

MINUTES
CITY COUNCIL SPECIAL MEETING
CITY OF MONTEREY
Wednesday, September 30, 2020
4:00 PM
MONTEREY, CALIFORNIA

Councilmembers**Present:** Albert, Haffa, Smith, Williamson, Roberson**Absent:** None**City Staff****Present:** City Manager, Assistant City Manager, City Attorney, Community Development Director, Public Works Director, Police Chief, Finance Director, Parks and Recreation Director, City Clerk, Human Resources Director, Library Director, Administrative Analyst (Housing), Deputy Human Resources Manager, Associate Planner, Fire Chief

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this meeting was conducted with telephonic/video participation only by all parties.

CALL TO ORDER

Mayor Roberson called the meeting to order at 4:01 p.m. Assistant City Manager Rojanasathira provided details on how to phone into the meeting to participate and provide public comment.

PLEDGE OF ALLEGIANCE

Mayor Roberson led the Pledge.

STUDY SESSION

1. Commercial Cannabis Business Use Policy Framework Discussion (Not a Project Under CEQA per Article 20, Section 15378 and Under General Rule Article 5, Section 15061)

Action: Received report, Discussed

City Manager Uslar, City Attorney Davi, Finance Director Lai, Police Chief Hober, and Community Development Director Cole gave the staff presentation and answered Councilmembers' questions. It was requested to find out from neighboring cities whether crime rates had increased along with introduction of dispensaries. It was requested to know whether there would be a market for a dispensary for medicinal-only marijuana.

Public comments were received from: Peter Kaiser and Eloise Shim, who spoke against cannabis legalization; Rita Painter-Wos, Monterey Holistic Health, and Peter Brazil, JRG Attorneys at Law, who shared observations about the local cannabis industry; Sal Palma and David Villareal, who spoke in favor of adult recreational use of cannabis; Jennifer Hewlett, and Kelly Violini, Monterey Fairgrounds, who spoke about the potential revenue cannabis could provide; Tom Rowley, who recommended receiving feedback from military partners; and Inge Lorentzen Daumer, who said the matter should go to a vote of the people. Mayor Roberson encouraged the public to further share their thoughts in writing to the City Council.

The Council discussed the matter.

The Council stated that it would be important to receive a lot of public input. They identified categories of stakeholders from whom they would like to hear input:

City Council Minutes

September 30, 2020

neighboring jurisdictions that have allowed cannabis business, from whom it was stated the Council would like to know what expenses were involved in order to achieve the revenue, how it has impacted crime levels, how far dispensaries must be from schools, and whether the jurisdictions have hired extra staff; community educators, including the school district, superintendent, and Monterey Peninsula College; the military; those who may be interested in opening a business who would then be affected by regulations; neighborhood associations; the rental community; and business districts. To receive the maximum public input, it was suggested that the Council consider a ballot measure to ask the voters how they feel.

Further information was requested by Council about public health considerations of allowing cannabis business in the City, including statistics on the impact of driving under the influence, and accidents. It was stated that traffic deaths and DUI arrests do not increase and may in fact decrease, and it was stated that legalization results in decreased teen use of marijuana. Data from comparable California cities was requested in order to be able to assess whether this would make a true economic impact for Monterey. It was requested to receive and analyze data from neighboring jurisdictions. It was requested to receive a status update regarding the cannabis testing lab approved by the City. It was urged to consider both medical and recreational retail and distribution as the City moves forward with its research. It was requested to know when a potential tax could be put to the ballot. It was requested that the Council be informed about how cannabis products would be tested and regulated.

It was stated that it would need to be determined where a potential dispensary would be located, including how far it should be from schools and restricted areas. It was urged to identify appropriate locations after talking to business districts. It was stated that there would need to be a limit on concentration, and as long as there were not too many in one area and they were not too close together, then they should be approved on a first come, first served basis instead of using a permitting process.

Expressions of concern regarding allowing cannabis businesses in Monterey included asserting that marijuana is a gateway drug, and stating that just because a majority of residents voted to legalize recreational marijuana did not mean they want a dispensary in their City.

Expressions of enthusiasm for the concept included stating that diversifying revenue streams and increasing taxes could help provide economic recovery from the devastating impacts of the COVID-19 pandemic. It was stated that cannabis is less harmful than alcohol, is supported by a clear majority of residents, and is used by many professionals. It was stated that locals and tourists not having to leave Monterey to buy cannabis would reduce vehicle miles. It was stated that Congress has approved legislation that would allow military members to use CBD oil and that the City should not introduce restrictions on matters that external politics are changing in a way to allow.

On the subject of public safety, it was stated that the industry holds itself to a very high standard, and that legal alternatives support the minimization of illegal sales, black markets, cartels, and street gangs. It was stated that a public safety program should include the demands of the tourism industry and also address any potential cannabis program which would be affected by tourism. The need was stated to look at larger buffer zones from schools than 600 feet. It was stated that requiring alarms and cameras would make sense.

Additional suggestions by Council included requesting to look into temporary licensing for events, and allow longer events than four days. It was stated that if the City made it too difficult for the cannabis testing lab in Ryan Ranch, it was a lost opportunity. It was noted that Cities, through zoning and regulations, may be obstructing business opportunities. Concern was cited

City Council Minutes

that the City was making it difficult for people who have medical issues and can't drive to get their medicine since the City doesn't allow delivery of medical marijuana.

Potential uses of a percentage of cannabis-related revenue were identified by Council as: rental assistance, housing, homelessness, social work, addiction programs, and programs that would help address inequities traditionally faced by racial minorities.

- 2. Update on Recent Developments in the Law Regarding COVID-19 Tenant Protections (Exempt from CEQA Guidelines Article 20, Section 15378)

Action: Received update

City Attorney Davi gave the staff presentation. Community Development Director Cole answered Councilmembers' questions.

Public comment was received from Esther Malkin, who had questions about room rentals impacted by COVID-19.

The Council discussed the update. It was stated that people are experiencing hardship due to the lack of ability to collect rent. It was noted that it is important for everyone to do their part during these difficult times and not take advantage of others. It was suggested that the City demand support from the federal legislature, and could draft letters to mortgage banks and/or landlords asking for relief. It was stated that the City should consider and discuss extending the existing moratorium because small businesses in the community are suffering.

ADJOURNMENT

The Council adjourned at 6:02 p.m.

Respectfully Submitted,

Approved,

DocuSigned by:

ED8453A4E62C4AA

DocuSigned by:

FA1981217DDEE4EB

Clementine Bonner Klein
City Clerk

Clyde Roberson
Mayor