NAPA COUNTY BOARD OF SUPERVISORS
Board Agenda Letter

TO: Board of Supervisors
FROM: David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: Dana Ayers, Planner III - (707) 253-4388
SUBJECT: Approval of a Fourth Amendment to a Professional Services Agreement with Ascent Environmental, Inc., for Environmental Analysis of the Proposed Oak Knoll Hotel Project (P14-00215 – UP)

RECOMMENDATION
Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Amendment No. 4 to Agreement No. 170589B with Ascent Environmental, Inc., increasing the total amount by $9,885 for a new maximum of $196,549, and amending the scope of work to include additional effort to peer review a supplemental noise analysis and to assist in the preparation of responses to comments submitted on the Draft Environmental Impact Report prepared for the proposed Oak Knoll Hotel project.

EXECUTIVE SUMMARY
On October 18, 2016, the Board of Supervisors approved a Professional Services Agreement (PSA) with Ascent Environmental, Inc., an environmental consulting firm, for purposes of assisting the County in preparing an environmental impact report (EIR) in accordance with the California Environmental Quality Act (CEQA). The EIR will identify potential effects on the environment that could occur from approval of a use permit allowing redevelopment of a 3.54-acre parcel located at 5091 Solano Avenue, in unincorporated Napa County. The proposed redevelopment consists of demolition of existing structures on the site and construction of a 50-room hotel with restaurant and retail tenant spaces. The Board approved three amendments to the PSA on April 18, 2017, March 20, 2018, and January 15, 2019, to expand the scope of work to include analysis of potential impacts of the project on historic resources and the local roadway system, as well as, additional effort necessary to prepare responses to comments submitted on the Draft EIR. The consultant has requested this fourth amendment to fund additional work effort to peer review a supplemental noise analysis that the applicant submitted to the County on April 1, 2019. This amendment would correspondingly increase the contract amount from its current limit of $186,664 to a new limit of $196,549. In accordance with County policy, Oak Knoll Resort, LLC, the Applicant for the requested use permit, will continue to reimburse the County for the full cost of the PSA. The Applicant agrees with the requested
contract amendment.

**FISCAL IMPACT**

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<tr>
<th>Question</th>
<th>Answer</th>
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<tr>
<td>Is there a Fiscal Impact?</td>
<td>Yes</td>
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<td>Is it currently budgeted?</td>
<td>Yes</td>
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<td>Where is it budgeted?</td>
<td>17000-02, Applicant CEQA Reviews, includes appropriations based on average expenditures for consulting services over the year. Any requested adjustments due to a higher than average need for consulting services would be brought before the Board of Supervisors for authorization. The Applicant pays for the full cost of the PSA, plus County staff costs associated with consultant management, in accordance with Section 104(c) of Napa County’s Local Procedures for Implementing CEQA.</td>
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<td>Is it Mandatory or Discretionary?</td>
<td>Mandatory</td>
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<td>Is the general fund affected?</td>
<td>No</td>
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<td>Future fiscal impact:</td>
<td>Depending on the extent of public comment received during project public hearings, administration of the PSA could extend into future fiscal years, with potential automatic extensions through June 30, 2022. In the event that the PSA extends into future fiscal years, revenue and expenditures would be budgeted accordingly. Consultant and consultant management costs would continue to be the responsibility of the Applicant to fund.</td>
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<td>Consequences if not approved:</td>
<td>The EIR will inform County decision-makers about the proposed project’s potential effects on the environment. If the amendment to the PSA is not approved, the County would be unable to conduct the required analysis of the proposed project in accordance with CEQA, and County decision-makers would be unable to make a fully informed decision about the possible environmental consequences of their action to approve or to deny the requested use permit.</td>
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<td>Additional Information:</td>
<td>Not applicable.</td>
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**ENVIRONMENTAL IMPACT**

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

**BACKGROUND AND DISCUSSION**

The Applicant has applied for a use permit to demolish existing structures and construct a 50-room hotel with restaurant and retail space on a 3.54-acre parcel located at 5091 Solano Avenue (Assessor’s Parcel No. 035-031-009) in unincorporated Napa County, California.

On October 18, 2016, the Board of Supervisors approved a PSA for Ascent Environmental, Inc., to assist the County
in the preparation of an EIR for the proposed hotel project, in accordance with CEQA. Following approval of the PSA, staff of Ascent commenced preparation of an initial study, a preliminary analysis of the potential environmental impacts of the proposed project. Once completed, the initial study had fully analyzed some topic areas including geology/soils, mineral resources and population/housing. Other topics, including historic resources, air quality and traffic/transportation, warranted more in-depth analysis and were deferred from the initial study to more detailed discussion in the Draft EIR, which staff and the consultant completed in June 2018 and made available for public and agency comment between June 22 and August 6, 2018.

To date, the PSA with Ascent has been amended three times. The first two amendments expanded the agreement’s scope of work and budget for additional analysis of the proposed project’s impacts on historic resources and roadways proximate to the project site. The third amendment to the PSA addressed additional work effort to compose responses to comments that the County received during the public and agency comment period on the Draft EIR, as required by CEQA. This fourth amendment would fund Ascent’s peer review of supplemental noise analysis prepared by the applicant’s consultant and submitted to the County on April 1, 2019, with a request to consider the analysis in the revisions to the Final EIR.

The Applicant agrees with the requested contract amendment.

The Draft EIR, responses to comments received thereon, and any resulting revisions to the Draft EIR will comprise the Final EIR. The Planning Commission held a public hearing on July 11, 2018, to receive comments on the Draft EIR, and the Commission will hold at least one additional public hearing later this year, at which time the Commission will consider whether to certify the Final EIR and whether to approve or deny the use permit request. Notice of the Commission’s public hearing to consider the project and Final EIR will be published in the newspaper and on the County’s current projects website; and mailed or emailed to owners of property in the vicinity of the proposed project site, as well as to others who have expressed an interest in the project and provided their contact information to County staff.

**SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Leigh Sharp