



Legislation Details (With Text)

File #: 17-402 **Version:** 1 **Name:** Draft attachment
Type: Agreement **Status:** Agenda Ready
File created: 4/19/2017 **In control:** BOARD OF SUPERVISORS
On agenda: 4/25/2017 **Final action:**
Title: (Continued from April 18, 2017) - (a) Consideration of At-Cost Project Reimbursement and Indemnity Agreement; (b) Consideration of Request for Proposals for the Guenoc Valley Environmental Impact Report; and (c) Consideration of Resolution Amending Resolution No. 2016-145 Establishing Position Allocations for Fiscal Year 2016-2017 BU No. 2702 Planning.
Sponsors: Community Development
Indexes:
Code sections:
Attachments: 1. At Cost Project Reimbursement Pre-Application Lotusland Investment Holdings with exhibit, 2. Middletown Area Plan, 3. Guenoc Valley RFP 04-05-2017, 4. Resolution No. 2016-145

Date	Ver.	Action By	Action	Result
4/25/2017	1	BOARD OF SUPERVISORS	approved	

MEMORANDUM

TO: Board of Supervisors
FROM: Robert Massarelli, AICP
Lake County Community Development Director

DATE: April 25, 2017

SUBJECT: (Continued from April 18, 2017) - (a) Consideration of At-Cost Project Reimbursement and Indemnity Agreement; (b) Consideration of Request for Proposals for the Guenoc Valley Environmental Impact Report; and (c) Consideration of Resolution Amending Resolution No. 2016-145 Establishing Position Allocations for Fiscal Year 2016-2017 BU No. 2702 Planning.

EXECUTIVE SUMMARY:

As you may know much of the Langtry/Guenoc Valley property has been recently purchased. The new owner has contacted the Community Development Department regarding the permit approval process. While the plans for the property are still under development, the intent is to implement the concept described in the Special Area Study for Langtry/Guenoc in the Middletown Area Plan. It is anticipated that the approval process will include an intensive pre-application stage, processing several applications included possible general plan amendments, area plan amendments, rezoning,

master plan of development, and specific plans of development, as well as the preparation of an Environmental Impact Report (EIR).

- (a) The Master Fee Resolution provides that the cost associated with processing applications will be reimbursed with an initial fee. For costs exceeding the initial fee, the applicant will be charged on an hourly basis for staff time as well as expenses. Due to the significant commitment of staff resources and the expenses of outside consultants, the staff is recommending an at-cost agreement to protect the county (attached). The agreement provides that the applicant will deposit a fixed amount of money which will be charged against. When the fund is 60% expended the applicant will be required to bring the fund back to the fixed amount. The fixed amount has different values depending on the stage of the project, i.e pre-application phase, when the applications are submitted, and when the contract is signed with the EIR consultant.
- (b) The EIR is expected to be a very comprehensive study, beyond the capabilities of the staff. Therefore it is recommended that the County retain a consultant to prepare the EIR. Attached is a request for proposals for such consultant services. The costs for the EIR is not known at this time but is expected to be in the high six figures. Those costs will be paid by the applicant.
- (c) Due to the scale of this project additional staffs will be required. A Senior Planner is needed to manage the consultant responsible for the EIR, reviewing all work products, reviewing all invoices, ensuring compliance with the contract, coordinating all CEQA related meetings and public involvement, answer questions from the applicant and the public, and coordinating with other County departments such as Water Resources and Air Quality. An Associate Planner is required to manage all permit applications, complete sufficiency reviews, prepare staff reports, schedule all meetings, answer questions from the applicant and the public and completely understand all past approvals related to the property.

Most if not all of the positions time will be project related and therefore costs will be reimbursed by the applicant. If there is any time that they are not charging to the project, there are plenty of other applications that they can be involved with.

FISCAL IMPACT: ___ None X Budgeted ___ Non-Budgeted

Estimated Cost: (a) \$250,000 deposit for FY 2017 (c) \$67,468 per year

Amount Budgeted: (c) \$67,468 FY 17/18 Budget Requested

Additional Requested:

Annual Cost (if planned for future years):

RECOMMENDED ACTION:

- (a) Approve At-Cost Project Reimbursement and Indemnity Agreement Between the County of Lake and Lotusland Investment Holdings, Inc. and Authorize the Chair to Sign;

(b) Approve Request for Proposals for the Guenoc Valley Environmental Impact Report (EIR); and
(c) Adopt Resolution Amending Resolution No. 2016-14 Establishing Position Allocations for Fiscal Year 2016-2017 BU No. 2702 Planning.