

Opinion: Pointing out SLT's flawed processes



Members of the South Lake Tahoe recreational marijuana working group stand with David Orr as he addresses the City Council on March 27. Photo/Kathryn Reed

Publisher's note: The following was read to the South Lake Tahoe City Council on March 27 by David Orr, a member of the city's recreational marijuana working group.

After South Lake Tahoe voters overwhelmingly approved Proposition 64 in November 2016, the city of South Lake Tahoe began the process of considering local cannabis regulations in August of 2017. As part of that process, the City Council subcommittee opted to create our working group that has dedicated significant time and energy to helping determine the best cannabis regulations for our community. The working group met seven times over 12 weeks and spent a total of 24 hours discussing potential commercial cannabis policies for the city of South Lake Tahoe.

Members of the committee represented a full range of perspectives, from those who voted against Proposition 64 and were inclined to enact a local ban to those who wanted to see the proliferation of a robust cannabis industry in the city. The group recognized that state law permits recreational cannabis, and even those who would prefer a ban recognized the impact that state law would have on our community. With a ban, we would not be able to eradicate a black market and there would still be impacts on our youth, health system and medical services.

As such, the group consensus moved to developing smart policy that regulated local cannabis operations, while providing resources for enforcement, education, and prevention that would otherwise be unavailable to our community.

The group focused on developing a framework that allowed commercial activity in the city, that balances the desire to avoid a proliferation of businesses, but embraces a tightly regulated structure that allows smart local growth of the industry. This group is standing here together because we came to 100 percent consensus in our recommendations, and we stand by those recommendations.

Democracy is messy, which means that although we didn't always agree completely, we did agree that coming together and compromising on recommendations was the best path forward to achieve good, and democratic policy in our city. We also understood and recognized our recommendations would provide a framework for City Council and community discussion and not necessarily translate into the final policy adopted by council, similar to what happened in the VHR process.

However, what started out as a positive, constructive process has instead devolved into a process excluding our group and left us dismayed by a dismissive staff process. We understand that we all have biases, but the way staff has dismissed consideration, conversation and engagement as a result of

those biases isn't just frustrating, it is damaging to the public's trust in the City Council's process.

We cannot emphasize enough the work that went into this process. Our recommendations were the culmination of significant, thoughtful analysis in consultation with lawyers, law enforcement, industry experts, healthcare providers, educators, parents and community leaders. Our preparation packets included robust data and credible studies on both sides of the issue from California and other states that have legalized adult use cannabis. We encourage you to review those packets, minutes and report, as they were prepared thoughtfully and with the goal of helping determine the best local policy for our community.

We twice presented the report that came from hours of deliberation to City Council, and neither time were we asked a single question about our detailed and comprehensive recommendations, even as part of the council workshop. A month and two additional council meetings later, council has yet to meaningfully discuss our recommendations or policy direction at all despite having tasked us – committed community members – with the important responsibility of crafting a framework for that discussion. Those recommendations have been covered in the press and there has been no public outcry by pro-cannabis activists or anti-cannabis activists, demonstrating our recommendations are not controversial.

Additionally, we have concerns about how staff has set up [Tuesday's] meeting. For example, staff has provided numerous questions for council and included columns for council to essentially "vote" on each of these, presumably ahead of the meeting, which could be viewed as making decision outside of the public process, which would be illegal.

The current process set up by staff diverges from council direction and the process used in previous subcommittee structures. Without a consistent and transparent approach,

fewer and fewer citizens will trust the City's process or be willing to engage in future subcommittees knowing that their time and effort could be tossed aside, as ours has been to date.

We urge the council to be consistent with the process it used in the VHR debate, where they convened a subcommittee, reviewed and considered their recommendations in the form of an ordinance and made changes to that policy. Staff's professional recommendations in VHR discussion were generally limited to their role in implementation, such as how to implement the VHR cap, etc.

An ordinance consistent with Proposition 64 has been drafted that follows our recommendations and would allow such a discussion. We appreciate your consideration and ask to be meaningfully included as you develop the next steps in your conversation on this important policy.

Peggy Eichorn, Jane Flavin, Julie Garrett Wright, Liz Hallen, Kelsey Magoon, Rosemary Manning, Kevin McHugh, David Orr, Francisco Rodriguez, David Turner, Christina Wilson, Jude Wood (Devin Middlebrook is out of the country)*