

THOUSAND OAKS CITY COUNCIL



Supplemental Information Packet

Cynthia M. Rodriguez

Agenda Related Items - Meeting of July 10, 2018
Supplemental Packet Date: July 10, 2018

2:30 P.M.

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed, typically a minimum of two—one available on the Thursday preceding the City Council meeting and the second on Tuesday at the meeting. The Thursday Supplemental Packet is available for public inspection in the City Clerk Department, 2100 E. Thousand Oaks Boulevard, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). Both the Thursday and Tuesday Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2100 E. Thousand Oaks Boulevard.

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In compliance with the ADA, if you need special assistance to participate in this meeting or other services in conjunction with this meeting, please contact the City Clerk Department at (805) 449-2151. Assisted listening devices are available at this meeting. Ask City Clerk staff if you desire to use this device. Upon request, the agenda and documents in this agenda packet, can be made available in appropriate alternative formats to persons with a disability. Notification at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring reasonable arrangements can be made to provide accessibility to the meeting or service.



Public Works Department
MEMORANDUM

2100 Thousand Oaks Boulevard • Thousand Oaks, CA 91362
Phone 805/449.2400 • Fax 805/449.2475 • www.toaks.org

TO: Andrew P. Powers, City Manager
FROM: Jay T. Spurgin, Public Works Director
DATE: July 10, 2018
SUBJECT: **Item 7.G. – Correction to Ventura County Integrated Regional Water Management Memorandum of Understanding**

Please revise Recommendation #1 of the staff report as follows:

Approve Amendment to Memorandum of Understanding (MOU) (Contract No. 8777-2008), term extension to December 31, 2023, for continued participation with the Watersheds Coalition of Ventura County's Integrated Regional Water Management Plan.

In addition, please note the following changes in Attachment #2 – MOU Amendment:

1. MOU five-year term is set to expire on December 31, 2018;
2. The term of the MOU is extended to December 31, 2023.

TO COUNCIL 7-10-2018
AGENDA ITEM NO. 7.G.
MEETING DATE 7-10-2018



toaks.org

From: Sarah Armstrong [mailto:industry@safeaccessnow.org]

Sent: Saturday, July 07, 2018 2:14 PM

Subject: Request for Revision of the Thousand Oaks Cannabis Ordinance and the Establishment of a Cannabis Working Group

Attached and below, please find our request for a revision of the Thousand Oaks Cannabis Ordinance and a request for the formation of a Cannabis Working Group.

Regards,
Sarah Armstrong JD
Director of Industry Affairs
Americans for Safe Access

2018 JUL -9 AM 7:42
CITY CLERK DEPARTMENT
CITY OF THOUSAND OAKS

TO COUNCIL 7-10-2018
AGENDA ITEM NO. 9.B.
MEETING DATE 7-10-2018



Advancing Legal Medical Marijuana Therapeutics and Research

July 6, 2018

Mayor Andy Fox
The Thousand Oaks City Council
Thousand Oaks Civic Plaza
2100 East Thousand Oaks Boulevard
Thousand Oaks, California

Re: Revision of the City of Thousand Oaks Cannabis Ordinance and Establishment of a Cannabis Working Group

Dear Mayor Fox and Honorable Members of the Thousand Oaks City Council:

Our organization is writing to request that once you have issued your one retail license for a medical cannabis facility that you immediately begin a revision of your Cannabis Ordinance and policies. Additionally, we feel it would be helpful if you established a working group to advise the City of Thousand Oaks on cannabis policy going forward.

Though it is not the fault of the City, the current ordinance is out of sync with current state law. Permanent state regulations should be issued this month. When they are, we hope the City of Thousand Oaks will begin its revision process.

Additionally, going forward, you need to correct some inadvertent cruelties which will inflict great hardship on the patients you are seeking to provide safe access for.

For instance, forcing patients to make appointments is unwise, as patients are not only ill and as a result may be unable to keep the appointment but may have difficulties reaching the retail licensee due to the lack of public transportation in the location you favor.

Additionally, patients need certain products and strains which may sell out before the patient's appointment time, defeating safe access and causing patients to suffer. The City of Ojai initially required appointments, but recently rescinded this policy as it was proven to be unworkable and unnecessary.

Our organization would like to stress that the problems relating to the ordinance do not arise out of careless or incompetent work by staff or others involved in this process. Rather, the problems arise from a rapidly evolving cannabis industry and ever changing law at the state level, including three revisions of state regulations since the City of Thousand Oaks began working on this issue.

