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RESOLUTION NUMBER R- 306197

DATE OF FINAL PASSAGE OCT 11 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE CITY COUNCIL'S RESPONSE TO THE 2009-2010 SAN DIEGO COUNTY GRAND JURY REPORT TITLED "MEDICAL MARIJUANA IN SAN DIEGO."

WHEREAS, on June 7, 2010, the 2009-2010 San Diego County Grand Jury (Grand Jury) filed a Report titled "Medical Marijuana in San Diego" (Report) that requested a response from the Mayor and San Diego City Council (City Council); and

WHEREAS, under California Penal Code section 933(c), within 90 days after the filing of the report, each public agency which the Grand Jury reviewed, and about which it issued the Report, must comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency; and

WHEREAS, the Presiding Judge granted an extension to the due date for the Mayoral and City Council response, and the due date is now November 1, 2010; and

WHEREAS, the Grand Jury assessed issues relating to the concerns of medical marijuana patients, the concerns of residents disturbed by the activities of marijuana stores, and requested that the City Council respond to each of the findings and recommendations 10-114, 10-115, and 10-116 in the Report that relate to the City of San Diego; and

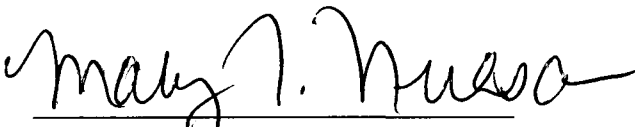
WHEREAS, the Office of the Independent Budget Analyst (IBA) has proposed a response to the Report as set forth in IBA Report No. 10-68 REV, dated September 17, 2010, for the City Council's consideration; and

WHEREAS, under Charter section 280(a)(1), this resolution is not subject to veto by the Mayor because this matter is exclusively within the purview of the City Council and not affecting the administrative service of the City under the control of the Mayor; NOW THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Council approves and adopts as its own the response to the 2009-2010 San Diego County Grand Jury Report titled "Medical Marijuana in San Diego," as set forth in IBA Report No. 10-68 REV, dated September 17, 2010.

BE IT FURTHER RESOLVED, that the Council President is authorized and directed, on behalf of the City Council, to execute and deliver the above-described response to the Presiding Judge of the San Diego Superior Court, no later than November 1, 2010.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Mary T. Nuesca
Chief Deputy City Attorney

MTN:amt
9/22/10
Or.Dept:IBA