



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: May 6, 2008
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department John Baker, 568-2085
Director(s)
Contact Info: Dianne Black, 568-2086

SUBJECT: **Approval of Budget Amendment for Santa Barbara Botanic Garden EIR Contract with Envicom Corporation**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors approve and authorize the Chair to execute Amendment No. 1 to Envicom Corporation's existing, applicant-funded contract, in the amount of \$85,968, for a total not to exceed cost of \$417,670, in order to complete additional analysis and prepare appropriate revisions to the Final Environmental Impact Report (EIR).

Summary Text:

Additional work beyond the original scope of the contract is required for Envicom Corporation, based out of Agoura Hills, to complete the final work on the EIR for the Santa Barbara Botanic Garden Vital Mission Plan project (see Attachment A). The applicant has reviewed the proposed contract amendment and has agreed to pay the required amount to complete the necessary work. Included in the amended contract is a request to fund out-of-scope requirements resulting from additional time needed to respond to comments on the Draft EIR beyond what was originally anticipated due to the volume and nature of the comments received; the need for additional studies and analysis for several EIR sections that require additional staff time; and increased production costs. The previously approved budget for preparation of the EIR is not adequate to cover the cost of this work. The applicant, consultant and staff all agree that the additional consultant evaluation and commensurate costs are warranted in order to complete work on the Final EIR and produce an adequate document. The additional request of \$85,968 would augment the

current contract, for a new not-to-exceed cost of \$417,670. P&D staff will work closely with the consultant to coordinate the preparation of the final documents.

Background:

The Santa Barbara Botanic Garden (Garden) comprises approximately 65 acres in the Mission Canyon area of Santa Barbara. The Garden has been operating under its existing Conditional Use Permit since 1972. The proposed project involves a revision to the Garden's existing Conditional Use Permit, including incorporation of a recently acquired 13.15 acre parcel, bringing the total acreage of the Garden to approximately 78 acres. Included in the revised CUP is a proposal to expand existing facilities and increase the level of use of the Garden in terms of new employees, classes, lectures, and special events. The project includes extension of sewer and water lines to serve all new and existing buildings. The project involves Assessor Parcel Numbers (APNs) 023-052-001, -002, -003, -004, -008, -011 and -012; 023-060-018, -022, -023, -024, -025, -026, and -038; 023-340-013, -014, and -015; 023-350-006; and 021-030-001.

Performance Measure:

N/A

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis: Costs for additional consultant preparation and processing of the environmental document are to be borne by the applicant. These funds are budgeted in the Permitting and Compliance Program of the Development Review South Division on page D-286 of the recommended 07/08 fiscal year budget.

Staffing Impacts:

N/A

Special Instructions:

Clerk of the Board will forward a copy of the Minute Order to Planning & Development; Attn: Alex Tuttle.

Attachments:

- Attachment A: Contract Amendment No. 1
- Attachment B: Request for Budget Amendment, Envicom Corporation, dated April 10, 2008
- Attachment C: Contract Summary

Authored by: Alex Tuttle, 884-6844