

From: Stephen DeLapp
To: [Sears, Kathrin](#); [Arnold, Judy](#); [Rodoni, Dennis](#); [Rice, Katie](#); [Connolly, Damon](#)
Cc: [Lundegaard, Inge](#); [Alden, Leslie](#); [Lai, Thomas](#)
Subject: Follow-up: Comments on Revised Medicinal Cannabis Draft Ordinance Board Study Session of 10/10/17
Date: Friday, October 13, 2017 6:27:40 PM

Dear Supervisors:

I was disappointed in how the Board Study Session unfolded this past Tuesday. Since the meeting was noticed as a study session I expected some degree of back and forth and open discussion between staff, public, and Board. Instead the public was limited to 3 minutes (more or less) and actual Board study time was quite minimal.

There were quite a few specific issues raised by the public in written comments that merited more in depth study and discussion. My impression was that they were either not discussed or discussed only superficially and dismissed as invalid without any real analysis to justify those conclusions. In addition, the Cannabis Industry has engaged in multiple meetings with staff that were not publicly noticed and from which the public was excluded.

I understand that it is the stated intent of the Board to pass some form of enabling ordinance; however, I respectfully request that the Board work with staff to consider and address the concerns raised by the public. In particular, I believe it essential that the draft ordinance be modified to include more opportunity for the public to be directly involved in the licensing and certification process of potential vendors. It would seem reasonable and fair that local neighborhoods be notified when a potential application is received for their area. This notification should INCLUDE a required neighborhood meeting with the applicant and staff as part of the review and licensing process.

Respectfully,

Stephen DeLapp

Resident of Tamalpais Valley (unincorporated).

From: Stephen DeLapp [<mailto:sdelapp@comcast.net>]
Sent: Sunday, October 01, 2017 6:07 PM
To: 'ilundegaard@marincounty.org' <ilundegaard@marincounty.org>; 'tlai@marincounty.org' <tlai@marincounty.org>; 'Sears, Kathrin' <KSears@marincounty.org>
Cc: 'mhymel@marincounty.org' <mhymel@marincounty.org>; 'Parton, Maureen' <MParton@marincounty.org>; 'markm@markmarinozzi.com' <markm@markmarinozzi.com>; 'christopher.brand@evercore.com' <christopher.brand@evercore.com>; 'Mae Delapp'



October 13, 2017

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Medicinal Cannabis Delivery-Only Retailer Licensing Ordinance

Dear Supervisor,

I recently attended the workshop held on October 10 to discuss the proposed ordinance. Unfortunately, I had to leave the workshop early so I am not sure what direction was provided by the supervisors to staff. I did want to share my thoughts based on my reading of the ordinance, my attendance at the public comments meeting in September, and now my attendance at the workshop.

When Supervisors Connolly and Arnold noted that they would pursue a delivery only ordinance, I sent Supervisor Connolly correspondence asking that the County pause this process until after the state's recreational cannabis laws were enacted (in 2018) with the expectation that cities and towns in Marin might reconsider their current bans. **Because this and the previous ordinance have been touted as "safe access," it made sense to me that we should wait to see how much access will be provided by Marin's cities and towns before the County feels compelled to provide any redundancy.** At the October 10 workshop, Lynette Shaw of the Marin Alliance for Medical Marijuana in Fairfax reminded supervisors that Marin residents now have safe storefront access to medical cannabis and that she would be adding delivery service in the near future to further expand access. Also at the October 10 workshop George Bianchini of Medi-cone told Supervisors that he was currently working with Novato and San Anselmo to guide them in the potential implementation of safe access to cannabis in both those locations. Along with delivery services from outside the County that currently deliver into Marin, there is no shortage of "safe access" and access is only expanding. I reiterate my initial ask that the County pause this process until after the new year to determine if additional access is required.

