

# Marijuana tax on Fillmore ballot



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## Other Ventura County cities uninterested in asking voters to tax possible future medical marijuana sales



(Photo: STAR FILE PHOTO)

Voters in Fillmore will be asked in November whether [the city \(http://www.fillmoreca.com/\)](http://www.fillmoreca.com/) should tax the sale and cultivation of marijuana, even though selling and growing it for any reason is illegal in the city and will remain so into the foreseeable future.

But city leaders said they wanted to have a [tax mechanism \(/story/news/local/communities/fillmore/2016/06/16/fillmore-council-votes-to-put-medical-marijuana-tax-on-november-ballot/88747392/\)](http://www.fillmoreca.com/) in place in case the council changes its mind later, especially if Californians vote Nov. 8 to legalize recreational marijuana.

"It's a precaution in case marijuana is legalized," City Manager Dave Rowlands said. "We'll be ready for it."

Although marijuana taxes have been approved by many California cities, including Los Angeles, Palms Springs and San Jose, other Ventura County cities appear reluctant to follow suit.

Instead, they want to see how an initiative on the November ballot that would legalize recreational marijuana in California plays out.

"We're doing our research to determine what we might need to do in the future," said Geoffrey Ware, code compliance manager for the city of Thousand Oaks.

Fillmore's proposal would tax sales and distribution of marijuana at a rate of up to 15 percent.



[VENTURA COUNTY STAR](http://www.vcstar.com)

[Fear and loathing in Fillmore over marijuana activity](http://www.vcstar.com)

[\(http://www.vcstar.com/story/news/local/communities/fillmore/2016/08/04/fear-and-loathing-in-fillmore-over-marijuana-activity/88934036/\)](http://www.vcstar.com/story/news/local/communities/fillmore/2016/08/04/fear-and-loathing-in-fillmore-over-marijuana-activity/88934036/)

It also would tax commercial cultivation operations at up to \$30 a square foot for the first 3,000 square feet and up to \$15 a square foot beyond that.

When the Fillmore City Council voted unanimously in June to place the question on the ballot, council members said any tax revenue would be used to pay for related expenses, such as public safety, code compliance, drug education and mental health programs.

"If recreational marijuana is legalized in November, there's going to be a cultural shift for better or worse, regardless of where you stand on marijuana," Councilman Manuel Minjares said in June. "We're going to need the resources to make sure our community is protected."

Rowlands said the city has no plans to launch a voter education program on the issue, even though some of Fillmore's 6,152 registered voters may wonder why they're being asked to approve a tax on something that's illegal to begin with.

"It seems like they haven't done their homework to let people know what's going on," said Fillmore resident Jesus Ortiz, a restaurant manager and registered voter.

He said he does not know much about the tax proposal, but he does not want to vote for any measure even remotely connected to legalized marijuana because of the effect it may have on children.

"It sends the wrong message," said Ortiz, the father of a 20-month-old daughter.

Fillmore city leaders said they wanted to get the tax measure on the ballot this year because they would not have another opportunity to do so until 2018, and they might lose out on revenue in the interim.

If recreational marijuana is legalized in November, the state will not begin issuing cannabis business licenses until 2018.

Medical marijuana advocates have come out against the Fillmore measure, saying the proposal would be financially onerous to patients on limited incomes, especially seniors. On top of that, they say, it's irrelevant.

"We think it's ridiculous, since they've made it clear they're not licensing any businesses," said Chelsea Sutula, president of the Sespe Creek Collective, which delivers medical marijuana to patients in Ventura County. "We know the new council won't be any different from the current council. It doesn't make any sense."

Medical marijuana was legalized by California voters in 1996 when they passed the Compassionate Use Act. But cities and counties may regulate marijuana's sale, delivery and cultivation.

Most cities in Ventura County have chosen to ban it. Ojai prohibits dispensaries but allows collectives and cooperatives.

Fillmore reconsidered its prohibition in August but ultimately voted to keep the status quo until after the November election.

The recreational cannabis proposal on the November ballot, called the Adult Use of Marijuana Act, would allow people 21 and older to possess, transport and use up to an ounce of cannabis for recreational purposes and would allow individuals to grow as many as six plants.

A recent USC Dornsife/Los Angeles Times poll (<http://www.latimes.com/politics/la-pol-ca-pot-survey-20160913-snap-story.html>) shows most California voters support legalizing recreational marijuana.

As for marijuana taxes in other parts of Ventura County, city officials say they're not an issue.

In Thousand Oaks, Ware said the City Council has asked the city staff to return with another report on marijuana later this year.

In Simi Valley, city leaders have not given any indication they want to discuss a tax, said City Manager Eric Levitt, but the issue of marijuana regulation may come up after November, especially if California votes to legalize it recreationally.

"I think we would bring it forward at some point," he said. "Currently, sales can't occur in the city, and it's something the City Council has taken a fairly strong position on."

Like Thousand Oaks and Simi Valley, Ventura is taking a wait-and-see attitude, said Ventura Police Chief Ken Corney, a strong opponent of legalized recreational marijuana and president of the California Police Chiefs Association.

"I think it's a good idea to wait until the new (statewide) regulations come out, and you can understand how it would work in your community," he said.

Oxnard, which approved an ordinance in January prohibiting medical marijuana sales, reaffirming a previous ban, has no plans to consider a sales tax, said Delana Gbenekema, a spokeswoman for the city.

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