

From: [Jamie Ballachino](#)
To: [Kyreen Gonzalez](#)
Cc: [Michael Garcia](#); [Bob Haroche](#)
Subject: CM019-0009
Date: Tuesday, September 17, 2019 11:49:53 AM

EXTERNAL

Kyreen,,

Please call me regarding the proposed amendment to the CC and R's for the Pool Creek home owners association on Leslie Rd. After three years of legally cultivating cannabis on Leslie Rd, my farm is being challenged by the old HOA "Pool Creek." It is reviving itself after being dead for over 30 years in order to ban cannabis cultivation. This HOA was started in 1983. It stopped having meetings, enforcement, and dues over 30 years ago. It has no records of existing for 30 years. Many of the members are actively breaking many of its rules. The most important to note are the vineyards. They are not following the rules of the HOA. This is patently unfair, and a direct threat to my livelihood. If you are the person in charge of this request for permission to amend the CC and R's, please understand that after three years of compliant operation, myself and my employees are in complete reliance on this income. To end this reliance after allowing it for three years would be detrimental. My family and the 15 employees that my business employs can not afford to lose our jobs. We are farmers working in a properly zoned area, with a state cultivation license. We came forward when they asked us to, and we ran the obstacle course that was asked of us. We are not hurting anyone around us, and the density of homes is about 6 per 130 acres of farmland. LIA is the zoning. Sonoma County is the third party beneficiary in the CC and R's. They are requesting that you approve the amendment. We request that you do not approve the amendment being that we existed before it. We are operating legally amongst the vineyards. Our farming practices are safe. We are tested, inspected, and taxed on a regular basis. Andrew Smith will attest that we are in complete compliance. The Sonoma County Tax collector will attest that we have paid all of our dues to the county. This HOA *had not* for 30 years. We have never missed a tax payment or permit fee. The HOA has *just started* making tax payments so that it can try to stop us. It can not be regarded as a real HOA if no one in it obeys its rules. Please sit and discuss this matter with me.

Regards,

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