

RESOLUTION NUMBER R- 314514

DATE OF FINAL PASSAGE DEC 09 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT WITH THE CALIFORNIA GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT TO RECEIVE UP TO \$5,000,000 IN CANNABIS EQUITY GRANTS PROGRAM FUNDS AND AUTHORIZING THE CITY TO APPLY FOR, ACCEPT, APPROPRIATE AND EXPEND AWARDED FUNDS TO IMPLEMENT RECOMMENDATIONS CONTAINED IN THE CITY OF SAN DIEGO'S CANNABIS EQUITY ASSESSMENT.

WHEREAS, on November 8, 2016, California voters approved Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act (AUMA); and

WHEREAS, in its statement of purpose and intent, the AUMA calls for regulating cannabis in a way that reduces barriers to entry into the legal, regulated market; and

WHEREAS, the California Legislature recognized the need for cannabis equity grant funding and passed AB 97 to provide equity grant funds to local governments; and

WHEREAS, the City of San Diego has determined that it will use grant funds from the Governor's Office of Business and Economic Development (GO-Biz) to assist local equity applicants and licensees through its local equity program for commercial cannabis activity as described in its application for grant funds; and

WHEREAS, GO-Biz provides grant funds to local governments that implement a local equity program through the Cannabis Equity Grants Program for Local Jurisdictions; and

WHEREAS, on December 14, 2022, the Cannabis Business Division/Development Services Department will submit an application to GO-Biz for the maximum allowable \$5,000,000 to implement the recommendations contained in the City of San Diego's cannabis

equity assessment, pursuant to State requirements, and support the development of a cannabis equity program in San Diego; and

WHEREAS, to receive grant funding a resolution is required from the City Council authorizing the City of San Diego to enter into the grant agreement with GO-Biz; and

WHEREAS, this grant funding will be used by the City to implement recommendations contained in the City of San Diego's cannabis equity assessment to support and promote equitable ownership and employment opportunities in the legal cannabis industry in communities disproportionately impacted by cannabis prohibition or criminalization; and

WHEREAS, funds will be used to further support Cannabis Business Owners through the distribution of flexible grants to combat disparities and ultimately reduce barriers to entering the cannabis industry; and

WHEREAS, to be eligible for grants, applicants must meet the supporting cannabis equity applicant's eligibility criteria to qualify for eligible expenses that will be outlined through the City of San Diego's local equity program; and

WHEREAS, the Office of the City Attorney has drafted this resolution based on the information provided by City staff, with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, that the Mayor of the City of San Diego, or his designee, is authorized to execute on behalf of the City of San Diego a grant agreement with the Governor's Office of Business and Economic Development to receive grant funding in the amount of \$5,000,000 to support cannabis equity applicants and the expansion of the City of San Diego's local equity program, including any extensions or amendments thereof and any subsequent grant

agreement with the Governor's Office of Business and Economic Development in relation thereto.

BE IT FURTHER RESOLVED, by the City Council of the City of San Diego, that it is agreed that any liability arising out of the performance of this grant agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The Governor's Office of Business and Economic Development and the State of California disclaim responsibility for any such liability.

BE IT FURTHER RESOLVED, that the Mayor, the Chief Financial Officer, or their designee is authorized to apply for, accept, appropriate and expend an amount not to exceed \$5,000,000 from the Governor's Office of Business and Economic Development to implement recommendations contained in the City's adopted cannabis equity assessment and support the development of a cannabis equity program in San Diego, if the grant funding is secured.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to establish a special interest-bearing account for the grant, if required.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Noah J. Brazier  
Noah J. Brazier  
Deputy City Attorney

NJB:nja  
11/30/2022  
Or. Dept: DSD  
Doc. No. 3154051

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 06 2022

ELIZABETH S. MALAND  
City Clerk

By Kaythee Medina  
Deputy City Clerk

Approved: 12/9/22  
(date)

Todd Gloria  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC 06 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 09 2022.

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

TODD GLORIA  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By Kristelle Medina, Deputy

Office of the City Clerk, San Diego, California

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