



Legislation Details (With Text)

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Title: Planning and Building Department recommending the Board approve the following agreements for on-call land use planning services for Commercial Cannabis:

- 1) Make findings that it is more feasible and economical to engage outside consultants to assist the County with Commercial Cannabis current planning and land use entitlement services on an as needed basis in accordance with Section 3.13.030 - Procedure of Chapter 3.13 (Contracting out) of Title 3 (Revenue and Finance), in the County Code of Ordinances;
- 2) Award Request for Proposal 19-961-082 for the provision of on-call commercial cannabis current planning activities and land use entitlement services, to Helix Environmental and MIG, which will be used and paid by commercial cannabis applicants;
- 3) Authorize the Planning and Building Department to negotiate a 3-year Agreement for Services with Helix Environmental in an amount not to exceed \$200,000;
- 4) Authorize the Planning and Building Department to negotiate a 3-year Agreement for Services with MIG in an amount not to exceed \$200,000;
- 5) Authorize the Purchasing Agent to execute said Agreements, contingent upon County Counsel and Risk Management review, including minor revisions as required; and
- 6) Authorize the Chair to execute an amendment to the Fiscal Year 2019-20 Adopted Budget, increasing expenses and revenues by \$100,000 for the first year of the Agreement and budgeting cannabis fee revenue sufficient to cover the first year cost (4/5 vote required).

FUNDING: Commercial Cannabis fees.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Helix Environmental Planning, Inc. - Draft Agreement, 2. B - MIG, Inc. - Draft Agreement, 3. C - Budget Transfer, 4. Executed Budget Transfer, 5. Executed Agreement 4600

Date	Ver.	Action By	Action	Result
12/10/2019	1	Board of Supervisors	Approved	Pass

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DISCUSSION / BACKGROUND

The Planning and Building Department is facing the challenge of various new duties assignments, policies, ordinances, and regulations, resulting in an increased workload. In addition, the Department has acquired the Vacation Home Rental (VHR) function from the Treasurer Tax Collector. This includes all land use, permitting and enforcement activities (except first response handled by El Dorado County Sheriff's Office in the field). Although the Department is working to hire staff to fill positions recently added to the Department's personnel allocation to handle this workload, there is currently a lack of available Planning staff to handle the backlog of permit center and current planning projects, including the newly-assigned VHR workload. Now, the Planning and Building Department is starting the land use process for Commercial Cannabis.

The Procurement and Contracts Division completed a Request for Proposals (RFP) for Commercial Cannabis Consulting Services with the RFP being made available from 6/26/19 to 7/17/19. There were five qualified responses. Representatives from the Planning and Building Department; Agriculture, Weights & Measures Department; and the Chief Administrative Office evaluated the responses with Helix Environmental and MIG being selected.

Planning Services is proposing to contract with Helix Environmental and MIG to provide on-call supplemental staff and assistance with commercial cannabis current planning activities, including environmental review, review applications to make sure they are complete, review for compliance with County's General Plan, Zoning Code and commercial cannabis ordinances, presenting projects at hearings, verifying condition compliance, etc. The not-to-exceed amount for the agreement with each consulting firm is \$200,000 for a term of three years. Staff is unsure if this will be a sufficient amount due to application volume. However, it is unknown how long a high volume of applications will be sustained. Staff will review the volume and these contracts over the next few years.

The Department recommends the Board make findings in accordance with 3.13.030 of the County Code of Ordinances that it is more economical and feasible to engage an independent contractor for on-call planning services due to a lack of availability of qualified County employees to perform the work, and in order to satisfy necessary timeframes and schedules. Although the hourly rates proposed by the consultants are considerably higher than the costs for staff time, the unknown amount of hours of work needed does not warrant the addition of regular staff at this time. Additionally, these costs would be borne fully by project applicants. At the present time, the department has limited necessary technical skill sets and resources to perform the needed services for various projects, in particular the larger, more complex commercial cannabis development applications. Some of this work requires very specialized skill sets that are currently limited in-house, and it is not economically viable to expand and maintain those skill sets with full-time departmental staff. In addition, the on-call agreements will allow staff to continue to operate efficiently during intermittent peak workloads that result from fluctuations in the economy.

These proposed Agreements will allow staff to focus on on-going current planning duties that will enhance customer service, including providing more timely responses to customers, streamlining procedures, and accepting applications for VHRs and planning review.

ALTERNATIVES

The Board could decline to approve the two contracts that would provide additional planning services; however, this would affect the Department's ability to improve operational efficiencies, and could cause delays to other applications currently being processed and future projects as they arise.

PRIOR BOARD ACTION

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Procurement and Contracts; County Counsel; Risk Management, Agriculture; Weights & Measures; and Chief Administrative Office.

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

A budget transfer is attached to the agenda item for the two contracts for the Fiscal Year 2019-20 Budget and it will be included in Planning and Building Department's budget requests for future fiscal years. All expenditures will be reimbursed by Commercial Cannabis pass-through fees.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board to obtain the Chair's signature on two (2) originals for Agreement No. XXXX with Helix Environmental;
- 2) The Clerk of the Board to obtain the Chair's signature on two (2) originals for Agreement No. XXXX with MIG; and
- 3) The Clerk of the Board to return one (1) fully executed Original of each Agreement to the Chief Administrative Office, Procurement and Contracts Division for further processing.

STRATEGIC PLAN COMPONENT

Good Governance and Economic Development

CONTACT

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