

# S. Tahoe council blocks pot club move after signaling it would approve

By Anne Knowles

The South Lake Tahoe City Council voted to deny a request from one of the city's medical marijuana dispensaries to relocate its business after last month intimating it would approve the move.

At its June 5 meeting, the council declined to act on City Attorney Patrick Enright's advice to deny City of Angels 2 its request and instead voted 4-1 on a motion directing staff to prepare a resolution to approve the move, according to Nancy Kerry, interim city manager.



But a day before the July 3 meeting, the council received a letter written by the South Lake/El Dorado Narcotic Enforcement Team (SLEDNET) painting a vivid picture of the criminal activity surrounding the marijuana collectives.

"Every day SLEDNET agents are intermingled with the marijuana industry that has become so enormous here, traffickers from outside California have made this city a prime distribution point for the east coast," reads the letter dated July 2. "No longer are we seeing the large scale indoor grows. We see a simpler form of trafficking of marijuana through the U.S. Post offices, UPS and Fed Ex. It is such a significant problem that the U.S. Postal Inspector's Office recently assigned a full time inspector for marijuana trafficking in our area post offices. Now the primary workload for our task force is the sales and distribution of marijuana from traffickers who simply go to the collective, purchase lbs (sic) of marijuana and ship it off in mail."

The letter went on to describe eight cases involving large sums of marijuana in which all of the convicted felons claimed to have been working with one of South Lake Tahoe's three collectives.

"I can provide further examples at your or the city council's request," read the letter addressed to South Lake Tahoe Police-Fire Chief Brian Uhler. "This year alone we have seized \$142,708 in marijuana proceeds and worked interstate investigations in New Hampshire and New York."

SLEDNET Task Force Commander Jeff Catchings told *Lake Tahoe News* there are numerous ongoing investigations into people tied to the collectives but no open investigations of the collectives themselves.

"This is a huge problem and we can't turn a blind eye to it," said Catchings. "No other business in South Lake Tahoe has so much criminal activity connected to it."

"This is a game changer," said Councilman Tom Davis several times during discussion of the resolution at the meeting. "This documentation from law enforcement is huge."

"This is out of control," agreed Councilman Bruce Grego, who cast the sole vote to deny the dispensary's move at the first meeting. "I think we need to end it today."

City attorney Patrick Enright cautioned the council that the item under consideration was narrow, focused on whether to allow City of Angels 2 to relocate, but adding that the California court rulings were inconsistent regarding whether cities had the power to ban the dispensaries outright.

And Councilwoman Angela Swanson raised concerns that the city could be opening itself up to some liability if they backtracked on the matter.

"I believe to not support this puts the city in a precarious

legal position,” said Swanson. “We don’t have proof (the marijuana) is going through the collectives. There could be other things going on.”

Uhler, who delivered the SLEDNET letter to the council, said law enforcement was working on a way to track the collectives’ transactions.

City of Angels 2 owner Gino DiMatteo spoke during the public comment period, assuring the council that his dispensary abides by the law.

“If my collective had anything to hide we would never have offered surveillance to the chief of police,” said DiMatteo. “They have access to our security video any time.”

DiMatteo was told by his current landlord that he had until mid-July to change his business or vacate his current Third Street location after the landlord, Darcy DeTarr, received a letter from the U.S. Attorney General’s Office threatening to seize the property if pot continued to be sold there.

In the end, the council voted down the resolution to allow the dispensary to relocate.

**Correction:** South Lake Tahoe City Council did not vote on a resolution presented at its July 3 meeting and instead directed staff to draft a new resolution that it voted on at its June 5 meeting. The council did not re-vote on an improperly-worded resolution, as originally reported. The story has been changed to reflect that.