

**CITY COUNCIL
CITY OF SONORA
SPECIAL MEETING
MARCH 30, 2017**

A Special Meeting of the City Council of the City of Sonora was held this date in the Council Chambers at City Hall, 94 North Washington Street, at 5:02 p.m. The following members were present: Mayor Connie Williams, Mayor Pro-Tem Jim Garaventa, Councilmembers Matt Hawkins, Mark Plummer and George Segarini; City Administrator Tim Miller, City Clerk Marijane Cassinetto, Administrative Services Director Jennifer Callaway, Community Development Director Rachelle Kellogg, City Attorney Douglas White, Fire Chief Aimee New, Interim Police Chief Michael Harden. Absent: Interim Engineer Gerard Fuccillo.

CITY CLERK'S REPORT ON POSTING OF AGENDA

City Clerk Cassinetto advised Council that at 11 a.m. on the 28th day of March, 2017, the Agenda for the City of Sonora Special Council Meeting scheduled for this date was posted outside City Hall for public view.

APPROVAL OF THE AGENDA

No Changes

PUBLIC FORUM (Non-Agenda)

None

NEW BUSINESS

Presentation, Discussion and Possible Direction Regarding Proposition 64, Adult Use of Marijuana Act. Administrator Miller reported that this is the second session that the Council is holding for information and public input. He stated that after the presentation by the City Attorney and receiving public input, the Council may give Staff direction; or if the Council wants more information, additional information can be provided.

Attorney White outlined the format for the Meeting, stating that he will give the power point presentation, after which public input will be received, and then the matter will come back to the Council for any general direction. White began his presentation noting that marijuana is illegal under Federal Law, which law does not differentiate between medical and recreational, and includes the power to criminally prosecute marijuana related activity in California.

The power point presentation included the history and current status of medical marijuana under California law, including a

summary of the provisions included in the Medical Cannabis Regulation and Safety Act (MCRSA) and the Adult Use of Marijuana Act (AUMA), and review of the authority of the Bureau of Marijuana Control. License Types, terms and category interaction for both MCRSA and AUMA were outlined as well as taxation rates, and City, County and other jurisdictional (Valley cities) current regulations.

Attorney White noted that Staff was not recommending approval for recreational use, and as to the medical aspect, that he does not have an opinion. He continued his presentation reviewing potential cultivation benefits and problems, and potential dispensary benefits and problems; and Fire, Police and Planning Department concerns.

Councilmembers and Staff had discussion, and asked Kira Tucker, Executive Director of Tuolumne Cannabis Advocates, and Tuolumne County Regional Representative for the Calaveras Growers Association, to address questions from the Council. After answering several questions, the Mayor asked for public comment at 6:26 p.m.

Jesse Kraft was in favor of allowing dispensaries, said that there is software available which monitors seed sales, inventory, tracking with security measures, and record keeping; he said it is important to make right decisions, and suggested hiring a consultant to obtain all necessary information to make the best decisions for the future; he also commented on square footage plant ratios. **Paul Tippon** appeared in favor of allowing medical marijuana licensing and referring to a picture of an x-ray, said that he was born with scoliosis and had pain every day of his life which was recently eliminated by the use of cannabis. Tippon submitted written information on "Legal Marijuana's Social Impact on Colorado" for the Council and the record, a copy of which is attached hereto as Exhibit "A" and made a part hereof for reference. **Michael Tippon** appeared in favor of allowing licenses for medical use, and said that the revenues received through taxes could be used to provide funding for programs for the youth as alternatives to using drugs. **Elena Linehan** appeared on behalf of *Project Action*, a program developed by Behavioral Health, which has been developed as an educational program for the youth, and has produced a booklet entitled, "How To Talk To Someone Who Uses Marijuana" which she submitted to the Council. The booklet is attached hereto as Exhibit "B", and made a part hereof for reference. **Chris Reese** defined the term "clone" as it relates to cannabis plants and said the easiest way to define limits on plants is by canopy size not numbers of plants. **Denise Jeanne Pool** spoke to the importance of support and informative education for youth, and

for the community; she said that she would like to sit on a committee and referred to others she thought would like to do the same. **Kira Tucker** urged that an ordinance not be formulated by a cut and paste process from other jurisdictional regulations, but that Sonora is unique, she would like to respect the unique needs and values of Sonora, and asked the Council to please keep this in mind. She said that Tuolumne Cannabis Advocates is willing to help in anyway it can. Tucker also responded to the question about how to deal safely with an all cash business stating the importance of having security teams equipped for all aspects, for dispensaries stringently vetting staff is important, and writing explicit details into the licenses, and credit unions can help mitigate security problems. She also noted that Tuolumne County's first Ad-Hoc Committee Meeting on the cannabis issue will be on April 12, 2017, at 1:30 p.m. and thinks it will take place in the Board Chambers.

Mayor Williams closed public comments at 7:05 p.m. Councilmember Segarini asked for input from the Police and Fire Chiefs.

Interim Police Chief Harden said that he takes very seriously his responsibility to protect the community. He said that if you strip away the layers of causation of domestic violence, property crime, violent crime, and more, at the root of it all is substance abuse of all kinds. In response to Council concerns regarding policing, Harden confirmed that additional policing will be required, extra staffing will be necessary, and there will be increased trespassing and robberies. He noted the importance of not blurring recreational use with medical use; the Compassion Use Act passed in 1996 currently allows for medical use. He gave statistics on the greatly increased illegal activities in Colorado as a result of recreational marijuana legalization. Chief Harden said, "A more profound, prolific, available use in our community in my professional opinion is a recipe for disaster".

Fire Chief New said she echoed the sentiments of Police Chief Harden although the concerns for the Fire Department are a little different. She noted her concern for increased calls which will have an impact on staffing as she has experienced increased calls for overdoses. She commented from a report that she prepared which summarized numerous safety concerns including significant civilian life hazards caused by grow houses, and numerous safety issues that pose risks for firefighters at grow areas including electrical and heating systems that could cause arcing, fires and explosions, and often the placement of dangerous booby traps. New also noted that there the use of

fertilizers and chemicals causes harm to the surrounding community as harmful toxins are released when fire occurs. Noting that with the passage of the Compassion Act, medical is not the question; her recommendation is not to allow recreational use.

Mayor Williams asked for Council discussion and direction. Councilmember Hawkins said he is not in favor of recreational use but sees the benefits of cannabis oil to treat health issues. He feels regulated dispensaries would be good; he personally thinks three dispensaries would be a good number for Sonora. Councilmember Segarini said that he is old school on this and probably does not have an open-ended point of view, and knows that young people have a different perspective. He said he does not object to forming a committee to look into it further, and will probably base his final decision on the outcome of the committee. Mayor Pro-Tem Garaventa said that he would like to see a working committee formed, and that with all the variables, feels the City is not ready to make any decision at this time without more information. Councilmember Plummer said that a committee is a good idea; it is important to take the experiences of the Police and Fire Chiefs very seriously; feels that at best, taxes and new revenues may solely offset additional costs; feels that more time and study is needed; it is premature to ask Staff to prepare anything; wants to wait to see where the Federal Government is going with this; feels outside of the City is more suited for growing; and maybe the City can consider properly regulated dispensaries and testing. Mayor Williams recommended beginning with State law as the platform to begin conversations; would like to review Ordinance 834 which was put on hold; would like to hear from the Police and Fire Chiefs about their encounters over the last year and their recommended regulations; getting information from the Highway Patrol on its proposed protocols for driving under the influence is important; and to make sure when compiling regulations that they are enforceable; and that prioritizing public safety is a must.

The Council and Staff discussed the formation of an Ad-Hoc Committee, who to have sit on the Committee and how many members. Attorney White noted that the Council could not take action at this Meeting. Administrator Miller and Attorney White suggested that Staff come back with the recommended Members and the number. Miller said that Staff can identify the subject areas so information can be obtained on the broader issues first. It was Council consensus to so direct Staff. Staff's recommendation will be placed on the next Council Meeting Agenda.

ADJOURN

There being no further business to come before the Council at this time, this Special Session Meeting was adjourned at 7:45 p.m. to the next Regular Council Meeting on Monday, April 17, 2017, at 5:00 p.m. in the Council Chambers at City Hall.

Marijane Cassinetto, City Clerk Date