



Legislation Details (With Text)

**File #:** 24-982      **Version:** 1

**Type:** Agreement      **Status:** Agenda Ready

**File created:** 5/23/2024      **In control:** Board of Supervisors

**On agenda:** 7/9/2024      **Final action:**

**Title:** Approve and authorize Amendment No. 3 to Agreement No. 190083B and Amendment No. 2 to Agreement No. 220139B with Environmental Science Associates (ESA) to extend the terms through June 30, 2025 for environmental analysis of vineyard erosion control plans and to prepare, review and coordinate environmental impact reports. (Fiscal Impact: \$28,676; Budgeted; General Fund; Discretionary)

**Sponsors:** Board of Supervisors

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement No. 190083B, 2. Agreement No. 220139B

Date	Ver.	Action By	Action	Result
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**TO:** Board of Supervisors

**FROM:** Brian D. Bordona, Director of Planning, Building, and Environmental Services

**REPORT BY:** Kendall Sawyer, Staff Services Manager

**SUBJECT:** Approve Amendments to Agreements with Environmental Science Associates

**RECOMMENDATION**

Approve and authorize Amendment No. 3 to Agreement No. 190083B and Amendment No. 2 to Agreement No. 220139B with Environmental Science Associates (ESA) to extend the terms through June 30, 2025 for environmental analysis of vineyard erosion control plans and to prepare, review and coordinate environmental impact reports. (Fiscal Impact: \$28,676; Budgeted; General Fund; Discretionary)

**BACKGROUND**

**Amendment No. 3 to Agreement No. 190083B:**

In August of 2018, the County entered into Agreement No. 190083B with ESA to assist in preparing environmental analysis under the California Environmental Quality Act (CEQA) for new vineyard erosion control plans and to assist with land use analysis and stakeholder outreach. In June of 2020, the County amended the agreement to extend the term of the agreement. In October of 2020, the agreement was further amended to modify the scope of services to receive assistance with the County’s participation in the Association of Bay Area Government’s (ABAG) Housing and Methodology Committee.

The County would now like to amend the agreement to update the scope of services and to extend the term of the agreement through June 30, 2025, with no increase to the maximum compensation of \$165,000 per fiscal year for the purpose of assisting the County in preparation of environmental analysis of new vineyard erosion control plans (ECPs) and assistance with ECPs that are appealed.

**Amendment No. 2 to Agreement No. 220139B:**

On February 15, 2019, Geoff Scott, on behalf of Jackson Family Investments III, LLC (the Applicant), filed Use Permit Major Modification Application P19-00038-MOD requesting County zoning approval to redevelop 15.1 acres, covering six parcels (Assessor’s Parcel No. 022-130-023, -024, -027, -028 & 022-220-028, -029), located at approximately the northeast and southeast corners of Lodi Lane and St. Helena Highway, in unincorporated Napa County. The proposed redevelopment (Inn at the Abbey) consists of the demolition of 3 existing structures, changes in use to existing structures, and construction of 6 structures for the operation of a 79-room hotel with restaurant, spa, and retail tenant space. Approval of the Agreement allowed the County to contract with ESA for purposes of assisting the County in preparing an environmental impact report (EIR) that will identify potential effects on the environment that could occur because of the project. In accordance with County policy, the Applicant is responsible for funding the full contract amount plus costs related to staff management of the consultant. In November of 2023, the Agreement was amended to add additional analysis in the air quality technical report and further testing to determine the potential significance of archaeological resources on the project site.

With the project description being updated due to a proposed development agreement, the County would now like to amend the Agreement to increase the maximum compensation to \$403,671, expand the scope of work needed to complete the Administrative Draft EIR, and extend the term of the agreement through June 30, 2025.

In accordance with Section 104(c) of Napa County’s Local Procedures for Implementing CEQA, applicants pay for the full costs of the ESA agreements plus County staff costs associated with the management of these agreements.

**Requested Action:**

Approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 190083B and Amendment No. 2 to Agreement No. 220139B with Environmental Science Associates.

**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	17000-02 PBES-Applicant CEQA Reviews
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	No

Future fiscal impact:

No. In the event the agreements are further amended in the future, revenues and expenditures would be budgeted accordingly in future fiscal years. All costs associated with these agreements would continue to be passed onto applicants.

Consequences if not approved:

Environmental analysis of proposed projects informs County decision-makers about a proposed project's potential effects on the environment. If the Amendments are not approved, the County would be unable to conduct the required analysis of proposed projects in accordance with CEQA, and County decision-makers would be unable to make fully informed decisions about the possible environmental consequences of their actions to approve or to deny a specific application.

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.