In my view, a pause makes sense but I understand that it is difficult for County officials to put the brakes on a process that has already been started. I'm not sure why that's the case with government but it's not unique to Marin. For some reason, officials just don't want to be seen as reconsidering their initial or original position even if it makes the most sense. Having said that, there are specific concerns about the current ordinance that need to be addressed. The first is the definition of "delivery." **The current delivery-only ordinance, as written, defines delivery based on Section 26090 of the state's Business and Professions Code. I urge you to read that section. (I have appended the language to the back of this letter for your reference.) Nowhere in Section 26090 does it define where cannabis can be delivered. If the County does not further define "delivery" we will see deliveries being made in highly public locations**

including parking lots, street corners, bus stops and the like. We can also expect that many of these ad hoc delivery locations will be within the setbacks for schools and parks. I mention this because I speak from direct experience with Marin-based cannabis delivery services. As a medical cannabis patient, I have personally taken delivery of cannabis in a parking lot at the corner of H and Fourth Streets in San Rafael on two separate occasions. There will always be patients who, for personal reasons, do not want deliveries made to their home or business and will ask for a more convenient location. Without a strict definition of permissible delivery locations, licensed retailers will make deliveries in public places. How is this much different than a street corner drug deal?

September's public meeting on the ordinance was heavily attended by the cannabis industry as was the workshop on October 10. At the September meeting, members of the industry spoke in a way that made it appear that they wanted to find common ground with residents in unincorporated Marin County. They suggested meeting in the middle on several issues including the scoring system that would pick licensees. Speakers encouraged the County to weigh neighborhood compatibility more heavily over the business plan. I agreed with them then and still think this would be a smart change to the ordinance. However, at the October 10 workshop I did not hear that same effort to find common ground from industry attendees. Another way to find common ground is setbacks. **At the public meeting in September, industry people seemed more willing to consider setbacks that go beyond the state's required 600 feet. While at the October 10 workshop, one industry person noted that any setback over 600 feet would make the ordinance unworkable. I disagree with that statement and continue to encourage setbacks of 1500 feet as a way for supervisors to show their commitment to the health, safety and welfare of residents in unincorporated Marin County.** While industry representatives made up a large percentage of attendees at both the September and October meetings, that does not mean that their voices carry more weight than residents who were not able to attend. I believe that overwhelming community pushback on the storefront ordinance is proof that when the rubber meets the road, residents do not want cannabis related businesses in their neighborhoods. I also believe that our supervisors should answer to residents (and especially the residents in unincorporated parts of the County being asked to shoulder this burden) over a for profit industry – no matter how loudly they speak.

Industry attendees at the workshop also spoke about the ordinance's cap on licenses. Most all objected to the cap. For me, this is quite telling and comes back to the core goal of the ordinance. **The motivation of supervisors has always been to provide "safe access." I think we can agree that safe access would easily be provided with up to four licensed delivery-only retailers. The fact that industry attendees want the cap removed is a reminder that first and foremost, they are motivated by capitalism over compassion. In fact, several speakers at the workshop invoked capitalism and spoke out against a government sponsored monopoly. I don't think I need to remind you that four licensees are not a monopoly (mono meaning one).**

I was also disheartened to learn that County officials met with industry representatives in private to help craft the current ordinance. When I asked about this meeting I was told that it was only to get a better understanding on technical issues related to the cannabis industry. I

appreciate the County's interest in understanding the new rules that will regulate the industry but I have two objections. First, our County government officials should already be knowledgeable about these technical issues, especially if they are being charged with crafting this ordinance. There should be no reason to need assistance from the industry to understand the rules. Second, the industry has made it very clear that their goal is to maximize profit potential for as many players as possible. Any advice or input given by the industry will logically support their goals. **To meet in private with the cannabis industry and not offer residents of unincorporated parts of the County the same opportunity to help craft the ordinance is not only unacceptable, it could very well be a highly charged political issue. I asked in September that the County provide residents the same opportunity to meet in private to help craft the ordinance. No such meeting was scheduled.** Overall, my impression – and it's just an impression -- of this process is that County officials are more inclined to take direction from the cannabis industry over residents. I would like to see the balance of power shifted or at least equalized.

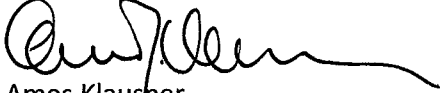
There are other issues that need to be considered by supervisors. The County must have integrated access to the state's track and trace program for cannabis. The county has yet to describe how this will happen and how they will account for cannabis in the County from seed to sale. Commercial signage must be restricted in such a way that licensees do not use signage as a form of advertising for their delivery service which would be incompatible with residential areas. Public comment meetings should be scheduled in the communities being impacted by the potential licensees in much the same way as during the storefront ordinance process. It would also be a big boost to residents if the County included a neighborhood appeal process in the ordinance (something that they did not provide in the storefront ordinance). A penalty system is encouraged to keep licensees honest. The Marin County Teen Court already sees many kids who possess marijuana in dispensary packaging. One penalty could be a revocation of license if a licensee's cannabis is found in the hands of minors three or more times. The County could solve many of the issues noted in this letter (and more) by housing licensee distribution points at the County Civic Center. County offices are safe, secure environments with adequate police protection. In fact, even industry attendees at the October 10 workshop commented that the County should consider such a solution.

As you probably know, I have been quite vocal in my opposition to storefront cannabis in Marin County. While I am less opposed to a delivery-only model, I still don't believe that the solution should be forced into unincorporated parts of the county that are not prepared to host businesses that have proven to be less compatible and less safe. I am still confused as to why the cannabis industry and its supporters are not petitioning Marin's local city and town councils to amend their cannabis rules. I can only surmise that unincorporated communities represent a softer, more malleable target. It's a real shame. In vocalizing my opposition, I have been labeled as "that guy" who is against marijuana. I want to remind you that I am a licensed medical marijuana patient. I am also realistic in my first-hand assessment of the industry and its goals. It has been and continues to be motivated by profit over compassion. My hope is that County officials will not succumb to the small amount of tax revenue provided by a delivery-only retail model. The revenue will not be that great and quality of life is much more valuable for those of

us in rural and semi-rural communities. Worst of all – unlike the cities and towns who will see sales tax revenue go back into their communities -- the County has not promised that sales tax revenue from cannabis will be earmarked for the communities in which these businesses are based. Again, we shoulder all the burden and get no benefit.

I appreciate your time and attention in this matter and I hope you will take my comments to heart.

Best wishes,



Amos Klausner

PO Box 286

San Geronimo, CA 94963

CC: Richard Halstead, Marin Independent Journal

BUSINESS AND PROFESSIONS CODE – BPC

DIVISION 10. Cannabis [26000 - 26231.2]

(Heading of Division 10 amended by Stats. 2017, Ch. 27, Sec. 3.)

CHAPTER 9. Delivery [26090- 26090.]

(Chapter 9 added November 8, 2016, by initiative Proposition 64, Sec. 6.1.)

26090.

(a) Deliveries, as defined in this division, may only be made by a licensed retailer or microbusiness, or a licensed nonprofit under Section 26070.5.

(b) All employees of a retailer, microbusiness, or nonprofit delivering cannabis or cannabis products shall carry a copy of the licensee's current license and a government-issued identification with a photo of the employee, such as a driver's license. The employee shall present that license and identification upon request to state and local law enforcement, employees of regulatory authorities, and other state and local agencies enforcing this division.

(c) During delivery, the licensee shall maintain a physical copy of the delivery request and shall make it available upon request of the licensing authority and law enforcement officers. The delivery request documentation shall comply with state and federal law regarding the protection of confidential medical information.

(d) A customer requesting delivery shall maintain a physical or electronic copy of the delivery request and shall make it available upon request by the licensing authority and law enforcement officers.

(e) A local jurisdiction shall not prevent delivery of cannabis or cannabis products on public roads by a licensee acting in compliance with this division and local law as adopted under Section 26200.

(Amended by Stats. 2017, Ch. 27, Sec. 63. Effective June 27, 2017. Note: This section was added on Nov. 8, 2016, by initiative Prop. 64.)



October 14, 2017

Marin County Board of Supervisors
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903

Dear Supervisors,

As the Secretary and Treasurer of Nice Guys Delivery, Inc., one of the few cannabis delivery services currently operating a business from a property in unincorporated Marin, I would like to offer comment on behalf of our business with regards to the current draft ordinance on medicinal cannabis delivery-only retail licenses in the County of Marin. As a major stakeholder in Marin County cannabis delivery business, we will be one of the businesses most directly affected by the outcome of this local legislation, and would like to provide the Board with some feedback and suggestions to help create a mutually fair and agreeable process between the County and the local businesses that will be impacted by this legislation. Upon review of the draft ordinance and consideration of the dialogue which transpired at the most recent Board meeting on this subject, we would like to provide the following comment.

