



City of Morgan Hill

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CITY COUNCIL STAFF REPORT MEETING DATE: FEBRUARY 15, 2017

PREPARED BY: Steve Rymer, City Manager
APPROVED BY: City Manager

PROPOSITION 64, ADULT USE OF MARIJUANA ACT, WORKSHOP FOLLOW UP

RECOMMENDATION(S)

Provide direction on the City's evaluation of its existing marijuana and secondhand smoke ordinances.

COUNCIL PRIORITIES, GOALS & STRATEGIES:

Ongoing Priorities

Enhancing Public Safety
Maintaining Fiscal Responsibility
Supporting Youth
Preserving and Cultivating Public Trust

2016 Focus Areas

Participate in Regional Issues

REPORT NARRATIVE:

Policy Considerations:

1. Knowing the level of resources necessary to achieve the Council's desired process as communicated during the Prop 64 workshop, does the Council still want to comprehensively evaluate its existing marijuana ordinance?

2. Does the Council want to perform a statistically valid community opinion survey?
3. Does the Council want to immediately move forward with revising its secondhand smoke ordinance to not allow any smoking on public sidewalks?

The City Council held a workshop on February 1, 2017, to discuss the legalization of marijuana in the State of California due to the passage of Proposition 64. At the conclusion of the workshop, the Council requested that staff evaluate the City's existing marijuana and second hand smoke ordinances by engaging the community and evaluating what other communities are doing in this area. The purposes of this report is 1) to communicate to the Council the anticipated resources necessary to accomplish the Council's desired evaluation process and 2) to receive formal direction from the Council.

Due to the complexity of the issue, this effort will require a significant amount of time, effort, and resources. Police Chief David Swing would manage the project and we anticipate teammates from the following departments being part of the planning team.

- Police
- Fire
- Planning
- Economic Development
- Finance
- Business License
- Water
- City Attorney
- City Manager
- Communications and Engagement

From a communications and engagement standpoint, the Council has a few options to consider as it balances the need to engage the community with the associated resources. The first option would be to perform a statistically valid survey to ensure that Council bases any future decisions on data that reflects a cross section of the community. Depending on the number of questions asked, length of the survey, and methodology used, the cost could range from \$15,000 to \$30,000. The second option is to have the City's team utilize Survey Monkey (or a similar service) to gather input from the community. The cost is significantly lower though it is important to understand that the opinions gathered will not be statistically valid. Finally, the Council could also consider holding community meetings led by staff. Once again, the information would not be statistically valid though it would provide an opportunity for the entire community to participate.

From a project length standpoint, staff estimates that a comprehensive process, with a statistically valid survey, and community meeting(s), could take up to six months from start to finish. At which point, the Council could consider formally amending its existing ordinance(s).

To summarize, the Council's Proposition 64 request is considered a significant project requiring many teammates to be involved. Above and beyond the team's efforts, the costs to engage the community vary considerably depending on the type of information the Council wishes to receive from the community.

COMMUNITY ENGAGEMENT: Involve

On February 1, 2017 the City held a public Council Workshop to discuss the legalization of marijuana. This staff report is seeking direction from Council on the preferred methods to engage the community.

ALTERNATIVE ACTIONS:

The Council could decide not to evaluate and consider any changes to its existing marijuana and secondhand smoke ordinances.

The Council could decide to make changes to its existing ordinances with limited community engagement.

PRIOR CITY COUNCIL AND COMMISSION ACTIONS:

On February 1, 2017 a Council workshop was held to discuss the passage of Proposition 64.

FISCAL AND RESOURCE IMPACT:

As stated in the report, it will take considerable resources to complete the Council's desired process. The actual cost and time commitment varies depending on the Council's direction.

CEQA (California Environmental Quality Act):

Not a Project

LINKS/ATTACHMENTS:

None.