**Business Permit - City of Marina** 

# Commercial Cannabis Business - Retail

**Higher Level of Care** 

June 6, 2019



Prepared by EMC Planning Group

#### APPLICATION

# HIGHER LEVEL OF CARE 3016 DEL MONTE BOULEVARD, MARINA

Commercial Cannabis Business - Retail

PREPARED FOR

Layne Long
City Manager
City of Marina
211 Hillcrest Avenue
Marina, CA 93933
Tel 831.884.1278

PREPARED BY

EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399
Michael Groves, AICP, Senior Principal groves@emcplanning.com
www.emcplanning.com

June 6, 2019

This document was produced on recycled paper.



# Stage 1 Applicant and Business Eligibility

# COMMERCIAL CANNABIS BUSINESS PERMIT - RETAIL

# **Dispensary Application Form**

#### See Attachment

Commercial Cannabis Business Application (Retail-Adult Use and Medical)
Property Owner Consent
Indemnification Agreement Form
Liability and Certification FormApproved Zoning Verification Letter



# City of Marina

City Manager's Office – City Hall 211 Hillcrest Avenue Marina, CA 93933 P: 831.384.3715 www.ci.marina.ca.us

### **DISPENSARY & NON-DISPENSARY PERMIT APPLICATION**

APPLICANT (BUSINESS) LEGA	L NAME: Higher Lev	el of Care, LLC	
DBA:Higher Level of Ca			
Proposed Address/Location:	3016 Del Monte Bo	ulevard, Marina, CA 93	933
Assessor's Parcel Number (AF	PN): <u>032-421-011</u>		
PRIMARY CONTACT:Sal	vatore Palma		
Title:President			
Address:			
Phone:		Email:	
24-Hour Contact Information	:		
PROPERTY OWNER NAME: _	JASY, LLC, Jafet Tor	res	
Address: 3016 Del Mon	te Boulevard, Marina,	CA 93933	
Phone:		Email:	
category, indicate whether yetype of license you are applyi	ou are applying for Aduling for per the State's lice	t-Use ("A") or Medicinal	the following categories. For each ("M"), and, when applicable, which
<ul><li>X Retailer (A/M) − Type</li><li>☐ Manufacturing (A/M)</li><li>☐ Cultivation (A/M)</li></ul>		<ul><li>☐ Testing Lab (A/M)</li><li>☐ Distribution (A/M)</li></ul>	
	r 19 and any additional re		the Application Procedure Guidelines ne application process. All documents
OFFICE USE ONLY	Fees Paid		Date Paid
Date submitted:			
Application #:			
Submitted to:			
	Phase 4:		

#### **OWNER BACKGROUND INFORMATION** (Must be completed by all Owners)

Under penalty of perjury, I acknowledge that I have personal knowledge of the information stated in this application and that the information contained herein is true. I also understand that the information provided in this application, except the Safety and Security Plan and certain confidential information such as Driver's License and Social Security number(s) which can be redacted, may be public information and subject to disclosure under the California Public Records Act.

Name:	David I and	
Title:		
	ddress: _	
		6/4/2019
Signatur	re: Salvatore Palma	Date: 6/4/2019
applicat this app and Soc the Calif	cion and that the information containe olication, except the Safety and Securit	nat I have personal knowledge of the information stated in this of herein is true. I also understand that the information provided in the ty Plan and certain confidential information such as Driver's License edacted, may be public information and subject to disclosure under
Title:		
Home A	ddress:	
Phone:		
Signatur	re:	Date:
applicat this app and Soc the Calif	cion and that the information containe olication, except the Safety and Securit	nat I have personal knowledge of the information stated in this of herein is true. I also understand that the information provided in the ty Plan and certain confidential information such as Driver's License edacted, may be public information and subject to disclosure under
Title:		
Home A	ddress:	
Phone:		
Signatur	re:	Date:

Add more pages as necessary to accommodate all Commercial Cannabis Business Owners.

#### **ADDITIONAL INFORMATION**

List whether the applicant(s) has other licenses and/or permits issued to and/or revoked from the applicant in the
three years prior to the year of the permit application, such other licenses and/or permits relating to similar
business activities as in the permit application. If yes, list the type, current status, and issuing/denying agency for
each license/permit. Please attach a separate document with an explanation, if necessary.  See Attached
List any and all Owners who have been convicted of a felony or have engaged in misconduct that is substantially related to the qualifications, functions or duties of a cannabis operator, applicant, owner or employee. A conviction within this section means a plea or verdict of guilty, or a conviction following a plea of no contest. Attach a separate document with an explanation, if necessary.  See Attached
Describe the Commercial Cannabis Business' organizational status:  See Attached
Name and address of school closest to proposed location:
Marina Child Development , 3066 Lake Drive, Marina, CA 93933
Name and address of existing alcohol-related establishment closest to proposed location:  English Ales Brewery, 223 Reindollar Avenue, Marina, CA 93933
Have you received a Zoning Verification Letter? (Please check the appropriate response)
oxtimes Yes (include the letter in your application) $oxtimes$ No
Describe the neighborhood around the proposed location (i.e., surrounding uses; nearby sensitive uses such as schools, youth centers, churches, parks, daycare centers, or libraries; transit access to site; etc.):  North - Shell Station
South - Open land
East - Storage facility
West - Highway 1

#### AP

APPLICATION SUBMITTAL CHECKLIST
A complete application will consist of the following items:
☐ Commercial Cannabis Business Application
☐ Property Owner Consent (page 5 of the CCB Application)
☐ Application filing fee(s)
☐ Limitations on City's Liability waiver
☐ Commercial Cannabis Business Application Financial Responsibility, Indemnity and Consent to Inspection
☐ Proof of comprehensive general liability insurance (minimum \$1M per occurrence)
☐ Approved Zoning Verification Letter
☐ Live Scan/Background Check information for each Owner/Principal, including:
<ul> <li>Proof of submittal of Live Scan application and payment of fee to Oxnard Police Department</li> </ul>
<ul> <li>Cannabis Permit Employee/Owner Background Application</li> </ul>
<ul> <li>Copy of Social Security card</li> </ul>
<ul> <li>Copy of Driver's License or other valid government-issued photo identification</li> </ul>
☐ Supplemental information to be evaluated in Phases 2 and 3 (see Appendix A of the Application Procedu
Guidelines)
APPLICANT CERTIFICATION
I hereby certify, under penalty of perjury, on behalf of myself and all owners, managers and supervisors identified in this application that the statements and information furnished in this application and in the attached exhibit present the data and information required for this initial evaluation to the best of my ability, and that the fact statements, and information presented are true and correct to the best of my knowledge and belief. I understated a misrepresentation of fact is cause for rejection of this application, denial of the permit, or revocation of permit issued.
In addition, Lunderstand that the filing of this application grants the City of Marina permission to reprodu

In addition, I understand that the filing of this application grants the City of Marina permission to reproduce submitted materials, including but not limited to, plans, exhibits, and photographs, for distribution to staff, Commission, Board, and City Council Members, and other Agencies in order to process the application. Nothing in this consent, however, shall entitle any person to make use of the intellectual property in plans, exhibits and photographs for any purpose unrelated to the City's consideration of this application.

