



**CITY OF HAYWARD**  
**AGENDA REPORT**

AGENDA DATE 04/03/07  
AGENDA ITEM 5  
WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council  
**FROM:** City Manager  
**SUBJECT:** Limited Extension of Agreement with Hayward Patients Resource Center

**RECOMMENDATION:**

It is recommended that the City Council, by motion, extend the current agreement with the Hayward Patients Resource Center for ninety days.

**DISCUSSION:**

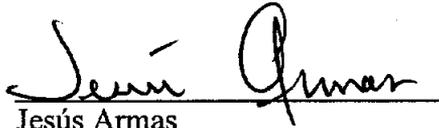
In 2003, the City Council considered requests from the Local Patients Cooperative (Cooperative) and the Hayward Patients Resource Center (HPRC) that they be allowed to dispense medicinal marijuana from their sites on Foothill Boulevard. Because of the conflict between Federal and State laws on this issue, and because zoning regulations do not expressly allow such uses, the Council did not formally authorize the operations. Instead, the City Council authorized execution of an agreement whereby the City agreed to withhold enforcement action for non-compliance with the zoning ordinance provided certain conditions were fulfilled. (Because the Cooperative was determined to be in violation of the agreement, it was ordered to cease operations at the end of 2006.)

At the December 19, 2006 meeting, the Council extended the agreement with HPRC for ninety days, subject to adding the following provisions to the agreement:

- Establishing hours of operations of 11:00 AM to 7:00 PM.
- Causing termination of the agreement should sales of marijuana occur outside of the building.
- Requiring that security be provided by a licensed security company acceptable to the City, and that on-duty security personnel wear appropriate attire.

The ninety-day extension period was designed to provide HPRC time to find an alternate site. Prior to the expiration date, the HPRC advised the City of its interest in moving to a location on Foothill near Cotter Way. Subsequently, strong neighborhood objections were voiced. In response, HPRC withdrew its proposal to move to that location. As a result, HPRC is seeking another extension to enable it to continue to operate at its present site while it continues to search

for a new facility. While it remains unclear whether a suitable substitute location can be found, staff recommends providing HPRC additional time to continue its search in this regard. Accordingly, staff recommends approval of a ninety-day extension of the current agreement to enable HPRC to continue to investigate the feasibility of finding a suitable alternate location.

A handwritten signature in black ink, appearing to read "Jesús Armas". The signature is written in a cursive style with a horizontal line underneath it.

Jesús Armas  
City Manager