

RESOLUTION NO. 17-136

Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Issue A Request For Qualifications For A Dispensary/Retail Permit For A Storefront Dispensary

WHEREAS, Section 5-28.07(b) of the Emeryville Municipal Code provides that no Dispensary/Retailer permit, as that term is used in Section 5-28.04(b)(4), shall issue until the City Council adopts regulations establishing issuance of such permit; and

WHEREAS, on September 5, 2017, the City Council adopted Resolution No. 17-135, adopting regulations governing the issuance of a Dispensary/Retailer permit as that term is used in Section 5-28.04(b)(4) of the Emeryville Municipal Code; and

WHEREAS, pursuant to the procedures set forth in Resolution No. 17-135, the City Council desires to release a Request for Qualifications (RFQ) to cannabis businesses; now, therefore, be it

RESOLVED, the City Council of the City of Emeryville hereby authorizes the City Manager to issue the RFQ attached to this resolution as Exhibit A.

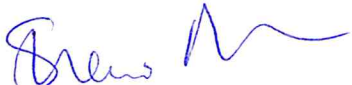
ADOPTED by the City Council of the City of Emeryville at a regular meeting held Tuesday, September 5, 2017 by the following vote:

AYES:	<u>5</u>	Mayor Donahue, Vice Mayor Bauters and Council Members Martinez, Medina and Patz
NOES:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>0</u>	


MAYOR

ATTEST:

APPROVED AS TO FORM:


CITY CLERK


CITY ATTORNEY

City of Emeryville



REQUEST FOR QUALIFICATIONS APPLICATION FOR CANNABIS DISPENSARY/RETAILER PERMIT

Submittals may be mailed or delivered in person to the:

City of Emeryville
Attn: Economic Development Manager
1333 Park Avenue
Emeryville, CA 94608

SUBMITTALS MUST BE RECEIVED BY

Friday, October 6, 2017, by 5:00 p.m.

DEADLINE TO SUBMIT QUESTIONS REGARDING REQUEST FOR QUALIFICATIONS

Email csmalley@emeryville.org by Wednesday, September 20, 2017 by 5:00 p.m.
Telephone calls will not be returned.

MANDATORY PRE-SUBMITTAL MEETING

Monday, September 25, 2017 at 1:30 p.m.

City Council Chambers
City of Emeryville
1333 Park Avenue
Emeryville, CA 94608

This Request for Qualifications (RFQ) is being issued by the City of Emeryville (City) to identify a cannabis business with a storefront qualified to hold a Dispensary/Retailer permit. The City intends for only one cannabis business with a storefront to be eligible to hold a Dispensary/Retailer permit, but reserves the right to decline to issue any permits or to issue more than one permit pursuant to this RFQ.

I. Introduction

Located at the foot of the San Francisco Bay Bridge, Emeryville is comprised of just 1.2 square miles of land north of Oakland and south of Berkeley. Emeryville is now a regional retail destination and headquarters for major high-tech and biotech corporations, with over 21,000 jobs. As an employment hub, the City values labor-friendly employment practices, which is evidenced by its adoption of local minimum wage, paid sick leave, and fair work week standards.

On March 21, 2017, the City Council introduced two separate ordinances to create a local regulatory framework that would create opportunities in Emeryville for the burgeoning cannabis industry. The first ordinance, Ordinance No. 17-002, amended the City's Planning Regulations to allow for the following commercial cannabis uses: manufacturing, testing, distribution, transport, delivery, research and development, and retail/dispensary. There are no buffer zones for manufacturing, testing, distribution, transport, or research and development. However, cannabis retail/dispensary operations must be located at least 250 feet away from certain sensitive sites. Applicants should note that the State may impose a more restrictive buffer zone of 600 feet from schools for medical cannabis dispensaries and are encouraged to confirm with the State that any site selected may be eligible for a state license. Pursuant to the Planning Regulations, a commercial cannabis business must obtain a conditional use permit from the City's Planning Commission prior to commencing operations. The second ordinance, Ordinance No. 17-003, requires businesses to obtain an annual permit from the Police Chief, often referred to as an Operator's Permit. The Police Chief may issue an unlimited number of Operator's Permits for manufacturing, testing, distribution, transport, delivery, and research and development cannabis businesses, provided that the business has obtained a conditional use permit for its operations in Emeryville. For a Dispensary/Retailer Permit, the City Council has adopted a resolution establishing the procedures. Cannabis businesses with a storefront seeking a Dispensary/Retailer permit must participate in a competitive Request for Qualifications (RFQ) process to obtain a permit. Cannabis businesses without a storefront are exempt from the RFQ process and may obtain a Dispensary/Retailer permit from the Police Chief.