We would first like to express our concern with a lottery model in general. In particular, we would like to offer some recommended amendments to the current proposal that will gear the decision making process to identify and favor the most qualified applicants prior to going to a lottery system. We believe the currently proposed sequence of events for the lottery process poses problems. The sequence for the lottery currently puts the lottery process as the second step in the process after only a pre-screening has occurred. Holding the lottery at that early stage prevents the Board from the opportunity to review qualified applicants that may have superior project proposals to those of the lottery winners. We would like to suggest the Board review all applications, and should the number of qualified applications exceed the number of available licenses, then it would be tolerable to use a lottery system.

With regards to the application scoring system, we recommend the removal of the security plan as part of the point system and replacing it with a local impact plan. We feel that the state is very specific on what is required of a security plan for a cannabis retailer and that every applicant should be meeting this standard fully; it is not something that should be gradable on a scale, it's a basic requirement of business operation. A local impact plan is something that is more relevant to how the business will affect the community and makes more sense as an application scoring category. We put forward that the local impact plan would be graded based on factors like local ownership, local hiring, and local sourcing of material, goods and products, if available. We believe the local impact plan to be different from the public benefit plan in that we interpret the public benefit plan to include things like safety and community improvements to the public at large, versus the local impact plan which shows how the operations of the business benefit the local community.



We would also like to encourage the Board to make regulations that support local small businesses in the County who are already working with local residents in the community. We believe that at least half of the available licenses should be granted to local small businesses with 20 or fewer employees. We also feel a priority should be given to collectives with existing patient members in Marin County.

I hope you will consider our suggestions as you work to finalize the ordinance. Should you have any questions regarding these comments, please do not hesitate to contact me directly.

Sincerely,

A handwritten signature in black ink that reads "Monica Gray". The signature is written in a cursive style with a large, stylized "M" and "G".

Monica Gray
Secretary and Treasurer
Nice Guys Delivery, Inc.
(415) 464-7572
Niceguysdelivery415@gmail.com

From: noreply@marincounty.org
To: [Lai, Thomas](#); [Lundegaard, Inge](#)
Subject: Medical Cannabis Dispensary Ordinance
Date: Friday, October 27, 2017 10:00:48 PM

Name: DavidSchieser

City/Community: Sausalito

Email: dwsch@pacbell.net

Comments: There remains no assurance that a patient will actually receive the dosage that is stated to be contained in a marijuana product. There is no assurance that a patient will not receive something that is highly contaminated with filth and/or other dangerous chemicals when getting a "manufactured or processed" product said to contain some marijuana component. A patient cannot tell anything by looking at one of these products as one might with plain plant material.

From: noreply@marincounty.org
To: [Lai, Thomas](#); [Lundegaard, Inge](#)
Subject: Medical Cannabis Dispensary Ordinance
Date: Saturday, October 28, 2017 11:33:47 AM

Name: stevebraverman

City/Community: oxnard

Email: steve1braverman@yahoo.com

Comments: State law will allow delivery of medical marijuana anywhere in the State of California by anyone with a State delivery license which is granted to all dispensaries so there is no value in adding yours to the mix, plenty of delivery services will operate in Marin regardless of what you do

From: Amos Klausner
To: [Lundegaard, Inge](#)
Cc: [Rodoni, Dennis](#); [Connolly, Damon](#); [Rice, Katie](#); [Sears, Kathrin](#); [Arnold, Judy](#); [Richard Halstead](#)
Subject: Public comment re: revised cannabis ordinance
Date: Monday, October 30, 2017 10:15:54 AM

Dear Supervisor,

I am sending this public comment regarding the revised cannabis ordinance via email because I am unable to make the October 31 board meeting. The meeting falls on Halloween and my daughter's school lets out early that day -- at 2:00 pm. I ask that the comment below be considered as you review the ordinance.

