



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 10/22/2019

Agenda Placement: 6Q

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Silva Darbinian for Jeffrey Brax - County Counsel
County Counsel
REPORT BY: Erin Cossen, Legal Office Manager - 707-253-4520
SUBJECT: Agreement with Hinderliter de Llamas

RECOMMENDATION

County Counsel requests ratification of an agreement with Hinderliter, de Llamas and Associates executed by the County Executive Officer for a maximum amount of \$20,750 for the term July 1, 2019 through August 30, 2019 for preparation of a report pursuant to Elections Code Section 9111 concerning the Napa County Cannabis Regulation Initiative.

EXECUTIVE SUMMARY

County Counsel, together with the County Executive Officer, entered into an agreement with Hinderliter de Llamas & Associates (HdL) effective July 1, 2019 to provide a comprehensive report on the Napa County Cannabis Regulation Initiative (Initiative), as directed by the Board of Supervisors on July 23, 2019, with a maximum amount of \$20,750. HdL previously entered into Napa County Agreement number 170390B to provide specialized legal services related to sales tax data collection and analysis. Because the aggregate amount of all past contracts Countywide with this particular vendor exceeds an amount specified in the County's purchasing manual, Board ratification of this Agreement is required.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	County Counsel - actual charges for services rendered in preparation of the 9111 Report amount to \$14,250.

Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	HdL has provided the needed specialized services and has significant experience in this area of law. Sufficient funding is included in County Counsel's adopted FY19-20 budget.
Is the general fund affected?	Yes
Future fiscal impact:	The contract does not extend beyond the current year.
Consequences if not approved:	Legal advice would have been provided by County Counsel staff and the Board would have had to proceed without receiving specialized legal advice regarding the matter.
County Strategic Plan pillar addressed:	Effective and Open Government
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

At its July 23, 2019 meeting, the Board elected to order reports pursuant to Elections Code Section 9111 addressing the various potential impacts of the passage of Initiative. The report was accepted by the Board at its regular meeting on August 20, 2019. In order to prepare the report in a timely fashion, County Counsel prepared, and the County's purchasing agent signed, an agreement with HdL based on their expert experience in the particular area of commercialization of cannabis. The County had previously contracted with this particular vendor for the provision of services related to sales tax data collection and analysis. Because the County has paid HdL under a different agreement, the agreement before the Board today requires ratification pursuant to the County's purchasing policy and manual.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi