1. City Council Meeting Agenda

   Documents:

   05-29-2018 ANNOTATED AGENDA.PDF

2. Supporting Documents

   Documents:

   2A.PDF
ANNOTATED AGENDA
Special Joint Meeting of the Concord City Council/Planning Commission

Tuesday, May 29, 2018 6:30 p.m. - Open Session

Civic Center
Council Chamber
1950 Parkside Drive
Concord, CA 94519
www.cityofconcord.org

Information for the public on participation at Council meetings can be found on the back of the Speaker Identification Card located near the Council Chamber entrance. Should you have any questions after consulting the Speaker Identification Card, please contact the City Clerk prior to the Council meeting.

AGENDIZED ITEMS – The public is entitled to address the City Council/Planning Commission on items appearing on the agenda before or during the City Council’s consideration of that item. Each speaker will be limited to approximately three minutes.

1. OPENING

Roll Call – Planning Commissioner Mercurio absent

Pledge to the Flag – Councilmember Leone

2. STUDY SESSION

Study session – on cannabis uses and industry trends; and provide direction to staff on cannabis policy, including taxation, regulation, and permitting.
Report by Michael P. Cass, Principal Planner.
CEQA: Not a project under Public Resources Code 21065, Guidelines Sections 15060(c)(2), 15061(b)(3), or 15378.

ACTION: Study session held.

3. ADJOURNMENT

Next Meeting: Regular Meeting
Date: 6/5/18 6:30 p.m.

ADA NOTICE AND HEARING IMPAIRED PROVISIONS - The Council Chamber is equipped with a T-Coil Hearing Loop. This system allows “T” coil reception of the audio proceedings. Please switch your hearing aid or cochlear device to the “T”, “T” Coil or telephone position. If you would like better audio reception, a loop receiver that picks up the audio loop is available from the City Clerk.

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3031, at least five days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

The following is a list of regular Council Committee meeting dates. Most meetings are held in the Garden Conference Room, 1950 Parkside Drive, Concord. NOTE: Meetings are subject to change or cancellation. For latest information and committee agendas please call 671-3158.

<table>
<thead>
<tr>
<th>Committee</th>
<th>Chair/Members</th>
<th>Meeting Time</th>
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<tbody>
<tr>
<td>Policy Development &amp; Internal Operations</td>
<td>Birsan/Obringer</td>
<td>2nd Wednesday at 5:30 p.m.</td>
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<tr>
<td>Housing &amp; Economic Development</td>
<td>Obringer/McGallian</td>
<td>4th Monday at 5:30 p.m.</td>
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<tr>
<td>Infrastructure &amp; Franchise</td>
<td>Hoffmeister/Leone</td>
<td>2nd Monday at 6:00 p.m.</td>
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<td>Recreation, Cultural Affairs &amp; Comm. Svc.</td>
<td>McGallian/Birsan</td>
<td>3rd Wednesday at 5:30 p.m.</td>
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<td>Youth &amp; Education</td>
<td>Leone/Hoffmeister</td>
<td>3rd Monday at 6:00 p.m.</td>
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Staff Report

Date: May 29, 2018
To: City Council
Planning Commission
From: Valerie J. Barone, City Manager
Reviewed by: Andrea Ouse, Director of Community and Economic Development
Laura Simpson, Planning & Housing Manager
Prepared by: Michael P. Cass, Principal Planner
Michael.cass@cityofconcord.org
(925) 671-3332

Subject: Study session on cannabis uses and industry trends; and provide direction to staff on cannabis policy, including taxation, regulation, and permitting

CEQA: Not a project under Public Resources Code 21065, Guidelines Sections 15060(c)(2), 15061(b)(3), or 15378.

Report in Brief

On October 24, 2017, the City Council provided direction to staff on creating a work plan for developing additional regulations related to cannabis uses. On April 10, 2018, the City Council introduced an ordinance to amend the Municipal Code and Development Code to establish an overlay district, associated development standards, and a licensing framework for cannabis manufacturing, testing laboratories, and distribution.

This study session is to provide an opportunity for Planning Commission and City Council to receive further information on trends in the cannabis industry from the City’s consultants, SCI Consulting Group and HdL. Staff is requesting feedback and direction on the next steps in the Cannabis work plan.

Recommended Action

1. Receive presentation on commercial cannabis taxation, regulation, and permitting trends.
2. Provide direction to staff as follows:
a. Council: Affirm or modify the direction to explore medicinal only cannabis storefront and non-storefront retail uses and microbusinesses (not adult-use) in Concord.

b. Council & Planning Commission: Provide initial thoughts on buffers from sensitive uses staff should explore with the community for storefront and non-storefront retail and microbusiness cannabis uses.

c. Council & Planning Commission: Share any questions that the Commission or Council believe important to have answered as part of developing retail regulations.

d. Council & Planning Commission: Provide direction or whether staff should draft regulations for other cannabis uses, such as cultivation.

e. Council: Affirm or modify direction to place an excise tax measure before the voters on the November 2018 ballot.

Background
On October 9, 2015, Governor Brown approved a series of bills commonly referred to as the Medical Cannabis Regulation and Safety Act (“MCRSA”), effective January 1, 2016, which created a state licensing and regulatory framework for the cultivation, manufacture, transportation, storage, distribution, and sale of medical cannabis.

On November 8, 2016, the Control, Regulate, & Tax Adult Use of Marijuana Act (“AUMA”) was approved by California voters with the passage of Proposition 64. Effective November 9, 2016, the AUMA legalizes the use and cultivation for personal use of adult use cannabis for persons 21 years or older. The AUMA also permits local jurisdictions to regulate and/or ban adult use cannabis related to the cultivation, distribution and delivery, transportation, manufacturing, testing laboratories, dispensaries, and microbusiness facilities.

Thereafter, the State legislature passed the Medicinal and Adult Use Cannabis Regulation & Safety Act (“MAUCRSA”), which reconciled the differences between MCRSA and AUMA, and created a comprehensive state licensing and regulatory framework for the cultivation, manufacturing, testing laboratories, distribution, retail (storefront and non-storefront), and microbusinesses of both adult and medicinal use of cannabis.

The State, in developing its framework for regulating cannabis uses on a state-level, created a deadline of January 2, 2018 in which all local jurisdictions were required to adopt their own regulations for cannabis uses. Accordingly, in order to avoid the situation where state-licensed uses could be grandfathered into the City, on November 14, 2017, the City Council adopted an ordinance, which amended the Municipal Code

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1 In order to be consistent with the terminology used by the state’s Bureau of Cannabis Control, “marijuana” is referred to as “cannabis” for purposes of this report.
and Development Code to ban all cannabis uses, except for personal indoor cultivation and delivery of medicinal cannabis from licensed dispensaries located outside of Concord to qualified patients.

History of Existing Concord Regulations
Staff compiled a summary of the existing Concord cannabis regulations, which may be referenced in Attachment 1.

Analysis
On October 24, 2017, the City Council provided direction to staff to create a work plan for developing additional regulations related to cannabis uses. The Council prioritized placing a tax measure on the November 2018 ballot and developing draft regulations for medicinal cannabis non-storefront retail, manufacturing, testing laboratories, distribution, a limited number of storefront retail, and microbusinesses for their consideration. City staff divided these tasks into the following three efforts:

- **Testing and Manufacturing Regulations**: On April 10, 2018, the City Council introduced Ordinance No. 18-3, amending the Municipal Code and Development Code to establish a Commercial Cannabis Overlay District, associated development standards, and a licensing framework for cannabis manufacturing, testing laboratories, and distribution. The Council made a number of modifications to the regulations, such as limiting the number of licenses, restricting cannabis manufacturers to medicinal cannabis (not adult-use), modifying the insurance requirement, and eliminating net-zero energy requirement. The second reading of the ordinance is tentatively scheduled for June 5, 2018.

- **Potential Store-Front, Non-Storefront, and Microbusiness Land Use Regulations**: The Council directed staff to work with the community to explore medicinal only retail cannabis uses in Concord: specifically, storefront, non-storefront, and microbusiness regulations and to bring recommendations before the Planning Commission and City Council for consideration.

A step in staff’s efforts on this task is to update the public, Planning Commission, and Council on the current state of the industry. Towards this end, Council will receive a presentation from Neil Hall from SCI Consulting Group and David McPherson from HdL will be available to answer taxation questions. Additionally, the Police Department has been doing research and have attached their information (Attachment 3) to this staff report and will be available at the meeting to respond to questions.