Some examples:

- The current Thousand Oaks Ordinance allows those over 18 to work in cannabis facilities. State law now mandates that all cannabis workers be over 21 years of age. (See California Code of Regulations Section 5031 entitled "Age Restriction".)
- Local adoption of the state's definition of a Youth Center means it does not adequately define when a non-profit's clientele rises to the level where it should be designated as a place where children congregate and thus qualify as a sensitive use (i.e. Art Trek).
- Signage language in Section 5-29-32 (g) of the Thousand Oaks Ordinance does not require a Prop 65 warning. State law does.
- Section 5-29-32 (i) requires conformance with the Cole Memo. The Cole Memo has been rescinded by the federal government.

Headquarters

1300 Clay Street, Suite 600, Oakland CA 94612
PHONE: 510.251.1856

National Office

1806 Vernon St. NW, Suite 100, Washington DC 20009
PHONE: 202.857.4272 FAX: 202.857.4273

General Information

WEB: www.AmericansForSafeAccess.org
TOLL FREE: 1.888.939.4367

- State law now allows for Compassion Programs so that low income patients may have access to medical cannabis, which was not the case when the Thousand Oaks Ordinance was written. The ordinance should be amended to require that all retail cannabis businesses have such a program.

Pending legislation may also require changes to your ordinance and licensing process or pave the way for cutting-edge programs such as adding a Social Equity Program component to your ordinance.

Another issue that needs to be addressed is that the Cannabis Industry has changed a great deal since you began this process several years ago and if you don't reconsider your policies the one retail outlet you are licensing may shortly be bankrupt.

After recreational cannabis legalization became a reality, many patients stopped getting their medical recommendations renewed. It's expensive and time consuming to obtain the recommendation and when patients realized they could simply purchase the same medicine without a recommendation they ceased acquiring them. Patients must have a recommendation to patronize the one retail outlet you contemplate.

Estimates of patients abandoning doctor's recommendations in Los Angeles ran as high as 80% for a while, though some are now renewing recommendations because of the tax incentive involved.

HDL Consulting may be keeping statistics on this phenomenon and if they are not you might ask them to survey the 155 legal licensed dispensaries in Los Angeles to see if the medical market has recovered.

If not, down the road, you might want to consider allowing recreational sales. Because there have been concerns in the community about the development of the adolescent brain being affected by cannabis, the City might consider asking HDL Consulting about the feasibility of setting the age for recreational purchase at 25 rather than 21.

Another huge problem is that the retail price of medical cannabis has skyrocketed, due to exorbitant taxes at the state and local level as well as added regulatory costs. In Los Angeles, the combined tax rate for a cannabis patient without a recommendation is 34%.

The City might want to consider exempting patients with a recommendation from paying any local taxes. Failure to consider tax incentives for patients may have a devastating effect on any cannabis business located in Thousand Oaks.

Just fourteen miles away, in the West San Fernando Valley, rogue dispensaries that pay no taxes and thus can sell cannabis very cheaply, are undercutting licensed shops to the point where the licensed entities are quickly moving towards bankruptcy. Because of the close proximity to Thousand Oaks, any retail cannabis business located in the City may also be adversely affected.

One licensed West San Fernando Valley Operator issued a memo to colleagues on June 3rd cataloging the presence of ten unlicensed cannabis businesses within three miles of his shop. These shops were in violation of a number of state regulations and none were paying taxes.

These rogue enterprises do not test their cannabis, which is an extremely dangerous practice and illegal as of July 1st. Patients with compromised immune systems may die as the result of inhaling contaminated cannabis. These unlicensed entities are indistinguishable, by design, from licensed entities so patients often do not know they are patronizing a rogue entity.

All of the above factors argue for a speedy and comprehensive reconsideration of the City's cannabis policies and a revision of its ordinance. This can best be accomplished by convening a permanent working group composed of patient advocates and stakeholders, to ensure that future policies align with what patients need and what stakeholders must have to ensure safe access in Thousand Oaks.

I've served on a great many of these working groups and would be delighted to serve on one located in Thousand Oaks where I have lived for the past 20 years. With 13 years of experience in this area as well as a law degree I can state with confidence

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that these sorts of working groups save jurisdictions from expensive, time consuming mistakes, and ensure that patients achieve safe access to medical cannabis without adversely affecting the rest of the population.

