



# COUNTY OF HUMBOLDT


AGENDA ITEM NO.

**C10**

For the meeting of: March 6, 2018

Date: February 7, 2018

To: Board of Supervisors

From: John H. Ford, Director of Planning and Building 

Subject: Increase professional service contracts by \$300,000 for each consulting firm supporting processing of cannabis applications

RECOMMENDATION(S):

That the Board of Supervisors authorize the Director of Planning and Building to sign contract amendments with the six consulting firms increasing each contract by \$300,000.00

SOURCE OF FUNDING:

Cannabis application fees

DISCUSSION:

For consideration today is a request to increase the existing professional service contracts for cannabis application processing. In June 2018 your Board authorized the Director to sign contracts with three consulting firms, in the amount up to \$300,000. In addition, the Board provided latitude to the Director to retain additional consultants as needed. Three more consultant firms were added to assist with the work.

The effort required to move applications forward has required more time than anticipated. The process is

Prepared by Paula Mushrush

CAO Approval 

REVIEW:

Auditor  County Counsel  Human Resources  Other

TYPE OF ITEM:

- Consent
- Departmental
- Public Hearing
- Other

PREVIOUS ACTION/REFERRAL:

Board Order No. C.21

Meeting of: 6/6/17

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Wilson Seconded by Supervisor Fennell

Ayes Fennell, Sundberg, Wilson

Nays

Abstain

Absent Bass, Bohn

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

Dated: 3/6/18

By:   
Kathy Hayes, Clerk of the Board

becoming more efficient and gains are being made in bringing applications forward for action. Approximately 120 applications have been acted upon. There are approximately 1700 applications still waiting to be acted upon and approximately 500 of these are in the hands of consultants. The continued consultant work is vital to successfully moving these applications forward to action. In order to continue the progress to completion of the remaining applications the department is proposing to increase the maximum contract amounts as noted below. This amendment would double the existing contract amount which does not commit the County to expending that amount of money, but allows the Department to spend up to that amount. As can be seen in the table below ICF and Kimley Horn has billed for less than \$100,000, while other consultants have billed for over \$200,000. These two firms were contracted later in the process. LACO is working in-house reviewing applications for referral.

<b>Consultant</b>	<b>Original Contract</b>	<b>Expenditures as of 12/31/17</b>	<b>Proposed Increase</b>	<b>Total Amended Contract</b>
Helix	\$300,000	\$267,815.00	\$300,000.00	\$600,000.00
ICF	\$300,000	\$89,300.00	\$300,000.00	\$600,000.00
Kimley-Horn	\$300,000	\$69,400.00	\$300,000.00	\$600,000.00
LACO	\$300,000	\$200,513.00	\$300,000.00	\$600,000.00
Michael Baker	\$300,000	\$259,415.00	\$300,000.00	\$600,000.00
Transcon	\$300,000	\$256,601.00	\$300,000.00	\$600,000.00
<b>Grand Total</b>	<b>\$1,800,000</b>	<b>\$1,143,044.00</b>	<b>\$1,800,000.00</b>	<b>\$3,600,000.00</b>

FINANCIAL IMPACT:

There is no cost to the general fund. Applicant fees pay for the cost of the consultants.

OTHER AGENCY INVOLVEMENT:

There are no other agencies involved in the contract work.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

This budget adjustment gives the Department the flexibility to devote resources to processing applications in the most expeditious manner. Any reduction in consultant capacity would reduce the Department's ability to complete applications. The Board could choose to not modify the contracts in which case the work load of the consultants would need to be completed by staff. Another option would be to allow a smaller increase in the contracts which would not address the workload which need to be completed.

This supports the Board's Strategic Framework by pro-actively evaluating the environmental effects of cannabis projects to ensure that they meet the applicable laws and regulations.

ATTACHMENTS:

Draft Amendment

**FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT  
BY AND BETWEEN  
COUNTY OF HUMBOLDT  
AND  
INSERT NAME OF CONTRACTOR**

THIS AMENDMENT, entered into this \_\_\_\_ day of February, 2018; is the first amendment to the contract (the "contract") executed on \_\_\_\_\_, between the County of Humboldt, a political subdivision of the State of California, hereinafter referred to as "County" and \_\_\_\_\_, hereinafter called the "Contractor", together referred to as "the Parties".

WHEREAS, the County, by and through its Planning and Building Department, has retained the CONTRACTOR to prepare staff reports, environmental documents, and technical studies to meet with the requirements of the California Environmental Quality Act (CEQA), and local regulations; and

WHEREAS, original projections for the number of cannabis project applications were low and COUNTY does not have enough employees available at this time to perform the work needed to process the remaining outstanding applications; and

WHEREAS, the maximum budget established in the contract will soon be exceeded.

NOW, THEREFORE, in consideration of the foregoing, the Parties hereby mutually agree to the following amendments:

Section 4. A. of the contract is amended by increasing the maximum amount payable stated in lines three and four of that paragraph from \$300,000 to \_\_\_\_\_. In all other respects, section 4.A. remains unchanged.

Section 5. of the contract is amended by replacing language of that Section in its entirety with the following:

**5. PAYMENT:**

CONTRACTOR shall submit to COUNTY monthly invoices itemizing all services rendered, and costs and expenses incurred, pursuant to the terms and conditions of this Agreement and project specific Task Orders issued hereunder. Invoices shall be in a format approved by, and shall include backup documentation as specified by, the Director of Planning and Building and the Humboldt County Auditor-Controller.

Contractor may only bill for eighty percent (80%) of the work order agreement, prior to submission of the staff report. The final twenty percent (20%) may be billed upon submission of staff report. Payment will be made upon verification of a quality staff report as determined by the Planning & Building Department. Exceptions may be requested by Contractor and approved in writing by the Director of Planning and Building or his designee. CONTRACTOR shall submit the final invoice twenty percent invoice for payment within thirty (30) days following the expiration or termination date of this Agreement. Payment for services rendered, and costs and expenses incurred, pursuant to the terms and conditions of this Agreement will be made within thirty (30) days after the

receipt of approved invoices. All invoices submitted by CONTRACTOR shall be sent to COUNTY at the following address:

COUNTY: Planning and Building  
Administrative Services Unit  
Attention: Paula Mushrush  
3015 H Street  
Eureka, CA 95501  
pmushrush@co.humboldt.ca.us

In all other respects the Contract dated \_\_\_\_\_, between the parties shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this amendment as of the date in paragraph one above.

COUNTY OF HUMBOLDT \_\_\_\_\_, INC.

\_\_\_\_\_  
John H Ford  
Director Planning & Building

By: \_\_\_\_\_

Title: \_\_\_\_\_  
Corporate Officer

By: \_\_\_\_\_

Title: \_\_\_\_\_  
Corporate Officer

Federal I.D. \_\_\_\_\_