Furthermore, by submitting this application I understand and agree that any business resulting from an approval shall be maintained and operated in accordance with requirements of the Marina Municipal Code and State law.

Salvatore Palma	Salvatore Palma		
Name	Signature		
President	6/4/2019		
Title	Date		

#### **PROPERTY OWNER AUTHORIZATION**

Say LLC is the owner of the property located at 3016 Del Monte Blvd, Marina, CA 93933. The purpose of this letter is to notify the City of Marina that the property owner:

- 1. is aware of and approves the use being proposed;
- 2. will lease the property to the cannabis related use upon approval of application;
- 3. understands that licenses for cannabis related uses are for one year and can be revoked at the City's sole discretion with or without reason.

The owner of 3016 Del Monte Blvd. Marina, CA 93933 is fully aware of the commercial cannabis application and acknowledges the statements within this letter.

Signed:

Date:

#### PROPERTY OWNER CONSENT

If applicant is other than the property owner(s), the owner(s) must provide a signed statement consenting to filing pursuant to Chapter 19 of the Marina Municipal Code. Original signatures only.

I/We, as the owner(s) of the subject property, consent to the filing of this application and use of the property for the purposes described herein. We further consent and hereby authorize City representative(s) to enter upon my property for the purpose of examining and inspecting the property in preparation of any reports and/or required environmental review for the processing of the application(s) being filed.

JAFET TORRES

Title

Signature 26 5.T. 4-25-19

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

#### CALIFORNIA JURAT WITH AFFIANT STATEMENT

#### **GOVERNMENT CODE § 8202**

See Statement Below (Lines 1–6 to be completed	
Signature of Document Signer No. 1	Signature of Document Signer No. 2 (if any)
A notary public or other officer completing this certificate v to which this certificate is attached, and not the truthfulne	erifies only the identity of the individual who signed the document
ate of California	Subscribed and sworn to (or affirmed) before me
ite of California	01 April 19
unty of Man ere e	on this day of Month, 20 Yea
	1) Jafel Torres
CANDIDA KUTZ	(and (2)
Notary Public - California Monterey County	proved to me on the basis of satisfactory evidence t
Commission # 2246772 My Comm. Expires Jun 18, 2022	be the persop(s) who appeared before me.
	Signature and add
Place Notary Seal and/or Stamp Above	Signature of Notary Public
OF	PTIONAL —
	n deter alteration of the document or
fraudulent reattachment of th	is form to an unintended document.
Description of Attached Document	1
Title or Type of Document: Prophty C	when Consent
Document Date: 4/26/19	Number of Pages:

©2017 National Notary Association

# CITY OF MARINA COMMERCIAL CANNABIS BUSINESS APPLICATION FINANCIAL RESPONSIBILITY, INDEMNITY AND CONSENT TO INSPECTION TERMS

Dated: 4-255, 2019

I hereby agree to the following terms:

- 1. I am herewith depositing the sum of \$8,000 as an initial deposit for the review and processing of a commercial cannabis business application.
- 2. The entire amount deposited is non-refundable for any reason. There is no guarantee expressed or implied that by submitting the application or making the deposit identified above that I will obtain any land use entitlements or a permit to operate a commercial cannabis business. I understand that City staff may recommend denial of the application for any reason, that staff may change its recommendation at any time, and that staff's recommendation of approval does not guarantee approval by any board or commission.
- 3. All costs incurred by the City in processing said application, including staff time and overhead, shall be paid by me. This is my personal obligation and shall not be affected by sale or transfer of the property subject to the application, changes in business organization, or any other reason. As work proceeds on an application, actual City costs, as established by City Ordinance, will be charged against the deposit account. The City will deduct such costs from said deposits at such times and in such amounts as City determines. The City may demand additional deposits be made by me over the course of processing the application such as prior to each submittal, public review, and hearing(s), as applicable to the permit. "Costs incurred by the City" as identified in this paragraph shall include costs for the services of contractors or consultants. The City shall exercise its sole discretion in determining whether it is necessary to engage the services of an outside contractor to assist with application processing, which costs are to be paid by me.
- 4. To the fullest extent permitted by law, I shall defend, indemnify, save and hold harmless the City of Marina and its agents, officers, elected officials and employees for any claims, damages, or injuries brought against the City, its agents, officers, elected officials and employees arising from the processing of the application and my conduct of a commercial cannabis business. The indemnification shall apply to any damages, costs of suit, attorneys' fees or other expenses awarded against the City, its agents, officers and employees in connection with any such action. In addition, I shall release the City of Marina and its agents, officers, elected officials and employees from any injuries, damages, or liabilities of any kind that result from any arrest or prosecution for violation of state or federal laws. My obligations under this indemnification shall apply regardless of whether a license or any permits or entitlements are issued.

- 5. The City will promptly notify the Applicants and Owner of any such claim, action, or proceeding that is or may be subject to this Agreement. The City may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding.
- 6. In the event that any claim, action, or proceeding as described above is filed against the City, I shall within 30 days of the filing make an additional deposit of \$5,000 to the City to cover the costs or expenses involved in City defense. If during the litigation process, actual costs or expenses incurred reach 80% of the amount on deposit, I shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.
- 7. The City shall have the absolute right to approve any and all counsel employed to defend the City. To the extent the City uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, I will reimburse the City for those costs. Such resources include, but are not limited to, staff time, court costs, City Counsel's time, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action or proceedings.
- 8. I consent and expressly allow, authorize, and permit the City, all its departments, agents, and employees (collectively, "City"), to enter upon and inspect the subject property identified herein, with or without prior notice, for the purposes of inspecting, photographing, and/or processing this application and to inspect for compliance with all laws, regulations, and conditions placed on land use approvals or the permit. No additional permission or consent to enter upon the property is necessary or shall be required. By signing this application I further certify and warrant I am authorized to, and hereby do, consent and allow such inspections on my behalf and on the behalf of each and all Owners of the property and Applicants.
- 9. I understand that all materials submitted in connection with my application are public record subject to inspection and copying by members of the public. By filing an application, I agree that the public may inspect and copy these materials and the information contained therein, and that some or all of the materials may be posted on the City's website. For any materials that may be subject to copyright protection, or which may be subject to sections 5500.1 and 5536.4 of the California Business and Professions Code, by submitting such materials to the City I represent that I have the authority to grant, and hereby grant, the City permission to make the materials available to the public for inspection and copying, whether in hardcopy or electronic format.
- 10. This Agreement shall constitute a separate agreement from any permit approval, and that if the permit, in part or in whole, is revoked, invalidated, rendered null or set aside by a court of competent jurisdiction, I agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.
- 11. This Agreement shall be construed and enforced in accordance with the laws of the State of California and in any legal action or other proceeding brought by either party to enforce or interpret this Agreement; the appropriate venue is the Monterey County Superior Court.

to fully and timely comply with all of the foregoing terms and conditions.

