



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY MANAGER: OFFICE OF SUSTAINABILITY

File #: 18-096

Board Meeting Date: 2/13/2018

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: John L. Maltbie, County Manager
Mike Callagy, Assistant County Manager
Subject: Amended Agreement with Andrew Berthelsen

RECOMMENDATION:

Adopt a resolution amending the agreement with Andrew Berthelsen increasing the amount by \$90,000 to a new not to exceed amount of \$180,000 and extending the term to January 31, 2019.

BACKGROUND:

On November 8, 2016, the voters of the State of California enacted Proposition 64, known as the Control, Regulate and Tax Adult Use of Marijuana Act (the AUMA). The AUMA establishes a comprehensive system to legalize, control and regulate the cultivation, processing, manufacturing, distribution, testing, and sale of nonmedical marijuana for use by adults 21 years and older.

A study session on December 6, 2016, revealed that developing a local regulatory approach for nonmedical marijuana is a complex proposition with many stakeholders, a wide range of opinions, important policy considerations, and an opportunity to coordinate at a regional level. The Board appointed a subcommittee to examine all options available.

On March 17, 2017, Mr. Berthelsen was hired as a contractor to help coordinate the collaboration of Proposition 64 efforts between cities and the County. Those efforts included coordination and preparation of meetings, researching legislation, conducting outreach efforts and drafting an ordinance in regard to this County's permitted activities. Mr. Berthelsen's contract expired January 31, 2018.

DISCUSSION:

With Mr. Berthelsen's assistance, San Mateo County has developed an ordinance which allows limited coastal cultivation and now desires to utilize the services of Mr. Berthelsen to look at other aspects of the law, including the regulation of delivery services within the County. Mr. Berthelsen's assistance on cannabis-related issues has been extremely invaluable. He exhibits a high level of

expertise in cannabis regulation and works well with the public and the County subcommittee in drafting responsible legislation that comports with California law.

It is expected that Mr. Berthelsen's services will be needed through 2018. Mr. Berthelsen's hourly contract amount will increase by \$5 to \$95 per hour.

County Counsel has reviewed and approved the proposed resolution and amendment to the agreement with Andrew Berthelsen.

SHARED VISION 2025:

Adopting this proposed urgency ordinance is consistent with the County's healthy community, prosperous community, livable community, environmentally conscious community, and collaborative community Shared Vision goals.

FISCAL IMPACT:

The term of the contract is February 1, 2018 through January 31, 2019. The agreement is being increased by \$90,000 to a new amount not to exceed \$180,000. Funding for this Agreement is included in the County Manager's Office FY 2017-18 and FY 2018-19 Budgets.