



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: A 24-529

December 03, 2024

Introduced: 11/5/2024

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Approve and authorize the Housing and Community Development Director or his designee to execute Amendment No. 1 to Funding Agreement A-15124 with The Don Chapin Company, Inc., for the not to exceed amount of \$207,198 which includes the non-refundable County administration fee of \$3,424, and with no change to the term date of March 9, 2026;
- b. Approve and authorize the Housing and Community Development Director or his designee to execute Amendment No. 1 to Professional Services Agreement A-15123 with Rincon Consultants, Inc., for the not to exceed amount of \$203,774.
- c. Authorize the Housing and Community Development Director or his designee to execute future amendments to the Agreements where the amendments do not significantly alter the scope of work or increase the approved Agreement amounts by more than ten percent (10%), subject to review as to form by the Office of the County Counsel and as to fiscal provisions by the Auditor-Controller's Office.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Housing and Community Development Director or his designee to execute Amendment No. 1 to Funding Agreement A-15124 with The Don Chapin Company, Inc., for the not to exceed amount of \$207,198 which includes the non-refundable County administration fee of \$3,424, and with no change to the term date of March 9, 2026;
- b. Approve and authorize the Housing and Community Development Director or his designee to execute Amendment No. 1 to Professional Services Agreement A-15123 with Rincon Consultants, Inc., for the not to exceed amount of \$203,774.
- c. Authorize the Housing and Community Development Director or his designee to execute future amendments to the Agreements where the amendments do not significantly alter the scope of work or increase the approved Agreement amounts by more than ten percent (10%), subject to review as to form by the Office of the County Counsel and as to fiscal provisions by the Auditor-Controller's Office.

PROJECT INFORMATION:

Planning File Number: PLN050692

Provider of Services: Rincon Consultants, inc.

Project Applicant: The Don Chapin Company, Inc.

APN: 125-051-012-00

Plan Area: North County

SUMMARY/DISCUSSION:

On March 12, 2021, The Don Chapin Company, Inc. (“Project Applicant”), entered into Funding Agreement A-15124 with Monterey County (“County”) for the purpose of funding an Environmental Impact Report (“EIR”) for the proposed Charolais Ranch Subdivision (“Project”) to be completed by Rincon Consultants, Inc. (“Contractor”) through Professional Services Agreement A-15123 (“PSA”). The term of both Agreements is March 10, 2021 to March 9, 2026 (Attachments C and D).

The Contractor completed an Administrative Draft EIR for the Project; however, the document now requires revisions. This amendment includes a new funding agreement with the applicant to cover the updated costs of revising the document at current rates.

The scope of work requires expansion of Task 5 - Second Administrative Draft EIR, Task 7 - Responses to Comments/Administrative Final EIR, Task 8 - Final EIR and mitigation monitoring and reporting plan, and Task 10 - Project Management. Details of the expanded tasks are contained in Exhibit A-1 of the amended PSA (Attachment B).

The current amount of the PSA is \$148,858.30. This amount requires correction to \$167,408.30 due to the optional tasks (\$18,550) not being included in the original calculation of the PSA. The additional amount of \$36,636 for expansion of the four tasks will bring the total PSA amount to \$203,773.30.

The current amount of the Funding Agreement is \$170,832.30. Expanding the scope of work requires additional funding for the Project of \$36,365, bringing the total Funding Agreement amount to \$207,197.30.

Amendment No. 1 to the PSA provides updates to the terms and conditions of the PSA to align with the most recent County-approved PSA template.

OTHER AGENCY INVOLVEMENT:

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

FINANCING:

There are no costs to the General Fund as a result of this action. Staff costs to manage the contracts and professional services provided by Rincon will be funded by the Project Applicant through the Funding Agreement in the amount of \$207,197.30. Staff time for processing the environmental review will be charged at the billing rate established per the Department’s fee article.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Amendments to the FA and PSA will allow for completion of the Project’s EIR. All services to complete the EIR are fully funded by the Project Applicant.

- X Economic Development
- X Administration
- Health & Human Services

X

Infrastructure
Public Safety

Prepared by: Kathy Nielsen, Management Analyst II, 755-4832

Reviewed by: Lori Woodle, Finance Manager I, 759-6682

Approved by: Craig W. Spencer, HCD Director

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

Attachment A - Draft Amendment No. 1 to FA A-15124

Attachment B - Draft Amendment No. 1 to PSA A-15123

Attachment C - FA A-15124

Attachment D - PSA A-15123