

**COUNTY OF SAN LUIS OBISPO  
HEALTH COMMISSION**

Minutes of Meeting

Monday, May 14, 2018 (County Board of Supervisors Chambers)

Members Present: Mary Jean Sage (Chair), Jinah Byram, Robert Campbell, Tamar Sekayan, Susan Warren

Members Absent: Claire Grantham, Kris Kington-Barker, Jean Raymond, Candace Winstead

Staff Present: Dr. Penny Borenstein, Jean White

Speakers: Guy Savage, Assistant County Administrative Officer

Agenda Item	Discussion	Action	Who/When
<b>1. Call to Order</b>	Meeting called to order at 6:00 PM by Chair Sage.	<i>Call to Order</i>	<i>Chair Sage</i>
<b>2. Approval of Minutes</b>	Minutes of April 9, 2018 were approved as drafted.	<i>April 9, 2018 minutes approved</i>	<i>All</i>
<b>3. Public Comment</b>	Chair Sage opened the floor to public comment with no response.		
<b>4. Presentation: Cannabis Update</b>	<p><b>Guy Savage, Assistant County Administrative Officer</b>, presented a Power Point update on Cannabis in San Luis Obispo County, highlighting top points and some of the concerns with the passage of the Medicinal and Adult Use Cannabis Regulation and Safety Act. He talked about implementation in San Luis Obispo County, noting that municipalities in SLO County may have different rules than the areas that are governed by the County Board of Supervisors. Grover Beach and Morro Bay allow retail storefronts; and no commercial cultivation is allowed in Arroyo Grande, Atascadero, Paso Robles, Pismo Beach, Morro Bay, or San Luis Obispo.</p> <p>The County of San Luis Obispo allows most license types:</p> <ul style="list-style-type: none"> <li>• Dispensaries (delivery, no retail storefronts);</li> <li>• Nursery;</li> <li>• Personal and commercial cultivation;</li> <li>• Manufacturing; and</li> <li>• Testing</li> </ul> <p>All cannabis activities, except for personal and caregiver cultivation, require a County land use permit to operate. Personal cultivation allows for 6 plants, indoors. Commercial cultivation for agricultural land requires 10-acres minimum, rural lands require 50-acre minimum, residential rural requires 20-acre minimum with indoor only, industrial has no minimum site area with indoor only. There is a limit of 141 cultivation licenses to be issued. Regarding enforcement, the County has put out an RFP for Cannabis Hearing Officers. The primary focus at least initially will be abating (addressing illegal cultivation), with the first hearings on May 22, 2018. A tax bill for Cannabis will be on the June 5<sup>th</sup> ballot. There are seven new Senate Bills going through state legislature currently related to Cannabis, so there will be more changes.</p> <p><b>Commissioner Campbell</b> asked if testing facilities are allowed in the county. <i>(Mr. Savage advised that testing is allowed in unincorporated areas and the County allows a testing license. Before a product can be sold, it must be tested for pesticides, molds, and funguses to ensure the product is</i></p>	<i>A copy of the Power Point presentation is filed with the official record of the meeting.</i>	

safe and it is known what is in it. The area of testing product will continue to evolve with state legislation.)

**Commissioner Warren** asked if testing is state mandated. (Mr. Savage explained that Prop 64 requires testing.)

**Commissioner Campbell** asked about biologic testing for impaired driving. (Mr. Savage explained that there are functional tests, but no biologic test. Law Enforcement can cite someone for driving while impaired on the basis of failing certain functional tests.)

**Commissioner Byram** asked about the permitting of indoor cultivation in residential areas. (Mr. Savage explained that commercial cultivation is not allowed in residential areas zoned for residential uses. Commercial cultivation requires a land use permit in order to grow outdoors or indoors. Persons can get one land use permit and get a license for indoor and outdoor.)

**Commissioner Warren** referred to the 26 land use permits submitted and asked if those include the cities. (Mr. Savage explained those permits are for unincorporated areas, but note that only Grover Beach allows indoor cultivation.)

**Commissioner Byram** asked about the number of retail spaces being converted into dispensaries in Grover Beach. (Mr. Savage advised that Grover Beach has licensed four medical dispensaries with two of them retail. He explained that there are non-storefront dispensaries, storefront dispensaries, and delivery services. Grover Beach has licensed storefronts.)

**Commissioner Sekayan** asked if it is the state or county who decides where dispensaries are allowed. (Mr. Savage explained that state law specifies some of that, specifically where dispensaries are not allowed – in smoke shops, places that sell alcohol, etc.)