After Council and the Planning Commission have heard from these experts, staff is requesting direction on the topics outlined below:

1. Council: Affirm or modify the direction to explore medicinal only cannabis storefront and non-storefront retail uses and microbusinesses (not adult-use) in Concord.
2. Council & Planning Commission: Provide initial thoughts on buffers from sensitive uses staff should explore with the community for storefront and non-storefront retail and microbusiness cannabis uses.

3. Council & Planning Commission: Share any questions that the Commission or Council believe important to have answered as part of developing retail regulations.

4. Council & Planning Commission: Provide direction or whether staff should draft regulations for other cannabis uses, such as cultivation.

Staff’s anticipated schedule for this task is as follows:

| Tentative Cannabis Schedule: Retail & Microbusiness |
|---------------------------------------------------|-------------------------------------------------|
| **Date**                                         | **Task**                                        |
| August 2018                                       | Concord Community Town Hall (Online Engagement)  |
| September / October 2018                          | Community Workshop(s)                           |
| January / February 2019                           | Planning Commission                             |
| March 2019                                        | City Council                                    |

- **Taxation**: Staff, is currently developing potential ballot language for the City Council to consider placing a cannabis tax before the voters in November 2018.

The City’s consultants will be sharing that the level of revenue likely to result from a tax measure is expected to be minimal due to the City’s limits on the number of cannabis businesses and the restriction to allow only medicinal retail and manufacturing cannabis businesses (not adult-use) in Concord. The City’s consultants believe medicinal-only operations are less attractive investments than medicinal and adult-use manufacturing, so may result in little business interest.

Worth noting is that staff is developing taxation language that covers all types of cannabis businesses, not just those anticipated to be allowed by Council. The benefit of this approach is that should the City’s regulations change over time, there would not be an additional requirement to return to the voters for ratification of the tax. Approval of the tax is not approval of the uses, they are separate actions. Staff anticipates the tax language going before Council on June 26th for review and approval.

As has been stated previously, a cannabis tax currently requires a 50% plus 1 vote to be successful, if the revenues are used for general uses. However, if the Tax Fairness, Transparency and Accountability (“TFTA”) Act of 2018 passes in November, a supermajority (two-thirds) vote would be required for this tax. Also
specifying that the placement of a tax on the ballot requires the vote of two-thirds from the City’s elected officials.

**Cannabis Industry Trends**

The City’s consultant, SCI consulting Group, will present information to the City Council on commercial cannabis industry trends and cannabis taxation. Additionally, the consultants will provide information on actions at the State level and regulations adopted by other notable jurisdictions. The consultant’s PowerPoint presentation is attached to this staff report (Attachment 2).

**Buffer Areas from Sensitive Uses**

The State developed recommended buffer area of 600 feet from sensitive uses, including schools providing instruction from kindergarten through Grade 12, large day care centers, or youth centers, which are in existence at the time the initial license is issued. However, the City could choose to be more or less restrictive when creating buffers to influence the potential locations for each commercial cannabis use. Examples of other sensitive uses could include (but are not limited to) parks, bars, night clubs, breweries and distilleries, residential zoning districts, drug treatment centers, firearms stores, pawn shops, tobacco or smoke shops, or other restricted retail businesses. Staff seeks feedback from the Planning Commission and City Council on which sensitive uses to include when developing a proposed Commercial Cannabis Overlay District for cannabis retail and microbusinesses.

**Police Department Comments**

Representatives from the Police Department examined existing legal cannabis businesses and met with representatives from other jurisdictions in Denver, Los Angeles, Oakland, San Diego, San Jose, and Santa Ana to learn about trends in cannabis business operations, permitting, and enforcement. The Police Department’s research was used to evaluate how those trends would potentially impact the Department’s workload, and their information is outlined in the memorandum, dated May 11, 2018 (Attachment 3).

**Environmental Determination**

Pursuant to the California Environmental Quality Act of 1970, Public Resources Code §21000, et seq., as amended and implementing State CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations (collectively, “CEQA”), the proposed study session does not constitute a “project” within the meaning of the California Environmental Quality Act of 1970 (CEQA) Guidelines Section 15060(c)(2) because there is no potential that it will result in a direct or reasonably foreseeable indirect physical change in the environment and CEQA Guidelines Section 15378 because it has no potential for either a direct physical change to the environment, or a reasonably foreseeable indirect physical change in the environment.
Public Contact
All appropriate public notices of this agenda item have been posted. Staff also e-notified interested parties, and have posted the notification on the City’s cannabis webpage: http://cityofconcord.org/marijuana. Staff met with representatives from the cannabis industry, residents, and other local jurisdictions to obtain valuable input, as well.

Attachments
1. Summary of Concord Cannabis Regulations
2. Draft Consultant PowerPoint Presentation
3. Chief of Police Memorandum, dated May 11, 2018
4. Public Comments, received after April 10, 2018 (date of last public meeting on cannabis)
Summary of Concord Cannabis Regulations

On September 27, 2005, the City Council adopted Ordinance No. 05-9, which amended the Concord Municipal Code by prohibiting the establishment of medical cannabis dispensaries, due to the inconsistencies between Federal and State law and to protect public health, safety, and general welfare.

On April 9, 2013, the City Council adopted Ordinance No. 13-1, which amended the Concord Development Code by prohibiting outdoor cultivation of medical cannabis. The reasoning behind the prohibition included: 1) providing for the public health, safety, and welfare, 2) limiting odor caused by cannabis from impacting adjacent properties, and 3) preventing the attractive nuisance created by cannabis cultivation, which creates the risk of burglary, trespass, robbery, and armed robbery, requiring the expenditure of scarce police and public safety resources. The regulations limited medical cannabis cultivation to enclosed, occupied dwellings, where it is not visible from the public. The installation of grow lights, fans, ventilation devices, or other electrical and mechanical equipment was required to comply with all applicable building and fire code requirements and obtain any necessary permits.

On January 10, 2017, the City Council adopted Ordinance No. 16-9, which prohibited outdoor cannabis cultivation (medical and non-medical) and reinforced the existing policy. By doing so, Ordinance No. 16-9 prohibits the outdoor growing of both medical and non-medical cannabis. The Council also directed the Council Committee on Policy Development & Internal Operations (“PD&IO”) to comprehensively study potential regulations for medical and non-medical cannabis uses.

On July 25, 2017, the City Council adopted Ordinance No. 17-10, which amended the Concord Municipal Code to allow delivery of medical cannabis from licensed dispensaries located outside the City to qualified patients.

On November 14, 2017, the City Council adopted Ordinance No. 17-13, amending the Municipal Code and Development Code to ban all cannabis uses, except for personal indoor cultivation and delivery of medicinal cannabis from licensed dispensaries located outside of Concord to qualified patients. At that time, the City Council also instructed staff to bring back for consideration regulations for certain cannabis uses at a later time.
Trends in the Industry: Commercial Cannabis

Presented by:
Neil Hall
May 29, 2018
Factors to Consider:

• Small Tax incentive for medicinal patients:
  o Retail: 15% Gross Receipts
  o Cultivation: $9.25/oz. Flower / $2.75/oz. Leaves
  o Sales and Use Tax*
    *Patients with a State issued medicinal identification card exempt from sales tax

• After July 1, 2018, A-licensees (Adult-use) can only conduct business with A-licensees and M-licensees (medicinal) can only conduct business with M-licensees, except for testing laboratories.

• Businesses can obtain both “A” and “M” licenses.

• Separate State license fees for “A” and “M” Licenses.
Current State License Distribution

- State issued temporary licenses as of April 2018.
- 74% of licensed manufactures own more than one manufacturing license. Most of which are an “A” and “M” pair.
- Retailers are also securing both “A” and “M” licenses.

(https://cannabiz.media/)
State Issued Medicinal Cards in Decline

- MAUCRSA limits maximum card fee to $100
- Requires annual renewal, registered in State database
- In 2017-18, Contra Costa County had only 215 registered card holders

https://www.cdph.ca.gov/Programs/CHSI/Pages/Medical-Marijuana-Identification-Card.aspx
Oregon: Adult-use vs. Medicinal Dispensaries

**State Adult-use Tax**
- 17% retail
- 3% local tax cap

**State Medicinal Tax**
- 0%

**Key Factors:**
- Adult-use stores can sell to medicinal patients
- Medicinal card holder exempt from State taxes at adult-use stores

10/2016: **424** medicinal dispensaries
01/2017: **300** medicinal dispensaries
04/2017: **65** medicinal dispensaries
07/2017: **31** medicinal dispensaries
05/2018: **11** medicinal dispensaries
## Cannabis Regulation in Contra Costa County

<table>
<thead>
<tr>
<th>Type</th>
<th>Indoor</th>
<th>Mixed Light</th>
<th>Outdoor</th>
<th>Cultivation</th>
<th>Distribution</th>
<th>Manufacturing</th>
<th>Testing</th>
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<th>Microbusiness</th>
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- Antioch and Contra Costa County currently considering cannabis implementation
## Cannabis Regulation in Nearby Cities

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<th>City</th>
<th>Type</th>
<th>Cultivation</th>
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November 2018 Tax Measure?