First, allow me to thank Inge Lunnegaard for considering my previous comments on this issue. I strongly encouraged the County to define "delivery" and where it can happen and I am happy to see this included in the revised draft. I am also happy to see updates that limit exterior signage/advertising. There are, however, a few areas where updates to the ordinance have not been made based and one update that confuses me.

I had hoped that the County would increase setbacks from 600 feet to at least 1000 feet or more. I recognize that 600 feet runs parallel to state standards but I had hoped that our County supervisors would have place a higher premium on the health and wellness of our children and families. Safety, even with a delivery only "warehouse" continues to be an important issue. I refer you to a recent New York Times article about the cannabis industry specific to California's Emerald Triangle. It notes, "The violent crime rate in Mendocino County is seven times higher than in Los Angeles County, according to F.B.I. data from 2015." The article goes on to say, "In a number of crime categories — violent crime, robbery, aggravated assault and murder, among them — the Emerald Triangle is near the top of the list of California most crime-ridden counties." And finally, and most importantly, the article interviews David Eyster, Mendocino County district attorney who says that the surge in the marijuana business had brought with it "violent crime, which did not appear to be going away anytime soon." Among the cases he is handling are a robbery and slashing death of a grower; the murder of a man at a marijuana farm by a co-worker wielding a baseball bat; an armed heist in a remote area by men who posed as law enforcement officers; and a robbery by two men and a juvenile who were invited to a barbecue and then drew guns on their hosts and fled with nine pounds of marijuana.

<https://www.nytimes.com/2017/09/09/us/california-marijuana-growers.html>

The reason I quote this article is because the cannabis industry would have us believe that this is a very safe industry. They are quick to note crime statistics that don't align with what county district attorney Eyster and the FBI are seeing. They also tell us that state licensing will solve the crime that is inherent in the industry. Yet the New York Times article notes that a large number of growers and processors will not be obtaining state licenses. That's so that their product is not traced and they can continue to sell into the gray and black markets -- for which punishment is now a slap

on the wrist. Furthermore, I call your attention to the fact that these crimes are taking place in more remote areas -- places where police response times are slower. In many parts of unincorporated Marin County, like the San Geronimo Valley, we are both more remote and the sheriff's response times are generally much slower than those of police dedicated to specific cities and towns. Criminal activity is attracted to softer targets. But of course, you already know all this because community groups and individuals have shared much of this information with you.

I has also hoped to see an opportunity for community groups to appeal licensing decisions in much the same way that applicants have an appeal process. While I wouldn't go as far as saying that the Board is kowtowing to the cannabis industry, throughout this process I have been amazed by the constant neglect for the health and safety of residents in favor of the potential danger that comes with this industry. This is especially odd given that the issue of "safe access" has, for all intents and purposes, been solved and will continue to expand come 2018.

A confusing change is the point system. At public hearings both industry representatives and community members encouraged the County to place more emphasis on neighborhood compatibility as a way to assure that final licensees would see less community pressure. In the revised ordinance, compatibility has been, for the most part, ignored. Given what happened around the storefront dispensary process, I would have thought that the Board would be more respectful of its communities and their needs. Also related to this is a confusing sentence in the ordinance that states, "Any person aggrieved by the Phase 2 scoring determination, may appeal to the Hearing Officer within 5 business days of receiving notice of the score." I would like to think that "any person" includes community members who live in unincorporated parts of Marin County potentially affected by a cannabis warehouse.

As you know, I have been a strong advocate for the health, wellness and safety of my San Geronimo Valley community. I will continue to speak up for our residents and speak out against any attempt by the Board to favor the cannabis industry over the needs of our community. I also plan to hold supervisors directly accountable for the decisions made around this issue. I appreciate your time and attention and I hope you'll carefully consider these comments before voting on the ordinance.

Best wishes,

Amos Klausner
San Geronimo, CA
aklausner@yahoo.com

@gettingupper
www.gettingupper.com

From: mvclark4@comcast.net
To: [Lundegaard, Inge](#)
Subject: Comments to the BOS on the revised Cannabis Ordinance regarding the delivery of medical marijuana - meeting set for 10/31/17
Date: Monday, October 30, 2017 5:45:59 PM

Comments to the Board of Supervisors Regarding the Revised Draft Cannabis Ordinance for unincorporated Marin.

