



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember Xavier  
Campos

**SUBJECT:** MEDICAL MARIJUANA  
ENFORCEMENT

**DATE:** December 9, 2013

**APPROVED:**

**DATE:** 12/9/13

## RECOMMENDATION

1. Accept staff's recommendations with the following addition to priority enforcement:
  - A. Prohibit Medical Marijuana establishments from locating on a property in a low income census tract or within 1,000 feet of such a census tract, as identified by the Census Bureau's American Community Survey as having a median household income below that defined as low income annually by the US Department of Housing and Urban Development.
2. Should Council decide to proceed with approving a complete Medical Marijuana regulatory program, direct staff to explore as part of the ordinance a complete ban of medical marijuana growth in residential areas.
3. Staff should comeback during the FY 2013-14 Budget process with any additional costs to enforce the Medical Marijuana ordinance if it exceeds the City's current funding levels for enforcement.

## BACKGROUND

I have been admittedly opposed to the City legalizing the distribution and growth of medical marijuana within our boundaries. If there is a medical need for the drug then it should be regulated and restricted the same way codeine or any other FDA approved medication is handled. Unfortunately, the Federal government and States are at conflict leaving many local municipalities struggling to find ways to control the issue.

Any agreement to proceed with allowing the distribution of Marijuana for medical purposes should contain strict regulations in place preventing abuse, while making safety a priority. Enforcement of the ordinance should be cost recoverable and should not divert the attention of our limited Public Safety resources from other prioritizes. The ordinance should be regulated the same way we control alcohol, gambling, and street vendors throughout the city.