

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Administrative Office	(2) MEETING DATE 8/21/2012	(3) CONTACT/PHONE Leslie Brown (805) 781-5011	
(4) SUBJECT Request to approve the recommended responses to the 2011-12 Grand Jury report titled "Out of Sight, Out of Mind: Medical Marijuana in San Luis Obispo County" and forward these responses to the Presiding Judge of the Superior Court by August 27, 2012.			
(5) RECOMMENDED ACTION It is recommended that your Board adopt the attached responses to the Grand Jury Report on "Out of Sight, Out of Mind: Medical Marijuana in San Luis Obispo County" prepared by staff, and forward these responses to the Presiding Judge of the San Luis Obispo Superior Court by August 27, 2012, with a copy sent to the Grand Jury.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date _____	
(17) ADMINISTRATIVE OFFICE REVIEW The Administrative Office prepared this item.			
(18) SUPERVISOR DISTRICT(S) All Districts -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Administrative Office / Leslie Brown (805) 781-5011

DATE: 8/21/2012

SUBJECT: Request to approve the recommended responses to the 2011-12 Grand Jury report titled "Out of Sight, Out of Mind: Medical Marijuana in San Luis Obispo County" and forward these responses to the Presiding Judge of the Superior Court by August 27, 2012.

RECOMMENDATION

It is recommended that your Board adopt the attached responses to the Grand Jury Report on "Out of Sight, Out of Mind: Medical Marijuana in San Luis Obispo County" prepared by staff, and forward these responses to the Presiding Judge of the San Luis Obispo Superior Court by August 27, 2012, with a copy sent to the Grand Jury.

DISCUSSION

The Grand Jury issued a report on June 28, 2012 based upon their review of how medical marijuana is regulated within the boundaries of our county. The report identifies the challenges local authorities have in enforcing the State law and notes that several legal challenges have been filed in the courts as a result. A key focus of the report is the lack of local regulation of the mobile medical marijuana delivery collectives that operate in multiple jurisdictions in the county. A copy of this Grand Jury Report is provided in Attachment 3.

The report sets forth ten Findings and six Recommendations. The County Board of Supervisors is required to respond to Findings 1, 3, 4, 5, 6 and 7 and Recommendations 1 through 5 and to submit this response to the Presiding Judge of the San Luis Obispo Superior Court by September 24, 2012. In addition, the San Luis Obispo County Health Department is required to respond to Findings 8 and 10, and Recommendation 6, and is required to submit their response to the Presiding Judge of the Superior Court by August 27, 2012. Staff is recommending that you approve both the recommended Board of Supervisors' response as well as the Health Agency's recommended response at this time so that the Health Agency's response may be submitted to the Presiding Judge in a timely manner.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel provided input on the attached recommended responses. The Health Agency prepared their response to Finding 8 and 10, and Recommendation 6 for Board review and approval. The Sheriff and the District Attorney reviewed the recommended responses and had no comments.

FINANCIAL CONSIDERATIONS

There is no financial impact associated with the recommended responses.

RESULTS

This response will meet the legal requirements for responding to a Grand Jury report with findings and recommendations.

ATTACHMENTS

1. Attachment 1 - Board Response to GJ
2. Attachment 2 - Health Agency Response to GJ
3. Attachment 3 - GJ Report