The purpose of this RFQ is to determine the cannabis business with a storefront deemed qualified to receive a Dispensary/Retailer permit. Based on the RFQ process, the City Council will determine a cannabis business(s) eligible to obtain a Dispensary/Retailer Permit. The City Council intends to qualify only one cannabis business eligible for a Dispensary/Retailer permit, but reserves the right to decline to qualify any business or to deem more than one business qualified to obtain a Dispensary/Retailer permit. It is envisioned that the Police Chief will issue the Operator's Permit to the storefront cannabis business qualified by the City Council after the business has obtained the conditional use permit for the site of its operations.

II. Applicant's Response to the RFQ

A response to this RFQ must satisfy the following requirements:

a. Pre-Submittal Requirements

- i. All applicants must attend in person a pre-submittal meeting, at which City staff will answer questions on the RFQ and the RFQ process. No questions will be answered by phone or in person, except at this mandatory pre-submittal meeting.
- ii. **Deadline to Submit Questions for Staff's Consideration: September 20, 2017 by 5:00 p.m.** Email questions to csmalley@emeryville.org, with the subject title of "Cannabis RFQ Question". No questions will be answered by phone or in person, except at the mandatory pre-submittal meeting. Answers to the questions regarding the RFQ will be emailed out to the list of attendees of the pre-submittal meeting by Friday, September 29, 2017.
- iii. **Pre-Submittal Meeting Date and Time (Required):**

Monday, September 25, 2017 at 1:30 p.m.

City Council Chambers
City of Emeryville
1333 Park Avenue,
Emeryville, CA 94608

Please check in with the Lobby Receptionist and you will be escorted to the City Council Chambers.

b. Submittal Requirements

- i. A complete Operator's Permit Application, which includes applications from the cannabis business and applications from key individuals, which is included as Attachment 2.
- ii. Non-refundable fee of **\$1,831.52 (one thousand, eight hundred, thirty-one dollars and fifty-two cents)**, plus **\$447 (four hundred, forty-seven dollars)** for each individual who must submit a key individual application.
- iii. A business plan summary, which shall include all of the following:
 1. A description of the cannabis and/or cannabis products to be sold, and whether these products will be medical or recreational purposes or both;
 2. A description of the products and services that may be sold at the site;
 3. Whether the cannabis and/or cannabis products will be consumed at the site, and if so, the manner of consumption (e.g., smoked, ingested, topical application);
 4. A discussion of the proposed business's intended customer market;

5. A discussion of how the proposed business will complement existing industries and/or businesses in Emeryville;
 6. A discussion of the proposed business' hiring and employment practices;
 7. A description of anticipated first year start up activities;
 8. If a location for the proposed business has been selected, a description of the site; and
 9. A description of any other benefits to the Emeryville community offered by the proposed business.
- iv. A proposed budget, which shall include all of the following:
1. One year pro forma financial estimates of projected capital costs;
 2. Three years of pro forma estimates of operations, including a discussion of the business assumptions used to develop the estimates. Examples of assumptions include revenue, customer volume, product costs, personnel costs, equipment costs, utility costs, and other operation and maintenance costs;
 3. Proof of capitalization, which includes demonstrating that sufficient capital has been secured to pay the costs associated with the start up costs, and at least three months of operating costs. Proof of capitalization shall be in the form of either documentation of cash or other liquid assets or a letter of credit.
 4. The proposed budget shall be considered a document exempt from disclosure under the Public Records Act (Gov. Code, § 6250, et seq.).
- v. Submittals must be mailed or personally delivered and must be **received by 5:00 p.m., Friday, October 6, 2017**. Facsimile and emails of submittals will not be accepted.
- vi. The envelope containing the submittal must be addressed to:
- City of Emeryville
Attn: Economic Development and Housing Manager
1333 Park Avenue
Emeryville, CA 94608
- The envelope must be sealed and show the applicant's name and address. If submittals are hand delivered, they may be left with the receptionist at the above-referenced address.
- Six** hard copies of the applicant's submittal must be included, plus **one** electronic copy on either a disc or thumb drive.
- vii. Submittals will not be opened publicly. Any submittal received after the established closing date and time will not be accepted.

