

South Lake Tahoe is close to having just 1 pot shop

By Kathryn Reed

The clarity of where medical marijuana in South Lake Tahoe stands is like walking into a room of pot smokers. Something smells funny and the air is murky.

Accusations flew Tuesday during the City Council meeting, with it clear the electeds are fed up with what they consider is illegal activity occurring at some of the dispensaries.

Most of the anger was leveled at Patient2Patient, which had its permit revoked July 11. Unless the collective wins the Aug. 7 appeal before the council, the dispensary will have to close its doors that day or another date specified by the council.



Patient2Patient would have to close if the owners lose their Aug. 7 appeal before the South Lake Tahoe City Council. Photo/LTN

City Manager Nancy Kerry was looking for direction from the

council to make sure the four who were there (Councilwoman Angela Swanson was absent for most of the meeting) wanted the medical marijuana ordinance enforced. To this, the four said "yes" without any reservation.

The ordinance was passed in September 2011.

At the July 3 meeting staff was directed to look into whether Patient2Patient and Tahoe Wellness Collective were in compliance with the ordinance. Both had already been sent a letter June 1 saying they had 10 days to comply or face permit revocation. Though they did nothing to come into compliance, then City Manager Tony O'Rourke allowed the two establishments to keep their doors open.

But Gino DiMatteo, who owns City of Angels 2, at the July 3 meeting told the council his colleagues at the other two collectives were still not in compliance and asked why when he had a valid permit and all the paperwork signed off he was being treated differently.

While DiMatteo never mentioned the 14th Amendment, that is in fact what he was invoking – that he be treated equally.

It was at the meeting earlier this month that the council reversed course and denied DiMatteo the ability to move. He has to move because his landlord wants him out this month because of threats from the U.S. Attorney General's Office, not because of any infraction with the city.

At the July 17 meeting, DiMatteo refused to talk to *Lake Tahoe News*.

"We haven't canceled escrow, but it's on the market," listing agent Claudette Miles of Coldwell Banker-McKinney told *Lake Tahoe News* in reference to the building DiMatteo was planning to purchase. She says DiMatteo still wants to buy the property and the sellers are interested in selling, but "it's a complicated situation."

Tahoe Wellness Collective came into compliance July 6.

City building inspector Dave Walker went to Patient2Patient July 9 and July 10 to check on construction of the firewall. No work had been performed.

The next day Kerry issues the notice revoking the collective's permit. Later on July 11, Kerry and Walker are asked to look again. What they find on July 13 is the firewall work was done wrong by an unlicensed contractor.

On top of that, Patient2Patient was growing marijuana upstairs in an area not permitted for that activity. This is being done with grow lights and no firewall. If a fire were to occur, it could wipe out a swath of Lake Tahoe Boulevard.

Despite all of this, the collective is allowed to operate until the Aug. 7 appeal.

Nine people spoke at the July 17 meeting – all saying the collectives are necessary.

While the council supports medical marijuana, it does not like what is going on. In fact, Councilman Hal Cole said the collectives are potentially hurting their clients.

“You are putting people in this town in danger of losing their medicine. You are putting their health in jeopardy,” Cole said.

He was the most vocal and heated. But all four expressed frustration with the drug task force report that came out at the July 3 meeting regarding increased pot activity because of the collectives, the need for the post office to hire a specialist because of the reported drug activity, and then the police report involving Patient2Patient owner Matt Triglia that was made known Tuesday.

The report from December 2011 says Triglia was in Missouri in a rented RV that had specialized Nevada plates when he was

pulled over for a traffic infraction. Subsequently the report says \$85,000 in cash was seized. The officer wrote, "I observed several bundles of money in rubber bands that had been heat sealed in a plastic bag. The packaging method was very commonly associated with that of currency and narcotic smugglers."

In some states, like Missouri, it's not uncommon for goods to be seized and no charges to be filed, which happened in the Triglia case.

While Triglia confirmed the date of birth and Social Security number on the report were his, he told the council he was not in Missouri and this report was not about him. The report also describes his wife's tattoos.

After the meeting he told Kerry and others who were listening that he would be calling his attorney.

It's possible that in three weeks South Lake Tahoe will have only one medical marijuana collective.