Applicant(s)/Owner(s):	
SALVATORE PAUMA	
Printed Name	Signature
Property Owner(s): (if different)  JAFET TORRES	11/1/
Printed Name	Signature
Printed Name	Signature
Printed Name	Signature

# City of Marina Limitations on City's Liability and Certifications, Assurances and Warranties

(Must be completed by all applicants)

# a. WAIVER AND RELEASE OF LIABILITY AND AGREEMENT TO INDEMNIFY THE CITY OF MARINA

The applicant and all owners and operators hereby waive and release the City from any and all liability for monetary damages related to or arising from the application for a permit, the issuance of the permit, or the enforcement of the conditions of the permit. The applicant certifies that under no circumstances shall the applicant cause any cause of action for monetary damages against the City of Marina, the permitting official or any City employee or agent as a result of this permit application or issuance or the enforcement of the conditions of the permit.

# b. RELEASE CITY OF MARINA FROM LIABILITY FOR ISSUING THE APPLICANT A PERMIT

By applying for a permit pursuant to the Marina City Commercial Cannabis Business Permit Program and by accepting a permit from the City of Marina Administrative Offices acting as the Marina City Local Permitting Authority, the applicant/permittee, owners and operators, and each of them, waives and releases Marina City, and its elected officials, employees, agents, insurers and attorneys, and each of them, from any liability for injuries, damages, costs and expenses of any nature whatsoever that result or relate to the investigation, arrest or prosecution of business owners, operators, employees; clients or customers of the applicant/permittee for a violation of state or federal laws, rules or regulations relating to cannabis activities.

#### c. AGREEMENT TO INDEMNIFY CITY OF MARINA

By applying for a permit pursuant to the Marina City Commercial Cannabis Permit Program and by accepting a permit from the Marina City Administrative Offices acting as the Marina City Local Permitting Authority, the applicant/permittee, owners and operators, and each of them, jointly and severally if more than one, agrees to indemnify, defend and hold harmless Marina City, and its elected officials, employees, agents, insurers and attorneys, and each of them, against all liability, claims and demands, of any nature whatsoever, including, but not limited to, those arising from bodily injury, sickness, disease, death, property loss and property damage, arising out of or in any manner related to the operation of the commercial cannabis business that is the subject of the permit.

#### d. CERTIFICATION OF LIVE SCAN/BACKGROUND CHECK

The applicant, commercial cannabis business manager and anyone with an ownership interest in the business referenced herein represents and certifies they have submitted to a Live Scan and/or background check no earlier than 30 days prior to the date of this application.

1

#### e. PERMIT RENEWAL CERTIFICATION

For renewals, the applicant represents and certifies that they continue to hold in good standing any permit/license required by the State of California where applicable for a commercial cannabis business operation.

#### f. PROSECUTION UNDER FEDERAL LAW

The applicant understands that operators, employees and members of the commercial cannabis business may be subject to prosecution under Federal Laws.

#### g. AUTHORIZED TO SIGN

The person whose signature appears below is authorized to sign this application on behalf of the business and has submitted this information and all attachments as required by the application process to obtain a commercial cannabis permit from the City of Marina.

I declare under penalty of perjury that the information provided on this form is true and correct and do hereby apply for a permit pursuant to Marina City Ordinance Chapter 19 and in compliance with Marina City Ordinance Section 19.02.020 and all other applicable sections of this Ordinance.

	Salvatore Palma, President
Applicant Signature	Printed Name and Title
4/30/19	
Date	

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

County of Monterey
State of California Seaside City of Galifornia Seaside
Subscribed and sworn to (or affirmed) before me on this 30 day of April 20 17 by salvatore Palma proved to me on the basis of satisfactory evidence to be
the person(s) who appeared before me.
(Seal) Signature
OSCAR CERVANTES
Notary Public - California  Manterey Caunty

My Comm. Expires Apr 7, 2022

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831-884-1278; FAX 831-384-9148
www.cityofmarina.org

# **CANNABIS ZONING VERIFICATION LETTER 2019-01**

Applicant:	Higher Level of Care Marina c/o Salvatore Palma			
APN:	032-421-011-000			
Situs Address:	3016 Del Monte Boulevard Marina, CA 93933			
Property Owner:	JASY LLC			
Proposed Land Use:		ult Cannabis Dispensary dical Cannabis Dispensary		
Zoning District:		Airport District (AP-2/3) Business Park (BP) Business Park Small Lot Combining District (BP/P) Retail Business District (C-1) General Commercial (C-2) Planned Commercial (PC) Transitional Zoning District (T-B-5)		
Proposed Land Use:	□ Ind	por Cultivation		
Zoning District:	_ _ _	Airport District (AP-2/3) Business Park (BP) Business Park Small Lot Combining District (BP/P) Transitional Zoning District (T-B-5)		
Proposed Land Use:	diM □	ed Light Cultivation		
Zoning District:	0	Airport District (AP-2/3) Business Park (BP) Business Park Small Lot Combining District (BP/P) Transitional Zoning District (T-B-5)		

Proposed Land Use:	6	Distrib	pution
Zoning District:			Airport District (AP-2/3)
			Business Park (BP)
			Business Park Small Lot Combining District (BP/P)
			Retail Business District (C-1) General Commercial (C-2)
			Planned Commercial (PC)
			Transitional Zoning District (T-B-5)
			Site where another city permit type conducted
			one where another enty permit type conducted
Proposed Land Use:	12	Manuf	acturing
Zoning District:			Airport District (AP-2/3)
			Business Park (BP)
			Business Park Small Lot Combining District (BP/P)
			Retail Business District (C-1)
			General Commercial (C-2)
			Planned Commercial (PC)
			Transitional Zoning District (T-B-5)
Proposed Land Use:		Testing	I.
Zoning District:			Airport District (AP-2/3)
			Business Park (BP)
			Business Park Small Lot Combining District (BP/P)
			Retail Business District (C-1)
			General Commercial (C-2)
			Planned Commercial (PC)
			Transitional Zoning District (T-B-5)

#### Adjacent land uses and zoning districts to the site:

North: Gas station, C-2 South: Vacant, C-2

East: Storage units, C-2
West: Del Monte Boulevard/Highway 1, P-F/R-4

For Adult Cannabis Dispensary – Site distance from another Adult Cannabis Dispensary:

Undetermined at time of letter.