III. Selection Process

Representatives from applicable City departments will evaluate all written submittals received by the closing deadline, and rank them as described in this section. The applicants that receive a higher ranking on the written submittal may be invited for an oral interview with City staff, which will be held on **Thursday, October 20, 2017, and which will require payment of an**

additional fee of \$1,352.31 (one thousand, three hundred, fifty-two dollars and thirty-one cents). Applicants selected for an oral interview will be notified by email on Friday, October 13, 2017. The three top ranked applicants will be forwarded to the City Council for final consideration at the **Tuesday, November 21, 2017** City Council meeting, in the City Council Chambers, City Hall, 1333 Park Avenue, Emeryville, CA 94608, and for the determination that the applicant is qualified to hold an Operator's Permit. The Police Chief will ultimately issue the Operator's Permit to the qualified business, after all other City permits (e.g. conditional use permit) have been obtained. Applicants will be notified of their application being forwarded to the City Council by Friday, November 3, 2017.

Applicants will only be contacted if they are progressing to the next phase.

Based on the written submittal and any oral presentation, the City will rank the responses based on the attached scoring system. (See Attachment 1.) The City Council has set the following goals for this RFQ:

Goal No. 1. Attributes of the Business. The City Council is seeking a dispensary/retail business that will serve a regional customer base, and that will provide a place where customers may consume cannabis on-site. Thus, the Council is seeking a dispensary that will maintain a storefront where customers may visit to purchase cannabis or cannabis products.

Goal No. 2. Type of Cannabis. The City Council is open to the selected business selling medical or recreational cannabis or both.

Goal No. 3. Community Benefits. The City Council is interested in a business that can offer on-going community benefits that are flexible, and that can address the needs of the City as determined by the Council. Community benefits should be quantifiable, and should identify whether the community benefits offered will create any burdens on City resources.

Goal No. 4. Good Neighbor. Emeryville is an urban area, in which residential, commercial and industrial uses must co-exist in close proximity. The Council is seeking a dispensary/retail business that will engage with the community, respect neighbors, and strive to enhance the community in Emeryville.

Submittals will be rated and ranked on how well they satisfy, accomplish or further the City Council goals, and therefore, applicants should carefully consider these goals when preparing their submittal, and responses should evidence how the applicants intend to further those goals.

IV. City Notices

- a. Public Records: Except as provided herein, and as required by law, all documents submitted in response to this RFQ become the property of the City, and under the Public Records Act (Gov. Code, § 6250, et seq.) are public records, and as such, may be subject to public review. However, the submittals shall not be disclosed until negotiations are complete and the successful business is deemed qualified. If a proposer claims a privilege against public disclosure for trade secret or other proprietary information, such information must be clearly identified in the submittal. However, the City will comply with the Public Records Act requirements or other legal requirement for disclosure regardless of designation.

- b. Addenda and Interpretation: No interpretation or the meaning of the specifications or other RFQ documents will be made to any applicant orally.
- c. Reservation of City's Rights: The City reserves the right to do any of the following at any time during this process, including but not limited to:
 - i. Reject any or all submittals received;
 - ii. Request clarification of any submitted information;
 - iii. Waive any informalities or irregularities in any submittal;
 - iv. Not issue any permit
 - v. Issue more than one permit;
 - vi. Not select any hearing officer;
 - vii. Cancel this process at any time;
 - viii. Amend this process at any time;
 - ix. Interview applicants prior to being deemed qualified;
 - x. Issue similar RFQ's or Requests for Proposals in the future; and
 - xi. Request additional information during this process.

V. **Issuance of Dispensary/Retailer Permit**

Once the City Council deems a business qualified to hold a Dispensary/Retailer permit, the Police Chief is authorized to issue the permit for up to one year from the date the City Council deems a business qualified. The Police Chief reserves the right to request updated information prior to the issuance of any permit. The Police Chief will not issue the permit until the qualified business obtains a valid conditional use permit from the Planning Commission for the site of operations. Annual renewals of the permit are within the discretion of the Police Chief.

Attachments

- 1. Rating Criteria
- 2. Operator's Permit Application (also available online)

The following references, plus additional information, are available at the City's website: www.emeryville.org/cannabis.

