

**ALAMEDA COUNTY
BOARD OF SUPERVISORS'
UNINCORPORATED SERVICES COMMITTEE**

Wednesday, June 29, 2016

6:30 p.m.

Supervisor Nate Miley, Chair
Supervisor Wilma Chan, excused

Location: San Lorenzo Village Homes Association
375 Paseo Grande
San Lorenzo, CA 94580

Summary Minutes

Public Comment

David Zechman invited the public to support Eden Night Life, sponsored by the Sheriff's Office and the Eden Chamber of Commerce, funded by a grant from the Department of Justice. Every Friday and Saturday night starting July 1, 2016, for 15 weeks at the corner of Hampton Road and Mission Boulevard there will be entertainment including DJ's, bands, comedians, food trucks, basketball, jumpers, volleyball court, rock climbing wall, art activities and local vendors, from 5pm to 9pm. Flyers of the event are available in English and Spanish. Local vendor forms are also available.

Randy Waage asked that the small road at the end of Grant be repaved and suggested the Economic & Civic Development Department work with Sam's Burger for better seating outside. He also asked if the County could consider license plate readers to aid in apprehending criminals. Mr. Waage also thanked the Public Works Agency for picking up blighted areas.

Steve Kirk, San Lorenzo Village Homes Association Board member, requested a follow up from the Public Works Agency regarding cases that go back to 2007 where trees have been destroyed and removed with nothing being done.

Mark Winchel stated that he has previously worked with Alameda County for 15 years and in his experience the Public Works Agency will never admit when they are wrong.

Steve Kirk announced on Saturday, July 30, 2016, the Lorenzo Theater will be opened to the public from 12noon to 5pm and afterwards the movie "Minions" will be shown at dusk in the parking lot.

Ethan Liu, intern in District 4 is a recent graduate of Amador High School, class of 2016, and in addition attended Las Positas Community College where he finished all of his general education courses. He will be an incoming junior at Loyola Marymount University in accelerated pre-law program.

I. **Medical Marijuana Regulation and Safety Act**

[Attachment](#)

Andrea Weddle, Assistant County Counsel, Commander presented a PowerPoint presentation on new state regulations for the Medical Marijuana Regulation and Safety Act (MMRSA).

Other County departments that have been working with County Counsel on the MMRSA include: Commander Kelly Miles, Sheriff's Office, Heather Littlejohn, County Counsel, Liz McElligott, Assistant Agency Director, Community Development Agency, Ron Browder, Director, Environmental Health Department, Umberto Izquierdo, Agriculture/Weights & Measures and Dennis Bozanich, Principal Analyst, County Administrator's Office.

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

Speakers

Supervisor Miley stated that the two existing dispensaries will not go through the Request for Proposal (RFP) and Conditional Use Permit (CUP) processes. The County will have the ability to tax the dispensaries but may not levy a tax initially.

Richard Hancocks stated that the presentation included more than the agenda states, by discussing changing the General Ordinance code, has question if that is a violation of the Brown Act. Mr. Hancocks believes that there is consensus in the community that the unincorporated area does not need more "medical" marijuana dispensaries.

Steve Kirk stated that this is the first meeting on that he is aware of regarding changes to the medical marijuana ordinance and the San Lorenzo Village Homes Association would like to be a part of the process going forward. The unincorporated area needs grocery stores, and he does not believe the emphasis on medical marijuana dispensaries promotes health and wellness. Mr. Kirk is concerned that residents will begin cultivating marijuana on their property, which is prohibited.

Victor Pinho, Castro Valley resident, stated that he is a patient and supports additional dispensaries in the unincorporated area.

Nair Muñoz, Director, Harborside Health Center, in Oakland, supports more dispensaries and in some cases dispensaries have attracted new business. Harborside has offered numerous community benefits and offers free cannabis to low income patients and free holistic services to all patients.

Sabrina Innocencio stated that she works for Harborside Health Center and she sees a lot of seniors in the unincorporated area who use medical cannabis.

Tyler Dragoni, Ashland resident, asked that the County correct the parking on Llewelling Boulevard in front of the dispensaries, as there have been accidents.

Jeff Thatcher approves of more dispensaries in the unincorporated area.

Ingrid Moller, Cherryland resident, asked what happens to the taxes from the medical marijuana dispensaries. She asked that the County consider equity when allowing dispensaries and community concerns.

Speakers (continued)

Cindy Tolles stated that there are a lack of dosage standards with medical marijuana, and she asked the County to be aware of distance in terms of sensitive receptors.

Peter Rosen stated that community members have concerns; Harborside has a great reputation however there is potential for abuse. What are the revenue projections and what is the percentage that would be spent back in the community. Mr. Rosen suggested pilot programs with a sunset clause.

Daniel Luna, Castro Valley resident, supports the expansion of medical marijuana dispensaries.

Kathy Ready stated that she does not have an opinion on medical cannabis. Ms. Ready stated that she would love to have County departments of this magnitude to work on adding grocery stores and other economic development. Does not understand how six dispensaries will improve the economic development in the area. The unincorporated area started with seven dispensaries and the community was able to reduce it to three dispensaries.

