



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 and
Development
Department No.: 053
For Agenda Of: August 23, 2016
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn S. Russell, Ph.D., Director, Planning and Development
Director (805) 568-2085
Contact Info: Mindy Fogg, Interim Deputy Director, Long Range Planning
(805) 884-6848
SUBJECT: **Execute an Agreement with Amec Foster Wheeler for Consulting Services
Regarding Southern California Gas Company Advanced Meter
Telecommunication Ordinance Amendments**

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:

- a) Approve and authorize the Chair to execute an Agreement for Services with Amec Foster Wheeler (Attachment A) for consultant services for the period of August 24, 2016 to September 30, 2017 for an amount not to exceed \$95,000; and
- b) Determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15378(b)(5), which exempts organizations or administrative activities of governments that will not result in direct or indirect physical changes to the environment, and approve the filing of a Notice of Exemption (Attachment B).

Summary Text:

On May 26, 2016, Planning and Development sent a Request for Proposal (RFP) to seven firms for preparation of the Southern California Gas Company Advanced Meter Project Expedited Permit Process. One proposal was received and evaluated by Planning and Development staff. Amec Foster Wheeler was selected based on the firm's understanding of the project, the technical knowledge of its

project team, and project experience in the plan area. The Amec Foster Wheeler proposal is provided in Attachment C, which is for reference only. Services to be performed by Amec Foster Wheeler are outlined in the Agreement for Services (See Attachment A), and include: conducting meetings with P&D staff as well as community meetings; developing ordinance language; preparing environmental documents; preparing Staff Reports/Board Agenda Letter; and completing hearings with the Montecito and County Planning Commissions and the Board of Supervisors.

Background:

By letter dated February 29, 2016, the Southern California Gas Company (SCGC) requested that the County process an ordinance amendment to exempt the company's Data Collection Units component of SCGC's Advanced Meter Project from the telecommunications provisions in the County's Land Use and Development Code and the Montecito Land Use and Development Code. SCGC has not requested amendments for facilities in the Coastal Zone. Rather, SCGC has applied for conditional use permits for Advanced Meter facilities in the Coastal Zone.

SCGC's request came after several years of discussion between County and SCGC staff regarding the permit process for the Advanced Meter Project. Under the County's existing zoning ordinances, these facilities are considered telecommunication facilities.

On April 5, 2016, the Board of Supervisors directed the Planning and Development Department to initiate the process to amend the County and Montecito Land Use and Development Codes to create a ministerial permit process that SCGC may use to permit the installation of Advanced Meter DCU facilities. The Board of Supervisors also directed that the County accept the offer by SCGC to provide up to \$120,000 toward the cost of processing the ordinance amendments. On May 18, 2016, an Agreement for Payment of Processing Fees was executed, wherein SCGC agreed to assume responsibility for payment of all processing costs associated with the ordinance amendments.

The Advanced Meter Project involves upgrading existing natural gas meters with a communication device that automatically reads and transmits gas usage data. The upgrade includes installation of an Advanced Meter Communications Device at each existing residential gas meter that sends gas data to a pole-mounted Data Collection Unit (DCU). SCGC expects to install pole-mounted DCUs at approximately 95 sites outside the Coastal Zone in the unincorporated County. Pole height is normally required to be about 30 feet.

The existing zoning ordinances include a four-tiered system for permitting telecommunications facilities, with the permit level being commensurate with the level of development. The County's discretion on telecommunications facilities is limited to appropriate siting and design primarily to address visual concerns, as well as site impacts to resources such as biology and cultural resources. SCGC staff has indicated that they seek an entirely ministerial process for approval of the project in the inland area.

In order to exempt communication facilities associated with the SCGC Advanced Meter project from the telecommunications ordinance, Amec Foster Wheeler will process zoning ordinance amendments to the

County Land Use and Development Code and the Montecito Land Use and Development Code. The amendment process will involve the following steps:

- Conduct Stakeholder/Community Outreach (including community organizations and the County’s Boards of Architectural Review)
- Develop Ordinance Language
- Prepare Environmental Document (Exemption, Mitigated Negative Declaration or EIR)
- Prepare Montecito and Planning Commission staff reports
- Complete Montecito and County Planning Commission hearings
- Prepare Board Agenda Letter
- Complete Board of Supervisors Hearing

Fiscal and Facilities Impacts:

Budgeted: Yes. Funding for this project is budgeted on page D-295 of the FY 2016-2018 budget in the Long Range Planning Budget Program. A budget revision is not necessary because appropriation already exists for these expenditures within Planning and Development’s 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: | | | \$95,000 |
| Total | \$ - | \$ - | \$ 95,000.00 |

The Project, including this agreement for services, is funded by a \$120,000 payment agreement from SCGC. SCGC has agreed to pay \$95,000 for the consulting services of Amec Foster Wheeler, with the remaining \$25,000 for County staff costs.

Key Contract Risks:

A risk analysis was performed on the proposed Agreement and was determined to be of low risk. This conclusion is based on the previous performance and experience of the selected contractor as well as the small Agreement size. In addition, risk is further reduced because the Agreement includes a Termination for Convenience clause.

Staffing Impacts:

Legal Positions: N/A **FTEs:** N/A

Special Instructions:

- Clerk of the Board to forward a copy of the Minute Order, stamped Board Agenda Letter, and signed Agreement to Long Range Planning Division; Attn: Alyssa Krag-Arnold.

Attachments:

- Attachment A: Agreement for Services of Independent Contractor (Amec Foster Wheeler)
- Attachment B: Notice of Exemption
- Attachment C1: Amec Foster Wheeler Technical Proposal
- Attachment C2: Amec Foster Wheeler Cost Proposal

Authored by: Alyssa Krag-Arnold, Planner, Long Range Planning Division, (805) 884-8060

Attachment A
Agreement for Services of Independent Contractor

Attachment B
Notice of Exemption

Attachment C1
Amec Foster Wheeler Proposal: Volume I, Technical Proposal

Attachment C2
Amec Foster Wheeler Proposal: Volume II, Cost Proposal