- 1. Ordinance No. 17-002 (City Planning Regulations)
- 2. Map of Where Cannabis Sales May Locate in City
- 3. Map of Where Medical Cannabis Sales May Locate in the City based on State Buffer Zone
- 4. Ordinance No. 17-003 (Operator's Permit Regulations)
- 5. Resolutions related to Issuance of RFQ

RATING SHEET FOR CANNABIS DISPENSARY/RETAIL OUTLET REQUEST FOR QUALIFICATIONS (RFQ)

Each category ranked on a raw scale of 1 to 10,
with 10 being the highest score available.

Description of Operations	Raw Score (0-10)	Multiplication Factor	Total Points
1. Does the applicant adequately describe the product type, including whether it will be medicinal or recreational?		1	
2. Does the applicant adequately describe anticipated average production amounts (including each product produced by type, amount, process and rate)?		1	
3. Does the applicant identify the source(s) of cannabis?		1	
4. Does the applicant identify any other products or services to be sold or offered at the site that would enhance the experience for the consumer or otherwise benefit the community?		1	
Description of Premises			
5. Does the applicant identify a site where a dispensary/retail is allowed, and if so, have they secured the right to occupy the property (e.g., own or lease it)?		1	
Security Plan			
6. Does the plan adequately address how to prevent individuals from remaining on the premises if they are not engaged in activity related to the business?		1	
7. Does the plan adequately establish limited access to cannabis and cannabis product to both deter and prevent unauthorized access and theft?		1	
8. Does the plan describe adequate secured storage of cannabis and cannabis products in a manner to prevent diversion, theft or loss?		1	
9. Is the cannabis or cannabis product provided in a tamper proof or tamper evidence packaging?		1	
10. Does the plan adequately address how to mitigate off-site impacts such as loitering, noise, odor and driving under the influence?		1	
11. Does the plan adequately address how to limit the amount of cash on the premises?		1	
12. Does the plan describe an adequate tracking system?		1	
Other Licenses			
13. Does the business adequately describe how they intend to obtain state licensing?		1	

Business Plan	Raw Score (0-10)	Multiplication Factor	Total Points
14. Has the applicant adequately described the intended customer market, and how they intend to reach that market?		1	
15. Has the applicant analyzed how their proposed business will complement existing Emeryville industries and businesses?		1	
16. Has the applicant proposed using businesses' hiring and employment practices consistent with Emeryville values?		1	
17. How does the applicant intend to include or to serve individuals who come from communities that traditionally have been harmed by the War on Drugs?		1.5	
18. Has the applicant offered other benefits to the Emeryville community?		3	
19. Does the applicant's proposed budget submittals, including anticipated first year start up activities, adequately demonstrate financial feasibility for the business if selected as qualified for an Operator's Permit?		1.5	
20. Does the applicant's proposal adequately address and further the City goals identified in the RFQ?		2	
Total Points			

The City reserves the right to disqualify or deduct points from an applicant's overall score if the response to any of the questions below is yes.

Background Check	Yes or No
a. Does any member of the applicant team have a felony conviction as specified in Penal Code section 667.5(c)?	
b. Does any member of the applicant team have a felony conviction as specified in Penal Code section 1192.7?	
c. Does any member of the applicant team have a felony conviction involving fraud, deceit or embezzlement?	
d. Does any member of the applicant team have a felony conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor, or offering to sell, furnishing, offering to furnish, administering or giving away any controlled substance to a minor?	
e. Does any member of the applicant team have a felony conviction for drug trafficking with an enhancement pursuant to Health and Safety Code section 11370.4 or 113798?	
f. Has the cannabis business or any member of the applicant team been sanctioned by a licensing authority or other city or county for unauthorized commercial cannabis activity?	
g. Would the granting of an Operator's Permit perpetuate or encourage distribution of cannabis or cannabis products to minors, generation of revenue from the sale of cannabis or cannabis products to fund criminal enterprises, gangs and cartels, diversion of cannabis or cannabis products to jurisdictions outside the state, trafficking of other illegal drugs or facilitating other illegal activity, violence and the use of firearms in the cultivations and distribution of cannabis and cannabis products, the use of public lands in the cultivation of cannabis, or the use of federal property for commercial cannabis activity?	



