

## RESOLUTION NO. 17-179

### **Resolution Of The City Council Of The City Of Emeryville Authorizing The Police Chief To Issue A Dispensary/Retail Permit To East Bay Therapeutics.**

**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 adopted Resolution No. 17-136 authorizing the City Manager to release a Request for Qualifications (RFQ) to cannabis businesses; and

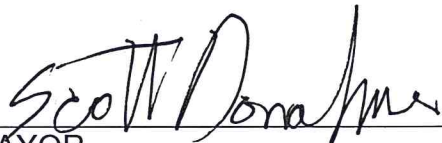
**WHEREAS**, the City received seven submittals in response to the issued RFQ, including a submittal from East Bay Therapeutics; now, therefore, be it

**RESOLVED**, that the City Council of the City of Emeryville hereby finds that, based upon its submittal received on October 6, 2017, evidence presented during the oral interview with staff on October 19, 2017, the staff report, and public comment, East Bay Therapeutics is qualified to hold a permit for a storefront dispensary/retail cannabis business because their proposed business will advance the goals of the City as articulated in the RFQ, and will not be detrimental to the public health, safety and welfare; and be it further

**RESOLVED**, that the City Council of the City of Emeryville hereby authorizes the Police Chief to issue a dispensary/retail permit to East Bay Therapeutics, or its successor-in-interest, provided its successor-in-interest includes: Nasser Azimi, Kimberly Louise Cargile, and Daryoush Azimi as owners and/or key employees. The Police Chief may impose permit conditions as may be necessary to ensure that the business is operated in a manner consistent with East Bay Therapeutics' submittal received October 6, 2017, and the supplemental information submitted to the City.


**ADOPTED** by the City Council of the City of Emeryville at a special meeting held Tuesday, November 21, 2017 by the following vote:

AYES:   3   Mayor Donahue and Council Members Medina and Patz  
NOES:   1   Vice Mayor Bauters  
ABSTAIN:   1   Council Member Martinez  
ABSENT:   0   \_\_\_\_\_

  
\_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
DEPUTY CITY CLERK

  
\_\_\_\_\_  
CITY ATTORNEY