#### **Analysis of Sensitive Uses:**

The Cannabis operation must not be within a 600-foot radius of parks, youth centers, schools, and daycare centers, or within 1000-feet of another permitted dispensary as described in Marina Municipal Code Section. Per available records, City staff has determined that the proposed Cannabis use is not located within a 600-foot radius of sensitive uses (measured from nearest building edge containing Cannabis use to parcel edge of sensitive uses listed above, and from parcel edge of Cannabis use to parcel edge of schools) as follows:

- 1. The parcel is located more than 600 feet away from the nearest park, as shown on the attached map
- 2. The parcel is located more than 600 feet away from the nearest school, as shown on the attached map
- 3. The parcel is located more than 600 feet away from the nearest youth center, as shown on the attached map
- 4. There are no daycares located in the vicinity of 3016 Del Monte Boulevard

Action for Compliance:	None necessary	

This zoning verification is based on information available to the Community Development Department — Planning Office as of the date hereof. To the extent cannabis facilities are allowed land uses under Chapter 19.01 of the Marina Municipal Code, such facilities can be established in the specified zoning district only upon issuance by the Planning Commission of a Conditional Use Permit (CUP). This zoning verification letter does not constitute a land use entitlement and is not equivalent to, a substitute for, or issued in lieu of a required conditional use permit.

Issued by: Alec Barton, Assistant Planner AB Date: April 22, 2019

Enclosures: Site Distance Map



This site distance map is based on information available to the Community Development Department — Planning Office as of the date hereof and does not anticipate future land use conditions that may affect the results of this map. This map does not constitute a land use entitlement and is not equivalent to, a substitute for, or issued in lieu of a required conditional use permit.

Updated: 5/28/2019

#### Section 1

### **Business Organization Status**

HLC Marina, Inc. is a for-profit "C" corporation established under the laws of the State of California. A Fictitious Business Name Statement was filed as Higher Level of Care.

Higher Level of Care is applying for a regulatory permit for the operation of a Medical and Adult-Use Commercial Cannabis Business – Retail that would operate at 3016 Del Monte Boulevard, Marina, CA. The property is located on the east side of Del Monte Boulevard south of Reindollar Avenue and fronts Del Monte Boulevard.

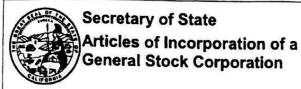
#### Financial Interest

The project will be funded by a loan from Gleanomic, LLC, a California Limited Liability Company wholly owned by Salvatore Palma.

#### See Attachments

HLC Articles of Incorporation Fictitious Business Name Form Federal Employer ID-EIN Entity Status Letter Seller's Permit Gleanomic, LLC -Forms (2)

# ARTICLES OF INCORPORATION



ARTS-GS

4275881

FILED
Secretary of State
State of California

www.sos.ca.gov/business/be

MAY 15 2019

IMPORTANT — Read Instructions before completing this form.

Filing Fee - \$100.00

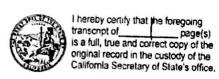
Copy Fees - First page \$1.00; each attachment page \$0.50;

Certification Fee - \$5.00

Note: Corporations may have to pay minimum \$800 tax to the California Franchise Tax Board each year. For more information, go to <a href="https://www.ftb.ca.gov">https://www.ftb.ca.gov</a>.

(CC This Space For Office Use Only

The name of the corporation is HLC Marina, Inc.			
2. Business Addresses (Enter the complete business address	sses.)		
a. Initial Street Address of Corporation - Do not list a P.O. Box	City (no abbreviations)	State	Zip Code
	Monterey	CA	93940
b Initial Mailing Address of Corporation, if different than Item 2a	City (no abbreviations)	State	Zip Code
<ol> <li>Service of Process (Must provide either Individual OR Corpo INDIVIDUAL – Complete Items 3a and 3b only. Must include age a. California Agent's First Name (if agent is not a corporation)</li> </ol>		address.	Sur
Salvatore		Palma	30
Street Address (if agent is not a comporation) - Do not enter a P.O. Box	, , , , , , , , , , , , , , , , , , , ,	State	Zip Code
	Montorov		
CORPORATION - Complete Item 3c. Only include the name of the	he registered agent Corporation.	CA	93940
C. California Registered Corporate Agent's Name (if agent is a corporation)  Shares (Enter the number of shares the corporation is authorized)  This corporation is authorized to issue only one class of	he registered agent Corporation.  Do not complete Item 3a or 3b  zed to issue. Do not leave blank of shares of stock.	or enter zero (0) )	93940
California Registered Corporate Agent's Name (if agent is a corporation)  Shares (Enter the number of shares the corporation is authorized)  This corporation is authorized to issue only one class of the total number of shares which this corporation is authorized.	he registered agent Corporation.  Do not complete Item 3a or 3b  zed to issue. Do not leave blank of shares of stock.		93940
CORPORATION – Complete Item 3c. Only include the name of the comporation of the composition of the compositi	he registered agent Corporation.  Do not complete Item 3a or 3b  zed to issue. Do not leave blank of shares of stock.	or enter zero (0) )	93940
C. California Registered Corporate Agent's Name (if agent is a corporation)  4. Shares (Enter the number of shares the corporation is authorized)  This corporation is authorized to issue only one class of the total number of shares which this corporation is authorized.	ne registered agent Corporation.  - Do not complete Item 3a or 3b  zed to issue. Do not leave blank of shares of stock.  norized to issue is	1,000,000.00	
4. Shares (Enter the number of shares the corporation is authorized to issue only one class of The total number of shares which this corporation is authorized to the total number of shares which this corporation is authorized.  5. Purpose Statement (Do not alter the Purpose Statement.)  The purpose of the corporation is to engage in any law under the General Corporation Law of California other to practice of a profession permitted to be incorporated by the corporation of the corporation of the corporation of the corporation corporated by the corporation of the corporation of the corporation of the corporation corporated by the corporation of the corporation of the corporation of the corporation corporated by the corporation of the corporation o	ne registered agent Corporation.  - Do not complete Item 3a or 3b  zed to issue. Do not leave blank of shares of stock.  norized to issue is	or enter zero (0) )  1,000,000.00  th a corporation may the trust company be Code.	be organize
4. Shares (Enter the number of shares the corporation is authorized to issue only one class of The total number of shares which this corporation is authorized to the total number of shares which this corporation is authorized.  5. Purpose Statement (Do not alter the Purpose Statement.)  The purpose of the corporation is to engage in any lay under the General Corporation Law of California other the corporation of the corporation of the corporation can be compared to the corporation of the corporation can be corporated to the corporation of the corporation can be corporated to the corporation of the corporation can be corporated to the corporation of the corporation can be corporated to the corporated to the corporation can be corporated to the corporation can be corporated to the c	ne registered agent Corporation.  - Do not complete Item 3a or 3b  zed to issue. Do not leave blank of shares of stock.  norized to issue is	or enter zero (0) )  1,000,000.00  the a corporation may the trust company be code.  s for signature requirement	be organize