City of Emeryville

INCORPORATED 1896

1333 Park Avenue, Emeryville, CA 94608-3517

t (510) 596-4300 | f (510) 596-4389

Cannabis Business Background Check Application Form

APPLICANT INFORMATION			
Full Name	Email	Phone No.	
Mailing Address	City	State	Zip Code
BUSINESS INFORMATION			
Business Name		Business Type	
Primary Business Owner		Secondary Business Owner (if applicable)	
Mailing Address	City	State	Zip Code
Main Phone No.	Alternate Phone No.	Fax No.	
SUPPLEMENTAL INFORMATION			
Designation: <input type="checkbox"/> Cannabis Business Owner <input type="checkbox"/> Cannabis Key Employee <input type="checkbox"/> Delivery Driver			
<p>"Cannabis Business Owner" is defined as 1) person or entity having an ownership interest in the Commercial Cannabis Business other than a security interest, lien, or encumbrance on property that will be used by the Commercial Cannabis Business; 2) the chief executive officer or any person or entity of a publicly traded Commercial Cannabis Business with an aggregate ownership interest of five percent (5%) or more; or 3) person who participates in the direction, control, or management of, or has a financial interest in, the Commercial Cannabis Business.</p> <p>"Cannabis Key Employee" is defined as an employee of the Commercial Cannabis Business who makes or will make operational or management decisions that directly impact the business.</p> <p>"Delivery Driver" is defined as a person that will deliver Cannabis or Cannabis Product in the City. Such individuals must be at least 21 years of age at the time of submittal of this application.</p> <p>For more information on Cannabis regulations within the City of Emeryville, please refer to Chapter 28 of Title 5 of the Emeryville Municipal Code (www.codepublishing.com/CA/Emeryville).</p>			
ALL PERSONNEL PLEASE COMPLETE THE FOLLOWING SECTION			
1) Have you ever been convicted of a violent felony, as specified in Penal Code Section 667.5(c)? <input type="checkbox"/> Yes <input type="checkbox"/> No			
2) Have you ever been convicted of a serious felony, as specified in Penal Code Section 1192.7? <input type="checkbox"/> Yes <input type="checkbox"/> No			
3) Have you ever been convicted of a felony involving fraud, deceit or embezzlement? <input type="checkbox"/> Yes <input type="checkbox"/> No			
4) Have you ever been convicted of a felony for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling, any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering or giving any controlled substance to a minor? <input type="checkbox"/> Yes <input type="checkbox"/> No			

- 5) Have you ever been convicted of a felony for drug trafficking with an enhancement pursuant to Health and Safety Code Section 11370.4 or 113798? ☐ Yes ☐ No
- 6) Have you ever been convicted of a crime involving:
- a) Distribution of Cannabis or Cannabis Products to minors? ☐ Yes ☐ No
 - b) Generation of revenue from the sale of Cannabis or Cannabis Products to fund criminal enterprises, gangs and cartels? ☐ Yes ☐ No
 - c) Diversion of Cannabis or Cannabis Products to jurisdictions outside of the State of California where Cannabis and Cannabis Products are unlawful under state or local law? ☐ Yes ☐ No
 - d) Trafficking of other illegal drugs or facilitation of other illegal activity? ☐ Yes ☐ No
 - e) Violence and the use of firearms in the cultivation and distribution of Cannabis and Cannabis Products? ☐ Yes ☐ No
 - f) The use of public lands in the cultivation of Cannabis? ☐ Yes ☐ No
 - g) The use of federal property for Commercial Cannabis Activity? ☐ Yes ☐ No

If you answered "Yes" to any of the questions above, please provide an explanation for each question.

DELIVERY DRIVERS ONLY

- 1) Are you required to register as a sex offender under Section 290 of the California Penal Code? ☐ Yes ☐ No
- 2) Within the past five (5) years from the date of this application, has the Department of Motor Vehicles suspended, revoked, or placed you on probation for a cause involving the safe operation of a motor vehicle? ☐ Yes ☐ No
- 3) Within the past five (5) years from the date of this application, have you been convicted of any of the following offenses:
 - a) Driving under the influence? ☐ Yes ☐ No
 - b) Reckless driving involving bodily injury? ☐ Yes ☐ No
 - c) Failure to possess a valid driver's license? ☐ Yes ☐ No
 - d) Any offense punishable as a serious or violent felony? ☐ Yes ☐ No
 - e) Convicted of a crime of theft in either degree? ☐ Yes ☐ No
- 4) Within the past ten (10) years from the date of this application, have you been convicted of any crime against a person in either degree, or been a prohibited person in a restraining order? ☐ Yes ☐ No
- 5) Have you ever been convicted of any offense involving moral turpitude? ☐ Yes ☐ No
- 6) Have you ever been involved in a motor vehicle accident cause death or personal injury within the past two (2) years from the date of this application? ☐ Yes ☐ No
- 7) Have you been involved in three (3) or more motor vehicle accidents within the past one (1) year immediately preceding the date of this application? ☐ Yes ☐ No

If you answered "Yes" to any of the questions above, please provide an explanation for each question.

