

RESOLUTION OF THE SOLANO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE COUNTY ADMINISTRATOR, WITH THE CONCURRENCE OF COUNTY COUNSEL, TO EXECUTE AGREEMENTS WITH THE STATE DEPARTMENT OF WATER RESOURCES AND ICF JONES & STOKES, INC. TO DEVELOP PHASE 2 AND PHASE 3 OF A HABITAT CONSERVATION PLAN FOR ON-GOING WATER DIVERSIONS IN THE YOLO BYPASS AND CACHE SLOUGH

Whereas, Solano County and the State Department of Water Resources (“DWR”) have entered into a Memorandum of Understanding Regarding Assurances for the Lookout Slough Restoration Project, effective January 14, 2020 (“MOU”); and

Whereas, the MOU commits DWR to provide \$750,000 to the County to develop a stand-alone Habitat Conservation Plan (“HCP”) to provide incidental take authorization under the federal Endangered Species Act (“ESA”) and the California Endangered Species Act (“CESA”) for on-going water diversions for agricultural, municipal, and industrial uses or other existing activities in the Yolo Bypass and Cache Slough; and

Whereas, the HCP would address the concern that projects being undertaken in this region to restore tidal wetlands and increase aquatic food production, including the Lookout Slough Restoration Project, could increase the presence of protected fish species and increase liabilities for the owners of water and drainage infrastructure in the area under the ESA and CESA; and

Whereas, ICF Jones & Stokes, Inc. (“ICF”), serving as a consultant to the County and other stakeholders in the region, proposed to develop the HCP in the following three phases: Phase 1 – Develop the HCP Strategy and Approach; Phase 2 - Prepare the Public Draft HCP Draft CEQA/NEPA documents; and Phase 3 – Finalize HCP and CEQA/NEPA documents; and Prepare 2081(b) Permit Application; and

Whereas, the County, the Sacramento Area Flood Control Agency (SAFCA), and the Solano County Water Agency (SCWA), pursuant to a separate agreement, funded Phase 1 of the development of the HCP, which has been completed by ICF; and

Whereas, DWR and the County intend to enter into a revenue agreement regarding the development of Phase 2 and Phase 3 of the HCP (“DWR Agreement”); and

Whereas, the County, as permitted under the DWR Agreement, intends to subcontract with ICF to develop Phase 2 and Phase 3 of the HCP pursuant to a scope of work jointly produced by DWR, the County, and ICF (“ICF Agreement”); and

Whereas, the County is authorized to enter into a sole source agreement with ICF pursuant to state law and Sections 1.1.11, 1.3.2, and 1.7.13 of the County’s Purchasing and Contracting Policy, in that ICF (1) will be performing expert and professional services, and (2) is uniquely positioned since it completed Phase 1 of the development of the HCP.

Resolved, the Solano County Board of Supervisors authorizes the County Administrator, with the concurrence of County Counsel, to execute an Agreement with DWR and any subsequent amendments within budgeted appropriations.

Further Resolved, the Solano County Board of Supervisors authorizes the County Administrator, with the concurrence of County Counsel, to execute an Agreement with ICF and any subsequent amendments within budgeted appropriations.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on April 28, 2020 by the following vote:

AYES:	SUPERVISORS	_____
NOES:	SUPERVISORS	_____
EXCUSED:	SUPERVISORS:	_____

ERIN HANNIGAN, Chairwoman
Solano County Board of Supervisors

ATTEST:
BIRGITTA E. CORSELLO, Clerk
Solano County Board of Supervisors

By: _____
Jeanette Neiger, Chief Deputy Clerk