

# STAFF REPORT

## *City Council Business Item*

---

**DATE:** February 26, 2024

**TO:** Honorable Mayor and Council Members

**FROM:** Shari Meads, Community Development Director

**THROUGH:** Merritt Perry, City Manager

**SUBJECT:** Letter Opposing Measure A “The Humboldt Cannabis Reform Initiative”

### **STAFF RECOMMENDATION:**

Authorize and sign a letter to record City Council opposition to the Humboldt Cannabis Reform Initiative (Measure A) as unanimously approved (with Council Member Conley absent) at the February 20, 2024 Council meeting.

### **INTRODUCTION:**

The March 5, 2024 California Presidential Primary Election ballot includes a local voter initiative entitled the Humboldt Cannabis Reform Initiative (Measure A).

The Humboldt Cannabis Reform Initiative Committee provided an informational presentation in support of Measure A at the February 5, 2024 Council meeting. The presentation was followed by considerable in-person public comment in opposition of the measure. The Humboldt County Growers Alliance provided a presentation in opposition of Measure A at the February 20<sup>th</sup> Council meeting. Members of the public provided in-person public comment supportive of the No on Measure A campaign. The Council, after considering the two Measure A related presentations and public comment, directed staff to prepare an official record of opposition to Measure A for signature by the Mayor (Attachment 1 to this report).

### **DISCUSSION:**

Measure A proponents cite several laudable goals, including supporting small-scale, high-quality cannabis cultivation, environmental protection, water conservation, and public transparency and participation, among others. Additionally, Measure A suggests expanding public notice, ensuring appropriate use of generators, and limiting noise.

While at a first glance these appear as supportable initiatives, Measure A opponents point out implementation approach problems such as limiting the size of cannabis farms, reducing the number of overall farming permits in the county, and requiring stricter building regulations and redundant inspections which could hamper an already struggling cannabis industry. Cannabis cultivation is currently one of the most regulated industries in the state and Measure A would do nothing to improve regulatory oversight.

Another argument against Measure A is that voter initiatives are amendable only through subsequent voter initiative. If Measure A were to pass but not accomplish its stated goals, another vote of the public would be required before changes could be implemented; a costly and lengthy endeavor. Given the complex and rapidly-evolving nature of the legal cannabis industry, adopting policy which cannot be nimbly amended in response to public input is unwise.

As part of the Measure A discussion, Council Member Losey recognized that many of the stated intentions of the proposed measure could and likely should be considered as part of a comprehensive County evaluation of the Cannabis Ordinance.

**FINANCIAL IMPACT:**

None

**RECOMMENDED COUNCIL ACTION:**

Authorize and sign a letter to record City Council opposition to the Humboldt Cannabis Reform Initiative (Measure A).

**ATTACHMENTS:**

- Attachment –Letter of Opposition to Measure A, the Humboldt Cannabis Reform Initiative



February 26, 2024

To Whom It May Concern:

RE: Formal Opposition to Measure A, the “Humboldt Cannabis Reform Initiative”

On March 5, 2024 the California Presidential Primary Election will be held. This election includes a Humboldt County voter initiative called Measure A, the “Humboldt Cannabis Reform Initiative.” The Fortuna City Council recognizes that the success or failure of the already highly regulated cannabis industry impacts the City’s economy and opposes Measure A.

A March 2023 analysis from the County of Humboldt’s Planning and Building Department determined that if passed, Measure A would have “dire consequences to the cannabis industry in Humboldt County by “discourage [ing] existing permit holders from modifying their permits in any way.” Additional language from the County’s analysis points to Measure A’s proposed restrictions on “infrastructure intended for environmental protections or modification of activities or site configuration to adapt to the evolving industry,” and how “these restrictions affect the smallest of farms permitted in Humboldt County to the largest cultivation sites.”

As a voter initiative, Measure A would establish regulations that could not be changed without another voter initiative. This creates obstacles to the success of the industry in an already highly regulated market by preventing policy changes necessary to adapt to the evolving industry. The County needs to retain flexibility and responsiveness to public input to maintain an appropriate balance between all interests.

For these reasons, the Fortuna City Council is opposed to Measure A.

Sincerely,

Tami Trent, Mayor  
Fortuna City Council

Fortuna City Hall  
621 11<sup>th</sup> Street  
Fortuna, CA 95540  
(707) 725-7600