

For the 9/14 10 Agenda

10-2365
Prior Council file 08-0923

TO CITY CLERK FOR PLACEMENT ON NEXT REGULAR COUNCIL AGENDA TO BE POSTED	#53
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MOTION

SEP 08 2010

The City Clerk's Office and the City Attorney's Office are in the initial implementation process of Final Ordinance No. 181069, also known as the Medical Marijuana Ordinance.

As reported by the City Attorney, implementation of this Ordinance is resulting in the closure of dozens of pre-ICO collectives Citywide. The City Attorney intends to pursue litigation to actuate these closures. It remains unclear whether 100% of the closures are justified under the current Ordinance. An overly aggressive interpretation of the Ordinance could result in a miscarriage of justice, and deserves careful review.

I THEREFORE MOVE that the City Attorney be required to report to the City Council in closed session on the justification and status of the closure requests issued by that office, and that this closed session report happen prior to the commencement of litigation for said closures.

PRESENTED BY: Paul Koretz
PAUL KORETZ
Councilmember, 5th District

SECONDED BY: Brad Phillips

SEP 8 2010

ORIGINAL

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