

**Date:** July 3, 2012

**To:** Mayor and Members of the City Council

**From:** Councilmember Rae Gabelich, Eighth District *RG*  
Vice Mayor Suja Lowenthal, Second District *SL*  
Councilmember Steven Neal, Ninth District *SN*

**Subject:** Temporary exemption regarding medical marijuana collectives

**RECOMMENDED ACTION:**

- 1) Request the City Attorney to draft an ordinance amending the Long Beach Municipal Code (5.89) to extend the exemption for those collectives previously exempt until the California Supreme Court rules on Pack v. Long Beach, or unless said collectives are determined to be non-compliant; and
- 2) Request the City Manager to direct the police department to work with all appropriate local and state agencies to shut down and prosecute all non-exempt collectives.

**BACKGROUND**

On February 14, 2012, the city council voted to ban all medical marijuana collectives in the City of Long Beach. After much debate and discussion by the City Council, staff and public, a temporary exemption was granted to "those applicants of certain dispensaries or cultivation sites that were successful participants in a lottery conducted by the City on September 20, 2010."

Included in the discussion of the exemptions were three explicit legislative intentions: a) Not to have a total ban that would unduly harm and interfere with patient's rights to safe access, b) offer an extension of the exemption for those qualified collectives that proved to be good neighbors in compliance with the spirit and intent of the previous ordinance, and c) wait until clarity was offered from the State Supreme Court concerning the Pack v. Long Beach case.

**FISCAL IMPACT**

The fiscal impact of this item is unknown at this time.



**City of Long Beach Memorandum**  
*Working Together to Serve*

## REQUEST TO ADD AGENDA ITEM

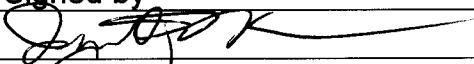
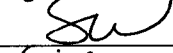

**Date:** June 29, 2012  
**To:** Larry Herrera, City Clerk  
**From:** Councilmember Rae Gabelich, Eighth District  
Vice Mayor Suja Lowenthal, Second District  
Councilmember Steven Neal, Ninth District  
**Subject:** Request to Add Agenda Item to Council Agenda of July 3, 2012

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Pursuant to Municipal Code Section 2.03.070 [B], the City Councilmembers signing below request that the attached agenda item (due in the City Clerk Department by Friday, 12:00 Noon) be placed on the City Council agenda under New Business via the supplemental agenda.

The agenda title/recommendation for this item reads as follows:

- 1) Request the City Attorney to draft an ordinance amending the Long Beach Municipal Code (5.89) to extend the exemption for those collectives previously exempt until the California Supreme Court rules on Pack v. Long Beach, or unless said collectives are determined to be non-compliant; and**
- 2) Request the City Manager to direct the police department to work with all appropriate local and state agencies to shut down and prosecute all non-exempt collectives.**

Council District	Authorizing Councilmember	Signed by
8	Rae Gabelich	
9	Steven Neal	
2	Suja Lowenthal	

Attachment: Staff Report dated July 3, 2012

CC: Office of the Mayor