• General vs Special Tax?

• Should the City consider a tax measure for both Medicinal and Adult-Use?

• Should the City consider a tax measure for all commercial cannabis activities?
Questions and Answers

Thank you!

Neil Hall  neil.hall@sci-cg.com
Kyle Tankard  kyle.tankard@sci-cg.com
To: Concord City Council

From: Lieutenant Nicholas Gartner on behalf of the Chief of Police

RE: Cannabis Operations by direction of City Council

Over the past three months, the police department examined other jurisdictions that have already opened their doors to cannabis enterprises, to include the City of San Jose, City of San Diego, the City of Los Angeles, the City of Santa Ana, the City of Oakland and the City of Denver CO. Through this research process we have identified trends in cannabis operations, permitting and enforcement, and valued how those trends would impact our department in terms of Oversight Workload.

Medicinal Cannabis Delivery Services

Currently we have a free process in place through our Code Enforcement Unit to register qualified medicinal cannabis delivery services. However, since inception we have only received one valid business that successfully completed the process. There are dozens of illegal cannabis delivery services operating in the City of Concord who have not registered through Code Enforcement, and we have a plan to solve that issue through the issuance of higher administrative fines when these drivers are contacted in town conducting business.

Manufacturing, Distribution, Testing Facilities

In looking at medicinal cannabis manufacturing, distribution and testing facilities, we have found little impact in terms of Oversight Workload for the police department. These businesses would complete safety plans and would have conditions placed upon their license agreements that would be unique to their industry, however we do not anticipate any significant safety concerns to exist or unmanageable staff hours that would be required to register, inspect and ensure compliance.

Retail Storefronts

The police department has determined that the existence of Retail medicinal cannabis storefronts would result in an overwhelming amount of Oversight
Workload for police resources as they exist today, and that not only would a complimentary Enforcement group need to be created, we should also expect to open our doors to the large black-market of illegal cannabis (medicinal and adult use) operations that would also flock to our city as these illegal businesses attempt to blend into the cannabis market as legitimate and licensed businesses until discovered. The black-market operations take this risk because the amount of money these businesses can make outweigh the financial risks of being detected and fined. Due to the flood of black-market businesses, the complimentary Enforcement group would need to be in place to handle the corresponding criminal investigations that would also result.
Dear Ron,

I want to express my appreciation and gratitude to you for voting to keep Concord free from recreational cannabis and just limiting it to medical manufacturing. I really wanted to be at the meeting last week to voice my opinion and opposition, and several of my Concord friends wanted me to go too, but my wife had our baby. :) I know there are thousands of dads like me with young families in Concord that feel the exact same way. Thank you!

I am not sure how much longer you will decide to serve our city, but I can confidently say this will probably be one of the most important decisions you made during your tenure on the City Council.

Best Regards,

Best Regards,

Devan Perona
Smart Phone: 925-405-6066
E-Mail: dperona@gmail.com
From: Cheryl Hale [mailto:workingwife@gmail.com]
Sent: Monday, April 16, 2018 3:13 PM
To: Concord City Council
Subject: Marijuana

Please do not allow any type of marijuana facility on the Monument District. We already have all the low income housing in our area. The least the City can do is protect us from crimes related to drugs and alcohol.
Making sure that you guys saw this article yesterday. Pretty interesting info within.

http://eastbaytimes.ca.newsmemory.com/publink.php?shareid=2a32484cc

Danny Bartz  
Associate Director  
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dbartz@ngkf.com

Save a Tree - Think Before You Print. Sustainably Newmark Cornish & Carey.
Marijuana is legal, but facing roadblocks
Only 1 in 7 cities allow recreational pot stores

By Brooke Staggs and Ian Wheeler

Southern California News Group

Eighteen months after California voters enthusiastically endorsed legal marijuana, just one in seven cities in the state allow recreational cannabis stores, according to a first-of-its-kind study by this news organization and its California partners. And only one in three allow any kind of cannabis business at all.

Proposition 64, approved by 57 percent of state voters in November 2016, promised to bring California into a hazy new age, making it legal for people to carry up to an ounce of marijuana and to grow it at home. But it also gave cities and counties a strong say into exactly what would be allowed and when. The result is a crazy quilt of regulation.

Our study is the most comprehensive look to date at how the marijuana industry is taking shape. Some towns— among them San Jose and Oakland— are cannabis friendly, allowing a wide range of businesses to cultivate or peddle a product that residents are free to use. Other cities — including many smaller jurisdictions across the Bay Area — are less enthusiastic, with some blocking virtually every type of marijuana-related enterprise and, in some cases, passing ordinances that seem aimed at regulating personal use as much as possible, despite the voters’ will.

We began gathering details on local marijuana policies last year. In January, just as recreational sales became legal, we launched a database with some of that information, offering cannabis rules from about half the state. Now, with the state about to celebrate its first 4/20 since sales began, we’ve upgraded that work, with rules from all 540 city and county jurisdictions in California.

Online:

View our searchable database at BAYAREANE.WS/ CANNABISDATABASE.
The information is included in our online database, where readers can search policies by location or by business type. You can also sort cities on our 100-point scale of marijuana friendliness.

You can view the full searchable database at https://bayareane.ws/cannabisdatabase.

The data reveals some interesting trends, conflicts and anomalies. It also shows that leaders in some communities are far less enthusiastic (and in a small number of cases, more enthusiastic) about cannabis than the residents who voted for and against Prop 64.

Among the findings:

- Fewer than one in three California cities (144 out of 482) allow any kind of cannabis business to operate in their borders. And just 18 of the state’s 58 counties permit cannabis businesses in unincorporated areas.

- Fewer than one in five California cities even allow medical marijuana dispensaries, even though medical marijuana has been legal in California since 1996.

- Of the 144 cities that permit marijuana businesses in their borders, just 57 are levying taxes on the industry (which doesn’t mean cannabis in the 87 others is tax-free; there is a state tax of 15 percent). That’s largely because Proposition 64 requires governments to get voter approval for their tax schemes. But cities that have approved taxes are beginning to rake in the dough: San Jose made nearly $2.2 million in cannabis revenue in the first two months of the year, while Oakland made $2.86 million in the first quarter.

- While state law says cities cannot completely ban adults from growing six marijuana plants, officials from two tiny Northern California towns — Gridley in Butte County and Montague in Siskiyou County — do exactly that, saying it is illegal in those jurisdictions to grow cannabis indoors or outdoors. Fresno County’s Selma is taking a different approach to the issue: It allows homegrows, but charges the state’s highest cost for a permit to do so, $1,420 for those six plants.

Many people seem to think it’s a free-for-all when it comes to cannabis in California now that recreational marijuana is legal. But as the numbers above show, that’s far from the case. And even our numbers may paint an overly enthusiastic picture.

A couple dozen cities — places such as Moreno Valley and Davis — have passed rules to allow marijuana businesses, but have yet to fully develop the regulations, or issue permits, to let those businesses start.
And only once those regulations are in place can a marijuana business apply for the needed state license.

That’s why even though 61 cities and nine counties have ordinances on the books that allow recreational marijuana stores, as of April 6, 2018, the state Bureau of Cannabis Control had licensed recreational shops in only 34 cities and five unincorporated county areas of California.

A couple dozen cities are leading the pack on our marijuana-friendliness scale, meaning they’re the most lenient cities in the state when it comes to cannabis policy. Riverside County has by far the highest number of permissive cities, with six that score above 96 points on our scale. A few other counties have two 96-point cities each, including Los Angeles and Sonoma. Oakland is the only Bay Area city that surpasses the 96-point threshold, although San Jose is just under, with 93 points.

To get above 96 points, cities and counties must allow every type of marijuana business licensed by the state. That means permitting medical and recreational licenses for cannabis sales, cultivation, manufacturing, distribution and testing. They would also have to allow their residents to grow marijuana at home, both indoors and outdoors.

More than five dozen cities score a zero on our scale of cannabis friendliness — including, in the Bay Area, Fremont, Hercules, Colma and Campbell.

Many areas are far less hospitable: Every city in the tiny counties of Madera and Sutter have passed the toughest rules possible.