ELECTRONIC FINGERPRINT SCANNING

Each Cannabis Business Owner, as well as each key employee that makes or will make operational or management decisions that directly impact the business, shall submit a separate background check application, electronic fingerprint images and related information as required by the Police Chief for the purpose of obtaining information as to the existence and content of a record of state or federal convictions and arrests.

DISCLOSURE AND INDEMINIFICATION

The information provided in this application shall be confidential, and shall not be subject to public inspection or disclosure, except as may be required by federal, state or local law, or pursuant to valid subpoena or court order. Disclosure of information shall not be deemed a waiver of confidentiality by the applicant or any individual named in the application. The City shall incur no liability for the inadvertent or negligent disclosure of such information. Issued permits are not transferrable. The Police Chief reserves the right to seek additional information from the applicant(s) as allowed under applicable law.

I certify, under penalty of perjury, that all of the information contained within this application, and supporting documents as required by the City of Emeryville, is truthful and factual to the extent of my knowledge.

Signature

Print Name

Date

**Submit application and all
supporting documentation to:**

**City of Emeryville Police Department
Attn: Police Chief
2449 Powell Street
Emeryville, CA 94608**



City of Emeryville

INCORPORATED 1896

1333 Park Avenue, Emeryville, CA 94608-3517
t (510) 596-4300 | f (510) 596-4389

Cannabis Business Permit Application Form

SECTION 1. BUSINESS INFORMATION

Business Name		Business Type	
Primary Business Owner		Secondary Business Owner (if applicable)	
Mailing Address	City	State	Zip Code
Main Phone No.	Alternate Phone No.	Fax No.	

SECTION 2. PERMIT SPECIFICATIONS

Each Cannabis Business seeking to operate with City of Emeryville limits must first apply and be issued the appropriate permit to operate within the City. The permit is specific to the location with the Commercial Cannabis Activity Business will be operating. Multiple operating locations for the same Cannabis Business will require separate permit applications. Commercial cultivation is not allowed. For more information, please see Chapter 28 of Title 9 of the Emeryville Municipal Code.

Please indicate which permit type you are applying for:

☐ Initial Application

☐ Renewal Application

<input type="checkbox"/>	Manufacturer Permit 1	Required for all activities for which either the MCRSA or AUMA requires a Type 6 License.
<input type="checkbox"/>	Manufacturer Permit 2	Required for all activities for with either the MCRSA or AUMA requires a Type 7 License.
<input type="checkbox"/>	Testing Laboratory Permit	Required for all activities for which either the MCRSA or AUMA requires a Type 7 License.
<input type="checkbox"/>	Dispensary / Retailer Permit	Required for all activities for which either the MCRSA or AUMA requires a Type 10 or 10A License.
<input type="checkbox"/>	Distributor Permit	Required for all activities for which either the MCRSA or AUMA requires a Type 11 License.
<input type="checkbox"/>	Transporter Permit	Required for all activities for which the MCRSA requires a Type 12 License, and/or for transfers of Cannabis or Cannabis Product from the permitted business location of one licensee in the City, for the purposes of conducting Commercial Cannabis Activity.
<input type="checkbox"/>	Delivery Permit	Required for licensed dispensaries, retailers, microbusiness, or a nonprofit allowed under Business and Professions Code Section 26070.5 located outside of the City to deliver to individuals located within the City.
<input type="checkbox"/>	Research and Development Permit	Required for all activities related to the research and/or development of Cannabis and Cannabis Products for scientific purposes.

As the State of California develops additional licenses for Cannabis Activities, the Police Chief has the discretion to issue any of the above-referenced permits to the extent the additional licensed or sub-licensed activities are similar to that of any of the permits. No permit shall be issued if the Cannabis Activity is not a permitted land use in the City of Emeryville.

