Legislation Details (With Text)

File #:	2022-0013		
Type:	Consent Calendar Item	**Status:**	Passed
File created:	12/29/2021	**In control:**	County Administrator
On agenda:	3/1/2022	**Final action:**	3/1/2022
Title:	Local Jurisdiction Grant and Cannabis Permitting Positions		
Sponsors:	County Administrator, Permit and Resource Management		
Indexes:			
Attachments:	1. Summary Report.pdf, 2. Budget Resolution, 3. Personnel Resolution, 4. Local Jurisdiction Assistance Grant Funding Agreement between the County and the Department of Cannabis Control		

Date	Ver.	Action By	Action	Result
3/1/2022	1	Board of Supervisors	Approved as recommended	Pass

To: Board of Supervisors
Department or Agency Name(s): County Administrator's Office and Permit Sonoma
Staff Name and Phone Number: Christina Rivera, 565-2431 and Scott Orr, 565-1900
Vote Requirement: 4/5th
Supervisorial District(s): Countywide

Title:
Local Jurisdiction Grant and Cannabis Permitting Positions

Recommended Action:

A) Adopt resolution adjusting the adopted FY 21-22 County Administrator's Office managed Cannabis Tax Fund and Permit Sonoma Planning division budgets by $136,647.
B) Adopt resolution adjusting Permit Sonoma FY 21-22 adopted Position Allocation to add time-limited planning staff financed with state received grant intended to increase Cannabis permit processing.

(4/5th Vote Required)

Executive Summary:
The County of Sonoma has received a Local Jurisdiction Assistance Grant from the Department of Cannabis Control to assist with environmental review and processing of existing land use permit applications. Staff recommends, in accordance with the grant guidelines, adding project planning and administrative/clerical support staff.

Discussion:
Local Jurisdiction Assistance Grant Program
The State of California set-aside funds through the Local Jurisdiction Assistance Grant Program <https://cannabis.ca.gov/about-us/grant-funding/local-jurisdiction-assistance-grant-program/> to assist with environmental review and processing of land use permit applications as part of a larger effort to transition the high number of provisional licenses to the final operating license (referred to an annual license at the State level). Sonoma County was eligible for and has been awarded $1,158,023 as part of this program. The Department of Cannabis Control (DCC) is the granting state agency.

Upon execution of the grant agreement as per the DCC Grant Guidelines <https://cannabis.ca.gov/wp-content/uploads/sites/2/2021/09/Local-Assistance-Grant_Guidelines.pdf>, Sonoma County will be receiving a disbursement of 80% or $926,418 of the funding during FY 21-22. The remaining 20% or $231,605 will be disbursed when the County has been determined by DCC to have substantially met the goals and intended outcomes and prior to March 31, 2025.

To support the scope of work (Annual Plan) approved by DCC, two time limited planner positions and associated administrative support positions to the Permit Sonoma personnel allocation are identified as part of the approved grant proposal.

Temporary Permitting Capacity

During discussions regarding the cannabis program on June 8, 2021 and September 28, 2021, the Board expressed a desire for staff to expedite processing of permits that have been in process since the original cannabis ordinance was adopted in 2016, voicing specific concern related to applicants already operating under the County's Penalty Relief Program (PRP), which allows cannabis operators who qualify for the program to continue their existing unpermitted operation while they are pursuing a use permit to legalize that operation. During those discussions, staff informed the Board of an upcoming state grant opportunity and indicated that staff would return to the Board with programming of resources to address their concerns and increase permitting capacity utilizing grant funds in early 2022, after grant funding had been secured.

To support this work effort of processing PRP land use permit applications (47 at the time of publication), County Administrator's Office and Permit Sonoma staff, in alignment with grant scope, is requesting the following time-limited positions, effective March 1, 2022, and terminating June 30, 2024:

- 2.0 FTE time-limited Planner
- 1.0 FTE time-limited Senior Office Assistant

The Planner positions are anticipated to be fully funded by the grant. The Senior Office Assistant position is anticipated to be fully funded by the grant through FY 21-22. County Administrator's Office staff, acting as grant manager, will coordinate a budget revision to fund continued Administrative Assistant extending past the current fiscal year.

2.0 FTE time-limited Planner

The additional Planners will improve capacity by allowing each planner to manage a smaller number of applications at a time, minimizing any delays in advancing individual applications due to capacity limitations. Planners dedicated to cannabis projects will also develop more expertise with the regulations will become more skilled at addressing common issues and concerns, also facilitating more rapid processing of applications. Planner work duties include reviewing application materials and technical studies for completeness and consistency with regulations; facilitating communication between applicants and technical experts; providing information to and receiving comment from the public; conducting environmental review; preparing for and presenting projects at public hearing; and supporting applicants through post-approval requirements, such as compliance with imposed conditions of approval.

1.0 FTE time-limited Senior Office Assistant

The additional Senior Office Assistant will improve administrative capacity, allowing clerical staff to support

planners to advance applications more quickly. Clerical staff work duties include document management, public noticing, and remediation (i.e., making documents accessible). Clerical staff must remediate all public documents, such as staff reports, technical studies, environmental documents, public notices, and public comments. Additional clerical support from the proposed Senior Office Assistant will allow more timely scheduling of hearings and hearing waivers, as currently, documents ready for remediation and posting must wait in queue for clerical support.

County Administrator's Office staff, acting as grant manager, will coordinate with DCC to revise the scope of the grant budget after execution of the grant to allow for continued full-time Administrative support extending past the current fiscal year.

Current Staffing Capacity

Cannabis Use Permits, similar to other land use permits, are processed by Permit Sonoma's Project Review section. Currently land use permits are distributed amongst 11 planners with two planners holding a larger share of cannabis use permits due to subject matter expertise. The current workload is too significant for these planners to process all cannabis use permits. At this time, there is one planner vacancy in the Project Review section. Due to the 3-6 months for a recruitment and hiring process that occurs when a planner leaves their position, their assignments are distributed amongst remaining staff, which leads to increased workload and reduced capacity.

Due to the increased workloads for Project Review planners, the land use application process for the Penalty Relief Program applications has been much longer than the 18 - 24 months expected for most land use applications. A temporary staffing increase to address the backlog of Penalty Relief Program land use permit applications in process since 2017 or 2018 (provisional license holders at the State level) is expected to assist the length of time required to develop final decisions for existing non-PRP and new applications.

Strategic Plan:
N/A

Prior Board Actions:
6/8/2021 and 9/28/2021 - Received Temporary Cannabis Permitting Staffing updates

FISCAL SUMMARY

Expenditures	**FY 21-22 Adopted**	**FY 22-23 Projected**	**FY 23-24 Projected**
Budgeted Expenses			
Additional Appropriation Requested	$136,647	$493,014	$517,663
Total Expenditures	**$136,647**	**$493,014**	**$517,663**
Funding Sources			
General Fund/WA GF			
State/Federal: DCC Grant Revenue	$136,647		
Fees/Other			
Use of Fund Balance			
Contingencies			

Total Sources	**$136,647**		

Narrative Explanation of Fiscal Impacts:
FY 21-22 costs represent salaries and benefits, and associated services and supplies for the three positions. These costs will be fully funded by the first disbursement of the grant that will be carried into following fiscal years as fund balance.

Staffing Impacts:			
Position Title (Payroll Classification)	**Monthly Salary Range (A-I Step)**	**Additions (Number)**	**Deletions (Number)**
Planner I/II/III	$40.32 - $49.01	2.00	
Senior Office Assistant	$21.92-$26.65	1.00	

Narrative Explanation of Staffing Impacts (If Required):
Funding for the addition of positions is included as part of the funding agreement with the Department of Cannabis Control. County Administrator's Office staff, acting as grant manager, will coordinate with DCC to revise the scope of the grant budget after execution of the grant to allow for continued full-time Administrative support extending past the current fiscal year.

Attachments:
Budget Resolution
Personnel Resolution
Local Jurisdiction Assistance Grant Funding Agreement between the County and the Department of Cannabis Control

Related Items "On File" with the Clerk of the Board:
None