



CASTRO VALLEY

MUNICIPAL _____

ADVISORY Advisory to Supervisor Nate Miley, 4th District

COUNCIL 224 W. Winton Avenue, Suite 111, Hayward, CA 94544 (510) 670-5400 FAX (510) 785-8793

GENERAL PURPOSE MEETING

Monday, June 20, 2016

6:00 p.m.

Council members present: Marc Crawford-Chair, Ken Carbone, Vice-Chair, Chuck Moore, Sheila Cunha, Dave Sadoff, Janet Everson, Linda Tangren

Location: Castro Valley Library – 3600 Norbridge Avenue, Castro Valley, CA 94646

Summary Minutes

PUBLIC COMMENT

Jim Haussener stated that as part of the Warm Springs expansion BART is considering changing its service options that could affect Castro Valley residents.

I. **Approval of Minutes** - April 18, 2016

A motion was made by Ken Carbone and seconded by Linda Tangren, that the minutes of April 18, 2016, be accepted as submitted.

Motion passed 5/2

Abstained: Sadoff, Cunha

II. **Update on the Potential Dissolution of Eden Health District**

Dev Mahadevan, Chief Executive Officer, Eden Health District and Lester Friedman, Chair, Eden Health District presented an oral presentation on the potential dissolution of the Eden Health District. Roxann Lewis, Board Member, Tom Lorentzen, Board Member and Bruce Udelf, Executive Director, Baywood Court Properties supports retaining the Eden Health District.

The Eden Township Health District was formed in 01948 to build Eden Hospital with tax funds and federal matching grants. The Eden Township Health District owned and operated Eden Hospital until in 1997, the hospital and assets were sold to Eden Medical Center/Sutter Health. The District has not operated a hospital since 1998.

Assemblymember Quirk has authored a bill (AB 2471) to expedite the dissolution of the Eden Health District and likely redistribute funds to San Leandro Hospital. Eden Medical Center operated San Leandro Hospital until 2012 when it was donated to Alameda Health System by Sutter Health. Eden Health District committed \$50 million to keeping San Leandro Hospital open from 2004 through 2012.

Eden Health District owns and operates medical office buildings and clinics in San Leandro, Castro Valley, and Dublin. Eden Health District regularly evaluates the community's healthcare need and seeks feedback from the community as to how needs might be met. In 2015, Eden Health District has funded more than \$723,000 in grants to local agencies for healthcare services to residents.

Mona Palacios, Executive Officer, Local Agency Formation Commission, presented a brief background on the Local Agency Formation Commission (LAFCo) and reported that last week the City of Hayward approved a resolution to apply to LAFCo for the dissolution of the Eden Health District. LAFCo does not have an application to date.

Speakers

Mary June Flores, representative of Supervisors Wilma Chan, District 3, Alameda County Board of Supervisors, stated that the County is sponsoring AB 2471 Healthcare District Dissolution to specifically dissolve the Eden Health District, which no longer provides direct healthcare services and requested the Council's support.

Bill Mulgrew, Executive Director, Eden Chamber of Commerce supports the Eden Health District as they have been great for Castro Valley schools and other community organizations.

Recommendation from the Municipal Advisory Council

After discussion from the Council, a motion was made by Sheila Cunha and seconded by Ken Carbone to support the LAFCo process for the potential dissolution of Eden Health District.

The Eden Health District will provide the Castro Valley Municipal Advisory Council with a list of the grants and organizations funded by the District over the last 3 years.

Motion passed 7/0

III. Medical Marijuana Regulation and Safety Act

Andrea Weddle, Assistant County Counsel presented a PowerPoint presentation on recent developments in the Medical Marijuana Regulation and Safety Act.

The State of California has recently passed legislation for the Medical Marijuana Regulation and Safety Act and Related Legislation, including AB 266 (Bonta) Establishes dual licensing structure requiring state license and local license or permit. The Department of Consumer Affairs is the lead agency overall regulatory structure imposing health and safety and testing standards; AB 243 (Wood) establishes a regulatory and licensing structure for cultivation sites under the Department of Food and Agriculture; SB 643 (McGuire) establishes criteria for licensing of medical marijuana businesses, regulates physicians and recognizes local authority to levy taxes and fees.

In April 2016 a group of community stakeholders drafted proposed amendments to conform to the new regulations. In May 2016, County staff reviewed the stakeholder's proposal and provided an initial response to the Transportation & Planning Committee.

The proposed changes include:

- Increasing the number of dispensary permits from three to six
- Allow dispensaries in more geographical areas, including East County
- Prohibit dispensaries in residential zones; continue to allow in commercial, industrial and possibly agricultural zones as accessory to cultivates sites
- Create separate permits and or licenses that mirror the State's license types to include: dispensary, nursery, cultivation, manufacturing and transport of medical cannabis.
- Provide appropriate regulation for each license

The proposed changes to the Medical Marijuana Ordinance will be heard at the Transportation and Planning Committee on Thursday, June 23, 2016.

Commander Kelly Miles, experience with dispensaries, in 2005 when there were 7 dispensaries, robberies and a couple of homicides; increase in burglaries; complaints from residence and businesses, and amount of people brought into the area; when there were several dispensaries;

Speakers

Colin Disheroon, Association for Standardized Cannabis, President, Santa Cruz Mountain Naturals, advocate, medical cannabis patients – Castro Valley overwhelmed with real problems, high concentration of bars and liquor stores, serious problem with drugs and alcohol, prohibition bolsters the black market and encourages more illicit drugs, allow access to medical cannabis to people in the community, have to drive long distances or drive to high crime areas, facts: alcohol is one of the leading causes of death, 18 alcohol outlets;

Terryn Burton, crime is lower around dispensaries and they try to be good neighbors, has no intention of starting a business in Castro Valley. There is a need for more dispensaries

Discussion

Discussion from Councilmembers included the following:

- Dispensaries in the unincorporated area will be creating a destination to supply marijuana to other jurisdictions
- There is an economic interest in dispensaries, however Councilmembers expressed concern about the seemingly expedited process;
- The local community needs to be heard on a significant level on this issue
- The MAC would like more education on the need for additional dispensaries in the unincorporated area
- There may be a reduced need for medicinal marijuana if doctors will be held to more stringent regulations when writing recommendations

- In November marijuana could be legalized and it could change the ordinance and provisions
- The County should not have to take on the burdens of the cities in supplying medicinal marijuana

- Constituents need to contact Assemblymember Quirk to require cities to take on more responsibilities as it relates to marijuana dispensaries

- The County should considered East County to allow for dispensaries and not concentrate the additional dispensaries in the West County

Supervisor Miley stated that after the proposed revisions of the ordinance are heard at the Transportation and Planning Committee, the ordinance can be brought to the Castro Valley Municipal Advisory Council for discussion and input.

IV. Council/Staff Comments

None.

ADJOURN

Next meeting date: September 19, 2016