Perhaps the biggest surprise is in Humboldt County, which is famous for cannabis production. Despite the region’s reputation as a cannabis hotbed, and despite having a couple cities where cannabis ordinances are lenient, four of the seven cities in Humboldt County earn zero points on our scale. Of course, Humboldt County continues to have a thriving black market, with which legal sales might compete.

To get a zero score on our scale, a city has to ban all marijuana businesses, block residents from growing marijuana for personal use outdoors and require them to get a permit to grow it inside their homes.

In some cities and counties, cannabis industry rules contrast sharply with how residents there voted on Prop. 64.

Imperial County again stands out. Only 45 percent of unincorporated county residents there voted in favor of legalizing recreational marijuana. But the Imperial County Board of Supervisors voted in
November to welcome every type of cannabis business, giving the area a score of 95.9 on our scale of permissiveness.

Oakdale and Riverbank, in Stanislaus County, are the only two cities in the state that welcome every type of recreational marijuana business even though a majority of residents in both cities voted against Prop. 64.

In other places, local policies are very much in line with voter wishes. West Hollywood and Berkeley voters, for example, tied with a high of 83 percent of residents approving Prop. 64. Both cities also have liberal cannabis policies, just missing the leader board for most permissive cities in the state because they block commercial cultivation and other behind-the-scenes businesses.

Kingsburg, in Fresno County, also has policies that align with election numbers. Residents of the farming town opposed Prop. 64 more than anywhere else in California, with only 35 percent favoring marijuana legalization. And city council members have taken a similar stance, with policies that earn Kingsburg 0.5 out of 100 points on our scale of marijuana friendliness. Reach Brooke Edwards Staggs at bstaggs@scng.com.
Hello Michael,

I have been closely following the Concord Cannabis debate and had a question in regards to the passing of the recent ordinance. I know the city, at this time, is only giving out 2 manufacturing licenses, 2 experimental licenses and 4 distributors licenses tied to either the experimentation or manufacturing license. My question is, are these licenses tied to the property limiting these businesses to just 4 properties. Or can one business obtain a license and acquire and operate out of multiple properties. I am currently meeting with many building owners in the cannabis greenzones who are highly interested in possibly taking their property to market in hopes to sell to a highly motivated cannabis buyer.

This is a great opportunity to bring significant tax revenue to Concord, and while I think it may have been shot in the foot by limiting the number of businesses who can move in as well as limiting the uses of the manufacturing buildings to just medicinal purposes, there may be a way to salvage Concord’s reputation as a cannabis friendly city before you lose these businesses’ tax revenues to other bay area cities.

Just a quick update on who your competition is:

- Richmond is now allowing its 3 medicinal retailers to sell commercial cannabis. They are maintaining only three storefronts for now, however, they have no restrictions anymore on how many manufacturers, cultivators, distributors, and experimentation centers are allowed.

- San Jose, Berkeley, Vallejo, Hayward, and Oakland allow everything with no cap as to how many businesses may operate.

- San Mateo, Martinez (only one retail location), and Fremont allow retail and cultivation.

- San Leandro allows 3 retail locations as well as testing and manufacturing.

- Burlingame and El Cerrito (only 2 locations allowed) allows retail.

- Pleasant Hill, Walnut Creek, Milpitas, Mountain view, Santa Clara, Redwood City, Dublin, and Livermore should all have some sort of cannabis zoning set up by at least 2019.

Regards,
Jarrod Senechal - National Multi Housing Group Associate
Marcus & Millichap
555 12th St #1750, Oakland, CA 94607
Dir: (510) 379-1228
Cel: (925) 519-3203
Fax: (510) 379-1210
License CA 02051586
jarrod.senechal@marcusmillichap.com
www.MarcusMillichap.com
Hi Marilyn,

I am a 35 year resident of Concord. My wife and I have raised 4 kids here, have been very active in our community, and we have been great customers of many businesses represented by the chamber.

I was surprised and disappointed to see your letter in the 4/10 Concord City Council meeting addressed to Michael Cass and advocating for the "Commercial Cannabis Overlay District, associated development standards, and a licensing framework for cannabis manufacturing, testing laboratories, and distribution". Were you and your members aware this new code amendment authorized both medicinal and recreational manufacturing and distribution?

The Chamber of Commerce is not a public entity, and I realize you are not obliged to answer any of my questions about your motivations for writing this letter, but I hope you will accommodate me in a spirit of good will and transparency. I have always considered the Chamber to be an advocate for sound government policy focused on improving Concord’s reputation and improving the quality of life for all Concord residents. However this letter aligns the Chamber with the promotion of a very divisive and harmful proposal: Making Concord the de-facto headquarters for recreational cannabis manufacture and distribution in central county. Although the public is very sympathetic toward medicinal cannabis uses, last year’s survey shows strong objections exist to the promotion of recreational manufacturing and retail in our city.

If you have been watching the Council meetings over the last year, you will know there are deeply held views on both sides of this issue. Your neighbors are sharply divided. Given this environment, is it wise for the Chamber to jump in on one side? Is business that bad in Concord that we need to diminish our reputation as a “city were families come first” in order to attract recreational cannabis manufacturing and the indisputable risks to our young people associated with habitual use?

So here are my questions:

- Did you write this letter after some formal vote or consensus survey of your members?

- Was it written by you only on your own initiative as Chamber President/CEO?

- Going forward, does the Chamber intend to publicly advocate for recreational cannabis storefronts and/or recreational cannabis micro-businesses in Concord, or will the Chamber opt to maintain a neutral position?

Note: On 4/10, the city council voted 4:1 against recreational manufacturing and distribution, restricting the new cannabis overlay district to medicinal manufacturing only.

I would be happy to speak with you further on this subject. I can be reached at 925-451-1072.

Sincerely,
Mike McDermott
E-Mail: MTMCDER@PACBELL.NET
Cell: 925-451-1072
Hello Laura Hoffmeister and City of Concord Council members,

This email is to be noted as a support for the proposed cannabis manufacturing, testing laboratory, and distribution regulations in the City of Concord. Processing fees and charges for cannabis businesses should benefit the City of Concord and its constituents.

As a native to the City of Concord, I am hopeful that the continued development of Concord focuses on the importance of "Community Centric" proposals that are inclusive to the diverse socioeconomic and cultural population that is represented in this city.

Implementing a Cannabis ordinance is a step in the right direction.

Please note my support.

Thank you and I look forward to the continued discussion of Concord's future.

Marelise

Marelise Navarro
Realtor/Property Manager
CALBRE License # 01933549
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FOR IMMEDIATE RELEASE  
April 25, 2018  
Contact: Greg Kremenliev, Contra Costa NORML  
greg.kremenliev@theramu.com

NORML Objects to Contra Costa County Supervisors for continuing prohibition against medical cannabis  
Known hate group attempts to hijack public process

Yesterday, the Contra County Board of Supervisors joined the list of Contra Costa County municipalities that have only created the illusion of taking a small step to end the prohibition on cannabis that has thwarted the will of the 61% of the voters in the County who voted for Proposition 64, the 2016 initiative that legalized marijuana for recreational use in California.

At the meeting, the Board allowed dozens of comments from bus loads of outsiders from the group, Pacific Justice Institute, which has been declared a hate group by the Southern Poverty Law Center and was denounced by State Senator Scott Wiener and SF officials for their tactics in keeping dispensaries out of some neighborhoods in San Francisco.

Because of the outside interference in the local decision making process, residents who wanted to speak about cannabis regulations were given only one minute each to speak in Contra Costa last night. The Board appeared to approve a regulatory framework for cannabis activity that is only moderately repressive (1000-ft buffer zones; limiting the number of dispensaries to four; an RFP process that has not worked in other jurisdictions; and a requirement for Health Department license and inspections from a department whose recommendations were based on Rocky Mountain HIDTA reports and included such novel suggestions as limiting edible packages (not servings) to 10 mg THC).

The “poison pill” that makes the Supervisors’ action symbolic at best is a provision that none of the regulations take effect until a tax hike is approved in November. That means:

Best case scenario: the consumers and patients (especially East of the Caldecott Tunnel where all commercial activity is still banned, 1½ years after the vote) will have to wait until the tax passes. If it passes, then the RFP process would delay the earliest potential opening of consumer and patient stores until the summer of 2019.
2. Of course, since taxes (along with local bans) are what is killing the cannabis industry, a tax measure goes in the opposite direction and will have little support.

“Today, any resident who lives East of the Tunnel can buy a gun in several stores but can’t buy a joint. You can buy as much alcohol as you want and go driving, buy tobacco, a known carcinogen and killer, with no restrictions other than being 21 or older. Yet medical patients cannot buy their medicine locally,” said Greg Kremenliev, CC NORML Treasurer. “We serve notice on those political leaders who are cow-towing to hate groups and Reefer Madness propaganda that if we can’t get our leaders to better represent our will, we will find new leaders.”

