

Westwood South of Santa Monica Blvd
Homeowner's Association
Incorporated November 8, 1971
P. O. Box 64213
Los Angeles, CA 90064-0213

July 24, 2012

Los Angeles City Council
City Hall
200 South Spring Street
Los Angeles, CA 90012

RE: Council File 11-1737, 11-1737-S1 – Medical Marijuana Ordinance

Dear President Wesson and Councilmembers:

No doubt that today's Council meeting will have a standing room only audience and members of the public waiting to testify. We have attended and testified at many hearings that have dealt with the regulation and enforcement of marijuana dispensaries over the past few years. We are well aware that the City has been placed in the position of needing to adopt a regulatory framework for a State law that was and is poorly crafted. We are also well aware that there are key legal issues to be decided in the courts. All that said, it is also clear that the City can wait no longer to adopt an ordinance to regulate medical marijuana dispensaries. The "Gentle Ban" ordinance introduced by Councilmember Huizar (Huizar-Englander, Parks—Perry) provides the City with the best option for maintaining access to marijuana for bona fide patients and for reigning in the abusive situations and over-concentrations of dispensaries that exist throughout the City

As you know, the Huizar "Gentle Ban" is actually a measure to "repeal and ban" as it would repeal the City's current medical marijuana ordinance and ban medical marijuana while the City awaits a decision from the California Supreme Court. In the interim, this "Gentle Ban" ordinance protects legitimate patients and/or their caregivers' rights to grow their own medical marijuana or to form a collective of three or fewer people to do so. More importantly, for the majority of Los Angeles' communities adversely affected by the over-proliferation of dispensaries, the repeal and ban proposal gives law enforcement the enforcement tools they have severely lacked for more than five years. During this five year free-for-all, the credibility of the City has suffered greatly. How can we abide by being known as the City with more marijuana dispensaries than Starbucks Coffee outlets or public schools?

As a homeowner organization, not only have we received complaints from our own constituents about dispensaries in our community, but we have been contacted by numerous business owners as well who are suffering as a result of the impacts of dispensaries near them. Please put the public's safety over any special interests groups that might be asking you to do otherwise. The City needs to have a way to put the pending litigation against it aside and move forward so that police will have a clear message as to how to proceed with enforcement. We cannot wait while the court cases at the State level are being decided.

Many of us voted to support the State's Compassionate Use Act because we believed that it would be administered to provide for access to medical marijuana for truly ill individuals. We all

know that instead a lucrative medical marijuana industry has blossomed and grown (no pun intended) leaving the City to deal with impacts from unscrupulous operators, recreational users and all those who seek to benefit from the sale and use of a federally banned substance. The links between the California medical marijuana industry and gangs, criminal enterprises has been noted by the State's Attorney General. The larger impacts on the environment of unregulated cultivation on public (and private) lands where pesticides, rodenticides and other hazardous substances are being applied to marijuana crops is yet another reason to halt the large-scale illegal sale of marijuana. (There are also significant law enforcement and public safety issues in areas where land is being used for marijuana cultivation. If Los Angeles continues to provide a large marketplace for "medical" marijuana, it only acts to encourage illegal cultivation activities.

With all due respect, the other proposal before you (Koretz-Wesson) would create a tangled web of legal proceedings which could prove time consuming to unravel and impossible to enforce. Without an end to the pending litigation, the Koretz-Wesson motion will not solve the City's current stalemate. The repeal and ban ordinance gives us our only viable enforcement tool until such time as we receive additional direction from the State Supreme Court.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Barbara Broide".

Barbara Broide
President