

**AGENDA MINUTES  
WORKSHOP – MEDICAL MARIJUANA  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, MAY 23, 2017  
4:00 P.M.**

*The following minutes reflect action items of the City Council of the City of Arcadia. For a verbatim copy of the minutes, you may contact City Administration to obtain a copy of the recorded meeting.*

**INVOCATION, PLEDGE, CALL TO ORDER AND ROLL CALL**

Deputy Mayor Simons gave the invocation which was followed by the pledge of allegiance. The Mayor called the meeting to order at approximately 4:00 p.m. and the following members and staff were present:

**Arcadia City Council**

Mayor Judy Wertz-Strickland  
Deputy Mayor Jaccarie D. Simons  
Councilmember Susan Coker

Councilmember Robert W. Heine, Jr.  
Councilmember S. Delshay Turner

**Arcadia City Staff**

City Administrator Terry Stewart  
City Clerk Penny Delaney  
City Attorney T.J. Wohl

**PRESENTATION**

**Agenda Item 1 – Medical Marijuana Presentation by Greg Hyden and Azlina Goldstein Siegel of Nason Yeager Gerson White & Lioce, P.A.**

Mr. Hyden and Ms. Siegel presented a power point regarding medical marijuana (a copy is on file in the City Clerk's office). The topics discussed were as follows: 1) legalization of medical marijuana in Florida, the basics of the Florida's Medical Marijuana Program, Post-Amendment 2 considerations, the medical marijuana debate before the Florida Legislature, actions surrounding cities and counties, issues facing local governments, regulatory considerations for the City of Arcadia, common ordinance provisions, the view of Florida Medical Marijuana from the private sector side, and it ended with concluding remarks and questions. It was pointed out that the use of medical marijuana has been decriminalized in Florida; however, it remains illegal under the federal Controlled Substances Act. Mayor Wertz-Strickland asked how they would differentiate between someone who used it for medical purposes versus otherwise and Mr. Hyden advised that the employer is usually advised of the prescription or recommendation for it. Mr. Stewart stated that if a person has a prescription for

medical marijuana it does not obviate them from coming to work in a sober form. Mr. Hyden stated the low dose is to prevent the effects of getting high and if there is a drug-free workplace, the HR would need to be trained and employees would need to be made aware of it. Mayor Wertz-Strickland asked about the safety programs where insurance companies provide a discount for having drug-free workplaces. Ms. Siegel advised this was one (1) of the issues that is currently being addressed and evaluated. She addressed whether a workplace would be required to cover a person who is authorized with a card (qualifying the patient to utilize medical marijuana) and she stated at this time, the answer is no because it is still a schedule one (1) drug (federally illegal). She stated that just because a person has an identification card, it does not allow them to utilize it and if they do, they are not necessarily allowed to utilize it on the premises. She further stated it depends on how that person's recommendation of use is implemented and employed by that person by their recommending physician. Regarding the dispensaries vs. the processing vs. the growing, City Administrator Stewart asked if all three (3) operations could be in the same location and Ms. Siegel advised that they could. Deputy Mayor Simons asked for confirmation that the allowed seven (7) dispensary locations were regulated by the Department of Health and Ms. Siegel confirmed that they were. He then asked about recommendations for minors and Ms. Siegel advised that they would have to have written consent. He brought up the issue of how it will be regulated within the school system and Ms. Siegel agreed that it would have to be addressed by the school board. City Administrator Stewart pointed out that it is better for the City to be proactive than reactive and felt it would be best to have regulations in place. Councilmember Heine asked who would control it and City Attorney Wohl advised the City's could not be preempted by the County.

After further discussion, City Administrator Stewart asked City Attorney Wohl what the next step would be and Mr. Wohl advised the City would need to either obtain Nason Yeager, another law firm or himself along with Central Florida Regional Planning Council to begin drafting an ordinance and suggested taking action soon. City Administrator Stewart stated he would like to meet with City Attorney Wohl and come back to City Council with a recommendation as to whether or not to retain an outside firm or to depend solely upon our planning organization and the City Attorney or a hybrid of such. The City Council was in agreement with doing so.

### ADJOURN

Having no further business at this time, the meeting was adjourned at approximately 5:12 P.M.

ADOPTED THIS 20<sup>th</sup> DAY OF June, 2017.

ATTEST:

By:

Judy Wertz-Strickland  
Judy Wertz-Strickland, Mayor

Penny Delaney  
Penny Delaney, City Clerk

