

Grand Jury Report

RESPONSE FORM

Grand Jury Report Title: A Pot Paradox or Bud Bingo

Report Dated: April 20, 2011

Response Form Submitted By:

Jeanine B. Nadel
Mendocino County Counsel
501 Low Gap Road
Ukiah, CA 95482

Response MUST be submitted, per Penal Code §933.05, no later than:

August 22, 2011

I have reviewed the report and submit my responses to the FINDINGS portion of the report as follows:

- I (we) agree with the Findings numbered:
4, 6
- I (we) disagree wholly or partially with the Findings numbered below, and have **attached, as required**, a statement specifying any portion of the Finding that are disputed with an explanation of the reasons therefore.
1, 2, 3, 5, 7, 8, 9, 10, 11

I have reviewed the report and submit my responses to the RECOMMENDATIONS portion of the report as follows:

- The following Recommendation(s) have been implemented and **attached, as required**, is a summary describing the implemented actions:

- The following Recommendation(s) have not yet been implemented, but will be implemented in the future, **attached, as required** is a time frame for implementation:
1 – 14

- The following Recommendation(s) require further analysis, and **attached as required**, is an explanation and the scope and parameters of the planned analysis, and a time frame for the matter to be prepared, discussed and approved by the officer and/or director of the agency or department being investigated or reviewed: (This time frame shall not exceed six (6) months from the date of publication of the Grand Jury Report)
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- The following Recommendations will NOT be implemented because they are not warranted and/or are not deemed reasonable, **attached, as required** is an explanation therefore:
-

I have completed the above responses, and have attached, as required the following number of pages to this response form:

Number of Pages attached: 1

I understand that responses to Grand Jury Reports are public records. They will be posted on the Grand Jury website: www.co.mendocino.ca.us/grandjury. The clerk of the responding agency is required to maintain a copy of the response.

I understand that I must submit this signed response form and any attachments as follows:

First Step: E-mail (word documents or scanned pdf file format) to:

- The Grand Jury Foreperson at: grandjury@co.mendocino.ca.us
- The Presiding Judge c/o Sally Nevarez: sally.nevarez@mendocino.courts.ca.gov
- The County's Executive Office: angeloc@co.mendocino.ca.us

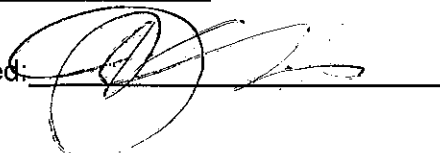
Second Step: Mail all originals to:

Mendocino County Grand Jury
P.O. Box 939
Ukiah, CA 95482

Printed Name: Jeanine B. Nadel

Title: County Counsel

Signed: _____



Date: 8/17/11

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Finding 1: Counsel disagrees with this finding to the extent that in order to comply with the State Attorney General Guidelines, any dispensary must be organized as a collective or cooperative.

Finding 2: Planning and zoning ordinances are enacted by action of the Board of Supervisors.

Finding 3: The Treasurer Tax-Collector is able to accurately state the number of licenses issued to date.

Finding 5: Counsel admits the finding, but adds the ordinance was never considered for action by the committee.

Findings 7, 8, 9: Counsel has no specific information regarding these findings.

Finding 10: A tax initiative has always required a 2/3 vote of the electorate.

Finding 11:

Bullet 1: Unincorporated County only.

Bullet 2: Agree but only because 9.31 was never intended to deal with dispensaries. Public nuisances can still be dealt with through the various county departments.

Bullet 3: The public safety impacts are currently being met, regardless of the existence of dispensaries.

Bullet 4: Agree with the finding.

Recommendations 1 – 11: The Board of Supervisors has formed an ad hoc committee to draft an ordinance for the Board's consideration. It is expected that the committee will return to the Board with its recommendation within six (6) months. All items suggested by the Grand Jury may be considered.

Recommendation 12: This is a policy decision to be made by the Board of Supervisors; it would not come to the Board as a recommendation from the Committee.

Recommendation 13: In accordance with Attorney General Guidelines, all dispensaries must be organized as a collective or cooperative.

Recommendation 14: The Treasurer Tax-Collector has already implemented a system to track licenses issued.