SECTION 3. BUSINESS DESCRIPTION

Section 3.1. Description of Operations. *Please describe the nature of the proposed Commercial Cannabis Activity, product type, average production amounts (including each product produced by type, amount, process and rate), and source(s) of Cannabis. (Additional pages may be attached as necessary; cite the Section Number at the top of each page.)*

Section 3.2. Description of Premises. *Please provide the address and Assessor's Parcel Number(s) of the location for the proposed Commercial Cannabis Activity, and the name and contact information for the property owner(s) where the proposed Commercial Cannabis Activity will be located. (Additional pages may be attached as necessary; cite the Section Number at the top of each page.)*

Section 3.3. Business Security Plan. *Please provide a description and documentation of how you will secure the premises 24 hours per day, 7 days per week, and how waste derived from any Cannabis Commercial Activity will be disposed of in a manner to ensure it may not be utilized for unlawful purposes. The security plan shall include, but is not limited to, 1) preventing individuals from remaining the premises if they are not engaged in activity expressly related to the operations of the Cannabis Activity; 2) establishing limited access areas accessible only to authorized personnel, including security measures to both deter and prevent unauthorized entrance into areas containing Cannabis or Cannabis Products, and theft of Cannabis or Cannabis Products; 3) storing all finished Cannabis and Cannabis Products in a secured and locked room, safe, or vault, and in a manner as to prevent diversion, theft and loss, except for limited amounts of cannabis used for display purposes, samples, immediate sale, if applicable; 4) providing tamper proof and tamper evident packaging for finished Cannabis Product; 5) preventing off-site impacts to adjoining or near properties; and 6) limiting the amount of cash on the premises. (Additional pages may be attached as necessary; cite the Section Number at the top of each page.)*

Section 3.4. Tracking System. *Please provide a description of how the Cannabis Business will track inventory of Cannabis product from seed to sale. (Additional pages may be attached as necessary; cite the Section Number at the top of each page.)*

Section 3.5. State and Other Local License Types and Compliance. *Please provide a description of specific state and other local Cannabis License(s) that the Cannabis Business either has obtained, or plans to obtain. The Cannabis Business shall describe how it will meet state licensing requirements, and provide supporting documentation as required by the Police Chief. (Additional pages may be attached as necessary; cite the Section Number at the top of each page.)*

SECTION 4. CANNABIS BUSINESS OWNERS AND KEY EMPLOYEES

Each Cannabis Business Owner, as well as each key employee that makes or will make operational or management decisions that directly impact the business, shall submit a separate background check application, electronic fingerprint images and related information as required by the Police Chief for the purpose of obtaining information as to the existence and content of a record of state or federal convictions and arrests.

SECTION 5. FOR CANNABIS BUSINESSES APPLYING FOR DELIVERY PERMIT

Cannabis Business must identify all persons and vehicles who will deliver Cannabis or Cannabis Product within the City. All persons delivering Cannabis or Cannabis Product must be at least 21 years of age at the time of submittal of the application. Copies of applicable authorizing state and local licenses and permits issued to Cannabis Business allowing it to engage in Commercial Cannabis Activity must also be submitted to the Police Chief.

<i>Delivery Driver</i>			<i>Phone No.</i>
<i>Vehicle Make</i>	<i>Model</i>	<i>Year</i>	<i>License Plate No.</i>
<i>Delivery Driver</i>			<i>Phone No.</i>
<i>Vehicle Make</i>	<i>Model</i>	<i>Year</i>	<i>License Plate No.</i>
<i>Delivery Driver</i>			<i>Phone No.</i>
<i>Vehicle Make</i>	<i>Model</i>	<i>Year</i>	<i>License Plate No.</i>

For additional delivery personnel and/or vehicles, please complete and print a second sheet to include with the application.

SECTION 6. DISCLOSURE AND INDEMINIFICATION

The information provided in this application shall be confidential, and shall not be subject to public inspection or disclosure, except as may be required by federal, state or local law, or pursuant to valid subpoena or court order. Disclosure of information shall not be deemed a waiver of confidentiality by the applicant or any individual named in the application. The City shall incur no liability for the inadvertent or negligent disclosure of such information. Issued permits are not transferrable. The Police Chief reserves the right to seek additional information from the applicant(s) as allowed under applicable law.

I certify, under penalty of perjury, that all of the information contained within this application, and supporting documents as required by the City of Emeryville, is truthful and factual to the extent of my knowledge.

<i>Primary Business Owner</i>	<i>Print Name</i>	<i>Date</i>
<i>Secondary Business Owner (if applicable)</i>	<i>Print Name</i>	<i>Date</i>

Submit application and all supporting documentation to:

**City of Emeryville Police Department
Attn: Police Chief
2449 Powell Street
Emeryville, CA 94608**