



Legislation Details (With Text)

File #: 22-1020 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 5/26/2022 **In control:** Board of Supervisors

On agenda: 6/21/2022 **Final action:** 6/21/2022

Title: County Counsel recommending the Board approve and authorize the Chair to execute Amendment 1 to Agreement 4089 for Legal Services between El Dorado County and Abbott & Kindermann, Inc. for legal services pertaining to Environmental Impact Report review and California Environmental Quality Act compliance for various specific plan applications being processed by the Planning & Building Department, revising the costs, increasing compensation by \$255,000 for a revised not-to-exceed amount of \$405,000, and extending the agreement by two years to June 30, 2024.

FUNDING: Applicant funded.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A- Amendment 1 to Agreement #4089, 2. B - Exhibit A-4 22-23 Fiscal Year Rate, 3. C - Exhibit A-5 23-24 Fiscal Year Rate, 4. D - Approved Blue Route 4089 AMD I, 5. E - 4089 Abbott and Kindermann Agreement, 6. Executed Amendment 1 to Agreement #4089

Date	Ver.	Action By	Action	Result
6/21/2022	1	Board of Supervisors	Approved	Pass

County Counsel recommending the Board approve and authorize the Chair to execute Amendment 1 to Agreement 4089 for Legal Services between El Dorado County and Abbott & Kindermann, Inc. for legal services pertaining to Environmental Impact Report review and California Environmental Quality Act compliance for various specific plan applications being processed by the Planning & Building Department, revising the costs, increasing compensation by \$255,000 for a revised not-to-exceed amount of \$405,000, and extending the agreement by two years to June 30, 2024.

FUNDING: Applicant funded.

DISCUSSION / BACKGROUND

The County currently has an agreement for legal services with Abbott & Kindermann, Inc. to provide legal services to the County related to CEQA compliance for the following proposed specific plan projects: Lime Rock Valley Specific Plan SP12-0001 (G3 Enterprises, Inc.), Central El Dorado Hills Specific Plan SP12- 0002 (Serrano Associates, LLC), and Village of Marble Valley Specific Plan SP12-0003 (Marble Valley Company, LLC) (collectively referred to as the "Specific Plans"). The cost of the Agreement is entirely funded by the Specific Plan applicants. Processing of the Specific Plan applications is still ongoing; however, the Agreement is set to expire by its terms on June 30, 2022. Since there is an ongoing need for outside legal assistance related to CEQA compliance for the Specific Plans, it is recommended that the term of the Agreement be extended for an additional two years, that the rate schedules for the additional two years be added with appropriate references updated, and that the not-to-exceed amount be increased by \$255,000 for a new not-to-exceed amount of \$405,000.

Abbott & Kindermann, Inc. is a law firm that specializes in land use and CEQA matters. William

Abbott is a recognized expert in the field of California land use law. The firm is highly qualified to assist the County with CEQA compliance for various specific plan applications.

ALTERNATIVES

The Board could disapprove Amendment 1 and allow the Agreement to expire by its term.

PRIOR BOARD ACTION

06/25/2016 Legistar item 19-0792 - Approval of Agreement 4089

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Planning and Building Department

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

No impact to the General Fund. This Agreement is entirely funded via cost reimbursement agreement with the Specific Plan applicants (G3 Enterprises, Inc., Serrano Associates, LLC, and Marble Valley Company, LLC).

CLERK OF THE BOARD FOLLOW UP ACTIONS

1. Obtain signatures on the amendment.
2. Return a copy to County Counsel

STRATEGIC PLAN COMPONENT

N/A

CONTACT

Kathleen Markham
Sr. Deputy County Counsel