



# TOWN OF FAIRFAX

## STAFF REPORT

### July 1, 2020

**TO:** Mayor and Town Council

**FROM:** Ben Berto, Planning and Building Services Director  
Garrett Toy, Town Manager

**SUBJECT:** Adopt a resolution authorizing the Town Manager to enter into an agreement with: Ascent Environmental, Inc., to prepare the Environmental Impact Report (EIR), at the applicant's costs, for the Marinda Heights Subdivision (aka "Wall Property"); and Lamphier-Gregory to perform project management and coordination services for the EIR and overall project, at the applicant's cost.

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### Continued from the June 3, 2020 meeting.

#### RECOMMENDATION

Adopt a resolution that authorizes the Town Manager to enter into an agreement with:

- a) Ascent Environmental, Inc., to prepare the Environmental Impact Report (EIR), at the applicant's costs, for the Marinda Heights Subdivision (aka "Wall Property"); and
- b) Lamphier-Gregory to perform project management and coordination services for the EIR and overall project, at the applicant's cost.

#### DISCUSSION

In July 2019, staff issued a Request for Proposals (RFP) for an environmental consulting firm to conduct an EIR for the proposed 10-lot Marinda Heights subdivision of the 100.5-acre site commonly known as the Wall property. While several firms expressed interest in the EIR, three (3) firms submitted proposals. A panel consisting of staff, the Town Engineer, and a County planner, interviewed the 3 firms. While all the firms were qualified, staff believes Ascent Environmental (Ascent) is the best qualified to meet the Town's needs. The decision was not based on cost, but on the firm's proposed scope of work and experience preparing complex EIR's.

The agreement with Ascent was ready for Town Council approval in September 2019. The applicant, however, requested more time to further refine the proposal. Discussions with Ascent resulted in slight reductions in estimated work and accompanying cost.

The applicant is now ready to proceed. He is required to deposit 50% of the estimated costs of the required services with the Town. Ascent's cost estimate is through the Draft EIR (DEIR) stage. After public comments are received on the DEIR, Ascent will provide the Town with an estimate of the cost for the last stage in an EIR, the responses to comments and attendance at Town hearings.

The applicant is responsible for 100% of the cost of the EIR. The Town contracts with the EIR firm directly to ensure an independent, objective, and comprehensive analysis of the proposed project. Typically, this type of contract for services does not require Council approval as there is no cost to the Town. In furtherance of transparency, however, the agreement with Ascent is before the Town Council for review and approval.

Due to the amount of staff time needed to process this project, a project manager/project planner is

needed to manage the EIR process. Scott Gregory of Lamphier-Gregory has extensive experience managing projects of this size and larger and will be responsible for managing the environmental review, as well as the planning portions of the project. Mr. Gregory's firm was one of the 3 firms who applied to prepare the EIR. Staff and the Town Attorney believe his firm is better suited to act as the project manager/project planner. The Town Attorney's office has also worked with Mr. Gregory on many projects in other jurisdictions over the past eight years. Mr. Gregory will ensure the environmental review and all other aspects of the application remain on schedule as well as allow staff to serve in an oversight role. Mr. Gregory is hired by the Town and will report to Town staff, although the applicant will pay 100% of the cost of Mr. Gregory's time, in lieu of paying for staff time.

The first step in the process will be the project's public scoping meeting. This meeting will be widely noticed to maximize the opportunity for public comment. Staff anticipates the EIR process will take approximately 12 months to complete. The non-environmental portion of the project review will occur at the same time as the EIR and will be reviewed by the Planning Commission and Town Council in one coordinated package.

Interested residents are encouraged to sign up to receive updates on the project at [www.townoffairfax.org/major-projects](http://www.townoffairfax.org/major-projects).

### **FISCAL IMPACT**

The applicant is obligated to pay the full costs of the EIR including any additional time and material costs, as well as the cost of the project manager. The process requires the applicant to make an initial deposit and subsequent deposits to ensure adequate funding is available to cover the cost of the EIR and project management.

### **ATTACHMENTS**

- A. Resolution
- B. Ascent Scope of Work and Cost Estimate
- C. Lamphier-Gregory Project Management Proposal