

**ORDINANCE NO. 848**

**AN ORDINANCE OF THE CITY COUNCIL OF CATHEDRAL CITY, CALIFORNIA, REPEALING SECTION 5.88.125 [CATHEDRAL CITY CANNABIS TASK FORCE] OF CHAPTER 5.88 [CANNABIS REGULATIONS] AND ADDING CHAPTER 2.32 [CANNABIS TASK FORCE] TO TITLE 2 [ADMINISTRATION AND PERSONNEL] OF THE CATHEDRAL CITY MUNICIPAL CODE**

**WHEREAS**, the Cannabis Task Force for the City of Cathedral City was originally established by Section 5.88.125 of the Cathedral City Municipal Code; and

**WHEREAS**, as the cannabis business industry has matured since its initial establishment, the Cannabis Task Force now requires amendments to improve the efficacy of the regulatory system and public safety associated with the operation of cannabis businesses.; and

**WHEREAS**, the City Council desires and deems it to be in the public's best interest to establish the Cannabis Task Force consistent with other commissions and committees established in Title 2 of the City of Cathedral City Municipal Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY ORDAINS AS FOLLOWS:**

**SECTION 1. REAL OF SECTION 5.88.125 [CATHEDRAL CITY CANNABIS TASK FORCE] OF CHAPTER 5.88 [CANNABIS BUSINESSES] OF THE CATHEDRAL CITY MUNICIPAL CODE**

Section 5.88.125 of Chapter 5.88 of Title 2 of the Cathedral City Municipal Code is hereby repealed in its entirety.

**SECTION 2. ADDITION OF CHAPTER 2.32 [CANNABIS TASK FORCE] OF TITLE 2 [ADMINISTRATION AND PERSONNEL] TO THE CATHEDRAL CITY MUNICIPAL CODE**

Chapter 2.32 of Title 2 of the Cathedral City Municipal Code is hereby added to read as follows:

"Chapter 2.32 CANNABIS TASK FORCE

2.32.010 Purpose.

The purpose of this chapter is to ensure that cannabis businesses in Cathedral City are conducted in a safe and orderly manner to protect the welfare of medical cannabis patients, primary caregivers, adult users and the community.

2.32.020 Creation of Cathedral City cannabis task force established.

There is created a cannabis task force. The task force shall consist of 7 members. The city manager shall be chair of the cannabis task force and shall appoint 6 other qualified members as required by section 2.32.030.

#### 2.32.030 Qualification of members.

Three members shall be owners or managers of cannabis businesses located in the city and three members shall be residents of the city.

#### 2.32.040 Term – Vacancies.

Members of the cannabis task force shall be appointed and removed in accordance with and shall be subject to all provisions of Chapter 2.06 of the Cathedral City Municipal Code, as it may thereafter be amended from time to time.

#### 2.32.050 Meetings.

Meetings of the cannabis task force shall be held as necessary to fulfill its duties at such time and place as shall be fixed by the cannabis task force. A majority of the appointed members of the cannabis task force shall be considered a quorum for the transaction of business. The cannabis task force may establish such rules and regulations as it deems necessary for the conduct of its business. In matters relating to holding and conducting regular and special meetings, the cannabis task force shall be bound by the provisions of the Ralph M. Brown Act of the state, as it may be amended, applicable to advisory committees.

#### 2.32.060 Organization.

The city manager may appoint an executive secretary and other staff and provide such compensation for their services as may be authorized by city council. The cannabis task force shall be authorized to fix the membership of standing and temporary subcommittees as it may find expedient for the performance of its duties.

#### 2.32.070 Functions, powers and duties.

A. The cannabis task force is and advisory body to the city council. In this capacity, the cannabis task force shall from time to time provide recommendations to the City Council related to cannabis issues. Such recommendations will present the majority consensus. Recommendations may specify a majority and minority position where the task force deems it necessary to fully inform the city council.

B. In making recommendations, the cannabis task force shall consider the practicability of any recommendation for the city and cannabis businesses, reasonable and safe access to medicinal cannabis by medicinal cannabis patients and impacts to the community.

C. The cannabis task force shall discuss and propose amendments to this code or any rules or regulations promulgated pursuant thereto to improve the efficacy of the regulatory system or public safety associated with the operation of cannabis businesses.



### **SECTION 3. SEVERABILITY**

The City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance as hereby adopted shall remain in full force and effect.

### **SECTION 4. CEQA**

This Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, as it is not a "project" and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment because it is merely the formation of an organization. (14 Cal. Code Regs. § 15378(a).) The Ordinance is also exempt from CEQA because it is an organizational or administrative activity of governments that will not result in direct or indirect physical change in the environment. (14 Cal. Code Regs. § 15378(b)(5).)

### **SECTION 5. EFFECTIVE DATE**

This Ordinance shall become effective thirty (30) days from and after its final passage.

### **SECTION 6. PUBLICATION**

The City Clerk is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Section 36933(a) or, to cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 39633(c).

### **SECTION 7. CERTIFICATION**

The City Clerk shall certify to the passage of this ordinance and shall cause the same to be published according to law.

**INTRODUCED** at the regular meeting of Cathedral City City Council on the 13<sup>th</sup> day of January, 2021.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the Cathedral City City Council on the 27<sup>th</sup> day of January, 2021, by the following vote:

Ayes:	5 -	Councilmembers Ross, Lamb and Carnevale; Mayor Pro Tem Gutierrez and Mayor Gregory
Noes:	0	


Absent: 0  
Abstain: 0

  
Raymond Gregory, Mayor

ATTEST:

  
Tracey R. Martinez, City Clerk

APPROVED AS TO FORM:

  
Eric S. Vail, City Attorney