



## Legislation Text

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**File #:** 16-531, **Version:** 1

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### RESOLUTION Awarding the City of San Leandro's Third Medical Cannabis Dispensary Annual Permit to Blum San Leandro, to be Effective on June 1, 2017

WHEREAS, in December, 2013, the City Council, to advance public health and welfare in the community by making access to medical cannabis available to City residents in a more convenient, safe, and legally compliant manner, approved a medical cannabis regulatory ordinance to facilitate the approval, regulation, and operation of one medical cannabis dispensary in San Leandro; and

WHEREAS, on June 4, 2016, the City Council subsequently adopted amendments to that ordinance in order to allow for the issuance of a second medical cannabis dispensary permit and conducted a second reading of said amendments on June 20, 2016, thereby making that modified ordinance effective on July 20, 2016; and

WHEREAS, on September 19, 2016, the City Council adopted further amendments to that ordinance in order to allow for the issuance of a third medical cannabis dispensary permit and to eliminate the requirement that dispensaries be located at least 1,000 feet from one another; a second reading of said amendments was then conducted on October 3, 2016; and

WHEREAS, as part of its selection process for the second dispensary permit, the City extensively vetted the application materials that were provided by Blum San Leandro and concluded that they had demonstrated the knowledge, skills, expertise, and access to capital to operate a successful dispensary in San Leandro; and

NOW, THEREFORE, the City Council of the City of San Leandro does hereby RESOLVE as follows:

1. That said third medical cannabis dispensary annual permit is hereby awarded to Blum San Leandro, to be effective on June 1, 2017 and
2. That said permittee shall be subject to all of the requirements of Chapter 4-33 within Title 4 of the San Leandro Municipal Code; and
3. That said permittee shall be subject to the following additional conditions of approval:
  - a. Permittee shall comply with, effect, or further all of the commitments, statements of intent, and promises, including but not limited to its community benefits commitments, contained in its application to operate a medical cannabis dispensary (including the voluntary contribution of a portion of the dispensary's gross receipts to the City), which are incorporated herein and made a part hereof as an attachment to this resolution.
  - b. If a tax on the gross receipts of cannabis businesses is authorized by San Leandro

voters at a future election, any commitments to voluntarily contribute a portion of the applicant's gross receipts to the City of San Leandro made in the application materials as outlined in condition 3a., above, shall be automatically nullified or terminated as of the effective date of such a tax;

- c. No free samples of medicine shall be offered to patients or members of the dispensary, with the exception of patients who can demonstrate a financial hardship. Free medicine shall not be provided in exchange for goods, services or advocacy work on the part of patients for or on behalf of the dispensary;
- d. Permittee understands and agrees that non-compliance with these conditions is a violation of Chapter 4-33 of the San Leandro Municipal Code.

IT IS FURTHER RESOLVED, that should the City Council amend Chapter 4-33 of the San Leandro Municipal Code to award more than three medical cannabis dispensary permits, all subsequent medical cannabis dispensary permits awarded or approved by the City shall include no less than that which is required or conditioned by this resolution, including but not limited to conditions of approval 3a., and 3b.