Founded in 2002, Americans for Safe Access (ASA) is the largest national member-based organization of patients, medical professionals, scientists, and concerned citizens promoting safe and legal access to marijuana for therapeutic use and research. ASA works in partnership with state, local and national legislators to overcome barriers and create policies that improve access to marijuana for patients and researchers. ASA has more than 100,000 active members with chapters and affiliates in all 50 states. Our website is: www.safeaccessnow.org

I can be reached at (805) 279-8229 or industry@safeaccessnow.org if you have any questions or concerns.

The City of Thousand Oaks is to be congratulated on the creation of safe access in the City. Going forward, Americans for Safe Access looks forward to working with the City to ensure its policies are fair and inclusive.

Sincerely,

Sarah Armstrong JD
Director of Industry Affairs
Americans for Safe Access

Cc: Mr. David McPherson
Ms. Tracy Noonan, Esq.
Mr. Andrew P. Powers
Ms. Cynthia M. Rodriguez
Mr. Tim Hagel

Headquarters

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CITY OF THOUSAND OAKS

2018 JUL -9 P 2:58

CITY MANAGER'S OFFICE

2468 Arapaho Ave. Sp.15
Thousand Oaks, CA. 91362
July 7th, 2018

Dear Council Members:

I am one of 161 owners of a mobile home on Conejo School Road that leads into Thunderbird Oaks Mobile Home Park. This community is specifically for adults 55 and over.

The 2 lanes on Conejo School Road lead into the 2 lanes on Willow Lane under the 101 Freeway. This route is a shortcut from Hampshire Road to to Thousand Oaks Blvd. and vice versa. I am sure you are aware of this.

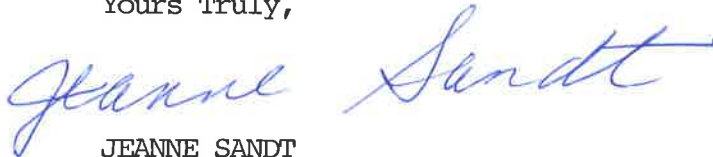
There have been accidents near our entrance in the past. A MEDICAL CANNABIS DISPENSARY WILL CERTAINLY MEAN MORE TRAFFIC ON THESE SMALL STREETS DAY AND NIGHT.

It would be worrisome for elderly people if we saw or heard unusual activity in the neighborhood.

As a senior in her late 80's, I hope the council members consider voices at the meeting on Tuesday evening and find Willow Lane a poor location choice.

THANK YOU.

Yours Truly,



JEANNE SANDT

CITY CLERK DEPARTMENT
CITY OF THOUSAND OAKS

2018 JUL -9 PM 4:04

TO COUNCIL 7-10-2018
AGENDA ITEM NO. 9.B.
MEETING DATE 7-10-2018



Valley / Ventura / Santa Barbara

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July 7, 2018

City of Thousand Oaks Council
2100 Thousand Oaks Blvd.
Thousand Oaks, CA 91362

Honorable Thousand Oaks Mayor and City Council Members,

Since opening its doors 27 years ago, the Cancer Support Community Valley/Ventura/Santa Barbara (CSCVVS) has maintained a singular focus: to provide education, hope and support to people in our community affected by cancer. In this spirit, the Board of Directors is stating its support for the approval of a medical cannabis business in Thousand Oaks.

During its 27 years of service, CSCVVS has helped more than 27,960 members of our community. This year CSCVVS is projected to serve 3,000 community members.

Through professional programs of support and education, the nonprofit organization has established itself as a leader in advocacy and help for cancer patients, survivors and family members.

According to the National Cancer Institute, cannabinoids may be useful in treating side effects of cancer and cancer treatment. Safely regulated medical cannabis in our community could provide much-needed relief from the debilitating pain, nausea and anxiety suffered by local CSCVVS participants. Our participants have expressed an interest in medical cannabis workshops and we look forward to partnering with the selected company to provide much needed education.

In the spirit of advocating for the thousands of community members we serve, the Board of Directors encourages the City Council to provide a safe, legal location where people suffering from the side effects of cancer and cancer treatment can obtain medical cannabis provided by an organization with strong civic connections and a consistent history of community and charitable support.

Sincerely,

Andrea Roschke, CPA
Chair, CSCVVS Board of Directors

TO COUNCIL 7-10-2018
AGENDA ITEM NO. 9.B.
MEETING DATE 7-10-2018