



Legislation Details (With Board Report)

**File #:** 20-543      **Name:** 07\_07\_2020\_ CSUMB Equity Assessment Agreement  
**Type:** General Agenda Item      **Status:** Passed - Intergovernmental & Legislative Affairs Office  
**File created:** 6/25/2020      **In control:** Board of Supervisors  
**On agenda:** 7/7/2020      **Final action:** 7/7/2020

**Title:** a. Approve and authorize the Cannabis Program Manager to execute an Agreement with University Corporation at Monterey Bay, for the term July 15, 2020 through May 31, 2021, for the purpose of conducting an equity assessment in the amount of \$99,999; and  
b. Approve the Cannabis Program Manager’s recommendation to accept non-standard provisions in the Agreement.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Report, 2. Attachment A Modified Standard Agreement, 3. Item No. 34 Completed Board Order

Date	Ver.	Action By	Action	Result
7/7/2020	1	Board of Supervisors		

a. Approve and authorize the Cannabis Program Manager to execute an Agreement with University Corporation at Monterey Bay, for the term July 15, 2020 through May 31, 2021, for the purpose of conducting an equity assessment in the amount of \$99,999; and  
b. Approve the Cannabis Program Manager’s recommendation to accept non-standard provisions in the Agreement.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Cannabis Program Manager to execute an Agreement with University Corporation at Monterey Bay, for the term July 15, 2020 through May 31, 2021, for the purpose of conducting an equity assessment in the amount of \$99,999.00;
- b. Approve the Cannabis Program Manager’s recommendation to accept non-standard provisions in the Agreement; and
- c. Provide direction to staff as appropriate.

SUMMARY/DISCUSSION:

On May 12, 2020, the Board of Supervisors approved the adoption of a resolution authorizing the Monterey County Cannabis Program Manager to execute a grant agreement with the Governor’s Office of Business and Economic Development to receive grant funding in the amount of \$150,000 to conduct an equity assessment to identify marginalized segments within Monterey County and groups of individuals most impacted by economic disparities and cannabis arrest/conviction rates which will inform the creation of a local equity program.

The funding of an equity assessment will be used to inform the creation of a local equity program. A local equity program would foster equitable ownership and employment opportunities and ensure the cannabis industry is representative of the County’s population by supporting populations and communities that have been negatively or disproportionately harmed by cannabis prohibition and the War on Drugs.

Program staff have identified a resource with experience in policy analysis and program evaluation to conduct the equity assessment: Dr. Kim Judson and Dr. Ignacio Navarro from the Institute for Community Collaborative Studies (ICCS) of California State University Monterey Bay (CSUMB). Dr. Ignacio and Dr. Kim Judson from CSUMB will conduct the equity assessment within Monterey County through the design and implementation of primary and secondary data collection instruments and subsequent analysis. Primary data collection includes surveys, focus groups, and interview questions while secondary data collection represents drug related arrest and conviction rates by demographic within Monterey County.

These inputs will be incorporated into the following deliverables: preliminary data analysis report, initial data analysis report, draft status report, final status report, and presentation of the findings to Monterey County Cannabis Program and key stakeholders within the County. Each deliverable allows for County review and input. Both parties intend to carry the momentum of the equity assessment and key learnings into the next round of grant applications in early 2020 to apply for Type 2 funding for assistance for cannabis equity program applicants and licensees.

Upon review of the County agreement by the Contractor, revisions to the following sections of the standard agreement were requested:

- Section 7.02 of TERMINATION
  - CSUMB is public entity and these extra costs would be borne by state taxpayers which is not feasible.
- Section 8.0 of INDEMNIFICATION
  - CSUMB would like to request mutual indemnification to align with previous and current County agreements which have amended this section; see Exhibit D of Modified Standard Agreement attachment.
- Section 10.5 of RECORDS AND CONFIDENTIALITY
  - CSUMB cannot comply with publishing restrictions as it would result in the loss of their fundamental research exemption under export control.

Because of the precedent set by prior agreements with CSUMB, and in order to keep pace with the original timeline of the Equity Assessment, the Cannabis Program is requesting approval of these non-standard provisions.

OTHER AGENCY INVOLVEMENT:

Modifications to the standard agreement have been reviewed by the Office of the County Counsel.

FINANCING:

This Agreement is funded by a Grant Agreement with the Governor’s Office of Business and Economic Development. Approval of this recommendation will not result in additional general fund contributions.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Cannabis Business Permit and its internal processes enhance the ability for the Cannabis Program to meet the Board of Supervisors expectations, the Cannabis Program Strategic Plan and Goals while supporting our Cannabis industry in sustaining legal and responsible operators.

Mark a check to the related Board of Supervisors Strategic Initiatives:

X Economic Development

X Administration  
X Health & Human Services  
X Infrastructure  
X Public Safety

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Approved by: Nicholas E. Chiulos, Assistant CAO, x 5145

Attachment:  
A: Modified Standard Agreement