

de la Guerra, Sheila

# Public Comment-Group 1 #6

**From:** fnemerson <fnemerson@comcast.net>  
**Sent:** Sunday, November 3, 2019 7:11 PM  
**To:** sbcob; Hartmann, Joan; Williams, Das; Adam, Peter; Lavagnino, Steve; Hart, Gregg  
**Subject:** T, 11/5/19 meeting agenda, Items 19-00922 and 19-00951  
**Attachments:** WEWBOSRetailRevenue11419.docx



Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Clerk of the Board and Board of Supervisors members,

WE Watch's comments on the Retail Selection Process and Cannabis Revenue are attached for your consideration.

Thank you.

Nancy Emerson, President  
WE Watch

*WE Watch, P.O Box 830, Solvang CA93463*

November 4, 2019

TO: Board of Supervisors  
FROM: WE Watch, Nancy Emerson, President  
RE: Retail Selection Process; Higher Than Anticipated Cannabis Revenue



## **Retail Selection Process**

Thank you for requesting a review of the retail selection process and for the staff's thorough research of retail selection processes, development of multiple options and recommendations regarding these options.

**For roles in a criteria-based application review, ranking and selection process,** we support using Options 2 and 3, where a third-party consultant is used for reviewing the business plan components while a staff committee is utilized for reviewing neighborhood compatibility issues.

Since parties unhappy with the above process can evidently appeal to your Board, we agree that it is best for you to help develop the selection process and criteria but not involve yourselves in the actual selection.

**“• Noticed hearings to receive public comment on the top three applicants for each community plan area. Hearings will be held in each community plan area.”**  
This is a very important part of making this process as transparent as possible. Thank you for including it.

**For Criteria and Scoring Options for Cannabis Storefront Retail,** we support the staff recommendation that Options 1 and 2 be combined to form Option 3. We really appreciate inclusion of the Neighborhood Compatibility criteria.

**For Application format and Submittal Guidelines,** we support the staff recommendation that Options #1, #2 and #3 be combined to form Option 5.

## **2. Higher Than Anticipated Cannabis Revenue**

Generally, we agree with the recommendation that allocation of higher than anticipated revenue be decided as part of the annual budget process. We continue to advise that the first priority be making sure the departments involved in regulating the cannabis industry receive the funds needed to do the job right. The goal is to allow legal cannabis where it can coexist satisfactorily with those living in the areas of the County where its activities are located. We think only the expenditure of \$54,000 for Handheld THC Analyzers for the Sheriff's Department should be approved at this time as it falls under our priority advice.

**de la Guerra, Sheila**

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**From:** SB Coalition for Responsible Cannabis <coalition4responsiblecannabis@gmail.com>  
**Sent:** Friday, November 1, 2019 4:24 PM  
**To:** Williams, Das; Hart, Gregg; Hartmann, Joan; Adam, Peter; Lavagnino, Steve  
**Cc:** Miyasato, Mona; sbcob  
**Subject:** BOS Comment: Item D6, Cannabis Revenue Allocations  
**Attachments:** FINAL BOS LETTER D-6 Tax allocation 11-5-19.pdf

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Please see attached comment letter on item D-6, copied below.

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November 1, 2019  
Board of Supervisors

RE: Item D 6, BOS hearing of November 5, CANNABIS REVENUE ALLOCATIONS

Dear Board,

We were surprised to see this item on the Agenda, as the \$1.06m in unallocated 18-19 Cannabis Tax was discussed on October 1, 2019 during the Cannabis Licensing update. As this is General Fund money, we concur with the Budget Director who recommends that "the Board continue the past practice of appropriating funding through the normal budget cycle". Certainly, if this was a dedicated funding stream, it would be appropriate to allocate to the priorities already established in the County's Cannabis Ordinance operations.

If the Board does decide to allocate \$1.06m in General Fund Revenue, we urge you to fund the Departments who are inundated with impacts from the County's Cannabis Ordinance, and/or who do not currently receive sufficient funds for cannabis-related impacts.

**Planning and Development:** Provide one-time funding to process the over 120 pending permit applications. We urge you to focus on those applicants who have been authorized to receive Provisional Licenses yet whose permit applications appear to have stalled. The vast majority of the 1000+ (includes cultivation, distribution and manufacturing) licenses have been issued to growers whose projects are essentially unregulated. Yet the impacts upon those neighborhoods where the "legal non-conforming" operations have flourished- including Carpinteria and the Santa Ynez Valley- continue unabated. The Coalition mailbox receives almost daily odor complaints from Carpinteria residents.

**Cannabis Enforcement Team:** Resources for all Departments involved in enforcing cannabis regulations should be enhanced.

