



## Legislation Details (With Text)

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**File created:** 2/22/2016      **In control:** Board of Supervisors

**On agenda:** 3/22/2016      **Final action:** 3/22/2016

**Title:** Community Development Agency, Development Services Division, recommending the Board take the following actions on the Consultant Contracts for the Montano De El Dorado Master Plan project (Rezone Z15-0002/Planned Development PD15-0004/Parcel Map P15-0006), funded entirely with development applicant funding:

- 1) Make findings pursuant to County Ordinance Section 3.13.030 that it is more economical and feasible to engage an independent contractor to complete the environmental assessments and prepare the necessary California Environmental Quality Act (CEQA) documents, which require special technical skills and qualifications, and that the nature of the work would involve accomplishing temporary tasks and services within a specified project processing schedule;
- 2) Approve and authorize the Chair to sign Agreement for Services 172-S1611 with Michael Baker International, Inc. to complete environmental assessments and prepare the necessary CEQA documents, for a three year term following final execution, and a not-to-exceed value of \$78,260; and
- 3) Approve and authorize the Chair to sign Funding Agreement 245-F1611 with Montano Ventures II, LLC for a total not-to-exceed amount of \$78,260 to fund the above Agreement for Services.

**FUNDING:** Developer Funds.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - CRS Michael Baker International Inc 3-22-16, 2. B - Michael Baker Agmt #172-S1611 3-22-16, 3. C - CRS Montano Ventures II LLC 3-22-16, 4. D - Funding Agreement #245-F1611 3-22-16, 5. Executed Agreement 172-S1611 (3-22-16), 6. Executed Agreement 245-F1611 (3-22-16)

Date	Ver.	Action By	Action	Result
3/22/2016	1	Board of Supervisors	Approved	Pass

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**FUNDING:** Developer Funds.

## **DEPARTMENT RECOMMENDATION**

Community Development Agency (CDA), Development Services Division, recommends the Board approve and authorize the Chair to sign Funding Agreement #245-F1611 between the County and Montano Ventures II, LLC (Applicant) to fund consultant services under Agreement #172-S1611 with Michael Baker International, Inc., in the amount of \$78,260.00 to complete environmental assessments and prepare the necessary CEQA documents for the Montano De El Dorado Master Plan Rezone, Planned Development, and Parcel Map applications.

## **DISCUSSION / BACKGROUND**

In July 2015, the Applicant filed a planned commercial development application for the southeast corner of White Rock Road and Latrobe Road. The Montano De El Dorado Master Plan, which consists of 75,000 square feet of retail area and a 124-room, 4-story hotel within a vacant 14-acre property, would be an extension of the existing commercial development (Montano Shopping Center) bordering to the north. The requested entitlement includes a Planned Development (PD) to establish a development plan for the commercial project, a commercial Tentative Parcel Map subdividing the property into 14 commercial lots, and a Rezone to add the -PD combining zone district.

The entitlement is subject to environmental review because it is a discretionary entitlement pursuant to CEQA. The purpose of the consultant services agreement with Michael Baker International, Inc. is to prepare a legally and technically accurate CEQA document that can be certified by the Board of Supervisors. The purpose of the Funding Agreement with the applicant is to provide funding for the consultant services agreement.

The scope of work for the CEQA document includes a detailed review of traffic and circulation impacts, noise, and cultural resource effects. The CEQA document will also consider impacts to air quality, biology, noise, land use, and aesthetics.

The County is considered the lead agency for CEQA purposes because the entitlement will require Board of Supervisors approval.

## **ALTERNATIVES**

Do not approve the recommended agreements. Doing so would require the Applicant to conduct a CEQA analysis without input or oversight from the County.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have approved the agreements.

## **CAO RECOMMENDATION**

Chief Administrative Office concurs with staff's recommendations.

## **FINANCIAL IMPACT**

The proposed consultant agreement will be fully funded by the applicant's Funding Agreement. There is no change to Net County Cost. There are sufficient appropriations in the Divisions current year (Fiscal Year 2015-16) adopted budget. No budget transfer is required at this time; sufficient funds are currently available in the FY 2015-16 Adopted Budget.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

1) The Clerk to obtain the Chair's signature on two (2) copies of Agreement for Services #172-S1611 with Michael Baker International, Inc.

- 2) The Clerk to obtain the Chair's signature on two (2) copies of Funding Agreement #245-F1611 with Montano Ventures II, LLC.
- 3) The Clerk to send one (1) fully executed original of each Agreement to the CDA Administration and Finance Division.

**STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

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Community Development Agency