



City of Manhattan Beach

May 21, 2019

CITY COUNCIL

Steve Napolitano
Mayor

Nancy Hersman
Mayor Pro Tem

Richard Montgomery
Councilmember

Suzanne Hadley
Councilmember

Hildy Stern
Councilmember

CITY TREASURER

Tim Lilligren, C.P.A.
Treasurer

The Honorable Lorena Gonzalez
Chair, Assembly Committee on Appropriations
State Capitol Building, Room 5050
Sacramento, CA 95814

RE: AB 1356 (Ting) Cannabis: Local Jurisdiction: Retail Commercial Cannabis Activity

Notice of OPPOSITION *(as Amended 4/30/19)*

Dear Assemblymember Gonzalez:

The City of Manhattan Beach respectfully opposes AB 1356 (Ting). Under this bill, if more than 50 percent of the voters of a local jurisdiction voted in favor of Proposition 64, these local jurisdictions would be required to issue a minimum number of licenses authorizing retail cannabis activity within that jurisdiction. More specifically, the bill requires these cities to issue a minimum of one retail cannabis license for every four liquor licenses, or one retail cannabis license for every 10,000 residents.

Existing law, under both the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and Proposition 64, states that local jurisdictions have the ability to adopt and enforce local ordinances to regulate cannabis businesses. Based on the minimum requirement in this bill, the City of Manhattan Beach would be required to issue a minimum of three retail commercial cannabis licenses. By removing local governments' ability to regulate brick and mortar retail cannabis shops, AB 1356 undermines the very foundation of local control and thereby negates the primary purpose of California's established dual licensing structure.

With regard to the measure's mandated 1-to-4 ratio, there is simply no nexus between a city's regulation of citizens' access to retail commercial cannabis and the number of liquor establishments within a community. By requiring such a ratio, AB 1356 proposes an arbitrary land use standard for individual cities and counties based on the results of a statewide ballot measure.

In seeking to eliminate locals' authority to ban or regulate retail commercial cannabis businesses, AB 1356 would ultimately strip cities and counties of the ability to decide what is appropriate for their communities—a premise that directly contravenes the framework understood by the voters when approving Proposition 64.

For these reasons, the City of Manhattan Beach opposes AB 1356.

Sincerely,

Steve Napolitano
Mayor
City of Manhattan Beach

cc. Honorable Governor Gavin Newsom
Honorable State Senator Ben Allen
Honorable State Assemblyman Al Muratsuchi
Jeff Kiernan, League of California Cities Regional Public Affairs Manager
League of California Cities, cityletter@cacities.org