

DEPARTMENT: PLANNING

BY: Eric Jay Toll
PHONE: 966-0302

RECOMMENDED ACTION AND JUSTIFICATION:

Board authorization for the Planning Director and Executive Officer of the Local Agency Formation Commission to execute professional service agreements—after approval of the agreements by County Counsel—with Cotton/Bridges/Associates to prepare (1) the Deerwood At The Lakes Specific Plan and Environmental Impact Report for the County of Mariposa at the cost of the applicant and (2) ~~the Urban Water Management Plan and Municipal Service Review for the Lake Don Pedro Community Services District at the cost of the District for the Local Agency Formation Commission.~~ Further, the County Administrative Officer is ~~authorized to approve appropriate line item budget transfers per Board policy.~~

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Please see attached memorandum.

If there are questions, please call Planning Director at 966-0302.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Failure to approve causes delays for Deerwood At The Lakes specific plan and Environmental Impact Report and for private applicants desirous of annexations to the Lake Don Pedro Community Services District (note, Deerwood At The Lakes does not require annexation; the annexations are for property owners in Tuolumne County).

Financial Impact?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Current FY Cost: \$ 530,000	Annual Recurring Cost:\$
Budgeted Current FY?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Partially Funded	
Amount in Budget:			\$530,000	<u>List Attachments, number pages consecutively</u>
Additional Funding Needed:			\$0	1. Staff Report
Source: Applicant			100%	2. CBA Proposal for Deerwood At The Lakes
Internal Transfer				3. CBA Budget for Deerwood At The Lakes
Unanticipated Revenue	<input type="checkbox"/>		4/5's vote	4. CBA proposal and budget for LAFCO
Transfer Between Funds	<input type="checkbox"/>		4/5's vote	
Contingency	<input type="checkbox"/>		4/5's vote	
General <input type="checkbox"/> Other <input type="checkbox"/>	<input type="checkbox"/>			

CLERK'S USE ONLY:

Res. No.: 03-325 Ord. No. _____
Vote - Ayes: 5 Noes: _____

Absent: _____

Approved

Minute Order Attached () No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended

No Opinion

Comments:

CAO: RAH






MARIPOSA PLANNING

COUNTY OF MARIPOSA

5100 BULLION STREET • POST OFFICE BOX 2039
MARIPOSA, CALIFORNIA 95338-2039
209 . 966 . 0302 • FAX 209 . 742 . 5024

Eric Jay Toll, Director
EToll@MariposaCounty.org
www.MariposaCounty.org/Planning

MEMORANDUM

Date: September 9, 2003
To: Board of Supervisors
From: Eric Jay Toll, Director 
Topic: Board approval for the Planning Director to execute a contract with Cotton/Bridges/Associates for preparation of the Deerwood at the Lakes Specific Plan and Environmental Impact Report and a separate agreement on behalf of the Mariposa Local Agency Formation Commission to prepare a Municipal Services Review and Urban Water Management Plan for the Lake Don Pedro Community Services District.

Mariposa Planning is pleased to request Board approval to award a contract to prepare the Specific Plan and Environmental Impact Report for Deerwood At The Lakes. The firm recommended is Cotton/Bridges/Associates (CBA) of Sacramento.

Background

On July 15, 2003, Aspen Street Architects, agent of Deerwood At The Lakes, Inc., applicant for the Deerwood At The Lakes new town submitted a conceptual plan and request to the County to concurrently prepare a specific plan and Environmental Impact Report. The project encompasses 303 net acres surrounding the northwest, southwest, and southeast corners of Merced Falls Road and Ranchita/Barrett Cove Road in the proposed Lake Don Pedro Town Planning Area.

The applicant's conceptual plan proposes 1,348 to 1,500 dwelling units of mixed structure types and a 26± town center with supermarket, lumber yard, retail, office, civic center, and residential uses. The project will be served by the Lake Don Pedro Community Services District.

Contract on behalf of the Local Agency Formation Commission for preparation of an Urban Water Management Plan and Municipal Service Review

Senate Bills 221 and 610 enacted in the 2001-2002 Legislative Session require all water districts with more than 1,200 water connections or prior to action on a subdivision of 500

Our Mission is to provide our clients with professional service and accurate information in a respectful, courteous, and enthusiastic manner resulting in a well-planned rural environment.

