TO: BOARD OF SUPERVISORS

FROM: SUPERVISOR MARY N. PIEPHO

DATE: March 7, 2006

FISCAL IMPACT: Department Staff Costs

Director

Robert Kochly, District Attorney

William Walker, M.D., Health Services Director Alcohol & Other Drugs Advisory Board

Warren E. Rupf, Sheriff

SUBJECT: MARIJUANA DISPENSARY BAN



SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION

RECOMMENDED ACTION:

DIRECT the Community Development Department, in conjunction with the Office of County Counsel, the Sheriff's Office and the District Attorney's Office, to begin researching and drafting an ordinance to prohibit marijuana dispensaries from operating in the unincorporated area of Contra Costa County.

DIRECT Supervisor Piepho's office to work with the Community Development Department, District Attorney's Office, Office of County Counsel, the Office of the Sheriff, Health Services and other related departments to introduce such an ordinance prohibiting marijuana dispensaries from operating in areas within the County's jurisdiction.

CONTINUED ON ATTACHMENT: X YES **SIGNATURE:** ☐ RECOMMENDATION OF COUNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE **□** APPROVE OTHER SIGNATURE(S): ACTION OF BOARD ON APPROVED AS RECOMMENDED OTHER **VOTE OF SUPERVISORS:** I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF AN ACTION TAKEN AND UNANIMOUS (ABSENT _____ ENTERED ON THE MINUTES OF THE BOARD OF SUPERVISORS ON THE DATE SHOWN. AYES: _____ NOES: ____ ABSENT: ABSTAIN: ATTESTED: MARCH 7, 2006 Contact: Ryan P. Klobas, Chief of Staff, District III JOHN CULLEN, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR cc: Members, Board of Supervisors John Cullen, County Administrator Silvano Marchesi, County Counsel Dennis Barry, Community Development Deputy

BACKGROUND:

It has come to the attention of the District III Supervisor's office that two marijuana dispensaries have attempted to operate, or have operated, in Contra Costa County with the intent of furnishing marijuana to residents of the County.

On October 14, 2005, Supervisor Piepho convened a meeting of the District Attorney's Office, Office of the Sheriff, Community Development Department, Office of County Counsel, Health Department, and the County Administrator's Office to discuss concerns relating to a marijuana dispensary discovered in Byron and potential options to address those concerns Following further examination of the issue by the District III Supervisor's Office, Supervisor Piepho has determined that it would be beneficial for the County to both study the impacts of marijuana dispensaries and proceed with drafting an ordinance that would prohibit marijuana dispensaries from operating in areas within the County's jurisdiction.

CONSEQUENCES OF NEGATIVE ACTION:

The absence of local laws governing marijuana dispensaries has created confusion and concern among residents who inquire if such establishments are allowed in the County. Failure to study the issue and establish a clear local directive will prolong the confusion and concern. Moreover, there may exist negative impacts to communities and residents located in close proximity to marijuana dispensaries. Further research on the matter will help to determine what negative impacts may exist for residents and communities, and how those impacts might be avoided or addressed.