



# County of El Dorado

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## Legislation Text

File #: 11-0209, Version: 2

Development Services Department recommending the Board:

- 1) Authorize the Chair to sign Agreement for Services 351-S1111 with Tschudin Consulting Group to prepare an Environmental Impact Report (EIR) for the Zoning Ordinance update effective upon final execution for one (1) year with the option to extend for two (2) additional one (1) year periods at a not to exceed amount of \$221,580 on a time and material basis; and
- 2) Authorize the Chair to sign a budget transfer decreasing General Fund Contingency by \$221,580 and increasing appropriations in Development Services by \$221,580 to fund the Agreement. (4/5 vote required) (Cont'd 4/5/11, Item 23)(Est. Time: 1 Hr.)

### FUNDING: General Fund.

BUDGET SUMMARY:		
Total Estimated Cost		\$221,580
Funding		
Budgeted	\$0	
New Funding	\$	
Savings	\$	
Other - GF Contingency	\$221,580	
Total Funding Available	\$221,580	
Change To Net County Cost		\$221,580

Fiscal Impact/Change to Net County Cost: Funding for the EIR was not included in Development Services FY 2010-11 budget. The department is requesting General Fund Contingency of \$221,580 resulting in an increase in Net County Cost of \$221, 580 in Development Services.

### Background:

On October 18, 2010, the Development Services Department (DSD) presented to the Board of Supervisors an Administrative Draft of the proposed Zoning Ordinance update. This update is necessary to bring Title 17 of the County Code and the zoning maps into conformance with the General Plan, State and Federal laws, and to correct inconsistencies in the existing Ordinance. At the hearing, the Board directed staff to proceed with the update process, based on the schedule provided. Workshops and discussion with the Planning Commission and Agriculture Commission have been held and the Administrative Draft has been further refined based on those meetings and comments from the public.

The next step in the process is to begin the California Environmental Quality Act (CEQA) review. DSD believes that due to the complexity of the Ordinance and potential controversy, an Environmental Impact Report (EIR) is the most appropriate CEQA document for this project. DSD does not currently have the staffing expertise or resources to complete the EIR within the required

timeframe. Pursuant to County Charter Section 210(b)(6), a finding must be made that there are specialty skills required for the work to be performed under the Consultant Agreement that are not expressly identified in County job classifications and an independent contractor can more economically and feasibly perform the services required within the timeframe required under CEQA.

DSD recommends that the Board make a finding pursuant to El Dorado County Code Section 3.12.160.C that the Consultant Agreement is exempt from the competitive bidding process. The recommended consultant worked for the County in adopting its General Plan in 2004. The principle of the firm, Heidi Tschudin, has unique knowledge of the General Plan EIR, from which the Zoning Ordinance EIR will be tiered. Ms. Tschudin also has special expertise in the review of zoning ordinances and a full understanding of the 2004 General Plan, with which the Ordinance must be consistent. DSD believes the time saved from not having another consultant develop this background information will be to the economic benefit of the County.

Action to be taken following Board approval: The Board Chairman will sign two (2) originals of the Consultant Agreement (#351-S1111). The Board Clerk will forward one fully-executed original of the agreement to the Department for further processing. Approved budget transfer will be forwarded to the Auditor's office for processing.

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