

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE AGREEMENT WITH ICF INCORPORATED FOR REVIEW AND UPDATE OF HAYWARD'S COMMERCIAL CANNABIS PROGRAM, AND INCREASING THE COMPENSATION AMOUNT NOT-TO-EXCEED \$352,935

WHEREAS, on April 20, 2018, the City executed an agreement with ICF Incorporated for services related to developing a process for the City's Commercial Cannabis Program, and to conduct Round 1, Tier 1 review of applications; and

WHEREAS, Council also adopted Resolution No.19-009, authorizing an appropriation of \$70,000 from the General Fund to cover the cost of consultant services to conduct the interview and selection process; and

WHEREAS, on March 19, 2019, Council adopted Resolution No. 19-049 authorizing the City Manager to negotiate and execute an amendment to the Agreement to include services related to Round 1 – Tier 2 review and selection process of the City Commercial Cannabis Permit Program at a cost of \$70,000, bringing total compensation to an amount not-to-exceed \$250,838; and

WHEREAS, on December 17, 2019 the Council adopted Resolution No. 19-244 authorized the City Manager to negotiate and execute a second amendment to the Agreement for services related to reviewing and updating the regulatory framework for the Commercial Cannabis Program at an additional cost of \$70,000 bringing total compensation to an amount not to exceed \$320,838; and

WHEREAS, the Parties executed a Third Amendment to the Agreement for a term extension dated July 26, 2020; and

WHEREAS, the Parties executed a Fourth Amendment to the Agreement for a term extension dated January 13, 2021; and

WHEREAS, the current agreement with ICF Incorporated, L.L.C., expired on April 30, 2021; and

WHEREAS, ICF Incorporated, L.L.C., brings unique knowledge of Hayward’s commercial cannabis licensing program, having worked closely with the City to develop the original applicant Request for Proposal (RFP) and scoring criteria, adjudicate the application review process, facilitate applicant interviews, and support the overall selection process.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward, hereby authorizes the City Manager to negotiate and execute an amendment to the City’s Agreement with ICF Incorporated, L.L.C. to provide ongoing support as it continues to review and update its cannabis program, increasing the compensation an additional \$32,097 for a total compensation not-to-exceed \$352,935, and extending the term through June 30, 2022, in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2021

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:  
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward