

Ebron, Eugene

From: Martin Truitt <martin117a@gmail.com>
Sent: Saturday, July 20, 2019 9:10 AM
To: Bagneris, Michele; Reyes, David; Nunez, Guille
Subject: Fwd: cup applications

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City Attorney Bagneris:

I submitted the public records act request reproduced below on July 9, 2019.

A response was legally required yesterday and city staff failed to respond by the statutory deadline.

This is now the 3rd time I have informed you of yet another refusal by the planning department to produce public records within the statutory deadline.

Very truly yours,

Martin Truitt

----- Forwarded message -----

From: <martin117a@gmail.com>
Date: Tue, Jul 9, 2019 at 5:04 PM
Subject: cup applications
To: Guille Nunez <gnunez@cityofpasadena.net>, David Reyes <davidreyes@cityofpasadena.net>
Cc: Theresa Fuentes <tfuentes@cityofpasadena.net>

The posting of the redacted Harvest CUP application on the city website does not satisfy my outstanding public records act request.

I would like full unredacted copies of the Harvest and Sweetflower applications.

To the extent that you are redacting information, please provide a signed notification citing the legal authorities on which you rely if you have determined that any of the information is exempt and will not be disclosed.

For example, you have completely redacted all of the pages relating to "Adherence to Required Codes" from the online document you have posted for Harvest.

I submit that none of the information relating to code compliance is properly subject to redaction.

Please provide any information contained in the Harvest CUP application demonstrating compliance with the following Municipal Code requirements:

Section 5.78.150 Records and Record Keeping
Section 5.78.170 Consumption; Cannabis out of sight; Reporting and Tracking of Sales; State Licensed Facilities; Emergency Contact; Signage and Notices; Minors; Display Licenses; Background Check; Loitering.
Section 5.78.210 Inspection and Enforcement
Section 8.11.040 Retail Cannabis Facilities Licensing; Health Protection Operating Criteria; Permanently constructed structure; State permitted items; Must be packaged and labeled; Alcohol and Tobacco Prohibited; Permanent Food Facility; Giveaways Prohibited; On-Site Consumption Prohibited; Temperature Requirements; Cannabis Sourcing Requirements
Section 8.011.050 Required In-Store Safety Information
Section 8.11.070 Waste Management Plan
Section 8.11.080 Record Keeping
Section 8.11.090 Track & Trace
Section 8.11.100 Employee Health
Section 8.11.110 Cannabis Facility Training Program
Section 8.11.120 Responsible Cannabis Retailing Education Required
Section 8.11.130 Inspection
Section 8.11.140 Cannabis and Cannabis Product Quality Assurance
Section 17.50.066(D) Commercial Cannabis Permit Required; Use Permit Required; Limitation on Number of Retailers; Maximum Square Feet; Location Requirements; Operating Requirements; Hours of Operation; Delivery Services; Conditions of Approval; Discontinuance of Use.

Based on my inspection of the documents provided by Ms. Nunez for inspection on July 3, all of this information was missing from Harvest's CUP application. When specifically asked about this missing information, Ms. Nunez stated that the only items held back from my public inspection in this section were related to security.

None of this information asked for above can be properly redacted from public disclosure.

If you can not provide copies of this information promptly (by Thursday) then I wish to inspect this information in-person tomorrow.

I suspect that this required information is not present in the Harvest application and wish to confirm that fact as quickly as possible.

I am copying the city attorney's office in this email to help encourage a speedy determination, and would likewise be happy to discuss my request with her at any time.

Thank you for your attention to this matter.

Martin Truitt
626-354-4550