

CC 9/13/2011
Agenda Item 4.J



Memorandum

TO: Mayor & City Council

FROM: Councilmember Pierluigi Oliverio

SUBJECT: Medical Cannabis Recommendations

DATE: September 9, 2011

Approved Pierluigi Oliverio Date Sept. 9, 2011

by DF,

RECOMMENDATION

Accept the staff report and the following six recommendations:

1. A licensed physician or registered nurse must serve on the board of each medical cannabis collective.
2. Allow collectives to operate in medical office buildings per the distance requirements from sensitive uses laid out in staff report.
3. Collectives shall transition to a software as a service/cloud computing accounting system and provide the City of San Jose view only access to the general ledger not personal/confidential medical records. This would be similar to my suggestion that was implemented for Team San Jose last year.
4. Allow on site cultivation plus one additional off site cultivation location for each collective. The off site location must be located in San Jose, 24/7 video surveillance and access for the SJPD.
5. Allow first floor use.
6. Adopt a process that selects the best collectives (rather than first come first serve) up to the number of collectives the City Council deems appropriate. The cost of the selection process is paid for by the application fee.

BACKGROUND

I proposed my first memo regarding regulation of medical cannabis in Oct. 2009. I have submitted several memos since that time with others and on my own. I think it is time for the City of San Jose to move forward in providing specific policy to ensure that San Jose is acting within State law to give direction to cannabis collectives, ensure the safety of its residents, safe access for patients and that the funding the City receives through fees from these collectives is put towards rehiring police to regulate.