

## AGENDA ITEM SUMMARY

August 20, 2019

City Council

### STAFF

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Ginny Sawyer, Policy and Project Manager  
Bronwyn Scurlock, Legal

### SUBJECT

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Resolution 2019-086 Supporting a Grant Application for Gray and Black Market Marijuana Enforcement Funding for Fort Collins Police Services.

### EXECUTIVE SUMMARY

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The purpose of this item is to obtain Council support for the City to apply for grant money to support enforcement of gray- and black-market marijuana activity for Fort Collins Police Services.

### STAFF RECOMMENDATION

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Staff recommends adoption of the Resolution.

### BACKGROUND / DISCUSSION

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“Gray Market” is a term that refers to marijuana grown legally then sold which would be illegal. A scenario would be where someone has a medical card with an “extended plant count” which may allow them to grow up to 99 plants. Instead of using the product for their own medical needs, they sell it on the black market either locally or more likely to someone in another state.

For the past two years, the State has made grant funding available to help address unlicensed and illegal marijuana activity in Colorado. In 2019, the District Attorney’s Office was awarded approximately \$120,000 in grant funds to which Police Services had access. Some of these dollars were used to acquire long-term storage for evidence seized in black-market investigations. Additional funds were used to provide staff to investigate cases and dismantle black-market grow operations in Fort Collins neighborhoods and regionally.

The District Attorney’s Office has elected not to pursue the grant again. The City is eligible to apply for grant funds directly and Police Services would like to pursue second year funding to continue local neighborhood marijuana investigations. Grant dollars can help to provide additional resources to existing staff without having a direct impact on City budget.

Investigations completed to date have not only addressed criminal activity but also improved neighborhood livability and provided insight into the level of unlicensed/illegal marijuana activity in the community. With additional insight and knowledge, Police Services can address staffing needs and priorities through both current assignments and future budget offers.

### CITY FINANCIAL IMPACTS

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The decision does not impact City finances. Support of the Resolution allows Police Services to apply to the State for these grant dollars. If the grant is awarded, the City will serve as the fiscal agent for the funds and will seek an appropriation at that time.

RESOLUTION 2019-086  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
SUPPORTING A GRANT APPLICATION FOR GRAY AND BLACK MARKET  
MARIJUANA ENFORCEMENT FUNDING FOR FORT COLLINS POLICE SERVICES

WHEREAS, Fort Collins Police Services (“FCPS”) is applying for a grant through the Gray and Black Market Marijuana Enforcement Grant Program (the “Program”) from the Department of Local Affairs (“DOLA”) to fund investigation and prosecution of unlicensed marijuana cultivation and distribution operations; and

WHEREAS, the Program provides financial assistance to local law enforcement agencies and district attorneys through local governments; and

WHEREAS, the total amount of grant money to be dispersed amongst agencies and district attorneys that apply is \$5.8 million; and

WHEREAS, until submittal of an application, FCPS does not know the amount that may be awarded; and

WHEREAS, in 2019, the District Attorney (the “DA”) was awarded approximately \$120,000 in grant funds to fund investigation and prosecution of unlicensed marijuana cultivation and distribution operations in Fort Collins (the “Project”); and

WHEREAS, FCPS utilized that money to acquire long-term evidence storage units for illegal black-market marijuana, and for an increase in staffing to help with investigations of black-market grow operations in the City; and

WHEREAS, the DA has elected not to pursue additional grant money from the Program; and

WHEREAS, the City is eligible to directly apply for a grant through the Program, and FCPS has recommended that the City apply for grant funds to continue black-market marijuana investigations; and

WHEREAS, as part of its grant application process, there is a requirement that the governing body of any entity applying for grant funds pass a resolution to show that it is aware of and supports the application, and recognizes the obligations the grant creates; and

WHEREAS, the City would not be required to provide any matching funds toward the Project; and

WHEREAS, the grant money would allow FCPS to continue to improve neighborhood livability and provide insight into the extent of the problem associated with unlicensed, illegal marijuana activity in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS, as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby supports the City's application for a grant through the Program from DOLA to fund the Project; and

Section 3. That if the grant is awarded, the City Council supports the completion of the Project.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 20th day of August, A.D. 2019.

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Mayor

ATTEST:

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City Clerk