

**ALAMEDA COUNTY
BOARD OF SUPERVISORS'
TRANSPORTATION/ PLANNING COMMITTEE**

**Thursday, June 23, 2016
9:30 a.m.**

**Supervisor Scott Haggerty, Chair
Supervisor Nate Miley**

Location: *Board of Supervisors Chambers – Room 512 5th floor*
County Administration Building
1221 Oak Street, Oakland, CA 94612

Summary/Action Minutes

I. Resolution for the Temporary Road Closures and Detour of Calaveras Road in Connection with the San Francisco Public Utilities Commission Calaveras Dam

Replacement Project – Public Works Agency

[Attachment](#)

Bill Lepere, Assistant Agency Director, Public Works Agency, presented a memorandum regarding the Temporary Road Closures and Detour of Calaveras Road.

The San Francisco Public Utilities Commission is currently constructing the Calaveras Dam Replacement Project in Alameda County to replace the existing dam with one capable of withstanding the maximum credible earthquake.

As part of the project, the SFPUC requests the temporary closure of Calaveras Road and associated detours. The SFPUC and the County of Alameda entered into a Memorandum of Agreement as part of the Water System Improvement Project, to completely resurface Calaveras Road from Interstate 680 to the entrance road to the Calaveras Dam. The Public Works Agency requests the Committee's approval to forward a resolution for the road closure to the full Board of Supervisors for adoption.

There will be no financial impact to the County and all costs associated with the road closures and detour are to be borne by the SFPUC.

Speakers

Steven Ritchie, Assistant General Manager, San Francisco Public Utilities Commission recommends the Committee approve the road closure for 18 months on Calaveras Road to improve the water system.

Nicole Sandkulla, Chief Executive Officer, Bay Area Water Supply & Conservation Agency, commented in support of the road closure for the completion of the Calaveras Dam Replacement Project.

Mike Mulich, Dragados, Flatiron & Sukut Construction, supports the Calaveras Road closure and the SFPUC project.

Dan Wade, Director, Water System Improvement Project, San Francisco Public Utilities Commission supports the road closure for the Calaveras Dam Replacement Project.

Purpose:

Report progress

Advocacy or Education

Request Transportation and Planning Committee recommendation

Other:

Recommendation from the Transportation and Planning Committee: The SFPUC to provide appropriate protection to wildlife & species, including environmental fencing through the truck route. In addition the County requires residents in the area to be escorted to their homes by the Sheriff's Office along the route. The County also requires that the SFPUC advertises for 4 consecutive weeks in the Pleasanton Weekly and the Independent, in addition provide announcements 4 times per day for 4 weeks, on media stations KKIQ and CTV30.

The Public Works Agency will add a County Public Works Agency telephone number to signage in the area to contact the Agency with any issues or concerns. Approve. Move to the full Board of Supervisors with the requirements stated above.

II. Overview and Staff Analysis on the Medical Marijuana Dispensary, Delivery and Cultivation Draft Ordinance

[Attachment](#)

Dennis Bozanich, Principal Analyst, County Administrator's Office and Andrea Weddle, Deputy County Counsel presented a memorandum and proposed ordinance regarding the Medical Marijuana Regulation and Safety Act (MMRSA).

The Medical Marijuana Regulation and Safety Act (MMRSA) was signed by Governor Brown in October of 2015. The Transportation and Planning Committee had previously discussed revisions to the County's Medical Marijuana Ordinance (Chapter 6.108 County General Code) to align with the new provisions in the MMRSA.

The County staff working group assigned to draft revisions for the ordinance have proposed recommendations to the ordinance for: 1) Zoning for Dispensaries; 2) Buffer Zone Requirements; 3) Number of dispensary license; 4) Preparation, packaging & labeling of edibles; and 5) Delivery & cultivation pilot program.

Next Steps

With direction from the Transportation and Planning Committee, County staff is prepared to draft an ordinance for the Board of Supervisors meeting on July 19, 2016 for a first reading and a second reading on August 2, 2016.