#   #   #
-----Original Message-----
From: Ann White [mailto:awhitewolf@aol.com]
Sent: Friday, April 27, 2018 9:47 PM
To: Concord City Council
Subject: Attn. Edi Birsan

I know you have your hands full after the devistating fire this week. I just want you to know that my husband and I live in the district that you represent and we definitely do not want recreational cannabis sold in Concord. Period. I know the Rossmoor cannabis club has sent lots of representatives out to all the meetings lobbying for this and if they want it so badly let them put a store there. We have lived in our home here for 42 years and have always felt Concord was a very well run city. We do not want it to degenerate into a "pot shop stop". I know that a huge percentage of my neighbors feel the same way. Please poll the people in your district on this and I think you will find out that most who live there are opposed to that part of the plan. Please consider changing your vote on this issue at the next council meeting. Ann & Bill White. 3340 Lancashire Place. Concord.
Sent from my iPad
Hello,
I thank you, Ms. Hoffmeister for the solid arguments you presented at the 4/10 meeting against recreational marijuana. I urge you to consider carefully the ramifications of having a medicinal marijuana dispensary in our fair city.
I’m often in Oakland for business and I drive by Blum, on the corner or No. Grand and Northgate. At first I thought it was a nightclub because of the security guards outside, and no windows and how it’s painted. When I looked it up I learned it is a marijuana dispensary. [http://blumoak.com/](http://blumoak.com/) It does not look like a place where one buys “medicine”.

I understand there are legitimate uses for people in severe physical pain, or people with epilepsy and similar conditions, but the law should be more restrictive for the regular folks and provide legitimate channels for those who truly need it to buy it.
If it becomes available, may I suggest it is placed near the police station on Galindo? Perhaps across the street where the motorcycle dealer used to be? Ha-ha.

We’ve lived in the Bay Area since 1970, and we are 25 year residents of Concord. My husband has worked in downtown Concord for almost 30 years now. We like Concord for the familyfriendliness and chose it over other cities when we moved to our Netto Court address. We raised our 4 kids here and we try to be good neighbors.

Again, thank you so much for your vote against recreational marijuana manufacturing and distribution in Concord, and please don't let storefront marijuana businesses open in our city-not even across from the police station on Galindo!
Our youth do not need another temptation to “check out” and get embroiled in the lifestyle of marijuana use and all the negatives associated with it.

Sincerely,
Lily Mullen
1720 Netto Court
Thanks for your support of families. I have been busy with the weapons station or I would be from the audience in support of not having marijuana in our community.

I read with concern Biersan's note in the Pioneer. If I had been active with the city I would have contended against having liquor/tobacco stores near schools. Its like having a small crack in a windshield and not fixing it right away,

You continue to have the clear head when faced with these issues.

Rosanne Nieto
A reminder to the Council:
61% of Concord voters approved Prop 64; every single precinct voted for it.

What are you doing to help our senior reduce their reliance on pain killers?

https://norml.org/news/2018/05/03/more-seniors-using-cannabis-substituting-it-for-prescription-painkillers?link_id=2&can_id=d8d48a0c599c170b0dc04bfe319a01f3&source=email-norml-news-of-the-week-532018-2&email_referrer=email_347696&email_subject=norml-news-of-the-week-532018

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And by the way, 61% voted for adult use, not prohibition

Greg Kremenliev
Cell: (925)451-4135
More Seniors Using Cannabis, Substituting It For Prescription Painkillers

Thursday, 03 May 2018

Emeryville, CA: Adults age 50 and older are far more likely to consume cannabis today than they were decades ago, according to population use data published in the journal Addiction.

Investigators with the Alcohol Research Group assessed trends in marijuana use between the years 1984 and 2015. Authors reported that, compared with older Americans 30 years ago, older respondents today are some 20 times more likely to acknowledge using cannabis.

"We found that rates of use among older groups increased quite significantly since the 1980s, especially for men in their fifties and sixties," the study's lead author stated in a press release. Their finding is consistent with those of other studies reporting upticks in cannabis use by seniors.

By contrast, respondents between the ages of 18 to 49 reported using cannabis at rates that are similar to those in the 1980s.

Separate data presented this week at the annual meeting of the American Geriatrics Society finds that as many as 65 percent of older adults reduce their use of prescription painkillers after initiating medical cannabis therapy - a finding that is consistent with those of numerous other studies assessing marijuana substitution patterns in various patient populations.

For more information, contact Paul Armentano, NORML Deputy Director, at: paul@norml.org.
8 May 2018

Council Members,

We are writing to express our disappointment with this council’s failure to implement local cannabis regulations. The undersigned, along with the majority of Concord voters, supported Prop 64 in November of 2016. In the ensuing 18 months, many cities in California have implemented local regulations and are ensuring that their residents have access to a safe and responsible cannabis industry.

Meanwhile, Concord city council meetings are bloated with misinformation, uninformed deliberations, and irrational fear mongering.

Concord residents have made it very clear that we want local access and that we want to invest in local businesses in our own community. The council’s reluctance to honor the will of Concord voters has resulted in undue hardships for residents. Your inaction is requiring residents to drive more than 20 miles to stand in long lines at Oakland dispensaries to obtain products. Your failure to implement a regulatory system is the reason that your residents must now pay a premium to have products delivered from Oakland and San Francisco. Your reticence allows for the black market to once again flourish, endangering our community.

Council members Hoffmeister and Obringer seem to be openly hostile to the industry. Council member Ron Leone’s “medical only” position suggests that Mr. Leone is either woefully uninformed or carefully duplicitous. We’re assuming it’s the latter, as clearly, Mr. Leone can recognize that there is no such thing as medical manufacturing. Moreover, because of the expense to obtain separate licenses for adult use and medical, and because of the overhead required to run a business with two entirely separate inventories, most cannabis companies are opting for adult use permits only. A vote for a regulatory system that allows for medical only is a vote for no industry at all.

As industry advocates, we find ourselves once again required to write letters and attend meetings and to fight for something we have already clearly asked for in two separate elections, and reiterated again in a costly city survey. Our offers to meet with you to answer questions and provide more information have been rejected by all but two of you. What more does this council require?
We’ve heard from more than one elected official that those of us who voted for Prop 64 didn’t fully understand what we were voting for. This position is offensive and inaccurate.

We voted for Prop 64 because:

- We understand the racist history of cannabis prohibition.
- We understand the safety profile and efficacy of cannabis as a medication.
- We understand the relationship between prohibition and crime, and we demand a safe community.

Our patients are elderly, they’re sick, and they’re battling age-related and chronic illness. And yet—at great difficulty for themselves and for their caregivers—they have attended council meetings to support the industry, to tell their stories, and to plead for access.

And they have been roundly ignored.

Consequently, we can see no value in pursuing this discussion with the sitting members and we will no longer ask our patients and our supporters to attend your meetings.

Make no mistake: the absence of our large groups at your meetings is not a white flag and is no indication of a waning interest. Henceforth, we will focus our efforts on the November election, to organize, to provide support, and to provide funding for candidates with a clear, rational, and progressive position on cannabis.

Should you decide to change your position on this matter and wish to discuss opportunities for a safe and responsible cannabis industry in Concord, our previous offers to help you remain open.

Eloise Theisen, CVO
David Theisen, CSO
Timothy Byars, CEO
Rebecca Byars, COO
Helga Imkamp  
11 El Camino Moraga  
Orinda, CA 94563

Concord City Council  
1950 Parkside Drive, MS/01  
Concord, CA 94519

May 9, 2018

To the Honorable City Counsel personnel.

Every city in Contra Costa voted overwhelmingly in favor of Prop 64, yet only El Cerrito and Richmond offer services to their communities. We voted for Prop 64 to have more access to responsible cannabis services. We deserve to have local access to these services.

It has been nearly a year and a half since we voted in favor of more access to cannabis, and while other cities in CA already have their local regulations and businesses in place, Concord has made no progress on our requests.

Please consider creating legislation to regulate the cannabis industry east of the Caldecott tunnel. We are counting on your effort and willingness to vote for progress and making cannabis more accessible locally.

Thank you for your consideration.

