



REPORT TO CITY COUNCIL

Approved by:

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: October 20, 2021

Agenda Number: E-1

SUBJECT:

Consideration of a minute order dissolving the City's Cannabis Ad Hoc Committee

RECOMMENDATION:

Staff recommends that the City Council consider the information included in this report and provide direction in regard to the Cannabis Ad Hoc Committee

SUMMARY:

At the October 6, 2021 meeting, Council provided direction to staff to place an item to potentially dissolve the Cannabis Ad Hoc Committee.

For background, Ad hoc committees may be formed in City government for a particular issue. Today, the City has two Ad Hoc Committees, one for cannabis and another for the golf course. Generally, an Ad hoc may choose to appoint three or fewer Councilmembers (depending upon the size and quorum of the Council) to evaluate and report on a particular issue or subject relevant to the Council. Once that committee has completed its work, the committee is then disbanded.

Ad hoc committees are treated differently under the Brown Act when compared to a Council meeting. Said committees are not subject to the notice and posting requirements of the Brown Act so long as the committee:

- Is comprised solely of members of the governing body, i.e., the committee may not contain individuals other than the members of the governing body
- Consists of less than the number of Council members who, if present at a meeting, would be able to make a decision;
- Has a defined purpose; and
- Is advisory, i.e., the committee has not been delegated any decision-making power and will be returning to the full Council on its recommendation.

Today, the Cannabis Ad Hoc is comprised of two members and has functioned for a couple of years with the intent to investigate the potential of permitting cannabis and to present such findings to Council for consideration.

DISCUSSION:

On July 5, 2018, the Council established an Ad Hoc Committee to investigate the potential of permitting cannabis related industry and/or industries in the City.

On July 15, 2020 the Council passed a resolution submitting to the city voters a ballot measure, known as Measure R, to establish a business tax on businesses which sell, distribute, manufacture, and cultivate cannabis including industrial hemp and hemp products. Measure R was placed on the ballot for the November 3, 2020 election.

In the years since the Ad Hoc Committee was established, Council has directed staff to draft ordinances allowing cannabis businesses to operate within the City's jurisdiction.

On June 16, 2021, Council amended the Zoning Ordinance to allow for cannabis related activities in the City. In addition, Council adopted the proposed regulatory ordinance, presented to Council on three previous meetings related to cannabis products.

FINANCIAL IMPACT:

No fiscal impact will result from the maintenance or dissolution of an ad hoc committee as committee members do not receive additional benefits.

FOR COUNCIL CONSIDERATION:

Potential direction Council may provide includes:

1. Do not dissolve the Committee, leaving the Committee to operate as usual with two members.
2. Direct that the Ad Hoc committee remain but alter its membership.