3

or more lots to prepare an “Urban Water Management Plan” (UMP) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 further requires the Local Agency Formation Commission prepare a “Municipal Service Review” (MSR) for all independent special districts by the end of 2006, prior to the update of a Sphere of Influence, or prior to consideration of any projects applications for annexation. The two State-required reports—containing overlapping and redundant content—establish substantiated and definitive proof of water district capacity to provide water to its existing and future constituents.

The Lake Don Pedro Community Services District will pay all costs associated with the preparation of the UMP and MSR. We are also encouraging Mariposa Public Utility District to share in the project, as it will need a MSR before any annexations can proceed. The Field of Dreams project requires an annexation approval. Developing two MSRs at one time has a significant cost savings. MPUD does not need an UMP.

Deerwood At The Lakes Specific Plan and Environmental Impact Report

The Deerwood At The Lakes new town proposal is the largest project in Mariposa County’s history. The mixture of structures, uses, and density all combine to propose a development with an estimated assessed value of one half billion dollars. There is more than 40-million dollars in infrastructure alone.

Applicant’s request

The applicant’s proposal provides unique opportunities for flexibility in achieving both community and applicant objectives. This is an important of cornerstone of the entire process. Rather than preparing a specific plan in-house, the applicant is asking the County to select a County-responsible consultant to concurrently prepare the Specific Plan, the Environmental Impact Report, and Financing Plan. This approach ensures that the County of Mariposa¹, the Lake Don Pedro Community Services District, both the Mariposa County and Big Oak Flat-Groveland school districts, Tuolumne County, J.C. Fremont Hospital District, California Department of Forestry, and Caltrans are all partners in the ultimate design of the project.

The normal process for preparing a specific plan—similar to the ill-fated Vallecito Specific Plan—usually involves the applicant preparing a planning document without input from affected agencies. The Deerwood At The Lakes approach allows the final project design to be crafted with direct input and participation by the public agencies required to provide future services. The resulting project presented to the public is “self-mitigating.” This means that all potentially significant environmental and service impacts have been reduced to less than significant thresholds by the design of the project itself.

It also means that there are solid answers to all Board, Planning Commission, and public questions about the project.

This approach allows the Planning Commission and Board of Supervisors to make recommendations and decisions on the basis of solid facts and public policy rather than speculation. In other words, for a project this large, the Board wants answers, the public wants answers, and the scope of work will produce factually supported answers.

¹ Including County Planning, Building, Health, Fire, Sheriff, and Human Services Departments direct input

Process and schedule

This project is large and complex. Mariposa Planning has prepared an project review process that will bring the matter before the Board for action in approximately 12 months. There are always unforeseeable issues, but all partners have agreed to target a one year timeline for action. This meets the applicant's objective to be under construction by Spring, 2005.

The key milestones in the process are:

October 2, 7:00 p.m. in Lake Don Pedro:	Public scoping meeting
January 2004 in Lake Don Pedro:	Public workshop and status report
April 2004 in Lake Don Pedro:	Public workshop and status report
July 2004:	Release of the Draft Plan and Draft EIR
August 2004:	Planning Commission Public Hearings
September 2004:	Release of Final Plan and Final EIR
October 2004:	Board of Supervisors Action

Budget Administration

This is the first project to implement the newly adopted Board policy about line item budget transfers being approved by the County Administrative Officer. The estimated cost of the Deerwood At The Lakes project is included in the adopted 2003-04 County of Mariposa Budget, so the Board need not take any budget action with this item. The applicant is responsible for all costs associated with this project. As such, the corporation has deposited \$460,000 with the County. This covers the consulting costs, special legal counsel costs, and general fund costs. The applicant previously deposited \$5,000 to cover the costs of consultant selection.

As costs are incurred, Staff will work with the County Administrative Officer to allocate the appropriate portions of the \$460,000 into the appropriate line items. Any change in the project's bottom line requires Board of Supervisors approval with a 4/5^{ths} vote.

Consultant selection

Mariposa Planning circulated a Request for Proposal from July 18 through August 18. Four high quality firms submitted excellent proposals: Cotton/Bridges/Associates, Quad-Knopf, RBF Consulting, and URS. Staff convened a panel comprised of Michael Laird, Senior Planner from Tuolumne County, Bob Kent, General Manager of the Lake Don Pedro Community Services District, Jim Petropulos, Mariposa Planning Senior Planner Bill King, the applicant, Tom Porter, and his architect, Dave Hitchcock.

The four firms were interviewed on August 28. The panel was very impressed with all four presentations—making it difficult to come to a clear “winner.” All four were clearly credentialed to successfully prepare the plan and Environmental Impact Report. However, in the end all panelists were most comfortable with Cotton/Bridges/Associates (CBA).