MAY 1 6 2019 65

ALEX PADILLA, Secretary of State

Date:\_

# By-Laws

MONTEREY COUNTY CLERK 168 W. Alisal Street, 1<sup>st</sup> Floor P.O. Box 29 Salinas, California 93902

<u>Submit Original and 3 copies.</u>
Provide self addressed stamped envelope, if mailed.

PUBLICATION IS REQUIRED IF FIRST TIME FILING, REFILING WITH CHANGES, OR FILING EXPIRED

SEE REVERSE SIDE FOR INSTRUCTIONS

Filed in County Clerk's Office

**Stephen L. Vagnini** Monterey County County Clerk-Recorder

20191231

05/24/2019 11:37 AM FBN Pages: 1 Fee: \$37.00 Exp: 05/24/2024 By counter5, Deputy

121	FICTITIOU  ORIGINAL FILING (Publication is Required) □ NEW FILING		SINESS NAME STATEM NGE(S) from the previous filing (Publicat		ed)		
	RENEWAL FILING - filed within 40 days of the expiration date	and no CH	IANGE(S) from the previous filing (No Pu of Original Filing	iblication Re	quired) ile No.		
- (	FOR ABANDONMENT FILINGS, PLEASE SKIP ITEM # 5 BELO	W) (Publica	ation is Required)		ile No		
Ficti	tious Business Name Filing Fee is \$30.00 Includes one registrant ( \$ 7.00 ea. Additional FBN name filed on same statement and ope \$ 7.00 ea. Additional registrant	(please make erating at the	re check payable to County Clerk) e same location				
Stat	ement of Abandonment Filing Fee is \$27.00						
Plea	ise TYPE or PRINT legibly and firmly in DARK ink (no alterations). mitted by law to give legal advice and/or assistance. THE FOLI	. See revers	se side for filing and publishing instructions. ERSON(S) IS(ARE) DOING BUSINESS AS	Neither the 0	County Clerk	nor his deputies are	
Pen	LIST FICTITIOUS BUSINESS NAME(S) BELOW:  County of Principal Place of Business						
1.	<sup>1</sup> HIGHER LEVEL OF CARE				JONTER	DEV	
	<sup>2</sup> HIGHER LEVEL		_	0.00	/ION I E		
	Street Address of Principal Place of Business		City	State		Zip Code	
2.	3016 DEL MONTE BLVD P.O. BOX ALONE IS NOT ACCEPTABLE		MARINA	CA		93933	
	Mailing Address (Optional)		City	State		Zip Code	
			MONTEREY	CA		93940	
	Name of Individual Registrant (First Name)	(Middle N	Name)	(Last Name	)		
	Name of Corporation of LLC as shown in the Articles of Inc./Org.	/Reg.		P. L.	State of Inc	c./Org./Reg.	
	HLC MARINA, INC					T 7: 0 !	
	Residence Street Address/Corporation or LLC Street Address		City	State		Zip Code 93940	
3,			MONTEREY	10000		93940	
	Name of Individual Registrant (First Name)	(Middle N	Name)	(Last Name	)		
	Name of Corporation of LLC as shown in the Articles of Inc./Org.	/Reg.			State of Inc./Org./Reg.		
	Residence Street Address/Corporation or LLC Street Address		City	State		Zip Code	
	P.O. BOX ALONE IS NOT ACCEPTABLE	ANY ADDITIO	DNAL NAMES ON ADDITIONAL FORM				
4.	(CHECK ONE ONLY) This business is conducted by: ☐ an indiv			hin ∏ a limite	ed liability com	nnany	
7.	□ an unincorporated association other than a partnership  □ state or local registered domestic partners □ a limited liabilit	corporation	a trust co-partners a married c			4	
5.	Registrant commenced to transact business under the fictitious business in the fictition of the first transact business, insert	ousiness nar	me or names listed above on (do not enter	a future date).	Not Ap	plicable onth, Day, Year	
BY SIGNING BELOW, I DECLARE THAT I HAVE READ AND UNDERSTAND THE REVERSE SIDE OF THIS FORM AND THAT ALL INFORMATION IS TRUE AND CORRECT. A registrant who declares as true any material matter pursuant to Section 17913 of the Business and Professions Code that the registrant knows to be false is guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000). I am also aware that all information on this statement becomes a public record upon filing pursuant to the California Public Records Act (Government Code Sections 6250-6277). Sign below (see instructions on reverse for signature requirements):							
	Signature: Printed Name of Person Signing: SALVATORE THOMAS PALMA						
	If Corporation or LLC, Print Title of Person Signing: CEC			<sub>Date:</sub> 05/2	4/2019		
	CERTIFICATION: I hereby certify that the foregoing is a correct copy of the original on file in my office.						
	Stephen L. Vagnini, County Clerk						
	Ву		Deputy				
TO S	ICE – IN ACCORDANCE WITH SUBDIVISION (a) OF SECTION 17920, A FICT TIT CE OF THE COUNTY CLERK, EXCEPT, AS PROVIDED IN SUBDIVISION (b) OF ECTION 17913 OTHER THAN A CHANGE IN THE RESIDENCE ADDRESS OF IC OF THIS STATEMENT DOES NOT OF ITSELF AUTHORIZE THE USE IN '	SECTION 179 A REGISTERS THIS STATE (	020, WHERE IT EXPIRES 40 DAYS AFTER ANY CHA ED OWNER. A NEW FICTITIOUS BUSINESS NAMI	NGE IN THE FA	CTS SET FORTE	I IN THE STATEMENT PURSUANT BEFORE THE EXPIRATION, THE	
	MON LAW (SEE SECTION 14411 ET SEQ., BUSINESS AND PROFESSIONS CODE 01/2016	2.)			Tool !	COUNTY	

# FEDERAL EMPLOYER IDENTIFICATION

Date of this notice: 05-28-2019

Employer Identification Number:

84-1896916

Form: SS-4

Number of this notice: CP 575 A

HLC MARINA INC HIGHER LEVEL % SALVATORE PALMA

MONTEREY, CA 93940

For assistance you may call us at: 1-800-829-4933

IF YOU WRITE, ATTACH THE STUB AT THE END OF THIS NOTICE.

#### WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 84-1896916. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1120 04/15/2020

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, Accounting Periods and Methods.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, Entity Classification Election. See Form 8832 and its instructions for additional information.

#### IMPORTANT INFORMATION FOR S CORPORATION ELECTION:

If you intend to elect to file your return as a small business corporation, an election to file a Form 1120-S must be made within certain timeframes and the corporation must meet certain tests. All of this information is included in the instructions for Form 2553, Election by a Small Business Corporation.

If you are required to deposit for employment taxes (Forms 941, 943, 940, 944, 945, CT-1, or 1042), excise taxes (Form 720), or income taxes (Form 1120), you will receive a Welcome Package shortly, which includes instructions for making your deposits electronically through the Electronic Federal Tax Payment System (EFTPS). A Personal Identification Number (PIN) for EFTPS will also be sent to you under separate cover. Please activate the PIN once you receive it, even if you have requested the services of a tax professional or representative. For more information about EFTPS, refer to Publication 966, Electronic Choices to Pay All Your Federal Taxes. If you need to make a deposit immediately, you will need to make arrangements with your Financial Institution to complete a wire transfer.

The IRS is committed to helping all taxpayers comply with their tax filing obligations. If you need help completing your returns or meeting your tax obligations, Authorized e-file Providers, such as Reporting Agents (payroll service providers) are available to assist you. Visit the IRS Web site at www.irs.gov for a list of companies that offer IRS e-file for business products and services. The list provides addresses, telephone numbers, and links to their Web sites.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

#### IMPORTANT REMINDERS:

- \* Keep a copy of this notice in your permanent records. This notice is issued only one time and the IRS will not be able to generate a duplicate copy for you. You may give a copy of this document to anyone asking for proof of your EIN.
- \* Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- \* Refer to this EIN on your tax-related correspondence and documents.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return the stub.

Your name control associated with this EIN is HLCM. You will need to provide this information, along with your EIN, if you file your returns electronically.

Thank you for your cooperation.

(IRS USE ONLY) 575A

Keep this part for your records. CP 575 A (Rev. 7-2007)

\_\_\_\_\_\_

Return this part with any correspondence so we may identify your account. Please correct any errors in your name or address.

CP 575 A

999999999

Your Telephone Number Best Time to Call DATE OF THIS NOTICE: 05-28-2019 ( ) - EMPLOYER IDENT FORM: SS-4

EMPLOYER IDENTIFICATION NUMBER: 84-1896916

NOBOD

INTERNAL REVENUE SERVICE CINCINNATI OH 45999-0023 Idadddddddddddddddddddddddddddd HLC MARINA INC HIGHER LEVEL % SALVATORE PALMA 316 VAN BUREN ST APT 4 MONTEREY, CA 93940

# STATUS LETTER FRANCHISE TAX BOARD



Entity Status Lett	er
--------------------	----

Da	te
----	----

ESL ID:

According to our records, the following entity information is true and accurate as of the date of this letter.

Entity ID:

**Entity Name:** 

- 1. The entity is in good standing with the Franchise Tax Board.
- 2. The entity is **not** in good standing with the Franchise Tax Board.
- 3. The entity is currently exempt from tax under Revenue and Taxation Code (R&TC) Section 23701
- 4. We do not have current information about the entity.

The above information does not necessarily reflect:

- The entity's status with any other agency of the State of California, or other government agency.
- If the entity's powers, rights, and privileges were suspended or forfeited at any time in the past, or the entity did business in California at a time when it was not qualified or not registered to do business in California:
  - The status or voidability of any contracts made in California by the entity at a time when the entity was suspended or forfeited (R&TC Sections 23304.1, 23304.5, 23305a, 23305.1).
  - o For entities revived under R&TC Section 23305b, any time limitations on the revivor or limitation of the functions that can be performed by the entity.

#### **Internet and Telephone Assistance**

Website: ftb.ca.gov

Telephone: 800.852.5711 from within the United States 916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments

# SELLER'S PERMIT

#### DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

# CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION SELLER'S PERMIT August 26, 2019 ACCOUNT NUMBER Office of Control: Salinas Branch Office NOTICE TO PERMITTEE: **HLC MARINA INC** You are required to obey all Federal and State laws that MONTEREY CA 93940-2346 regulate or control your business. This permit does not allow you to do otherwise. IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS. THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS. Not valid at any other address For general tax questions, please call our Customer Service Center at 1-800-400-7115 (TTY:711). For information on your rights, contact the Taxpayers' Rights Advocate Office at 1-888-324-2798 or 1-916-324-2798.

#### A MESSAGE TO OUR NEW PERMIT HOLDER

As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:

- Visiting our website at www.cdtfa.ca.gov
- Visiting an office

CDTFA-442-R REV. 18 (5-18)

- Attending a Basic Sales and Use Tax Law class offered at one of our offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Customer Service Center at 1-800-400-7115 (TTY:711)

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. You also have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the California Department of Tax and Fee Administration (CDTFA)
- You are responsible for following the regulations set forth by the CDTFA

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a CDTFA representative when requested. You are also required to know and charge the correct sales or use tax rate, including any local and district taxes. The tax rate applicable to your sales or use may not necessarily correspond to the tax rate of your business address displayed on this permit. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a CDTFA office, or giving it to a CDTFA representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with CDTFA, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 1-888-324-2798 or 1-916-324-2798. Their fax number is 1-916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

California Department of Tax and Fee Administration

Business Tax and Fee Division



and there has been no change.

Filing Fee - \$20.00

**Copy Fee** - \$1.00;

GLEANOMIC, LLC

IMPORTANT — Read instructions before completing this form. This form may be used only if a complete Statement of Information has been filed previously

Certification Fee - \$5.00 plus copy fee

# LLC-12NC

19-A94172

# **FILED**

In the office of the Secretary of State of the State of California

MAR 06, 2019

This Space For Office Use Only 1. Limited Liability Company Name (Enter the exact name of the LLC as it is recorded with the California Secretary of State. Note: If you registered in California using an alternate name, see instructions.)

2.	12-Digit	Secretary	of	State	File	Number
----	----------	-----------	----	-------	------	--------

3. State, Foreign Country or Place of Organization (only if formed outside of California)

**CALIFORNIA** 

4. No Change Statement (Do not alter the No Change Statement. If there has been any change, please complete a Statement of Information (Form LLC-12).)