Speakers

James Anthony requested copies of maps and stated that the expanded zones seems unnecessary as dispensaries would go through a Conditional Use Permit (CUP) process. Cultivation is current legal in California and nothing prohibits the County from starting a pilot cultivation program.

Alex Zavell supports the number of 6 dispensaries allowable in the unincorporated area and additionally supports a Request For Proposals (RFP) process.

Robert Raich suggested that there be no limit to the amount of marijuana kept on the premises at a dispensary, and to remove the prohibition of licensing anyone with a felony conviction. The definition of schools in the ordinance should be limited to K-12 schools and not include day care facilities.

Colin Disheroon stated that he owns and operates a successful medical cannabis dispensary in Santa Cruz. He worked with industry professionals and Santa Cruz County Officials to create a successful dispensary ordinance and would be happy to be of assistance with Alameda County's ordinance. He suggests no cap on the number of dispensary licenses, do not over tax medical cannabis.

Sharif El-Sissi, owner of Garden of Eden, suggests removing the 20 pound weight limit, remove restriction of rescinded a license if the dispensary has not operated in four months.

Denise Martelacci stated that the State allows for cottage industry products up to a certain volume and suggested removing the restriction of other products being prepared in the commercial kitchen besides cannabis edibles.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation
- Other:

Recommendation from the Transportation and Planning Committee: The Transportation and Planning Committee gave the following direction to staff regarding revisions to the County’s medical cannabis Ordinance:

Number of permits

The unincorporated area will allow permits for six dispensaries, 4 in the urban unincorporated area, and 2 in East County using expand geographic zoning areas, CUP and RFP processes, provided that they are 600 feet away from sensitive receptors.

Delivery

Delivery of Medical Marijuana licenses would be linked to a dispensary
Delivery within the unincorporated area to be linked to a dispensary
No limitation on the number of delivery permits outside the unincorporated Alameda County

Edibles

Production and sales of edible medical marijuana is to be produced in a commercial kitchen by persons who are Food Safety certified. Products are to be properly labeled and not resemble an item attractive to children. Edible producers will keep proper records and provide non-perishable (no refrigeration needed) items.

County Counsel to review any restrictions to using the Fairmont campus for a dispensary location. Previous prohibition was the potential loss of Federal funding.

County staff will determine a fee structure for the various components of the ordinance and bring a separate resolution for the fee structure to the Transportation & Planning Committee.

Twenty pound weight limit to be removed from the draft ordinance.

Two unincorporated area existing dispensaries will be grandfathered in and not go through an RFP process, however they will go through an RFP process for cultivation of cannabis.

County staff to bring the draft ordinance back to the Transportation and Planning Committee on July 18, 2016 with the revisions.

III. An Ordinance Implementing State Assembly Bill No. 1236 – Expedited, Streamlined Permitting Process for Electrical Vehicle Charging Stations - Public Works Agency
[Attachment](#)

Bill Lepere, Assistant Agency Director, Public Works Agency, presented a memorandum and proposed ordinance regarding State Assembly Bill No. 1236, an expedited streamlined permitting process for Electrical Vehicle Charging Stations.

On October 8, 2015, the State Assembly Bill No. 1236 (AB 1236) relating to electrical vehicle charging stations was signed by the governor to mandate cities and counties to adopt an ordinance to create an expedited, streamlined permitting process for electrical vehicle charging stations as specified.

The Building Department of the County Public Works Agency has reviewed AB 1236 and concluded that the current processes for permits for electrical vehicle charging stations within the unincorporated Alameda County are expedited, streamlined and in compliance with the new law. Adopting the ordinance pursuant to AB 1236 is not expected to impact permitting activities.

The Public Works Agency requests the Committees' approval the ordinance and move the item to the full Board of Supervisors.

Purpose:

- Report progress
- Advocacy or Education
- Request Transportation and Planning Committee recommendation**
- Other:

Recommendation from the Transportation and Planning Committee: Approve. Move to the full Board of Supervisors.

IV. PUBLIC COMMENT

None.

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