



## Legislation Details (With Text)

**File #:** 22-0100      **Version:** 1

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

**File created:** 1/4/2022      **In control:** Board of Supervisors

**On agenda:** 3/15/2022      **Final action:** 3/15/2022

**Title:** Planning and Building Department, Planning Division, Current 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; and
- 2) Approve and authorize the Chair to sign Agreement 6316 with Raney Planning & Management, Inc., to assist the County with as-needed planning and environmental review services, with a not-to-exceed amount of \$1,000,000, and a term of three (3) years effective upon execution.

**FUNDING:** Applicant Funded, Transient Occupancy Tax Funds, and Caldor Fire Relief Designation Funds (General Fund).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved CRS - 6316, 2. B - PE Agreement - 6316, 3. Public Comment BOS Rcvd. 3-15-2022, 4. Executed Agreement 6316

Date	Ver.	Action By	Action	Result
3/15/2022	1	Board of Supervisors	Approved	Pass

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### DISCUSSION / BACKGROUND

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 categories for both Land Use Planning and 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.

The Department currently utilizes a number of consultant contracts on an as-needed basis to assist with various land use planning and environmental projects, including developer/applicant funded project; however it was determined that an additional as-needed agreement was necessary to take on an additional applicant funded project in progress as well as future land use projects.

In December 2021, the Department conducted an informal Request for Proposals (RFP) process, which included soliciting rates from various consultants on the lists of qualified firms from RFQ 20-918-043 in order to select an additional as-needed consultant contract. Following this process, the Department selected Raney Planning & Management, Inc. (Raney) and began negotiating a contract for as-needed planning and environmental services.

Under the proposed Agreement, Raney will provide the Department with assistance for planning and environmental review services, including, but not limited to:

- Process applications and permits for various discretionary and ministerial projects;
- Analyze projects for compliance with the County's General Plan, Zoning Ordinance, and other applicable planning and policy documents;
- Prepare policy documents to develop and/or amend the County's General Plan, Specific Plans, and other related plans;
- Provide plan check review services for various building permits, grading permits, and other associated permits;
- Environmental reviews and preparation of technical studies in accordance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA); and
- Assist the County with reviewing and processing permits associated with the Caldor Recovery and Rebuilding effort.

Additionally, should the proposed Agreement be approved, the Department has a significant amount of work slated for Raney, including processing the application for the Town and Country Project, evaluating the County's current Ranch Marketing Ordinance, and assisting with reviewing and processing Caldor planning permits.

At the present time, Planning Division staff resources are fully engaged in other high priority projects through Fiscal Year 2021-22. Therefore, the Department has the need to utilize consulting services with technical expertise in completing these as-needed planning and environmental review services for a specific development project as well as the Caldor Recovery and Rebuilding effort, both of which are anticipated to be multi-year efforts. 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)).

## **ALTERNATIVES**

The Board may choose not to approve the proposed Agreement. 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.

**PRIOR BOARD ACTION:**

N/A

**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. A portion of the costs are paid by the project applicants for specific projects. Costs associated with the potential Ranch Marketing Ordinance updates will be funded through the Transient Occupancy Tax funds. Costs associated with services for the Caldor Recovery and Rebuilding effort will be funded through the Caldor Fire Relief Designation Funds, which were previously allocated to the Department. There is also the potential for a portion of the Caldor costs to be reimbursed through federal grants, which the Department is currently in the process of requesting.

For the three (3) scenarios listed above, there is sufficient funding available for these services in the Fiscal Year 2021-22 Budget. Funding for these services beyond Fiscal Year 2021-22 will be included in subsequent years' budgets accordingly.

**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; and
- 2) The Clerk of the Board will forward one (1) fully-executed original Agreement 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