Ryan Mullane stated that he was an attorney who makes recommendations on policy for medical cannabis dispensaries. The new regulations including cultivation will get people out of the black market and he is supportive of additional dispensaries.

Reggie Tomlin lives in the Tri-Valley area and is concerned about property values with additional dispensaries added in the unincorporated areas.

Randy Waage stated that the unincorporated area wants good businesses in the area and asked that the County care about San Lorenzo more and add more good businesses.

Michelle Clowser suggested that the County look at the impact of legalization in Colorado, as young men in their early 20's are abusers of cannabis. Dispensaries attract crime and dissuades businesses.

Mark Winchel stated that Garden of Eden gave \$50,000 to meals on wheels.

Hugh O'Donnell stated that there is a traffic problem near the dispensary on Foothill and Cherryland currently has both dispensaries in the unincorporated area.

Juan Castaneda, San Ramon resident, supports additional medical cannabis dispensaries, patients and caregivers should retain the right to grow their cannabis in their own homes.

Keith Barros asked what reason would the County have not to tax the dispensaries; there will be increased enforcement and will there be any market regulation of medical cannabis.

Don Clowser stated that dispensaries depreciate property values for the entire neighborhood and he suggests that a series of doctors sign off on the recommendations.

Ingrid Moller stated that the Cal 420 business on Mission Boulevard is a group of doctors who issue medical marijuana recommendations, she asked if the business needs a Conditional Use Permit to operate. The Planning Department will look into it.

Jack Norton, medical cannabis advocate, supports additional medical cannabis dispensaries. Mr. Norton stated that medical cannabis dispensaries are not a magnet for crime.

Peter Rosen asked about fees collected as part of the ordinance, if the County would review the fees after about six months to determine if they are appropriate.

II. Community Identifier Murals on Freeway Overpasses

[Attachment](#)

Rachel Osajima, Executive Director, Alameda County Arts Commission, Rodrigo Orduña, Senior Planner, Community Development Agency and Eileen Dalton, Director, Economic & Civic Development, presented an information sheet on the Community Identifier Mural Project.

The Community Identifier Mural Project developed through community support. Castro Valley resident Linda Willis promoted the idea in early 2015. The concept is to paint signs on the fronts of freeway overpasses to feature the name of the community along with other design elements to support a positive and welcoming environment.

The overpasses are under the management of the State Department of Transportation (CalTrans) and any proposals must be submitted to and approved by Caltrans.

The proposed locations of the murals are: Castro Valley, I-580 overpass at Redwood Road; San Lorenzo I-880 overpass at Hesperian Boulevard; Ashland/Cherryland, I-238 overpass at Mission Boulevard & East 14th Street. The cost estimated for each mural is \$135,000. There will be community outreach and involvement in the project, including an Artwork Selection Committee.

III. Utility Box Art Work

Eileen Dalton, Director, Economic & Civic Development and Paul Keener, Senior Planner, Public Works Agency presented an oral report on the Utility Box Art Work Pilot Program.

The program is modeled after the City of Hayward's Utility Box Art Work Program, to paint four (4) of the County's seventy-eight (78) traffic control boxes, Ashland Ave. & Delano, Cherryland at Meekland Avenue, Paseo Grande at Hampton Road in front of Colonial Acres, Washington Avenue and Via Enrico, Grand & Washington, working with the Don't Rush Safety Committee, messaging at the Ashland location with curb program, San Lorenzo Village Homes Association, finalizing artist agreement, complete projects by the end of the summer.

Speakers

Keith Barros requested that the murals are not prioritized ahead of the streetscape projects.

Michael Kusiak thanked Linda Willis and Castro Valley Matters, Paul Sanftner, Paul Keener and Rachel Osajima for the projects and he suggested community organizations to adopt the utility boxes to have them decorated with the artwork at approximately \$500 per box.

Randy Waage thanked Rachel Osajima for the library artwork and is looking forward to the mural projects and requested that she engage the San Lorenzo Village Homes Association in the process again.

Richard Hancocks stated that he does not have an opinion on the artwork however the Public Works Agency has stated in the past that they have no money to maintain improvements; will there be funding to maintain the mural and utility box projects?

Mark Winchel asked if the boxes were the Internet boxes in the unincorporated area. (The boxes are the Traffic Control boxes only)

Don Clowser suggested that each box should be painted with the community in mind and he is in favor of the murals.

Speakers (continued)

Kathy Ready loves the artwork in the library and would like the County to install the “San Lorenzo Library” sign.

Linda Willis stated that she is excited about the mural projects to beautify the unincorporated area and thanked Paul Sanftner, Paul Keener, Rachel Osajima and Michael Kusiak of Castro Valley Matters; Castro Valley could be first for the mural project. Ms. Willis asked has there been money allocated in the 2016-2017 budget for the projects.

Steve Kirk stated that Tyson Foods is one of the largest employers in the unincorporated area and they have a stated goals for community development, which could be a source of funding for the projects. Mr. Kirk will forward contact information to District 4.

Supervisor Miley stated that the medical marijuana dispensaries have been supportive of the community, in terms of resources.

IV. Onsite Wastewater Treatment/Local Agency Management Plan (LAMP) - *continued to a future meeting*

ADJOURN

The meeting was adjourned to September 28, 2016.

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