There has been no change in any of the information contained in the previous complete Statement of Information filed with the California Secretary of State.

5. The information contained herein is true and correct.								
03/06/2019	lorri wirick	Office Manager						
Date	Type or Print Name of Person Completing the Form	Title	Signature					

Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document, enter the name of a person or company and the mailing address. This information will become public when filed. (SEE INSTRUCTIONS BEFORE COMPLETING.)

Name:	Γ			•
Company:				
Address:				
City/State/Zip:				



2

LLC-12

FILED
Secretary of State
State of California

IMPORTANT — Read instructions before completing this fo	JAN U 4 2017						
Filing Fee - \$20.00							
Copy Fees - Face Page \$1.00 & .50 for each attachment page Certification Fee - \$5.00	<b>3</b> ;	2//20/PC This space For Office Use Only					
Limited Liability Company Name		inis pace re	or Office Use C	niy .			
GLEANOMIC, LLC							
2. 12-Digit Secretary of State File Number	3. State or PI	ace of Organization (only if	formed outside of	of California)			
4. Business Addresses							
a. Street Address of Principal Office - Do not list a P.O. Box	City (no abbreviatio	ns)	State CA	Zíp Code 93923			
b. Mailing Address of LLC, if different than Item 4a	Carmel City (no abbreviation	ne)	State	73923 Zlp Code			
. 5. Maining Marioto & CCO, if university that fight 4a	City (no abbreviate	naj	Olate	ZIP COGS			
c. Street Address of California Office, if Item 4a is not in California - Do not list a P.O. E	Box City (no abbreviation	ns)	State CA	Zip Code			
5. Manager(s) or Member(s)  If no managers have been appointed or must be listed. If the manager/member is enlity, complete Items 5b and 5c (leave it additional managers/members, enter the	an individual, complete Iter em 5a blank). Note: The	ns 5a and 5c (leave Item 5b bla LLC cannot serve as its own ma	nk). If the manage: nager or member.	/member is an			
a. First Name, If an Individual - Do not complete Item 5b Salvatore	Middle Name	Last Name Palma		Suffix			
b. Enlity Name - Do not complete Item 5n		Palitia					
c, Address	City (no abbreviatio Carmel	City (no abbreviations) Carmel					
6. Agent for Service of Process Item 6a and 6b: If the agent is an Individ agent's name and California address, Item certificate must be on file with the California.	n 8c: If the agent is a Calif	ornia Registered Corporate Age	ent, a current agent	t registration			
a. California Agent's First Name (if agent is not a corporation)     David	Middle Name J.	Ruyle		Suffix			
b. Street Address (if agent is not a corporation) - Do not list a P.O. Box	1 ' '	City (no abbreviations) San Diego					
c. California Registered Corporate Agent's Name (if agent is a corporation) Do not cor			CA				
7. Type of Business	THE PARTY OF THE P						
a. Describe the type of business or services of the Limited Liability Company Ownership, management and leasing of real property							
8. Chief Executive Officer, if elected or appointed							
a. First Name	Middle Name	Last Name	•	Suffix			
b. Address	City (no abbreviatio	ns)	State	Zip Code			
9. The Information contained herein, including any attachments, is	s true and correct.						
8/25/16 Salvatore Palma	Ma	Manager					
Date Type or Print Name of Person Completing the Form	Tille	SI SI	gnatyr				
Return Address (Optional) (For communication from the Secretary of State reperson or company and the mailing address. This information							
Name:	1						
.mpany:							
Address:							

City/State/Zip:

# Section 2

# **Cannabis Business Description and Location**

# Statement of Purpose

Higher Level of Care's purpose is to provide high quality Cannabis products to its cliental, qualified patients, and caregivers ("customers"). It is the objective of Higher Level of Care to offer superior Cannabis products that can enhance the physical, mental, and/or emotional fitness of its customers and find solutions for, share knowledge of, and furnish assistance to its customers in order to achieve his/her desired results. Higher Level of Care will only provide Cannabis to customers as lawfully permitted under the state laws of California and the ordinance of the City of Marina. The goal of Higher Level of Care is to facilitate safe and legal access to Cannabis for all qualified persons and to reduce the barriers and improve access to Cannabis and its potential benefits.

# Proposed Location/Description

The project site is a 0.9 acre (39,204 square foot) parcel (Assessor's Parcel Number 032-421-011) located at 3016 Del Monte Boulevard within the City of Marina (City). The project site is located south of the intersection of Del Monte Boulevard and Reindollar Avenue adjacent to the Shell Gas Station. The project site fronts on Del Monte Boulevard and access to the site is provided via three driveways with entry from Del Monte Boulevard. The project site includes three existing buildings and a gas pump canopy, formerly used as a convenience store and automobile service station. The building the dispensary will occupy has been remodeled in the recent past.

The project will use the northern most building on the property, adjacent to the Shell Gas Station. The building was previously a plumbing store, which will be converted to a dispensary for both Medical and Adult Cannabis sales. Pedestrian access and parking will be consistent with City and State code requirements. Site photographs of the current building are included within this application.

# General Plan Land Use Designation / Zoning

The City of Marina General Plan adopted in 2000 and amended in 2010 (general plan) designates the project site as Light Industrial / Service Commercial. The Light Industrial / Service Commercial land use designation provides for a range of uses including retail, personal service, and business-service uses, warehousing involving the storage and distribution of raw, unfinished, and manufactured products with on-premises sales limited primarily to wholesale transactions and mini-storage serving private individuals or firms.

Though smaller in scale, the proposed project is consistent with the Light Industrial / Service Commercial land use designation as it involves the retail of finished and raw products or

related uses. The operation of a dispensary within an existing building would not result in significant impacts from the generation of noise, odor, vibration, smoke or pollutants. Any improvements to the property will conform to the City of Marina guidelines to the extent feasible.

The zoning code designates the project sites as (C2) General Commercial and the site falls within the Downtown Vitalization Specific Plan Area, not currently adopted.

Representative allowable (C2) General Commercial uses include retail stores and shops of light commercial character and conducted within a building, including drugstores, florist shops, food stores, personal service establishments, and other uses which are of similar character to those enumerated and which will not be detrimental or obnoxious to the neighborhood in which they are to be located. Ordinance Number 2018-09 adopted in November 6, 2018, added Chapter 19 to the Municipal Code which specifically allows for dispensing of cannabis in areas zoned for (C2) General Commercial with a Conditional Use Permit. Thus, the project is consistent with the zoning classification for the site. (MCC 17.24.030 Conditional uses)

# Property Owner Approval

JASY, LLC, Jafet Torres, the property owner, has submitted a property owner authorization letter as the owner of the real property where the dispensary will be located if approved.

