

SLT's dysfunction stalls recreational marijuana

By Kathryn Reed

Recreational marijuana, while not extinguished in South Lake Tahoe, is having a hard time getting out of the starting gate.

At the March 27 City Council meeting Sergio Rudin with the law firm of Burke, Williams and Sorensen said he had all he needed to write an ordinance that would be ready for the council's review on April 17.

The issue was brought back two weeks sooner – and without an ordinance to dissect. Mayor Wendy David has asked for recreational marijuana to be on every agenda until the issue is resolved.

The council on April 3, with the absence of Brook Laine, talked in circles – again. In the end, they told Nira Doherty, attorney from the same law firm, not to bring back an ordinance. Instead, David said she would meet with Councilmember Jason Collin and acting City Manager Jeff Meston to get their questions answered.

For more than three hours last week Collin, David, Meston, Doherty, Police Chief Brian Uhler and planning director Kevin Fabino talked. A lot of questions were answered, but the council members are not completely sure where they stand on everything.

Collin appears to want information spoon fed to him. At the April 3 meeting he admitted, "I'm probably the least educated on this." He later said, "This is not the biggest priority of my life. I am not going to do homework on my own." Then he added that he has read some things about recreational marijuana.

The reality of being on any elected body is that everything on the agenda is supposed to be a priority because the electeds are doing the public's work and their job is to do what the public asks. The public is asking for a recreational marijuana ordinance. The electeds are the ones who set policy, not staff, so they must come up with the substance of the ordinance.

Part of the delay is that recreational marijuana is new to California. And while other states have legalized it, each state has its own rules. And being in Tahoe, the city has to deal with constraints imposed by the Tahoe Regional Planning Agency.

The uncooperative working relationship among the five electeds is also impacting the process. They also all don't seem to trust staff. This is bogging down the process.

Then the council is being told by one attorney that an ordinance can be written, while a different person sitting in that chair at the next meeting says more information is needed.

Complicating matters is city staff is not in agreement and let their differences be known for all to hear at the last council meeting. Doherty and Fabino are in disagreement about zoning laws, especially when it comes to micro businesses. This just adds to the confusion for the council when it comes to being able to make a decision, and for the public to trust the process and future decisions.

Micro businesses are a hiccup in the process that still needs to be addressed, and in large part will dictate how any ordinance is written. While the community working group recommended not starting with micro businesses on Day 1, members said revisiting the issue in a year or so would make sense.

Councilman Austin Sass has advocated for them since the get-

go, saying this is a better route for South Lake Tahoe and the individual businesses. It means the businesses would be able have multiple licenses bundled into one, and essentially be self-contained. One example is that they could grow, distribute and sell the product.

Recreational marijuana will be back on the April 14 agenda. The ultimate goal is to have an ordinance that will stand up in court. It remains to be seen when an actual ordinance will be forthcoming.