning Services Manager

Approved by: Mike Novo, AICP, Housing and Community Development Interim Director

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

Attachment A - PSA with Rincon Consultants, Inc.

Attachment B - FA with The Don Chapin Company, Inc.