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November 14, 2017

RE: Item 4.3 - Amendment to Title 6 (Business Licenses and Regulations) and Title 20 (The Zoning Ordinance) for Medical and Non-Medical Marijuana/Cannabis

Dear Mayor Liccardo and City Council:

I thank you for your continued proactive leadership in ensuring we are ahead of the statewide curve in establishing a regulatory program that is aligned with State laws and regulations, as well as accommodating the many thousands of residents throughout the region who have patronized one of San José's registered medical marijuana dispensaries. I certainly understand the many years of hard work that the City Council, as well as city staff, has put into creating a regulatory system that is fair, while ensuring the safety of patients, dispensaries and San Jose residents. Now that the voters have spoken regarding recreational use of marijuana, the fact that we have in place sensible regulations puts our city in a responsible position to further extend our regulatory infrastructure to recreational sales as well.

I am confident in the city's vetting of the current registered dispensaries as responsible businesses that are under the watchful eye of the city's regulatory and law enforcement expertise. As a State Assemblymember of Assembly District 27, representing nearly half of the City of San José, I urge you to support staff recommendations, in addition to the recommendation put forth by Councilmembers Don Rocha, Sergio Jimenez, and Johnny Khamis.

San José has seen its approach change as the State continues to create uniform standards. I believe that San José has done a respectable job in trying its best to remain consistent with further guidance from the State, while maintaining local control over the regulation of the dispensaries and the safety of patients and residents. It is important that as we update our policies to align with State law, while recognizing the law-abiding 16 dispensaries in San José, and the challenge of accommodating the legalization of recreational cannabis with the recent passage of Proposition 64. By ignoring recreational use, we will once again see the black market flourish, outside of the reach of city regulations and tax collectors. City Council took on the immense task of establishing a regulatory program for our medical marijuana collectives. I am confident that under the leadership of our Mayor and City Council, that we can once again provide statewide leadership on the matter by creating sensible local regulations to allow for both medical and recreational cannabis. Thank you.

Sincerely,

Ash Kalra
State Assemblymember, 27th District
California Legislature