



Damon Alexander, Chair
Larry Quiel, Vice Chair
Randi Ball
Fred Burks
Frank J. Flores
Margaret Hill
Cassie Levy
Sandra Owen-Olivas
Randy Wilson

CITY OF SAN BERNARDINO
COMMUNITY DEVELOPMENT DEPARTMENT
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ACTION AGENDA
CITIZENS ADVISORY COMMITTEE REGARDING
MARIJUANA REGULATIONS
MONDAY, NOVEMBER 20, 2017, 5:00 P.M.
201 NORTH E STREET, 3RD FLOOR COUNCIL CHAMBERS
ENTRANCE ACCESSIBLE VIA THE 5TH LEVEL OF PARKING STRUCTURE

The City of San Bernardino recognizes its obligations to provide equal access to public services to those individuals with disabilities. Please contact Facilities Services (909-384-5244) 48 hours prior to the meeting with any requests for reasonable accommodation, to include sign interpreters.

CALL TO ORDER

ROLL CALL

Present Committee Members: Alexander, Ball, Burks, Flores, Hill, Olivas, Quiel & Wilson
Excused Committee Members: Levy
Absent Committee Members: None
Staff Present: Mark Persico, Community Development Director;
Jason Ewert, Deputy City Attorney; Travis Martin, Associate Planner; Stephanie Sanchez,
Citizen's Advisory Committee Secretary.

PUBLIC COMMENTS:

Public comments for the items on the agenda. Anyone who wishes to speak will be required to fill out a speaker card. There is a 3 minute limit per person for all comments.

Robert Porter, 2439 Fremontia Dr. – Spoke in favor of the work from the Committee
Harry Hatch, 3990 Parkside Ave. – Spoke in opposition of Smoking in Public Places
William Cioci, - Spoke on the concerns from the last meeting

ITEMS FOR REVIEW, DISCUSSION, AND TAKE POSSIBLE ACTION:

1. Presentation on personal cultivation in Residential Zones and Marijuana Consumption in Public Areas – Gem Montes, IENORML (10 minute maximum)

Item #1 was moved to Item #2 in order of discussion. Gem Montes gave a brief presentation on Personal Cultivation in Residential Zones.

Gem Montes answered questions from the Committee Members.

The Committee Member had questions for Capt. Maass. He addressed questions and concerns.

2. Personal Cultivation in Residential Zones

- a. Personal Cultivation Discussion Ordinance

Committee Members discussed the topic and had several ideas regarding indoor personal cultivation:

1. Members of the public to apply for a permit
2. Indoor grow area would be the only area to be inspected
3. Offering educational information on cultivation
4. Provide access to workshops on information
5. Make information from educational sources and workshops available on the City's website.
6. Prohibit inspections of any kind in regards to indoor grow
7. Complaints from the public would be handles by Code Enforcement

Chair Alexander called for a short recess at 6:10pm for City Council to adjourn.

Chair Alexander called the meeting back to order at 6:27pm.

Chair Alexander allowed additional Public Comments:

Karmel Roe, 325 W. 6th St. – Spoke on Item #2

Mark Estomeyer, 3693 E. Highland Ave. – Spoke on Item #2

Chair Alexander called for a motion

Committee members had additional questions and comments.

Jason Ewert, Deputy City Attorney address questions from the Committee Members.

Matt Eaton, HdL Consultant also answered questions from the Committee Members.

Committee members had additional questions and comments.

Chair Alexander again called for a motion

Committee Member Ball made a motion to allow 6 marijuana plants per household, no permit required, leaving the grow set up to the discretion of the homeowner without regulation or inspection by the Code Enforcement Division.

Committee Member Quiel seconded the motion

The motion carried by the following vote:

Ayes: Alexander, Ball, Burks, Flores, Hill, Olivas, & Quiel

Nays: Wilson

Abstain: None

Excused: Levy

Absent: None

Committee Members discussed outdoor personal cultivation.

Committee Member Quiel offered some information from the Los Angeles County Regional Planning Department that addressed outdoor cultivation regulations.

Committee Members gave additional feedback and suggestions.

Committee Member Olivas made a motion to adopt the Los Angeles County Regional Planning Department's regulations, as follows by Committee Member Quiel, in regards to outdoor personal cultivation:

4. The following additional standards apply to outdoor cultivation:
 - a. Cannabis cultivation shall be limited to a maximum of six plants per lot;
 - b. Cannabis plants may not exceed a maximum height of six feet;
 - c. Cannabis cultivation is prohibited within the required front yard setback;
 - d. Cannabis cultivation at all times shall be located at least 10 feet from side yard and rear yard property lines;
 - e. Cannabis cultivation areas shall be located within an area that is enclosed and secured by a solid wall or fence and locked

Committee Member Ball seconded the motion

The motion carried by the following vote:

Ayes: Alexander, Ball, Flores, Olivas, & Quiel

Nays: Wilson, Burks & Hill

Abstain: None

Excused: Levy

Absent: None

The Committee also suggested that the City provide information workshops to the public.

3. Issues Regarding Marijuana Consumption/Smoking in Public Areas
 - a. Public Consumption Discussion Ordinance

Chair Alexander continued this item to the next regular meeting on November 27, 2017.

4. Potential Creation of Subcommittees

Chair Alexander called for Sub Committees to be formed

Marijuana Consumption/Smoking in Public Areas Sub Committee
Committee Members Hill, Flores and Wilson

Taxes and Fees on Marijuana Sub Committee
Committee Members Ball, Burks and Olivas

PUBLIC COMMENTS - ITEMS NOT ON AGENDA

Paul Galindo, 5000 Lent Ct, Elk Grove – Spoke on regulations already in progress in Sacramento and the job market it creates. He offered to present to the Committee.

Harry Hatch, 3990 Parkside Ave, San Bernardino – Spoke in opposition of help from outside consultants not currently working with the City on marijuana regulations.

Karmel Roe, 325 W. 6th St – Encouraged the Committee to review regulations already written and offered information on taxation.

Gem Montes with IENORML – Spoke on the workshops to be offered through the City and partnering with other Departments.

Cruz Bustamante – Offered to present to the Committee on business models for marijuana locations.

ADJOURNMENT - **Committee Member Hill** made a motion to adjourn at 7:15pm which unanimously carried, to the next regular meeting on November 27, 2017, at 5:00 P.M. in Council Chambers, 201 North E Street, Third Floor, San Bernardino, California.