



Legislation Text

File #: 16-387, **Version:** 1

RESOLUTION Awarding the City of San Leandro's Second Medical Cannabis Dispensary Annual Permit to _____ Following the Effective Date of the Revised Medical Cannabis Dispensary Ordinance

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, the City Council also directed staff to limit the selection process for the second dispensary permit to the two following teams: Blum San Leandro (hereafter referred to as "Blum"), and Davis Street Wellness Center (hereafter referred to as "DSWC"); and

WHEREAS, the City Manager appointed an inter-departmental stakeholder group consisting of City staff from several City departments in order to assist in the implementation of the adopted medical cannabis dispensary ordinance; and

WHEREAS, following a methodical and objective screening of the applications from the two teams that was guided by the Council-adopted screening criteria, the City Council determined that _____ demonstrated the superior combination of knowledge, experience and expertise, and offered the best fit and benefits for the San Leandro community.

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

1. That said medical cannabis dispensary annual permit is hereby awarded to _____, 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 two 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.