



**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: October 10, 2017
Placement: Administrative
Estimated Time: NA
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 (s) (805) 568-2085
Contact Info: Daniel T. Klemann, Deputy Director, Long Range Planning
Division, (805) 568-2072
SUBJECT: Hoop Structures Ordinance Amendment Project
Agreement for Services with RECON Environmental, Inc.

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 between the County of Santa Barbara and RECON Environmental, Inc. for consultant services for the period of October 10, 2017, to September 30, 2018, in a base contract amount of \$136,350 plus a 10 percent contingency fund of \$13,635 for a total not to exceed amount of \$149,985;
- b) Authorize the Director of the Planning and Development Department (P&D) or designee to approve changes or additions in the services being performed, provided the contract does not exceed the base contract amount plus the 10 percent contingency identified in the contract; and
- c) Determine the approval of an Agreement for Services (contract) does not constitute a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), and direct staff to file a Notice of Exemption.

Summary Text:

Upon receiving direction from the Board of Supervisors to proceed with the Hoop Structures Ordinance Amendment project on July 25, 2017, P&D initiated a competitive bid process, issued a Request for Proposals (RFP), and identified a consulting firm to prepare an Environmental Impact Report (EIR). Staff recommends that the Board of Supervisors approve the attached Agreement of Services with

RECON Environmental, Inc. (RECON) (Attachment 1) for a not to exceed amount of \$149,985 to prepare the EIR. Approval of the Agreement is necessary to proceed with environmental review of the project.

Background:

On July 25, 2017, after receiving a staff briefing and public testimony, and further discussion regarding several options for proceeding with the Hoop Structures Ordinance Amendment project, the Board of Supervisors directed staff to proceed with a comprehensive ordinance amendment project included in the Long Range Planning Division's annual work program for Fiscal Year 2017-18. The proposed project will amend the County Land Use and Development Code to exempt hoop structures no taller than 20 feet when they comply with development standards to be developed as a part of this project. In addition, P&D staff will identify permit options for all hoop structures as part of the proposed project.

On July 28, 2017, P&D staff initiated a competitive bid process and sent a RFP to prepare an EIR to five environmental consulting firms. Staff received two consultant proposals. After careful consideration of the proposals, P&D staff recommends RECON to prepare the EIR. RECON demonstrated that it sufficiently understands the scope of services required for the preparation of the EIR; demonstrated that it has directly relevant, previous experience analyzing the environmental impacts of similar regulations; and has the professional qualifications necessary for satisfactory performance of the services required.

RECON's proposal is set forth in Attachment 3 (RECON Environmental, Inc. Technical Proposal) and Attachment 4 (RECON Environmental, Inc. Cost Proposal) to this Board letter. The EIR will be prepared pursuant to an accelerated schedule – P&D anticipates releasing a Draft EIR for public review in January 2018. Services to be performed include (1) collecting data, conducting a technical review, and preparing a baseline conditions analysis of hoop structures use in the County, (2) preparing an EIR pursuant to the requirements of CEQA, and (3) attending three public meetings. P&D staff will manage the preparation of the EIR and the overall environmental review process. The environmental review process will assess the project's environmental impacts, including cumulative impacts. The general scope of work will include the following:

- In coordination with P&D staff, initiating the public scoping process for the EIR.
- Preparing an Administrative Draft EIR.
- Preparing a Draft EIR and circulating the Draft EIR for a 45-day public comment period.
- Conducting a public workshop on the Draft EIR.
- Responding to comments on the Draft EIR and preparing a Final EIR.
- Presenting the Final EIR and recommendations to the County Planning Commission and the Board of Supervisors.

The cost of preparing the EIR is estimated to be \$136,350. Since the services that are the subject of the contract will cost over \$100,000, the Board of Supervisors approval of the contract with RECON is required. The contract allows for the P&D Director to authorize the use of contingency funds up to \$13,635 (10%) if there is necessary work that is not anticipated with the contract. The contract amount is not to exceed \$149,985 (Attachment 1).

Fiscal and Facilities Impacts

Budgeted: Yes

The Hoop Structures Ordinance Amendment project is included in the Board of Supervisors adopted P&D budget for Fiscal Year 2017-18. Funding for this contract to prepare an EIR for this project is budgeted in the Long Range Planning Budget Program on page D-286 of the adopted Fiscal Year 2017-18 budget.

Key Contract Risks:

A risk analysis was performed on the proposed contract and was determined to be of medium risk. This conclusion is based on the contract the contract amount being greater than \$100,000, the contract requirements being of moderate complexity, and that the project may be moderately sensitive. Although RECON was chosen through a competitive bid process, only two bids were received. However, the services to be provided have been previously performed by RECON for other County of Santa Barbara projects. RECON's work performed to date is considered to be of high quality and was completed on schedule and within budget.

Staffing Impacts:

No additional staffing is needed to implement and manage this contract.

Special Instructions:

Please forward one original executed Agreement for Services with RECON, a copy of the filed Notice of Exemption, and a minute order of the hearing to P&D, Hearing Support, Attention: David Villalobos.

Attachments:

1. Agreement for Services of Independent Contractor
 - Exhibit A: Statement of Work
 - Exhibit B: Payment Arrangements - Periodic Compensation
 - Exhibit C: Risk Management
2. Notice of Exemption
3. RECON Environmental, Inc. Technical Proposal
4. RECON Environmental, Inc. Cost Proposal

Authored by:

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