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Memorandum

To: County Administrative Office, Board of Supervisors

From: Thomas K. Mattson, Director of Public Works

Subject: Response to 2021-22 Grand Jury Report "Permitted (Eventually)"

Date: July 5, 2022

The Department of Public Works is in receipt of the Grand Jury Report titled "Permitted (Eventually): A Review of the Cannabis Cultivation Permitting Process in Humboldt County." Per the request of the Grand Jury, the Department has reviewed the report and is providing a response to Findings F3 and F7 and Recommendations R2 and R7.

FINDINGS

FINDING F3: The Board of Supervisors funded the purchase of the Accela software for the Planning and Building Department to replace the former OnTrack permit management system. Accela lacks completeness in that the Public Works Department is limited to responding to Planning & Building Department referrals.

Agree. The Accela platform is a project management tool that tracks projects from start to finish. Accela is a major vendor of such software for municipalities and is used extensively throughout California. In addition to handling planning & building offices, it includes functionality for public works offices. Accela is currently being used by the Planning & Building Department for both planning permits and building permits. Public Works currently uses Accela as part of Planning & Building's permit issuance processes. Accela could be further leveraged by Public Works for additional uses by adding public works modules. Many projects also involve obtaining public works permits and/or approval. Implementing Accela to manage and track public works permits aids the public in having a one-stop, on-line source to find out the status of their project. Implementing Accela to do this further leverages the technology that the County already uses.

FINDING F7: Within the Public Works Department, as part of the cannabis permitting process, applicants are allowed to "self-certify" Category 4 roadways, however, self-certification is not always verified.

Agree. When applicants were first able to apply to the Planning & Building Department for a cannabis permit, around 2000 applications were submitted before the end of the year deadline. Public Works evaluated the situation of needing to process an overwhelming number of applications in a short period of time with a limited number of staff. Public Works realized that having applicants submit information in a uniform way will expedite processing of applications as staff will not have to weed through volumes of documents to find relevant information and interpret loosely wordy findings and recommendations. Public Works developed a road evaluation form to aid in evaluating road conditions. The form consists of two parts: Part A, which an applicant may complete and “self-certify” and Part B, which an applicant’s civil engineer needs to complete. If an applicant was able to “self-certify” the road, then the applicant would not need to hire a civil engineer to complete Part B. The thought was that most people would be able to accurately measure how wide a road is; and that an applicant would not need to hire an expensive civil engineer to certify the obvious. Unfortunately, a small portion of applicants did not fully understand the form and were incorrectly self-certifying that roads meet a Category 4 standard.

RECOMMENDATIONS

RECOMMENDATION R2: The Humboldt County Civil Grand Jury recommends that for Fiscal Year 2022-2023, the Public Works Department determine the funding needed and submit a budget request to build out Accela modules for Planning and Building Department referrals for; 1) encroachment permitting; 2) legal document review; 3) map review; 4) drainage fee calculator; 5) encroachment violation and tracking; 6) reporting tools for each module; and/or other modules determined to be necessary.

In the process of being implemented. This task will take some time to complete. The project involves adding new modules onto the existing Accela platform used by Planning & Building. These modules are separate from the existing modules used by Planning & Building. Therefore, coordination with Planning & Building is necessary to ensure proper integration. Public Works has begun by meeting with Planning & Building staff and Accela staff to discuss how Public Works modules could be added to the existing system. Accela determined that this would best be tasked with one of Accela’s third-party implementors. Public Works in the process of reaching out to third party vendors to determine the magnitude of costs associated with implementing the Public Works modules. At that point, Public Works can present a budget request to the Board of Supervisors for consideration.

RECOMMENDATION R7: The Humboldt County Civil Grand Jury recommends that by December 31, 2022, as an essential part of the cannabis permitting process, actual verification that a roadway meets Category 4 requirements should be performed by Public Works employees.

Will not be implemented. Public Works agrees that the self-certification process did not always result in an accurate certification. However, self-certification worked in many cases. Due to limited staff Public Works does not have the capacity to verify all roads. During the public hearing for a cannabis project, if issues regarding the functional capacity of a road cannot be resolved then the Planning Commission may consider continuing the public hearing and request that the applicant provide an analysis of the road by a civil engineer. This ensures that projects that have correctly self-certified their roads do not need to go through the time and expense of hiring a civil engineer; and that projects with roads that may have functional capacity issues have been looked at by a civil engineer.