

RESOLUTION NO.

RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES BETWEEN THE CITY OF COMMERCE AND KLIMT LLC TO CONDUCT PLANNING, ASSESSING LAND USE AND IMPACT, ZONING AND SUPPORT SERVICES RELATED TO THE COMMERCIAL CANNABIS PERMIT PROGRAM

WHEREAS, on October 5, 2018 Ordinance No. 700 took effect due to the September 4, 2018, approval by the City Council of agenda item No. 5, Ordinance Repealing Chapter 5.61 “Medical Marijuana” of Title 5 (Business Regulations and Licensing) of the Commerce Municipal Code in its Entirety, and Replacing it with Chapter 5.61 “Commercial Cannabis Activities”, of Title 5 (Business Regulations and Licensing)

WHEREAS, on December 4, 2018, the City Council approved an agreement for Consultant Services between the City of Commerce and Klimt Consulting LLC, for planning services, as they generally relate to Ordinance No. 700 and related city policies;

WHEREAS, the cost for these services provided by Klimt, which now include responsibilities related to Ordinance No. 709 – Ordinance No. 730, and Ordinance No. 733, was approved for not to exceed amount of \$120,000. The cost associated with these services included, but are not limited to, supporting the City with vetting of phase III applicants selected, and assisting applicants with compliance of Ordinance No. 700 and related policies, addressing inquiries from interested parties, planning, zoning and other land use program implementation tasks as needed;

WHEREAS, due to the amount of work related to and required to be undertaken, including a need for support with compiling exhibits, and preparing development agreements for signature and recordation, the approved budget under the current agreement has been exhausted;

WHEREAS, based on the continued need and the number of selected applicants being moved through the approval process, an amendment to the Agreement for Consultant Services between the City of Commerce and Klimt Consulting LLC is being proposed to increase the contract amount to not to exceed amount of \$195,000 for the remainder of the existing 22 month term of the agreement;

WHEREAS, staff recommends that the City Council approve the Amendment to the Agreement for Consultant Services between the City of Commerce and Klimt Consulting LLC, for the cost associated with supporting the City, including with vetting of phase III applicants selected, assisting applicants with compliance of Ordinance No. 700 and related policies, addressing inquiries from interested parties, planning, zoning and other land use program implementation tasks as needed. The proposed amendment not to exceed for the cost for these services is \$195,000 from Commercial Cannabis Permit funds, with no impact to the general fund.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE AND ORDER AS FOLLOWS:

Section 1. All of the recitals above are true and correct and are incorporated herein as if set forth in full.

Section 2. Approve the Amendment to the Agreement between Klimt Consulting LLC and the City of Commerce as attached hereto, by increasing the contract amount at a cost to not exceed \$195,000.00.

Section 3. Mayor is authorized to execute the amendment to the agreement for and on behalf of the City.

PASSED, APPROVED AND ADOPTED this 3rd day of September, 2019.

John Soria, Mayor

ATTEST:

Lena Shumway, City Clerk