



COUNTY OF HUMBOLDT

AGENDA ITEM NO.
C33

For the meeting of: June 26, 2018

Date: May 31, 2018

To: Board of Supervisors

From: John H. Ford, Director Planning and Building *[Signature]*

Subject: Contract Amendment to the Professional Services Agreement with University of the Pacific, Mc George School of Law for hearing officer services

RECOMMENDATION(S):

That the Board of Supervisors approve and authorize the Chair of the Board to execute an amendment to extend the term of the Professional Services Agreement with the University of the Pacific, Mc George School of Law.

SOURCE OF FUNDING:

1100 269 Code Enforcement

DISCUSSION:

The Planning and Building Department is requesting authorization to extend the term of the existing contract with University of the Pacific, Mc George School of Law (Mc George) for an additional two years and to update the fees in accordance with current rates.

Prepared by _____ CAO Approval *[Signature]*

REVIEW: Auditor *CD* County Counsel *JWZ* Human Resources _____ Other _____

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Bass* Seconded by Supervisor *Fennell*

Ayes *Bass, Fennell, Jundberg, Bohm*

Nays _____

Abstain _____

Absent *Wilson*

PREVIOUS ACTION/REFERRAL:

Board Order No. C-7

Meeting of: 6-7-2017

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: 6/26/18

By: *[Signature]*

Kathy Hayes, Clerk of the Board

The original contract was brought before the Board on June 27, 2017 from the County Counsel's office. The contract allowed for code enforcement hearing services to be held via video conferencing. The contract was for a one year term and expires June 30, 2018. After several hearings it has been determined that this is a fair and efficient way to conduct hearings.

The extension is for two years ending June 30, 2020. The rates for the hearing officers have risen from \$220 per hour to \$240 per hour, and travel expenses have risen from \$110 per hour to \$120 per hour, with the not to exceed amount remaining constant at \$1,200.

FINANCIAL IMPACT:

This request will not increase the General Fund allocation. The cost of the hearings are paid by code enforcement violators, and have been included in the fiscal year 2018-19 budget.

The recommended actions support the Board's Strategic Framework by more efficiently enforcing the County of Humboldt code and other local and state laws and regulations.

OTHER AGENCY INVOLVEMENT:

None.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose to not approve this request; however, this is not recommended, as it would negatively affect the ability of the department to efficiently enforce local code and other local and state laws and regulations.

ATTACHMENTS:

Attachment A: Signed Amendment

ATTACHMENT A

Amendment to Professional Services Agreement with University of the Pacific, Mc George School of Law

**FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE COUNTY OF HUMBOLDT AND
UNIVERSITY OF THE PACIFIC, Mc GEORGE SCHOOL OF LAW
FOR HEARING OFFICER SERVICES**

This amendment, entered into this 26th day of June, 2018, is the first amendment to the contract (the "contract") executed on July 10, 2017, between the County of Humboldt, a political subdivision of the State of California ("County"), and the University of the Pacific, Mc George School of Law ("Contractor"), for the purpose of providing Hearing Officers for administrative hearings (collectively, the "Parties" and individually a "Party").

WHEREAS, County has retained the services of a qualified professional to conduct hearings for the County or any board, agency, commission, or committee of the County, and

WHEREAS, the original Professional Services Agreement signed in July 10, 2017 expires June 30, 2018, and

WHEREAS, the hearing officer services provided by the Contractor continues to be needed and both parties wish to extend the Agreement.

NOW THEREFORE, the Parties hereto mutually agree to the following:

1. Section 3. COMPENSATION is amended as follows:

For services provided in this agreement, Contractor shall be paid \$240 per hour for the hearing officer's preparation, conducting the hearing, and issuing a written decision for the services described in this agreement. The hourly rate includes overhead expenses such as secretarial, telephone, photocopy, postage, and related costs. Travel time paid at a rate \$120 hour (not to exceed \$1,200.00 round trip) plus mileage at the allowable IRS rate at the time the travel is conducted. Accommodations and per diem expenses, if necessary, must be preapproved by County.

Any additional services not otherwise provided for herein shall not be provided by Contractor, or compensated by County, without written authorization by County. All unauthorized costs and expenses incurred above the maximum payable amount set forth herein shall be the responsibility of Contractor.


2. Section 5. TERM OF AGREEMENT is amended as follows:

This amendment to this shall commence on July 1, 2018 and shall end June 30, 2020, and shall remain in full force and effect unless sooner terminated as provided herein.

3. In all other respects the Professional Services Agreement dated July 10, 2017, between the parties shall remain in full force and effect.


IN WITNESS WHEREOF, County and Contractor have executed this agreement on the dates set forth below. By their signatures below each signatory represents that he/she has the authority to execute this agreement and to bind the Party on whose behalf his/her execution is made.

UNIVERSITY OF THE PACIFIC, McGEORGE SCHOOL OF LAW

By: 
James A. Uehizono
Associate Provost
University of the Pacific

Date: 6/8/18

COUNTY OF HUMBOLDT:

By: 
Ryan Sundberg
Chair, Humboldt County Board of Supervisors

Date: 6/26/18