**Public Health & Behavioral Wellness:** The 12/14/17 Board letter for an item discussing the [then] future ordinance, included this statement: “...*the Public Health Department supports implementing a robust public education campaign. Education on cannabis use that is accurate and unbiased is a cornerstone of preventing adverse health impacts. Successful education campaigns should be culturally sensitive and tailored to specific groups including those at higher risk (youth, pregnant women) using messaging that is relevant to them*”.

Yet only a small amount of cannabis revenue funds is now allocated to Public Health. We could not locate any cannabis outreach or programs on the Public Health website, other than links to the State. Given the increased concerns about vaping use, especially among teens, a more robust outreach and education component, as was originally anticipated, would seem wise. This may also require collaboration with Behavior Wellness’ Alcohol and Drug Programs, to address these increasing concerns.

Sincerely,  
Coalition for Responsible Cannabis

**SANTA BARBARA  
COUNTY COALITION  
FOR RESPONSIBLE CANNABIS**



November 1, 2019  
Board of Supervisors

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Sincerely,  
Coalition for Responsible Cannabis

**de la Guerra, Sheila**

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**From:** Renee O'Neill <chasingstar2701@yahoo.com>  
**Sent:** Saturday, November 2, 2019 1:17 PM  
**To:** Hartmann, Joan; Adam, Peter; Hart, Gregg; Lavagnino, Steve; Williams, Das  
**Cc:** Miyasato, Mona; sbcob  
**Subject:** BOS letter re Agenda Item D 6 - Cannabis Revenue  
**Attachments:** BOS letter re Cannabis Revenue Allocations, 11-05-19.docx; One County. One Future Word doc. .docx; Dennis Bozanich, re traffic study and staff concerns, 6-1-19.docx; Bozanich re Cannabis Program Labor as of 5.31.19.pdf

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Dear Supervisors,

Attached, please find my letter re agenda item D-6, scheduled for November 5th hearing, as well as other documents re previous communications with your administration.

*Regards,*

*Renee O'Neill*

Dear Supervisors,

November 2, 2019

“We the People” have heard you speak of “transparency” but as of yet, we have only witnessed the opposite. You are all but transparent. From the outset, you blatantly supported commercial cannabis industry in our county. Your ten Priority Objectives reflected this. CA State, Staff’s and your constituents recommended that you support the small growers, before allowing commercial industry to develop until 2023... *after* small growers had a chance to get established. We no longer see the small farmers that we considered, “Good Actors” at our county meetings. Do you? In addition, you ignored your Staff’s and resident’s recommendations to adopt prudent regulations and “Go slow before you grow.” Now, you are gaining not only local but national attention for your unscrupulous practices. You opened Pandora’s Box and blindsided your constituents, failing to adopt recommendations in the 2017 PEIR. You also failed to support a “specific” cannabis tax, on the June 2019 ballot, which would have required that all funds be for cannabis enforcement, etc., only, instead of the “general tax,” where you currently and inaptly manipulate these funds. Transparency indeed!

As a result, you created an out-of-control, cannabis monster and an outraged public. This scandal continues to proliferate and must be remedied, immediately. Use every cent of cannabis tax revenue to “Clean Up Your Unscrupulous Acts.”

In June of 2019, when the county rolled out its, “One County, One Future” policy, I was in communication with CEO, Dennis Bozanich, re your proposal to use \$400,000 dollars of the one-time cannabis tax to fund a traffic study for the ELKS Rodeo. This story was not covered in SBC. Ludicrous! Please see the attached letters and documents re my requests for a list of *purported*, “roughly 20, countywide staff (PDF of County’s Cannabis Labor Program); the number of enforcement on the Sheriff’s Cannabis Team (still 6) and my request for the following information, which has yet to be supplied by the CEO:

1. Number of enforcement cases (Civil and Criminal) that have been filed re Cannabis Industry, in Tepusquet
2. List of County Council’s Attorneys that have been assigned to enforce cannabis and the civil or criminal case numbers re cannabis enforcement that has taken place in Santa Barbara County, since Prop 64 passed, 2016.
3. Who, specifically, is investigating the death of the 16-year-old minor that was killed in Tepusquet Canyon, on August 4, 2018? This incident took place at a Cannabis grow site on ‘Autumn Road...’
4. Re expenditures of Cannabis Tax Revenue. Please provide a current, itemized list of where this money is being spent. Does the Public have any say in where these funds are going or what the ‘one-time-tax’ is used for?

“We the People” strongly encourage you to carefully consider how the \$1.06 million in unallocated cannabis tax revenue should be used. We approve the Budget Director’s recommendation stating, “The Board continue the past practice of appropriating funding through the normal budget cycle” (Where Public input and Transparency occur).

We also support the Coalition for Responsible Cannabis (and all other like-minded, supportive groups) detailed comments re where those unallocated funds be spent. Support the critically understaffed departments, like the Sheriffs, P&D and Public Health and Behavioral Wellness that you promised would be heavily funded when you acquired cannabis tax revenue.