Although the ordinance on its face seems to be about delivery only, the draft seems to allow for another avenue to provide a commercial base for the growing, packaging, dispensing and delivering of marijuana.

My concerns are in-line with those expressed by Mr. Stephen DeLapp in his letter to the BOS on October 1, 2017.

I would also add the following concerns and comments:

It's disappointing that this issue continues to be discussed at any level by the BOS. The large population of the community of Tam Valley and Marin County at large do not want any type of commercial/retail space in our unincorporated areas. I respect and have no issue with those who need to use marijuana for medical purposes or for recreational use. The sale, distribution and delivery of the substance should be restricted to a location that is miles from any community. Commercial medical buildings where Medical offices are located or industrial commercial areas where it can be grown inside would be the appropriate locations.

There is no lack of opportunity to obtain marijuana in any form and for any use within the county. This notion that the county must provide additional resources for the few that have expressed concern is bogus. Marijuana is big business and Marin County wants in on the opportunity. That's great - but do not throw the residents of the unincorporated communities of Marin under the bus in the process. Marin voted overwhelmingly to legalize the **use** of marijuana. **We did not vote to allow for commercial locations for the growing, dispensing or delivery of marijuana in our small communities.** Big difference.

1 - However it's packaged this revised ordinance still leaves the door wide open for a commercial delivery location to evolve into a retail distribution center. Does the board want to be the group that takes credit for opening the door to reducing our communities to marijuana super-sale sites? Have any of the BOS visited Oregon or Colorado to see the negative impact any type of marijuana dispensary, whether medical or retail, has on the value of a community? Areas like Eugene and Portland, Oregon as well as parts of Colorado are re-thinking their Marijuana ordinances as the public most adversely affected, namely the neighborhood residents, are finding the sad truth that medical marijuana, or retail marijuana locations do nothing to enhance the overall community. It's quite the opposite.

2 - Although it is not known which areas in the county would be considered as acceptable sites, it seems clear Tam Valley will be in the group. The residents of the greater Tam Valley neighborhood who own homes and or/ property, raise families in the area and pay the ever increasing tax bills for the value of their homes/property were quite clear in their opposition to any kind of medical marijuana site along the Tam Valley corridor of Shoreline.

3 - The draft as written does nothing to keep the site out of the general public pathways where children and teens travel to and from school as set forth in the Safe Routes To School. Our local community as well as greater Mill Valley utilize the pathways in our day to day life. The within "600ft" of a school or park, is unacceptable and should be much more restrictive and include the surrounding community multi-use pathways, activity and athletic areas as well.

4 - What proof is there to show that Anyone currently living in Marin or Mill Valley for that matter and in need of medical marijuana is being denied due to lack of local delivery. Does not happen, as there are already multiple delivery operators working in Marin.

5 - All medical marijuana dispensaries whether retail or delivery only should be located in high-density

medical or industrial - commercial areas and many, many miles from homes, grocery stores, parks, schools, central activity centers, athletic clubs, community centers or outdoor recreational centers.
6 - Should the BOS decide to permit 4 or more commercial locations where will they be? Are any applicants/groups that intend to submit applications for this revised ordinance known to the BOS at this time? If so, the information should be made available to the public before the ordinance is considered.

Many thanks for your time.

Lisa Ierulli Clark
Tam Valley Resident

From: Lane Arye, Ph.D.
To: [Lundegaard, Inge](#)
Cc: [Rodoni, Dennis](#); [Connolly, Damon](#); [Rice, Katie](#); [Sears, Kathrin](#); [Arnold, Judy](#); [Richard Halstead](#)
Subject: revised cannabis ordinance - public comment
Date: Monday, October 30, 2017 6:45:10 PM

Dear Board of Supervisors,

I am disappointed that the revised cannabis ordinance did not address the main concerns of the many citizens of the San Geronimo Valley who expressed their strong opinions earlier this year.

Many people in our valley are still considered about the possibility of a cannabis service in our valley attracting violent crime This is especially dangerous because so few sheriff's deputies patrol our streets. Even if it is not a storefront, a warehouse could be robbed at gunpoint with potentially disastrous consequences for our kids, elders, and other citizens.

Setbacks of 600 feet from a school are way too small. And there is nothing in the ordinance that prohibits a retailer from operating on the only route to school for many students. As you know, our community's 3 schools and our youth center are located on Sir Francis Drake Blvd, and everyone who lives to the west of the school has to use that one road to walk, bike, or ride to and from school.

As was true the last time around, there is still no avenue for community appeals. This leaves many of us feeling powerless and without possible recourse.

Thank you for listening, and for making sure that the final ordinance keeps our residents and children are safe.

Respectfully,
Lane Arye, Ph.D.
Woodacre
lane@ProcessWorkLane.com

**TAMALPAIS UNION HIGH SCHOOL DISTRICT
RESOLUTION # 17- 5
OPPOSING YOUTH ACESSS TO MARIJUANA
THROUGH MARIJUANA STOREFRONTS AND COMMERCIAL CULTIVATION**

WHEREAS, The Tamalpais Union High School District is committed to the successful and positive futures of our youth, and to their health and safety; and

WHEREAS, Marijuana is addictive, particularly for adolescents¹; and

WHEREAS, More teens report using marijuana than tobacco in Marin County²; and

WHEREAS, Marijuana use is harmful to the adolescent brain, affecting the parts of the brain that influence pleasure, memory, thinking, concentration, sensory and time perception, and coordinated movement³; and

WHEREAS, Frequent users of today's highly potent marijuana lose an average of eight IQ points⁴; and

WHEREAS, Students who are frequent marijuana users are 60 percent less likely to complete high school, 60 percent less likely to graduate college, and seven times more likely to attempt suicide than non-users⁵; and

WHEREAS, Marijuana use is associated with additional health risks such as respiratory illness, heightened heart attack risk, and immune system suppression⁶; and

WHEREAS, Population studies reveal an association between youth marijuana use and increased risk of mental health disorders including psychosis and schizophrenia⁷; and

WHEREAS, Marijuana use disorders have increased in all age groups over the past decade, and marijuana accounts for most adolescent drug treatment admissions in the Nation and in Marin County⁸; and

WHEREAS, The active ingredient in marijuana is the second most commonly found substance in the blood of impaired drivers – teen and adult⁹; and

WHEREAS, In Colorado, where recreational marijuana is legal and commercialized, teen use of marijuana is 50% above the national average, and marijuana-related traffic deaths increased 92% from 2010 to 2014 while all traffic deaths increased only 8 percent during the same time period¹⁰; and

WHEREAS, Evidence shows our drug problem is a major public health and safety threat, and commercializing marijuana would increase its availability and normalize its use, leading to increased negative health consequences, particularly among young people¹¹.

NOW, THEREFORE, BE IT RESOLVED that the Tamalpais Union High School District supports reducing our youth's access to marijuana through restrictions on marijuana storefronts and commercial cultivation in order to decrease marijuana use by adolescents and the negative consequences to the health and safety that would follow.

PASSED AND ADOPTED this 10th day of October, 2017, at the regular meeting of the Board of Trustees of the Tamalpais Union High School District, by the following vote:

Ayes: 5 – Anderson, Ford, Futterman, Lundgren, & Owens

Noes: 0

Abstain: 0

Absent: 0

State of California

County of Marin

I, Leslie Lundgren, Clerk of the Board of Trustees, do hereby certify that the foregoing is a full, true, and correct copy of a resolution accepted by said Board at a regular meeting held at its regular place of meeting by the vote stated, which resolution is on file in the office of said Board.



Leslie Lundgren, Clerk of the Board of Trustees

RESOURCES and SOURCES

¹ Research Report Series: Marijuana," National Institute of Health, National Institute on Drug Abuse; July 2012.

For quick reference, see "Drug Facts: Marijuana": National Institute of Health, National Institute on Drug Abuse; January 2014, available at:
<http://www.drugabuse.gov/publications/drugfacts/marijuana>.

² California Healthy Kids Survey, <https://chks.wested.org/reports>

³ (same as 1)

"Heavy marijuana users have abnormal brain structure and poor memory," Science Codex; December 6, 2013.