**Commissioner Sage** asked about the broadcast of Public Service Announcements (PSAs). (Mr. Savage noted the expense of PSAs and that they will be looking at whether they will be able to use some of the taxation dollars for that. Dr. Borenstein added CDPH did get a one-time infusion of funding at the state level for educational messages, but that funding will go away and they will be looking at local jurisdictions with tax revenues for messaging.)

**Commissioner Warren** asked about manufacturing. (Mr. Savage explained that the County allows manufacturing with very specific mandates on what is allowed.)

**Commissioner Sekayan** asked about restrictions on deliveries to closed events. (Mr. Savage explained that the State and local government is beginning to deal with delivery to closed events on private properties. He noted that you cannot have both alcohol and cannabis and there is no ability to sell at farmer's markets.)

**Commissioner Byram** asked about restrictions on potency for home grown and commercial. (Mr. Savage explained that different strains can be grown. For personal use, you don't have to have a license, so there would be no restrictions.)

**Commissioner Campbell** asked about staff time. (Mr. Savage commented on the amount of staff time this has taken. They have added 6.5 staff to this year's budget to help address all of the various issues and they expect more will have to be done on the health and social impact side, as well as other areas.)

**Commissioner Sage** asked if our County will be collecting data on number of ER visits and other stats with regard to Cannabis. (Dr. Borenstein advised that the CDPH is looking at a number of matrix

	<p><i>similar to what Colorado has done and is hopeful that because we've had the experience of other states before us that they will be able to stave off some of the kinds of problems that were seen in other jurisdictions or states.)</i></p> <p><b>Commissioner Warren</b> added that pets are another area where PSA messaging is important.</p> <p><b>Commissioner Sage</b> thanked Mr. Savage and suggested he come back in a year to provide an update and talk about any new legislation.</p>		
<b>5. Health Agency/Public Health Report</b>	<p><b>Dr. Penny Borenstein, Health Officer/Public Health Director</b>, reported:</p> <ul style="list-style-type: none"> <li>• <b>Governor May Revise:</b> Includes a proposal to cover undocumented individuals between the ages of 19 and 25 through MediCal. Also proposes state revenue be directed toward the treatment of Hepatitis C, particularly slated to cover those who are in prison.</li> <li>• <b>Tax Bill for Cannabis:</b> San Luis Obispo County residents will vote on Measure B, a Cannabis business tax for retailers in SLO County on the June 5<sup>th</sup> ballot.</li> <li>• <b>New Health Agency Director:</b> Richard Michael Hill (Mike Hill) has been hired as the new Health Agency Director and will begin in his position on Monday, May 21, 2018.</li> </ul>		
<b>6. Health Commissioner Updates</b>	<p><b>Commissioner Warren</b> reported that the Homeless Services Oversight Council will be presenting their recommendations on short &amp; long-term housing and case management needs to the Board of Supervisors tomorrow, 5/18/18.</p> <p><b>Commissioner Campbell</b> provided an update that the San Luis Obispo County Air Pollution Control District (APCD) and the California Department of Parks and Recreation have come to a stipulated agreement on mitigating dust flows from the Oceano Dunes. The agreement calls for a 50% reduction in particulate matter emissions over 5 years. By agreeing, State Parks will avoid being in violation of the dust rule. The dust issue has not been permanently resolved and will continue.</p> <p><b>Commissioner Sage:</b> The Community Based Organization/Preventive Health Grant (CBO/PHG) Review Committee has completed their final recommendations for grant funding that will go before the Board of Supervisors for final approval at the June budget hearings.</p> <p><b>Commissioner Sage:</b> The Healthy Communities Workgroup will be holding a forum on housing on October 4, 2018 at the SLO Vets Hall.</p> <p><b>Commissioner Sage</b> reported that the Oral Health Coalition will be meeting on June 5<sup>th</sup>. The coalition has four subcommittees actively working in different areas. Commissioner Sage is temporarily attending this meeting (replacing Commissioner Clous) while looking for another commissioner to be the liaison representative.</p>		
<b>7. Committee Reports</b>	<p><b>Nominating Committee:</b> Chair Sage reported that the Health Commission is recruiting to fill three vacancies (1 Direct Provider and 2 Consumers). Applications are available on the Health Commission website at <a href="http://www.slopublichealth.org/healthcommission">www.slopublichealth.org/healthcommission</a>.</p>		
<b>8. Prospective Future Items</b>	<p>Next meeting: June 11, 2018; 6:00 PM; County Government Center Board Chambers</p>		
<b>9. Adjournment</b>	<p>Meeting adjourned at 7:25 pm.</p>	<i>Adjournment</i>	<i>All</i>