



## Legislation Details (With Text)

**File #:** 23-0412      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 2/13/2023      **In control:** Board of Supervisors

**On agenda:** 8/15/2023      **Final action:** 8/15/2023

**Title:** Planning and Building Department, Planning Division, Long Range Planning Unit, recommending the Board consider the following:

- 1) In accordance with Chapter 3.13, Section 3.13.030 of County Ordinance Code, Contracting Out, find that due to the limited time frames, temporary or occasional nature, or schedule for the project or scope of work, the ongoing aggregate of work to be performed is not sufficient to warrant the addition of permanent staff;
- 2) Approve and authorize the Chair to sign Agreement 7064 with ICF Jones & Stokes Inc., for the provision of environmental planning services for the Texas Hill Reservoir Takeline Parcel Rezone and General Plan Amendment Project, with a not-to-exceed amount of \$347,880.00, and a term of three (3) years effective upon execution;
- 3) Approve and Authorize the Chair to sign Funding Agreement No. 7475 between the County and El Dorado Irrigation District (EID) for a \$173,940 contribution by EID towards the Texas Hill Reservoir Takeline Parcel Rezone and General Plan Amendment Project; and
- 4) Authorize the Purchasing Agent, or designee, to execute any further documents determined necessary related to Agreements 7064 and 7475, including amendments which do not increase the not-to-exceed amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund (50%) and El Dorado Irrigation District (50%).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Counsel Approval - Agreement 7064, 2. B - PE Agreement 7064, 3. C - Counsel Approval - Funding Agreement 7475, 4. D - PE Funding Agreement 7475, 5. Executed Agreement 7064, 6. Executed Funding Agreement 7475

Date	Ver.	Action By	Action	Result
8/15/2023	1	Board of Supervisors	Approved	Pass

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necessary related to Agreements 7064 and 7475, including amendments which do not increase the not-to-exceed amount or term of the Agreement, contingent upon approval by County Counsel and Risk Management.

**FUNDING:** General Fund (50%) and El Dorado Irrigation District (50%).

**DISCUSSION / BACKGROUND**

The Texas Hill Reservoir project originally proposed by EID included a "take line" identifying the impact area of a project to build a new reservoir on Weber Creek south of Placerville. The subject parcels for the Texas Hill Reservoir Takeline Parcel Rezone and General Plan Amendment were identified to be within the take line. These parcels have an Open Space (OS) General Plan land use designation, but prior to 2015, were residentially zoned and allowed to build single-family dwellings. On December 15, 2015, the Board adopted the Zoning Ordinance Update (ZOU) to make the Zoning Map consistent with the General Plan as required by state law. As part of the 2015 ZOU, all privately-owned lands within the Texas Hill Reservoir Take Line were rezoned to Recreational Facility, Low Intensity (RF-L) which prohibits residential uses. On March 17, 2020, after receiving confirmation from EID staff that their agency had no plans for the foreseeable future to construct the proposed Texas Hill Reservoir project and therefore EID would support a rezone and General Plan amendment project for lands within the Texas Hill Reservoir Take Line, the Board of Supervisors directed Long Range Planning staff to process the required General Plan Amendment, Rezones and associated environmental documents in order to allow residential uses on affected parcels consistent with other residentially-zoned parcels in the vicinity (File 20-0326, Attachment A).

The California Environmental Quality Act (CEQA) and County CEQA Resolution 61-87 allow the County to hire consultants, funded by project applicants/developers, to prepare complex and comprehensive CEQA documents such as Environmental Impact Reports (EIRs).

In August 2019, the Chief Administrative Office, Procurement and Contracts Division, on behalf of the Department of Transportation and Planning and Building Department (Department), issued Request for Qualifications (RFQ) 20-918-043 for various as-needed consultant services, which included Environmental Services. In accordance with the County's Procurement Policy C-17, Section 7.10, Request for Qualifications, staff from various divisions within the Department form evaluation committees to review responses received for each of the categories pertaining to the Department. In March and May of 2021, the Procurement & Contracts Manager issued lists of qualified firms for these consulting service categories. ICF Jones & Stokes, Inc. (ICF) was ranked first out of 19 firms for Category 2H- Environmental Services.