⁴ Meier, Madeline H., Caspi, Avshalom, *et. al.*, "Persistent Cannabis Users Show Neuropsychological Decline From Childhood to Midlife," *Proceedings of the National Academy of Sciences of the United States of America*, vol. 109 no. 40; October 2, 2012.
Calkins, Kathryn, "Early Onset, Regular Cannabis Use Is Linked to IQ Decline," National Institute on Drug Abuse; August 13, 2013.

⁵ Silins, Edmund, *et. al.*, "Young adult sequelae of adolescent cannabis use: an

- 5 Silins, Edmund, et. al., "Young adult sequelae of adolescent cannabis use: an integrative analysis, *the Lancet Psychiatry*, Volume 1, No. 4, September 2014. Community Anti-Drug Coalitions of America Studies Conclude Marijuana Use Connected to College Failure,"; March 28, 2013.
- 6 Marijuana Use: Detrimental to Youth, American College of Pediatricians, September 2015.
- 7 MacDonald, Ann, "Teens who smoke pot at risk for later schizophrenia, psychosis," *Harvard Health*; March 7, 2011.
- 8 Budney, Alan, et. al, "Marijuana Dependence and Its Treatment," *Addiction Science and Clinical Practice*; December 2007.
- 9 Drug Facts: Drugged Driving," National Institute of Health, National Institute on Drug Abuse; October 2013."
- 10 The Legalization of Marijuana in Colorado: the Impact, Volume 3 Preview, Rocky Mountain High Intensity Drug Trafficking Area
- 11 The Public Health Consequences of Marijuana Legalization; Office of National Drug Control Policy (ONDCP) Marijuana Resource Center, www.whitehouse.gov/ondcp/marijuanainfo

Lundegaard, Inge

From: Max Espailat <maxespailat@yahoo.com>
Sent: Tuesday, October 31, 2017 11:01 AM
To: Lundegaard, Inge
Subject: Comments for BOS RE: Medical Cannabis Program in Unincorporated Marin

Follow Up Flag: Follow up
Flag Status: Completed

Dear Marin County Board of Supervisors:

As a mother of two young teens in this neighborhood, my concerns revolve around the safety and integrity of this residential neighborhood. The move to a delivery-only dispensary is something I support as it can balance the needs of those in chronic pain and the needs of the families in the neighborhood. That said, how it is structured is the key to its success. Below I have some suggestions I'd like incorporated into the ordinance and/permit process:

1. Set space limits, (e.g. minimum of 5 miles between dispensaries) to prevent clustering. No area wants to be known as the "pot district."
2. Dispensaries owners and drivers must not have any criminal records, including DUIs. They will be operating vehicles in the neighborhood, a clean criminal and driving record is a reasonable requirement.
3. I support keeping the cap to 4 dispensaries for the Unincorporated Marin area.
4. Limit product delivery to member's primary address only.
5. Prohibit deliveries to public open space, parks, beaches and all public lands.
6. Add Safe Routes to Schools to the buffer zone.
7. Implement delivery restrictions to non-Unincorporated Marin dispensaries. If our local dispensaries have to follow the guidelines/regulations we set, then outside dispensaries should have to do the same.
8. Distribution delivery times need to be outside of rush hours and school start and stop times.
9. Product labeling must be clear and on all products.
10. I support expanding the eligible sites to include office, industrial and commercial zoned properties.
11. Clarify firearms restrictions/limitations in the ordinance.
12. Incorporate delivery vehicle maintenance and safety standards.
13. Business hours should be limited to 9:00am – 7:30pm daily.
14. Unincorporated Marin should retain all rights of refusal in the application and permit process.

15. Prohibit all forms of advertisement of the dispensaries, including on delivery vehicles.
16. Clarify transferee requirements for license transfers. Transferees should not have requirements less than the original permit applicant.
17. Increase dispensary buffer zone from 600ft to 1500ft.
18. Add back the Advisory Board to the permit review process.
19. After dispensary permit applications are submitted and made public, the BOS should conduct a community meeting for the residents of Unincorporated Marin to voice their concerns.

I understand there is a lot listed here, but doing the heavy lifting upfront will serve all of us in the long run. My family thanks you for your time and continuous efforts in making this arrangement work for our entire community.

Thank you,

Max Espaillat