



Legislation Details (With Board Report)

File #: 12-768 **Name:** EMC Planning/Paraiso
Type: General Agenda Item **Status:** Passed
File created: 8/14/2012 **In control:** Board of Supervisors
On agenda: 8/28/2012 **Final action:** 8/28/2012

Title: a. Approve a Professional Services Agreement with EMC Planning Group, Inc. (EMC) where the Base Budget is \$143,554.80 to provide an Environmental Impact Report (EIR) for the Paraiso Hot Springs Resort (PLN040183) in Soledad, for a term through June 30, 2013; and
b. Approve a Funding Agreement with Thompson Holdings, LLC where the Base Budget is \$143,554.80, the County contract administration fee is \$3,170.00, and the Planning Department's deposit is \$16,742.13, for a total amount not to exceed \$163,466.93 to allow funding to Monterey County for costs incurred by EMC and County departments to provide an EIR for the Paraiso Hot Springs Resort (PLN040183) in Soledad, for a term through June 30, 2013; and
c. Authorize the Director of Planning to execute the Professional Services Agreement, Funding Agreement and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.
Permit Type: PLN 040183 / Environmental Impact Report for the Paraiso Hot Springs Resort in Soledad (REF110063/EMC Planning) ADDED VIA ADDENDUM

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment A - Professional Services Agreement, 2. Attachment B - Funding Agreement, 3. Completed Board Order, 4. Fully Executed Agreement, Paraiso Hot Spring Resort, Environmental Impact Report, 5. Fully Executed Agreement, Professional Service Agreement, Paraiso Hot Springs Resort

Date	Ver.	Action By	Action	Result
8/28/2012	1	Board of Supervisors	approved	

a. Approve a Professional Services Agreement with EMC Planning Group, Inc. (EMC) where the Base Budget is \$143,554.80 to provide an Environmental Impact Report (EIR) for the Paraiso Hot Springs Resort (PLN040183) in Soledad, for a term through June 30, 2013; and
b. Approve a Funding Agreement with Thompson Holdings, LLC where the Base Budget is \$143,554.80, the County contract administration fee is \$3,170.00, and the Planning Department's deposit is \$16,742.13, for a total amount not to exceed \$163,466.93 to allow funding to Monterey County for costs incurred by EMC and County departments to provide an EIR for the Paraiso Hot Springs Resort (PLN040183) in Soledad, for a term through June 30, 2013; and
c. Authorize the Director of Planning to execute the Professional Services Agreement, Funding Agreement and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

Permit Type: PLN 040183 / Environmental Impact Report for the Paraiso Hot Springs Resort in Soledad (REF110063/EMC Planning) ADDED VIA ADDENDUM

PROJECT INFORMATION:

Planning File Number: PLN 040183
Consultant: EMC Planning Group, Inc.
Project Applicant: Thompson Holdings, LLC

Project Location: Paraiso Hot Springs Resort
Planner: Jacqueline R. Onciano, Planning Services Manager
Plan Area: Soledad

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve a Professional Services Agreement with EMC Planning Group, Inc. (EMC) where the Base Budget is \$143,554.80 to provide an Environmental Impact Report (EIR) for the Paraiso Hot Springs Resort (PLN040183) in Soledad, for a term through June 30, 2013; and
- b. Approve a Funding Agreement with Thompson Holdings, LLC where the Base Budget is \$143,554.80, the County contract administration fee is \$3,170.00, and the Planning Department’s deposit is \$16,742.13 for a total amount not to exceed \$163,466.93 to allow funding to Monterey County for costs incurred by EMC and County departments to provide an EIR for the Paraiso Hot Springs Resort (PLN040183) in Soledad, for a term through June 30, 2013; and
- c. Authorize the Director of Planning to execute the Professional Services Agreement, Funding Agreement and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

SUMMARY:

Agreements	BOS Approval	Execution by Director of Planning	Budget for Agreements			Total Amount of Agreements	
			Base Budget	Fees	Deposit	PSA	FA
PSA FA	Pending Pending	Pending Pending	\$143,554.80	\$0.00 \$3,170.00	\$0.00 \$16,742.13	\$143,554.80	\$163,466.93
GRAND TOTAL			\$143,554.80	\$3,170.00	\$16,742.13	\$143,554.80	\$163,466.93

DISCUSSION:

This Professional Services Agreement (PSA) with EMC Planning Group, Inc. and related Funding Agreement (FA) with Thompson Holdings, LLC will provide an EIR for the Paraiso Hot Springs Resort located in Soledad. The term of the PSA and FA is from September 10, 2012 through June 30, 2013. This FA was negotiated with Thompson Holdings, LLC to complete work previously commenced through Reimbursement Agreement (RA) No. A-11035 and PSA No. A-11034 for the environmental review for this project. RA No. A-11035 and PSA No. A-11034 were terminated in July 2010.

The costs for this PSA are to be covered through the FA with Thompson Holdings, LLC, Project Applicant, and are related to the completion of the Paraiso Hot Springs Resort EIR. The FA also covers the County’s contract administration fees and deposit for Planning Department staff costs associated with completion of the EIR. Project review costs are separate from the EIR funds designated in the PSA and FA.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the Agreements as to form and legality and fiscal provisions, respectively:

- Office of the County Counsel
- Auditor-Controller’s Office

Due to late submission of this Board Report, the CAO Budget and Analysis Division was not provided

adequate time to fully review for potential fiscal, organizational, policy or other implication to the County of Monterey.

FINANCING:

Pursuant to the terms of the FA with Thompson Holdings, LLC, Project Applicant, and the County, the expenses of EMC Planning Group, Inc. to provide an EIR for the Paraiso Hot Springs Resort, fees associated with County contract administration, and the Planning Department staff costs associated with completion of the EIR will be funded through budgets established in the FA. Separate fees for County staff costs associated with the Project review costs will be paid by the Project Applicant in accordance with the current County of Monterey Land Use Fee Schedule. At this time staff does not anticipate an impact to the General Fund as there are funds in the amount of \$16,742.13 available to cover planning staff time associated with work on the EIR. There will be a potential financial impact to the department's budget should staff costs exceed \$16,742.13.

Prepared by: Jacqueline R. Onciano, Planning Services Manager, Ext. 5193

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

<mailto:> Benny Young, Director, Resource Management Agency

This report was prepared with assistance by Shelley Dickinson, Management Analyst I, and reviewed by Dalia M. Mariscal-Martinez, Management Analyst II, and Shawne Ellerbee, Finance Manager III.

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

Attachment A Professional Services Agreement with EMC Planning Group, Inc.

Attachment B Funding Agreement with Thompson Holdings, LLC