‘Nuf said.

Respectfully Submitted,

*Renée O’Neill*

Countywide Advocate for Responsible Cannabis Legislation

May 31, 2019

## To the Residents of Santa Barbara County:

County government's role is to balance numerous sides of a complex issue, not one side or the other, that ultimately will benefit the county long term. Developing a regulatory environment for a new industry takes time and requires patience. The County Board of Supervisors adopts policies and regulations through a robust public process open to all stakeholders – none more so than the cannabis ordinance with more than 30 public meetings with many hours of public comment.

We recognize that there are significant tensions among residents, cannabis growers, and some elements of other agricultural industries. We are committed to developing a regulatory environment to address concerns such as odor, enforcement, compatible land uses and eliminating the underground economy.

Every land use issue in Santa Barbara County is controversial, including greenhouses in Carpinteria for cut flowers in the 1990s. Cannabis is a contentious topic and one that stirs strong emotions, feelings and opinions.

Since 2016 with pending state regulations and passage of Proposition 64 to legalize recreational marijuana, the County has worked on building a local regulatory structure to reduce, if not eliminate, illegal grows and many of the negative effects identified around cannabis cultivation. Developing regulations has been conducted in a very public manner with hundreds of stakeholders across the county.

Protecting neighborhoods has been at the forefront of discussions. To that end, all permitted cannabis operators are required to meet strict development standards and conditional use permits are now required of cannabis operators in existing rural neighborhoods to help reduce further impacts. The County's compliance and enforcement teams have been enforcing our regulations and those required by the State of California to put a stop to illegal cannabis activity and operations across the county.

Since August 2018, 30 criminal enforcement actions resulted in removal of 832,649 live plants and confiscation or elimination of 31,706 pounds of dry and wet harvested plants, illegal products and delivery services. In addition to criminal enforcement, the compliance team is actively pursuing civil and land use violations to enforce health and safety concerns.

Benefits of the County's approach to the regulation of cannabis include:

- Driving out bad actors and the illegal market that create public safety and health problems
- Tax revenue to fund enforcement and regulation
- Higher wage jobs with benefits for cannabis industry employees



- Creation of a new regulated ag industry within a county that is 96.5 percent agricultural and forest land, and 3.5 percent urban.

We urge all residents to engage in local government and policy development. You are receiving this because you already made a choice to receive news and information from the County, for which we sincerely appreciate. Feel free to share this with others who may not be aware of how to stay connected to the many programs and services provided by their local county government.

***One County. One Future.***  
***[www.countyofsb.org](http://www.countyofsb.org)***

Hi Dennis,

Thank you for your reply, *especially considering* it is *Saturday*. I recognize and appreciate your dedication and commitment in serving our county, to the very best of your abilities. As you know, I have been involved in the cannabis regulation process from the outset. I have also waited patiently to see 'Bad Actors' removed from Tepusquet, since 2014. As growers continue to proliferate and destroy our beloved communities, our environment and our way of life, I have become more and more disillusioned and lost all faith in our legislators' desire or ability to control this illicit industry. We did not vote for the problems that commercial cannabis industry is producing throughout our county.

I have spoken with both Sheriff's and P&D on a number of occasions. They continue to verify the statements I made. However, I would be pleased to have the facts re countywide staff that was hired to Enforce and Oversee Cannabis. I do recognize the fact that all our departmental teams are doing an outstanding job, considering the circumstances.

Thank you for offering to help me clarify the facts. I would appreciate receiving the following information:

1. List of 'roughly 20 - countywide staff' and their specific employment titles/positions
2. Timekeeping Records for all 'personnel working on cannabis compliance and enforcement' per P&D and Sheriff's Special Cannabis Forces Team (1 Sgt and 5 Dep Detectives, to the best of my current knowledge).

Re Enforcement: This brings to mind additional inquiries I have, regarding a need for the following information:

1. Number of enforcement cases (Civil and Criminal) that have been filed re Cannabis Industry, in Tepusquet
2. List of County Council's Attorneys that have been assigned to enforce cannabis and the civil or criminal case numbers re cannabis enforcement that has taken place in Santa Barbara County, since Prop 64 passed, 2016.
3. Who, specifically, is investigating the death of the 16-year-old minor that was killed in Tepusquet Canyon, on August 4, 2018? This incident took place at a Cannabis grow site on 'Autumn Road.' What, if anything, was ever done to prosecute the employer of that cannabis operation, under state or federal laws? Please provide all written reports that were made by various law enforcement agencies, regarding that case. Is it still an 'ongoing investigation?' Can the involved parties be required to testify in court, considering they were threatened by cannabis grower/owner, not to say anything to investigators? This has been a grave concern to our community.
4. Re expenditures of Cannabis Tax Revenue. Please provide a current, itemized list of where this money is being spent. Does the Public have any say in where these funds are going or what the 'one-time-tax' is used for?