Sincerely,

Helga Imkamp
I am a resident of Rossmoor in Walnut Creek. I am sending this email in support of offering cannabis retail services in our county. It is absurd that anyone needing medical cannabis needs to travel to Oakland or Berkeley or San Francisco. So I am strongly stating that I am a staunch supporter Of selling medical marijuana right here in our county of Contra Costa. And I hope the city of Concord would be at the vanguard Of this will needed service here in the county. Hundreds of people have been helped by medical marijuana and it needs to be made available right here for all the people who have found it to be tremendously effective in their healing. Of this will needed service here in the county. Hundreds of people have been helped by medical marijuana and it needs to be made available right here for all the people who have found it to be tremendously effective in their healing.

Sincerely,
Debra S. Mann
800 Terra California Drive #2
Walnut Creek, CA 94595
Dear Councilmember Hoffmeister,

I want to thank you as my Councilmember for having the wisdom to vote against legalized cannabis. I suspect that you may have been pressured by certain interest groups who have a lot of money to lose. I greatly respect your decision to vote in the best interests of your constituents. I look forward to a similar result in the upcoming vote on the 29th.

Sincerely,
Kurtis Kearl
Dear Councilwoman Hoffmeister, I want to express my deep gratitude and admiration to you for voting against recreational cannabis activities in Concord.

I am a 15-year resident of Concord. My family and I have been very happy here, in large part because of the "family friendly" policies and feel here.

I didn't want to comment at hearings without being fully informed, so I've pored over a great many articles/editorials/reports regarding recreational cannabis. While I'm sure I could do more reading, I've gleaned enough from what I've read to draw a very strong conclusion: there's a reason it's always been illegal 'til now. The fact that the pro-cannabis lobby outspent those in opposition by about 10 to 1 -- often times using "facts" that don't appear to be supported -- may have changed its legal status, but it does NOT make it any less dangerous or destructive to families and communities.

After a few hours of claims, supporters simply deny the true facts and consider that enough. I don't want to call anyone a liar, but the sharp contrasts between data from bona fide agencies vs. pot enthusiasts does leave one wondering.

Two of my coworkers, both of whom had to attend rehabilitation clinics for addiction to cocaine or heroin, state without hesitation that marijuana WAS, in fact the gateway drug that led them to the even more dangerous substances.

In an effort to make sure I was as informed as possible, I also tried to get the other side of the story. The preponderance of material, however, could do nothing more than refute the many reports of adverse consequences (from many governmental agencies, etc.) I had read in opposition to cannabis. The only articles I could find with claims of the benefits of cannabis included no actual cited studies or data, just strongly worded opinions. I found very similar short lists of "benefits" which include: Dope is actually less addictive than drinking coffee, and Political heavyweights such as Barack Obama are getting behind legalization.

My friends in Washington report that the great financial benefits expected have NOT been realized.

If we could poll the supporters of recreational cannabis, I wonder how many would be parents of young children? I wonder how many would be concerned about the future generation. In short, just because enough people have been swayed to vote in favor of legalization doesn't mean recreational cannabis is one iota safer.

Thank you again for doing the right thing for the families of Concord. Don't let anyone bully you into making a bad decision next vote!

Sincerely,
Melissa Kearl
From: Matt Light [mailto:mattlightcc@gmail.com]
Sent: Monday, May 21, 2018 2:03 PM
To: Cass, Michael
Subject: Retail Cannabis Pilot

Hi Michael. Attached is a proposal for a adult and medical Retail Cannabis Pilot. Laurie and I have partnered with others in the local cannabis community to bring this proposal together. We believe this is a safe and compassionate approach to retail cannabis regulations within Concord.

We would like to request that the proposal be considered by Council at the May 29th Special Meeting. We will be present and available to cover the presentation and answer any questions members have.

Please call me with any concerns or feedback. Thank You!

Matt Light
925-890-0192
City of Concord
Cannabis Retail Pilot

A proposal from the local cannabis community
Authored By: Matt & Laurie Light
May 21st, 2018
Agenda

- About the Authors
- Community Support
- Proposal Summary
- Location

- Best Practices
  - Security
  - Operations
  - Police Partnership
- Community Benefits
- Medical Cannabis Benefits
- Proposed Next Steps
About the Authors

Laurie Light

• Laurie has a strong background in customer service, building educational programs and holds several cannabis industry certifications.

• In 2016, Laurie cofounded Octavia Wellness, senior focused cannabis consulting and sales company.

• In 2017, Octavia was recognized for Best Personalized Service in CA by the SF Chronicle’s Green State Awards.

• In 2018, Laurie joined Ellementa, the fastest growing national network of women learning about cannabis for health and wellness. She works directly with the CEO to build regional brand awareness and moderates monthly educational meetings in Walnut Creek.

Matt Light

• Matt brings bring top level business management expertise to this partnership.

• Matt is an investor for Octavia Wellness and has an advanced business certification from Oaksterdam University.

• In 2017, Matt was awarded Top Performer in Software sales at Cisco Systems. He has worked in the technology industry for 23 years in engineering, local and international sales.

• Matt has never missed a sales quota in his career.

• Matt is a partner in Firefly, a cannabis retail operation obtaining final approvals in Martinez.
Community Support

• Eloise Theisen MSN, RN, AGPCNP-BC, David Theisen, Tim & Rebecca Byars - Cofounders, Radicle Health
• Greg Kremenliev - Director, Contra Costa County Chapter CA NORML
• Renee Lee - President, Rossmoor Senior Medical Marijuana Club
• Letters of support from community partners
• Letters of support from industry partners
• Local union support
Proposal Summary

Direct city staff to engage with us to create a development agreement outlining the operations and Police/safety requirements for a Cannabis Retail Pilot.

This represents an opportunity for the City of Concord to partner with the local cannabis community to create a safe and compassionate cannabis program with strict compliance regulations.

The pilot allows the City of Concord to meet it’s citizen’s demand for cannabis access in a controlled environment, with a local group, educated in medical and adult-use best practices, and focused on benefiting our community.
Location

We have two sites we would like to propose and receive guidance on if either would be acceptable.

In locating the potential sites, we took into consideration the Police Chief’s recommendations to be in a populated area that is already patrolled today, zoning consistent with retail, as well as proximity to other sensitive uses like schools, churches, and daycare facilities.

Our intent is to purchase the property and invest in Concord. Due to the sensitive nature, our group would prefer to discuss location specifics directly with staff.
Best Practices - Security

• 24X7 video recording, interior and exterior, 90 day retention period
• Onsite security during all operating hours, prefer off-duty officers
• No under age access - ID required for all
• No onsite consumption
• No loitering. Restricted open hours, 9am-8pm
• Building alarm with live real-time video monitoring
• Cash and inventory locked storage
• Unrestricted access to the site, video recordings, track & trace and sales data by Concord Police and City Staff
Best Practices - Operations

- Track & Trace - real-time tracking of all inventory and sales data
- Limited access areas for employees only
- Employee and customer education; volunteer programs
- Cash and inventory handling and storage procedures
- All product pre-packaged prior to arrival onsite
- Odor removal filters
- Hire Concord residents first
- Senior and veteran compassionate pricing programs
- Discounts for patronizing neighboring businesses
Best Practices - Police Partnership

• Site compliant with Police Chief’s request to be in populated area that is already under patrol.
• Would like security personnel to be retired or off duty officers.
• Police have anytime access to the site, video recordings, inventory and sales data.
• Security cameras watched live to rely real-time information to police.
• Cooperation in secondary market investigations.
• Security Plan to be reviewed and agreed to by Police Chief.
Community Benefits

5% of Gross Sales will be dedicated to community benefit programs

• Local access and expertise for medical patients
• Integration through Education
  • Community Education Day: Sept. 8th, 2018 in Todos Santos Plaza
  • Local medical partners
  • Underage prevention
• Community Programs
  • Donations to existing community programs
  • Volunteer coordination - employees & customers
  • Attracts customers for neighboring businesses
  • Community space for additional services; learning, yoga, meeting space, etc.
Medical Cannabis Benefits

Retail cannabis within a community reduces Opioid deaths by 20%:

5/9/18 Mercury News “Contra Costa County Sues Pharmaceutical Makers Over Opioid Epidemic

5/2/18 Contra Costa Health Services “Fight Against Opioid Epidemic”

Medical Marijuana Laws Associated With Decline In Medicaid Prescriptions:

4/5/18 NORML “Marijuana Legalization Laws Correlated With Reduced Opioid Prescribing Trends”

4/19/17 Health Affairs “Web First: Medical Marijuana Laws Associated With Decline In Medicaid Rx”
Proposed Next Steps

Please direct staff to work with us to create reasonable operations and safety regulations that staff would be comfortable recommending to the Planning Commission. Police Chief approval of plan required.

Planning Commission would review and vote on whether to accept, modify or reject the Cannabis Retail Pilot regulations.

