



**City of
Santa Clara**
The Center of What's Possible

COUNCIL ITEM REQUEST FORM

CITY OF SANTA CLARA
OFFICE OF THE CITY CLERK

2021 FEB -3 PM 4:53

The Council Item Request Form is for members of the City Council to submit written requests to the City Manager's Office for inclusion of an item on a future City Council meeting agenda. At the meeting where the initial written request is heard, discussion should be limited to whether the item should be added to an agenda and a date, not the merit of the item. A majority vote of the City Council is required for the item to be added to future Council meeting agenda for action.

CONTACT INFORMATION

Requesting Member of City Council Anthony Becker

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Contact Phone 408-917-9434

Today's Date 2/3/2021

WRITTEN REQUEST

I, Anthony Becker, hereby request that the following item be placed on the City of Santa Clara Council and Authorities Concurrent meeting agenda:

Cannabis moratorium

From: [Anthony Becker](#)
To: [Nora Pimentel](#)
Subject: Agenda Item Request
Date: Friday, February 5, 2021 9:05:20 AM
Attachments: [Outlook-qaodkabc.png](#)

Nora

Per my request on the cannabis moratorium,

I would like to have the discussion to entertain the idea the amending of **Section 18.102.010** ("Commercial Marijuana Activity Prohibited") of Chapter 18.102 ("Regulation of Marijuana") of Title 18 ("Zoning") of "The Code of the City of Santa Clara, California". I would hope for the council to entertain the idea of removing the ban on all commercial cannabis activity.

I would like to address the following that would help move us towards removing that ban.

- 1) develop and bring forward ordinances and resolutions regulating commercial cannabis businesses in the City of Santa Clara that are unique to our city, region, our residents and our community that is done safely and valid source of revenue.
- 2) The voters in both elections 2016, 2018 in Santa Clara voted in favor to legalize statewide and allowed cannabis sales in City of Santa Clara
- 3) Tours of actual dispensary's or cannabis operations with councilmembers for the ban & against the ban as well as staff members interested.
- 4) Police Chief on cannabis operations using and requiring privatized security which in part can help police operations.
- 5) Taxation rates that creates competition for the market vs. City of San Jose where Santa Clara can attract peninsula business.
- 6) Loss of revenue to San Jose taxes
- 7) During the pandemic there are lines out the door and sales through the roof for cannabis. When times are tough alcohol sales, tobacco sales, and cannabis sales (in old days black market) increase.
- 8) Accessibility to cannabis for seniors and those with MS or other disabilities in the safety and security of the city of Santa Clara without venturing to San Jose or elsewhere like the black market which can sell tainted, false or unsafe products.
- 9) does it have to be only general fund designated or can this be allocated for police training on social justice or can it be used for parks or helping with deficits? These will be big topics to address.

If we repeal the ban, we can make our own rules for any operations. I would like to have a discussion on those rules or requirements as if we don't make our own rules in implementing Cannabis sales I feel State law allows commercial cannabis businesses to seek permits from the State to operate within City limits without any local control, I feel our city would want some local control and standards.

In April 2019 The Planning Commission considered the proposed amendment to

extend the temporary ban of all commercial cannabis activity at the April 24, 2019 Planning Commission hearing. Following public testimony, the Planning Commission voted 4-1-1 to recommend to the City Council adoption of the proposed amendment. City council then followed through on extending the ban.

In 2020 The Planning Commission discussed the ban and voted 4-3 in favor to remove the ban. Shortly after city council reversed the planning commissions decision extending the ban. The back and forth of bans and non ban is exhausting for our staff and residents who voted in favor of getting much needed revenue from Cannabis. We need to create our own regulations in order to collect tax revenue, reduce the black-market trade, and ensure State law (AB 1356) does not preempt local regulation or prevent the City from crafting regulations better suited for the community. Times are tough and right now is the time to tighten the belt on spending and exhaust every avenue for revenue. Santa Clara wins this way.

Forgive any typos

ANTHONY J. BECKER | Councilmember District 6

City of Santa Clara

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