

RESOLUTION 2016-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ENCINITAS OPPOSING PROPOSITION 64 - THE CONTROL, REGULATE AND TAX ADULT USE OF MARIJUANA ACT, ALSO KNOWN AS THE ADULT RECREATIONAL USE OF MARIJUANA INITIATIVE

WHEREAS, on November 8, 2016, California voters will consider Proposition 64, the Adult Recreational Use of Marijuana Act (AUMA), a ballot measure that, if passed, will allow persons age 21 and older to possess up to an ounce of marijuana and up to 8 grams of marijuana in the form of concentrated cannabis; and

WHEREAS, AUMA also allows persons age 21 and older to grow up to six plants, and prohibits public consumption of marijuana except in places licensed for such use. Marijuana businesses would be barred from being located within 600 feet of schools and from areas where children congregate; and

WHEREAS, AUMA allows state licenses and regulations for small and medium cultivators and, for retail sales, although cities retain land use control over retail stores; and

WHEREAS, analysis of the AUMA initiative by the San Diego District Attorney's office points out that the initiative "is very explicit that a prior conviction for any trafficking or manufacture of a controlled substance may not, in itself, be the sole grounds for rejecting a [state] license"; and

WHEREAS, according to the San Diego District Attorney, persons convicted of a drug felony involving quantities slightly less than one kilogram of a heroin (up to 20,000 doses), one kilogram of methamphetamine (10,000 doses) and one kilogram of cocaine (10,000) doses may not be denied a marijuana license on that ground alone; and

WHEREAS, the San Diego District Attorney's analysis notes that Colorado has seen a spike in driving fatalities in which marijuana is involved. In 2016, the Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA) annual report shows Marijuana-related traffic deaths increased 48 percent in the three-year average (2013-2015) since Colorado legalized recreational marijuana compared to the three-year average (2010-2012) prior to legalization; and

WHEREAS, the RMHIDTA reports that Hospital, rates likely related to marijuana, increased 32 percent in the two-year average (2013-2014) since Colorado legalized recreational marijuana compared to the two-year average prior to legalization (2011-2012); and

WHEREAS, according to the RMHDITA report, the number of medical marijuana centers in Colorado is greater than the number of Starbucks coffee shops, and the number of recreational marijuana outlets is greater than the number of McDonald's restaurants; and

WHEREAS, the RMHIDTA report demonstrates that marijuana use among Colorado teens ages 12-17 is 74% above the national average; and

WHEREAS, there are insufficient provisions in the initiative to prevent advertising and marketing to children and teens near parks, community centers, child-focused businesses, and community colleges; and

WHEREAS, the initiative allows for the indoor growing of up to six marijuana plants per residence and, on average, a plant requires 6 gallons of water per day, in a state that is currently battling a drought; and

WHEREAS, a study released in May 2016, by American Automobile Association Foundation for Traffic Research found that fatal crashes involving drivers who recently used marijuana doubled in Washington after the state legalized the drug; and

WHEREAS, the City of Encinitas is committed to the success and positive future of its youth and to the health and safety of its citizens; and

WHEREAS, the City of Encinitas supports efforts to decrease youth exposure to, and prevent use of recreational marijuana and other drugs; and

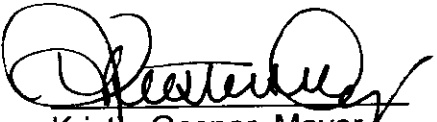
WHEREAS, marijuana use can be harmful to the adolescent brain, affecting the parts of the brain that influence pleasure, memory, thinking, concentration, sensory and time perception, and impairs coordinated movement; and

WHEREAS, on September 14, 2016, the City Council directed the City Manager to prepare a resolution in opposition to Proposition 64.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Encinitas opposes Proposition 64, the Adult Recreational Use of Marijuana Act, which permits the commercialization of recreational marijuana.

PASSED AND ADOPTED this 12th day of October, 2016, by the following vote to wit:

AYES: Blakespear, Gaspar, Kranz, Muir, Shaffer
NAYS: None
ABSENT: None
ABSTAIN: None



Kristin Gaspar, Mayor
City of Encinitas



Kathy Hollywood, City Clerk