As the El Dorado Irrigation District (EID) owns a majority of the parcels within the Texas Hill Reservoir Takeline and has pledged to support the County's rezone and General Plan amendment for parcels within the Takeline, EID has also agreed to share 50% of the County's cost for preparation of the required Environmental Impact Report (EIR) for this project. Accordingly, on May 22, 2023, the El Dorado Irrigation District (EID) Board of Directors approved Funding Agreement 7475 between EID and County to contribute a 50% cost share of \$173,940 for the preparation of an EIR for the Texas Hill Reservoir Parcel Rezones and General Plan Amendment. The remaining EIR processing cost of \$173,940 will be funded by the County General Fund. This project was included in the Planning Division's Long Range Planning Work Plan as endorsed by the Board on June 13, 2023 (File No. 23-1059, Item No. 3)

At the present time, Planning Division staff resources are fully engaged in other high priority projects through Fiscal Year 2022-23. Therefore, the Department has the need to utilize ICF's consulting

services and technical expertise in preparing complex and comprehensive CEQA documents such as EIRs. Chapter 3.13 of the El Dorado County Code of Ordinances, Contracting Out, includes Section 3.13.030, Criteria, which establishes those instances where contracts may be awarded and work can be performed by independent contractors. It is recommended that the Board find that the services under the proposed Agreement may be contracted out because, due to the limited timeframes, temporary or occasional nature, or schedule for the project or scope of work, the ongoing aggregate of work to be performed is not sufficient to warrant addition of permanent staff (Criteria 3.13.030 (C)).

Under the proposed Agreement, ICF will assist the County with the preparation of CEQA compliance documentation for the Project to rezone approximately 118 parcels that exist within the mapped Texas Hill Reservoir Takeline to zones that allow for residential uses. The parcel rezones will also require a General Plan Amendment to change the existing General Plan Land Use Designations, which are primarily Open Space (OS), to ones that are consistent with the proposed residential zones (e.g., RE-5, RE-10). ICF anticipates that a Focused EIR, tiered off the 2015 Targeted General Plan Amendment & Zoning Ordinance Update Project (TGPA-ZOU) EIR, will be the appropriate CEQA document for this Project.

### **ALTERNATIVES**

The Board may choose not to approve proposed Agreement 7064. This would result in delays in completing other tasks and projects that staff are currently fully engaged on as those staff would have to absorb the additional work needed as new development projects are processed by the Department.

The Board may also choose not to approve proposed Funding Agreement 7475. This would result in the Department having to utilize additional funds from the General Fund for the project.

### **PRIOR BOARD ACTION:**

See Discussion/Background above.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have approved the proposed Agreement.

### **CAO RECOMMENDATION**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. Funding for these services has been included in the Department's Fiscal Year 2023-24 budget. Funding for these services beyond Fiscal Year 23-24 will be included in subsequent years' budgets accordingly. EID's contribution has been included in the Department's FY 2023-24 Budget.

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

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) original copies of the Agreement 7064;
- 2) The Clerk of the Board will obtain the Chair's signature on two (2) original copies of Funding Agreement 7475;
- 3) The Clerk of the Board will forward one (1) fully-executed original Agreement 7064 to the Chief Administration Office, Procurement and Contracts Division, for further processing; and
- 4) The Clerk of the Board will forward one (1) fully-executed original Funding Agreement 7475 to the

Chief Administration Office, Procurement and Contracts Division, for further processing.

**STRATEGIC PLAN COMPONENT**

Good Governance: Evaluate requests and recommendations based on complete assessment of the best available information, with the goal of reaching well informed decisions.

**CONTACT**

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Planning and Building Department