Pilot development agreement and regulations would be brought to Council for final approval or rejection.

If there is a different recommended approach, we are open to feedback and working with staff.
Thank You

Thank you for your time and consideration. We are compassionate cannabis professionals that care deeply for our community.

The Cannabis Retail Pilot represents a win-win scenario:

- Contra Costa Citizens 21+ and over, and medical patients gain access to the cannabis they have overwhelmingly voted for in the State election, the public workshops, as well as the 'statistically valid' surveys conducted by the City of Concord.

- The City of Concord benefits from community focused operators, who live locally and will dedicate 5% of Gross Sales toward Concord-based giveback programs.
Hello Michael,

I have been to a number of meetings with the Bureau.

If Concord is interested in connecting distribution and manufacturing it may want to consider a micro business consisting of (1) non store front, (2) manufacturing and (3) distribution. This might be acceptable to the Bureau.

(1) Non Store Front (Delivery)

A Concord licensee could deliver to Concord residents and abide by Concord rules (city conditional use) through a non store front license and I believe a transporter license. It would be better than allowing outside delivery. It would provide better control, access and money.

(2) Manufacturing Level 1 Type 6

The manufacturer would have to be an infuser. Someone who adds the oil to a product as opposed to a manufacturer that works with volatile oils to concentrate the cannabis. That may be better for Concord as well due to potential safety issues.

(3) Distribution and Transporter

The distribution aspect would require sending the products to a third party tester who would then deliver the products to the non store font dispensary or other dispensaries and the associated transporter license would permit the non store front delivery to deliver to the residents directly.

I have attached the link to the state's application for a micro.

https://www.bcc.ca.gov/clear/microbusiness_application.pdf

Regards,

Eric Whitaker
Executive Vice President
ABCO Laboratories, Inc.
Hello Sgt. Norris,

This is Ryan Doronila, I attended the Concord community institute class and spoke with you briefly after the class to follow up on the future plans of cannabis in our city.

I'd like to ask for your mentorship in community policing as well as offer to volunteer and help make your job easier in regards to future cannabis related projects or planning.

We had our first initial meeting along with Chief Swanger in consulting with both of you about bringing in Cannabis business presence into Concord. That meeting was 2 years ago, it was the birth of my spiritual journey into civility and learning to socialize in civic engagement with the public residents and local city officials.

I definitely enjoyed attending your P.D. class and learn more from an officer's perspective, the gift bag at the end was awesome. Impressive.

I too have a passion for education and training others just like you. My personal goal and dream is to have my idea of "Academic Cannabis Programs" come to fruition. The goal in mind is allowing an institution or trade school offering certifications in cultivation and lab testing for research and development purposes. In the naval weapons campus district.

Key is getting kids off the streets and be motivated going to school, preparing students to use their training certifications/degrees in the cannabis industry. After attending the community institute program and learning how each department works, the pieces to the puzzle are all coming together. I plan to remove the stigma and educate others about the benefits of alternative medicine.

I'd love to share that vision with you and discuss other important matters soon. Let me know your next availability for a one on one meeting, preferably before the May 29th Cannabis town hall meeting.

If possible, I'd also like to request a ride along appointment as well. Attached are a few photos highlighting my journey. Thank you for your patience and time to read my email, I look forward to making an impact with you soon.

Ryan the Lion

"All it takes is one person to plant the seed of positive thought"
Dear Concord City Council,
I am writing to you today to express my support for the Cannabis Retail Pilot proposed by Matt and Laurie Light. In partnership with local cannabis professionals and the community, the proposed pilot is a safe, controlled and compassionate program.
The Retail Cannabis Pilot proposes to allow:
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• The City of Concord to benefit from community focused operators, who live locally and will dedicate a percentage of Gross Sales toward Concord-based giveback programs.
• An adjoining community center to host educational meetings, vendor (non-consumption) demonstrations, art & yoga classes, and provide a location for volunteer coordination.
Please vote to allow legal cannabis retail in the City of Concord, CA. This is the right time, with the right group, who have the right intent.
Thank you, Alexandria Siwecki
Hi Michael. I wanted to share that the Martinez cannabis retail regulations and development agreement I was a part of creating is posted publicly as part of the Martinez May 8th Planning Commission meeting: http://www.cityofmartinez.org/gov/meetings.asp. These are what staff recommended for approval.

The Exhibits contain the Police Chief's requirements (Exhibit G). This covers the Operational & Security requirements. If Concord gets to a point of creating regulations, this will be very helpful.

Have a good day,

Matt Light
925-890-0192
Cannabis Retail Pilot, City of Concord
May 22, 2018 By Matt & Laurie Light

Who
Matt and Laurie Light are a husband-wife team with a mission to provide high quality, state regulated cannabis in a compassionate, friendly, professional retail setting. Their focus is on community giveback through education and outreach programs to benefit all local citizens. Both are long-time residents of Contra Costa County and actively attending city council meetings throughout the county. They are on the steering committee for Cannabis Education Day in Concord’s Todos Santos Plaza on September 8, 2018.

Laurie has an extensive and successful background in customer service, building educational programs, and holds several cannabis industry certifications. In 2016, Laurie cofounded Octavia Wellness, a senior focused cannabis consulting and sales company. Octavia was recognized by the SF Chronicle’s Green State Awards for Best Personalized Service in CA in 2017. In 2018, Laurie came onboard with Ellementa, the fastest growing national network of women learning about cannabis for health and wellness. She works directly with the CEO to build regional brand awareness and support the SF Bay Area Organizers. Matt is a partner in Firefly, a cannabis retail operation obtaining final approvals in Martinez. Matt brings top level business management expertise to this partnership. In 2017, Matt was awarded Top Performer in Software sales at Cisco Systems. He has worked in the technology industry for 23 years in engineering, local and international sales. Matt has never missed a quota in his career. Matt is an investor for Octavia and has an advanced business seminar certification from Oaksterdam University.

What
Matt and Laurie are proposing a Retail Cannabis Pilot to the City of Concord on May 29th to open a retail cannabis storefront with adjoining community center in Concord.

Why
Currently all cities in central Contra Costa County have a moratorium on retail cannabis businesses. However, 64% of local voters are in favor of legalization and Prop 64.

Matt and Laurie have the talent and vision to successfully run a cannabis retail business in the City of Concord. They want to provide high quality, state regulated cannabis in a compassionate, friendly, professional setting along with community educational and outreach programs to benefit local Contra Costa citizens.

Laurie’s Backstory
Laurie’s mom was diagnosed with a terminal blood cancer in early 2015. When her mom began using cannabis, she was able to relieve some of the anxiety related to such news. After her passing, Laurie began to research other health conditions her mom suffered from and realized that cannabis may have helped her with many other age-related conditions: pain, insomnia, high blood pressure, sleep apnea, restless leg syndrome, high cholesterol, etc. Laurie began experimenting on her
own for mood and sleep issues and the results have been nothing less than life changing. She now consults and helps others learn about the health and wellness benefits of the cannabis plant and has big dreams of having her own retail store with Matt in Contra Costa County.

From: lexbell621 [mailto:lexbell621@yahoo.com]
Sent: Tuesday, May 22, 2018 6:40 PM
To: Concord City Council
Subject:

Additional information about opioid abuse in Contra Costa County and how cannabis laws reduce addictions and deaths related to pain killers. Copy & paste into your browser to read:

Sent from my T-Mobile 4G LTE Device
Dear Concord City Council,

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Please vote to allow legal cannabis retail in the City of Concord, CA. This is the right time, with the right group, who have the right intent.

Thank you,

Andrew Abrams
Category and Schematic Analyst
Albertsons / Safeway
(925) 378-8060
Andrew.Abrams@Safeway.com

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- The City of Concord benefits from community focused operators, who live locally and will dedicate 5% of Gross Sales toward Concord-based giveback programs.

- The community center envisioned in the pilot would allow for an open space to host educational meetings, vendor (non-consumption) demonstrations, art & yoga classes, and provide a location for volunteer coordination.

Please vote to allow legal cannabis retail in the City of Concord, CA. This is the right time, with the right group, who have the right intent.

Thank you,

Don Morton

1152 Blue Spur Circle

Danville, Ca 94506

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Don Morton  
Real Estate Consultant  
DRE#00862226

Pacific Union International  
360 Diablo Road  
Danville, CA 94526  
Direct: 925-217-3123  
Cell: 925 330-1846

www.donmorton.net  
I appreciate your referrals!
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Thank you,

[Signature]

Grant Jones
Dear Concord City Council,

I am writing to you today to express my support for the Cannabis Retail Pilot proposed by Matt and Laurie Light. In partnership with local cannabis professionals and the community, the proposed pilot is a safe, controlled and compassionate program.