CBA's approach incorporates additional public communications not included in other proposals. Additionally, team members are professionally familiar with the County of Mariposa and the Lake Don Pedro area. Proposal costs ranged from \$287,000 to \$349,000.

The CBA proposal sets a price of \$337,353. Additionally the applicant must cover the County's General Fund costs and outside legal counsel professional services costs. The dollar amounts are relative as a project of this type will have a negotiated scope of work that may increase or decrease the total dollars. Also, while contingencies are included in the proposal costs, a project of this complexity is likely to have unanticipated aspects that will modify the scope of work as the Environmental Impact Report is in progress.

Mariposa Planning is comfortable CBA will meet the requirements for flexibility.

In addition to its top quality proposal for the Deerwood At The Lakes Specific Plan and Environmental Impact Report, CBA is one of very few firms qualified to prepare both the UMP and the MSR. Separately from the Deerwood At The Lakes proposal, and with the concurrence of the Community Services District, Staff asked CBA to submit a proposal to prepare the UMP and MSR for the Lake Don Pedro Community Services District. Staff is also asking for Board approval for this separate contract.

CBA's project manager for both projects will be Randy Chafin, but the UMP and MSR uses different staff people because of the different scope of work. However, it provides savings to both the District and the project applicant because some aspects of both projects can be combined.

Staff recommendations

1. Staff recommends the Board of Supervisors approve the processing of the Deerwood At The Lakes Specific Plan and Environmental Impact Report in accordance with Section 65451 et seq of the California Government Code and the California Environmental Quality Act in conformance with the approved budget allocation for the project.
2. Staff recommends the Board of Supervisors authorize the Planning Director to execute a Professional Services Agreement as approved by County Counsel with Cotton/Bridges/Associates to prepare a concurrent Specific Plan and Environmental Impact Report.
3. Staff recommends the Board of Supervisors authorize the County Administrative Officer to approve line item budget adjustments within the Deerwood At The Lakes Specific Plan and Environmental Impact Report special fund.
4. Staff recommends the Board of Supervisors authorize the Executive Officer of the Local Agency Formation Commission to execute a professional services agreement with Cotton/Bridges/Associates for the preparation of an Urban Water Management Plan and a Municipal Service Review for the Lake Don Pedro Community Services District.

Attachments:

CBA Proposal and scope of work for Deerwood At The Lakes

CBA Budget for Deerwood At The Lakes

CBA Proposal and Budget for the UMP/MSR for Lake Don Pedro CSD

6



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

BOB PICKARD, CHAIR
GARRY R. PARKER, VICE-CHAIR
LEE STETSON
DOUG BALMAIN
JANET BIBBY

DISTRICT V
DISTRICT IV
DISTRICT I
DISTRICT II
DISTRICT III



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ERIC TOLL, Planning Director

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

SUBJECT: CONTRACT WITH COTTON/BRIDGES/ASSOCIATES FOR PREPARATION
OF THE DEERWOOD AT THE LAKES SPECIFIC PLAN AND ENVIRONMENTAL
IMPACT REPORT
Resolution No. 03-325

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on September 9, 2003

ACTION AND VOTE:

11:25 a.m. Eric Toll, Planning Director;

B) Authorize the Planning Director to Execute a Contract with Cotton/Bridges/Associates for Preparation of the Deerwood at the Lakes Specific Plan and Environmental Impact Report and a Separate Agreement on Behalf of the Mariposa Local Agency Formation Commission to Prepare a Municipal Services Review and Urban Water Management Plan

BOARD ACTION: Eric Toll presented the staff report and advised the Board they would not need to approve a separate agreement on behalf of the Mariposa Local Agency Formation Commission to prepare a Municipal Services Review and Urban Water Management Plan. He advised that the applicant has deposited a check to cover all costs for the preparation of the Specific Plan and the Environmental Impact Report and based on the current schedule, the item will return to the Board in mid November 2004. Eric noted that Randy Chafin representing Cotton/Bridges/Associates was present for any questions.

Supervisor Parker questioned Eric as to the Local Agency Formation Commission (LAFCO) agreement, recommended that LAFCO meet, and start the appropriate process. (M)Balmain, (S)Stetson, Res. 03-325 was adopted authorizing the contract and the County Administrative Officer to approve line item budget adjustments within the Deerwood at the Lakes fund/Ayes: Unanimous.

cc: Rich Inman, County Administrative Officer
Jeff Green, County Counsel
Ken Hawkins, Auditor
File