Sincerely Appreciative for anything you can do to help answer these questions,

Renée O'Neill

## Cannabis Program Labor Cost Summary as of 5.31.19

### Report : Budget Financial Status (Real-Time)

Last Updated: 5/31/2019

As of: 5/31/2019 (92% Elapsed)

Accounting Period: OPEN

#### Enforcement Labor Cost Summary

| Department                           | FYTD 18/19<br>Actual Cannabis<br>Prog FTEs | 2018/2019<br>Fiscal Year<br>Budgeted<br>FTEs | 5/31/2019<br>Year-To-Date<br>Actual | 2018/2019<br>Fiscal Year<br>Adjusted Budget |
|--------------------------------------|--------------------------------------------|----------------------------------------------|-------------------------------------|---------------------------------------------|
| 012 -- County Executive Office       | 0.01                                       | 0.55                                         | \$ 2,896.18                         | \$ 96,700.00                                |
| 013 -- County Counsel                | 0.42                                       | 0.50                                         | \$ 97,417.94                        | \$ 102,400.00                               |
| 021 -- District Attorney             | 1.41                                       | 2.50                                         | \$ 373,666.16                       | \$ 387,608.00                               |
| 032 -- Sheriff                       | 3.75                                       | 3.50                                         | \$ 782,081.92                       | \$ 696,200.00                               |
| 041 -- Public Health                 | 0.13                                       | 1.00                                         | \$ 18,190.52                        | \$ 37,911.00                                |
| 051 -- Agricultural Commissioner/W&M | 0.06                                       | 1.00                                         | \$ 13,173.51                        | \$ 116,200.00                               |
| 053 -- Planning & Development        | 1.20                                       | 2.50                                         | \$ 253,014.93                       | \$ 406,800.00                               |
| <b>Totals:</b>                       | <b>6.99</b>                                | <b>11.55</b>                                 | <b>\$ 1,439,874.21</b>              | <b>\$ 1,843,819.00</b>                      |

#### Compliance (Permitting ) Labor Cost Summary

| Department                    | FYTD 18/19<br>Actual Cannabis<br>Prog FTEs | 2018/2019<br>Fiscal Year<br>Budgeted<br>FTEs | 5/31/2019<br>Year-To-Date<br>Actual | 2018/2019<br>Fiscal Year<br>Adjusted Budget |
|-------------------------------|--------------------------------------------|----------------------------------------------|-------------------------------------|---------------------------------------------|
| 013 -- County Counsel         | 0.11                                       | 0.25                                         | \$ 31,355.90                        | \$ 51,200.00                                |
| 053 -- Planning & Development | 2.55                                       | 2.50                                         | \$ 453,105.72                       | \$ 404,300.00                               |
| <b>Totals:</b>                | <b>2.66</b>                                | <b>2.75</b>                                  | <b>\$ 484,461.62</b>                | <b>\$ 506,700.00</b>                        |

#### Compliance (Licensing ) Labor Cost Summary

| Department                            | FYTD 18/19<br>Actual Cannabis<br>Prog FTEs | 2018/2019<br>Fiscal Year<br>Budgeted<br>FTEs | 5/31/2019<br>Year-To-Date<br>Actual | 2018/2019<br>Fiscal Year<br>Adjusted Budget |
|---------------------------------------|--------------------------------------------|----------------------------------------------|-------------------------------------|---------------------------------------------|
| 012 -- County Executive Office        | 0.53                                       | 0.45                                         | \$ 107,810.65                       | \$ 76,900.00                                |
| 013 -- County Counsel                 | 0.14                                       | 0.25                                         | \$ 41,077.26                        | \$ 51,200.00                                |
| 032 -- Sheriff                        | 0.10                                       | 3.00                                         | \$ 16,014.83                        | \$ 486,400.00                               |
| 041 -- Public Health                  | 0.10                                       | 1.00                                         | \$ 13,774.18                        | \$ 127,000.00                               |
| 051 -- Agricultural Commissioner/W&M  | 0.19                                       | 3.00                                         | \$ 38,429.55                        | \$ 378,200.00                               |
| 055 -- Housing/Community Development  | 0.01                                       | 0.00                                         | \$ 1,597.99                         | \$ 0.00                                     |
| 065 -- Treasurer-Tax Collector-Public | 0.02                                       | 0.50                                         | \$ 3,260.65                         | \$ 60,800.00                                |
| <b>Totals:</b>                        | <b>1.09</b>                                | <b>8.20</b>                                  | <b>\$ 221,965.11</b>                | <b>\$ 1,129,300.00</b>                      |