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Please vote to allow legal cannabis retail in the City of Concord, CA. This is the right time, with the right group, who have the right intent.

Thank you,

Michelle Foxworthy
Dear Concord City Council,

I am a co-founder of one of California’s largest cannabis businesses, HelloMD, which focuses on educational content and community for health and wellness with cannabis. After seeing over 100,000 patients in CA we have learned that cannabis is a medical need for thousands – such as cancer or HIV - and a source of health and wellness for thousands more - whether that be treating anxiety, insomnia or depression. It is my understanding that every city along I-680 has a moratorium on cannabis businesses. This unfortunate and devastating for those who truly need it. It must also be known that cannabis is in your community whether you choose to regulate it or not, most people who need or choose to use cannabis revert to the black market in these situations. This results in lower safety standards for patients and a huge loss in regulatory oversight and tax revenue for the cities involved.

I am writing to you today to express my support for the Cannabis Retail Pilot proposed by Matt and Laurie Light. In partnership with local cannabis professionals and the community, the proposed pilot is a safe, controlled and compassionate program.

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Thank you,
Pamela Hadfield
Co Founder

HelloMD.com

c: (415) 370-2850
instagram: @HelloMD_com
Instagram: @pamela_hellomd
Facebook: @hellomdcompany

"HelloMD is at the forefront of a new trend in Silicon Valley: The Cannabis Tech Startup"

Dear Council Member Laura,

I'd like to thank you for doing your best to keep Concord a family friendly city and enacting laws favorable to the citizens of Concord. I understand you voted against legalizing marijuana in Concord and I really appreciate that.

Last thing we need is throwing more fuel on the fires already burning strong in Concord; and by fires I mean the out of control homelessness, rampant public drug use (see Claycord and the recent postings about what is happening at Bart) and the constant robberies everywhere.

My wife works at one of the CVS pharmacies and they are getting robbed every week and I understand there are suggestions to place marijuana storefronts in some of the shopping centers in order for police to better patrol the areas and citizens to be witnesses to crimes. How come the police don't catch these people that rob pharmacies every week and no citizens are able to bear witness to any of these crimes? Marijuana storefronts will only increase robberies putting even more citizens at risk; as much as we all would like, police can't be everywhere and by the time they get there, the crime has already happened and criminal's already gone, ready for their next chance to strike again. And even if they are caught, with the current laws of California about not prosecuting minor offenses, they will not be charged or even if they are slapped on the wrist, they will be back at it ASAP.

The potential tax benefits are not worth putting the citizens at risk. Many cities are not making as much money from marijuana taxation as they thought (see recent news) and of course that was going to be the case because no regular smoker that is already buying it from a dealer is dumb enough to pay almost double for it to buy it legally. Only thing legalization does is encourage smoking marijuana; and contrary to anyone that tells you that marijuana is good and/or safer than other drugs/alcohol and not addictive, I'm telling you as someone who has smoked for many years, that is total BS! Yes, marijuana is a gateway drug, destroys the brain and eventually the person who smokes it as it leads to addiction and eventually one can end up like one of the homeless littering California today as many have started with an 'innocent' puff of weed. Only the grace of God saved me from destroying my life with marijuana and the other things it lead me to do.

Please find it in your heart to vote against this and not bring this to Concord. Your decisions affect a lot of people, not just yourselves and remember that God has placed or allowed you in that position of power, whether you believe it or not, to help the citizens of the community you serve and not destroy them. And ultimately when we stand if front of the throne of judgement, we will all have to answer about what we did in
this life. To paraphrase the Bible, who was given a lot will be judged greater than the ones that were given little; and you all were given a lot due to the positions and responsibilities you have. This applies not only to this law but any other things you make rules on.

Thank you and I really appreciate your understanding and consideration.

Sincerely,
Raul
Trends in the Industry: Commercial Cannabis
Factors to Consider:

- Small Tax incentive for medicinal patients:
  - Retail: 15% Gross Receipts
  - Cultivation: $9.25/oz. Flower / $2.75/oz. Leaves
  - Sales and Use Tax*
  *Patients with a State issued medicinal identification card exempt from sales tax

- After July 1, 2018, A-licensees (Adult-use) can only conduct business with A-licensees and M-licensees (medicinal) can only conduct business with M-licensees, except for testing laboratories.

- Businesses can obtain both “A” and “M” licenses.

- Separate State license fees for “A” and “M” Licenses.
Current State License Distribution

- State issued temporary licenses as of April 2018.
- 74% of licensed manufactures own more than one manufacturing license. Most of which are an “A” and “M” pair.
- Retailers are also securing both “A” and “M” licenses.

(https://cannabiz.media/)
State Issued Medicinal Cards in Decline

- MAUCRSA limits maximum card fee to $100
- Requires annual renewal, registered in State database
- In 2017-18, Contra Costa County had only 215 registered card holders

https://www.cdph.ca.gov/Programs/CHSI/Pages/Medial-Marijuana-Identification-Card.aspx
Oregon: Adult-use vs. Medicinal Dispensaries

State Adult-use Tax
17% retail
3% local tax cap

State Medicinal Tax
0%

Key Factors:
• Adult-use stores can sell to medicinal patients
• Medicinal card holder exempt from State taxes at adult-use stores

10/2016: 424 medicinal dispensaries
01/2017: 300 medicinal dispensaries
04/2017: 65 medicinal dispensaries
07/2017: 31 medicinal dispensaries
05/2018: 11 medicinal dispensaries
## Cannabis Regulation in Contra Costa County

<table>
<thead>
<tr>
<th>Type</th>
<th>Cultivation</th>
<th>Distribution</th>
<th>Manufacturing</th>
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- Antioch and Contra Costa County currently considering cannabis implementation
## Cannabis Regulation in Nearby Cities

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November 2018 Tax Measure?

- General vs Special Tax?
- Should the City consider a tax measure for both Medicinal and Adult-Use?
- Should the City consider a tax measure for all commercial cannabis activities?
Questions and Answers

Thank you!

Neil Hall  neil.hall@sci-cg.com
Kyle Tankard  kyle.tankard@sci-cg.com
Meeting Overview

- Staff Presentation
- Consultant Presentation
- Questions of Staff & Consultant
- Public Comments
- Council Deliberation
Status of Concord Regulations

- Ban all cannabis regulations except:
  - Personal indoor cultivation
  - Delivery of medicinal cannabis from licensed dispensaries located outside of Concord

- Introduced cannabis manufacturing, testing laboratory, and distribution regulations.
Cannabis Work Plan

- Proposed Regulations (initial phase):
  ◦ Testing Laboratories, Manufacturing, & Distribution

- Proposed Taxation:
  ◦ Possible November 2018 ballot language to consider tax

- Proposed Regulations (subsequent phase):
  ◦ Retail & Microbusinesses
Retail & Microbusinesses

Directed to limit to medicinal-only

Tentative Schedule:
- August 2018 Online Engagement
- Sept./Oct. 2018 Community Workshop(s)
- Jan./Feb. 2019 Planning Commission
- March 2019 City Council
Potential Taxation

- Staff currently developing draft ballot language that covers all types of cannabis uses.

- Revenue projected to be minimal due to limits on the number of businesses and restricting to medicinal-only.

- Supermajority (2/3rds vote) may be required.
Potential Buffer Areas & Sensitive Uses

- State: 600 Foot Buffer
- State: Sensitive Uses
  - K–12 Schools
  - Child Care Centers
  - Youth Centers & Community Centers
- City
  - Shorter or Larger Buffer Distance?
  - Fewer or More Sensitive Uses?
Police Department

- Delivery (Non-Storefront Retail)
  - Dozens of Illegal Businesses
  - Anticipate Higher Administrative Fines & Increased Enforcement

- Manufacturing, Testing Laboratories, Distribution
  - Minimal Impact on Workload
  - No significant Safety Impacts Anticipated

- Retail Storefront
  - Impacts on Workload
  - Increased Underground Market that Blend-in with Other Businesses
Requested Direction

1. Affirm or modify the direction to explore medicinal-only cannabis storefront, and non-storefront retail uses and microbusinesses.

2. Provide initial thoughts on buffers from sensitive uses.
3. Provide direction on what additional information is necessary prior to developing regulations.

4. Provide direction whether to develop regulations for other cannabis uses, such as cultivation.

5. Affirm or modify direction to place tax measure on November 2018 ballot.
Consultants

- Neil Hall, SCI Consulting Group
- David McPherson, HdL