



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: November 4, 2014
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn S. Russell, Ph.D., 568-2085
Director(s)
Contact Info: Alice McCurdy, 934-6559
SUBJECT: Authorization of Professional Services Contract with Rincon Consultants Inc. to prepare an Environmental Impact Report for the proposed Rancho La Laguna Project, 3rd and 5th Supervisorial Districts.

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

1. Approve and authorize the Chair to execute an Agreement (Attachment A) with Rincon Consultants, Inc. (not a local vendor), for a base contract amount not to exceed \$123,519.00 for preparation of an Environmental Impact Report (EIR) for the Rancho La Laguna Tentative Tract Map project for the period beginning November 5, 2014 and ending on December 31, 2015.
2. Authorize the Director of Planning & Development or designee to approve changes or additions in the services being performed under the Agreement in an amount not to exceed \$12,352.00 for a total not to exceed amount of \$135,871.00.
3. Determine that these activities are exempt from review under the California Environmental Quality Act pursuant to CEQA Guideline section 15061(b)(3), as it can be seen with certainty that there is no possibility that these activities may have a significant effect on the environment.

Summary Text:

An application for a Tentative Tract Map (06TRM-00000-00002) was received by the County of Santa Barbara on June 25, 2006. A Draft Mitigated Negative Declaration (MND) was prepared for the proposed project and released for public review on September 2010. Public comments received on the

draft MND raised a fair argument that the project may have a significant effect on the environment. Therefore, an Environmental Impact Report (EIR) is required under Section 15064 of the *Guidelines for Implementation of the California Environmental Quality Act*. P&D sent requests for proposals for preparing the EIR to four consulting firms. Rincon Consultants' proposal to prepare the EIR was selected by the applicant, consistent with the Request for Proposal procedure and the *Santa Barbara County Guidelines for the Implementation of CEQA*. The total not-to-exceed cost of the EIR is \$135,871.00. Board approval of the professional services contract with Rincon Consultants is required because the cost of preparing the EIR will exceed \$100,000. A copy of the Rincon Consultant's proposal dated May 30, 2014 (Revised August 11, 2014) is included as Attachment A-1 of Attachment A. Rincon is not a local vendor; however it does have offices in Ventura and San Luis Obispo Counties.

Background:

The Rancho La Laguna Tentative Tract Map (06TRM-00000-00002) proposes to subdivide an existing 3,950.75-acre lot (gross) into 13 new lots. The proposed lots would range in size between 160.01 acres and 596.84 acres. Residential development envelopes (RDEs) have been designated on each of the proposed lots. Residential land uses would be confined to the RDEs and access driveways. The application includes one legal parcel comprised of the following three Assessor's Parcel Numbers: 133-080-026, 133-080-036, and a portion of 133-080-037, located at the Foxen Canyon Road and Alisos Canyon Road intersection, known as 10550 Foxen Canyon Road, Third and Fifth Supervisorial Districts.

Rincon Consultants will be responsible for preparing the Environmental Impact Report for the project. Tasks involved with the preparation of the environmental document include, but are not limited to, peer review of technical reports, independent field survey of the project site, and independently and objectively evaluating potential project generated impacts and identification of mitigation measures if necessary to reduce impacts to less than significant levels.

Performance Measure: N/A

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis: Costs for consultant preparation and processing of the EIR are borne entirely by the applicant. These funds are budgeted in the Permitting and Compliance Program of the Development Review Division, as shown on page 212 of the adopted FY 2014/16 budget.

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:	\$135,871.00		\$135,871.00
Total	\$135,871.00	-	\$135,871.00

Narrative: The applicant has provided a one-time deposit of \$135,871.00 for completion of the EIR.

Staffing Impacts: N/A

Key Contract Risks:

A risk analysis was performed on the proposed contract and the contract was determined to be of low risk. The amount of \$135,871.00 has been paid in-full by the applicant in the form of a deposit to the County. As such, there is no risk to County fiscal resources for the contract amount. The contract includes payment arrangements based on periodic compensation at selected milestones. Payments will not be made until all services have been completed, delivered and found to be satisfactory for the various milestones. This ensures that funds from the deposit will only be expended upon satisfactory product delivery and performance by Rincon Consultants Inc.

Special Instructions:

Clerk of the Board will forward a copy of the Minute Order and executed contract to Planning & Development: Attn: Elisa Moser. Planning & Development will issue a Notice-to-Proceed to Rincon Consultants.

Attachments:

- Attachment A: Contract between Rincon Consultants & the County of Santa Barbara for Preparation of the EIR
 - Exhibit A: Scope of Work
 - Attachment A-1: Rincon Proposal dated May 30, 2014 (Revised August 11, 2014)
 - Exhibit B: Payment Arrangements
 - Exhibit C: Indemnification and Insurance Requirements

Attachment B: Notice to Proceed

Authored by:

John Zorovich, 934-6297