#### The documentation shows-

- a. The property owner is aware of and approves the use being proposed.
- b. The property owner will lease the property for the cannabis related use upon approval of the application.
- c. The property owner understands that licenses for cannabis related uses are for one year and can be revoked at the City's sole discretion with or without reason.

# Neighborhood Compatibility / Sensitive Uses

The Commercial Cannabis Retailer would be compatible with the neighborhood as the surrounding uses are commercial/industrial in nature which are compatible to a retail use. The site is adjacent to the Shell Gas station located at the corner of Del Monte Boulevard and Reindollar Avenue and is and bordered to the west by Cabrillo Highway (Highway 1). The site is located near a prominent access road that would provide adequate access for the proposed use.

The site is very accessible by transit; bus stops for route 18, 20, and 67 are located on Del Monte Boulevard just 400 feet from the project site and a bus stop for route 72 is located on Reindollar Avenue just 450 feet away. See Zoning Verification Letter and Map within this application.

# Neighborhood Survey

The applicant has surveyed the property owners within 250 feet of the proposed dispensary to determine if they support the dispensary in this location. The documentation is shown below and the survey attached to this application.

Neighborhood Compatibility Survey Results:

Signed – 3 of 5 land owners

Declined to respond – 1

Not Reached in time for application – 1

# Design Features

In addition to being compatible with the general plan land use designation and zoning classification, design features have been incorporated into the project to ensure neighborhood compatibility. Since the site was previously developed without consideration of newer Americans with Disabilities Act (ADA) features, a five foot ADA pathway (striping) will be provided along the property frontage adjacent to the street and from the street to the parking area to facilitate adequate pedestrian circulation. The existing business will be inspected and plans will be reviewed by the building department to ensure they meet the current City of Marina building code and fire regulations.

The City's off street parking zoning requirements for land use type C2 are one space for each 275 square feet of gross floor area. The Downtown Vitalization plan identifies the project site as a transition area which mandates additional parking requirements. If the Downtown Vitalization Specific Plan is adopted the rate of parking for Transition areas would be one space for each 350 square feet of gross floor area. At 2,450 square feet of retail area and 1,490 square feet of future manufacturing and distribution, 14 spaces would be required under the C2 zoning and 11 spaces would be required based on the Downtown Vitalization Specific Plan. 15 vehicle parking spaces are provided on site for this building. Loading spaces would not be required for this retail use as it is less than 5,000 square feet. It is expected loading would not occur during business hours, and therefore, could utilize the customer parking spaces drive isle for loading. The site parking area is adequate to handle the volume of delivery traffic and meet City loading requirements. An ADA space would be provided on the site which meets current code standards. Electric Vehicle (EV) and Clean Air Vehicle spaces will be provided to meet the new State requirements. Section 5.106.5.2 of the California Green Building Code requires that on-site bicycle parking be provided at five percent of the vehicle spaces provided, which would total less than one space. The proposed project will include bicycle parking per CA code at one rack holding two bicycles.

#### Sensitive Uses

The City municipal code requires a cannabis dispensary business to be located at least 600 feet from any school, daycare center or youth facility. This property is not located within a 600 foot radius of a school, daycare center or youth facility.

The closest school to the project site is the Marina Del Mar Elementary School approximately 800 feet north of the property on the west side of Del Monte Boulevard at 3066 Lake Drive, Marina, 93933. The second closest school is Marina High School, located over a quarter of a mile southeast of the project site.

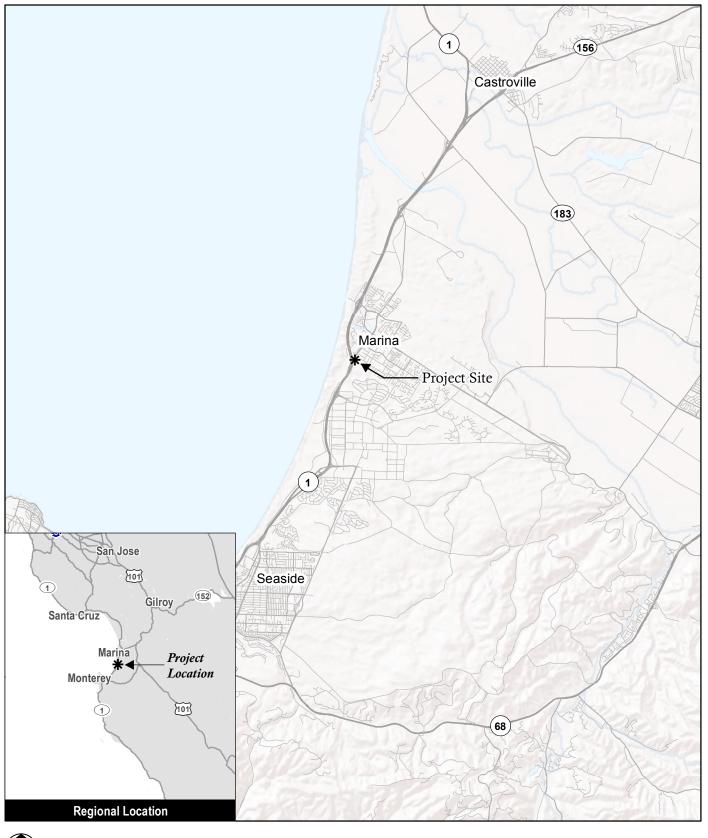
The nearest park, day care center and youth center are located over a quarter mile from the project site and the city library is located over three quarters of a mile away. Church of Christ Marina is located on 219 Cypress Avenue, 700 feet from the project site. The nearest establishment serving alcohol is English Ales Brewery, 223 Reindollar Avenue, approximately 500 feet from the project site.

MMC prohibits dispensaries from being located within 1,000 feet of another dispensary, unless the adjacent dispensary is a medical dispensary located next to an adult dispensary or the opposite. The project consists of a single Adult-Use and Medical Cannabis dispensary and is not within 1000 feet of another dispensary.

All Cannabis sales will be conducted only in the interior of an indoor structure and Cannabis products will not be visible from the exterior of any structure, business, or building containing Cannabis.

#### See Attachments

Vicinity Map Graphic
Aerial Photograph Graphic
Zoning Map Graphic
Downtown Vitalization Specific Plan
Location w/ 1000' Radius
Surrounding Neighborhood Graphic (250 foot radius)
List of Owners 250' Radius
Neighborhood Survey



0 2 miles

Source: ESRI 2019











0 100 feet

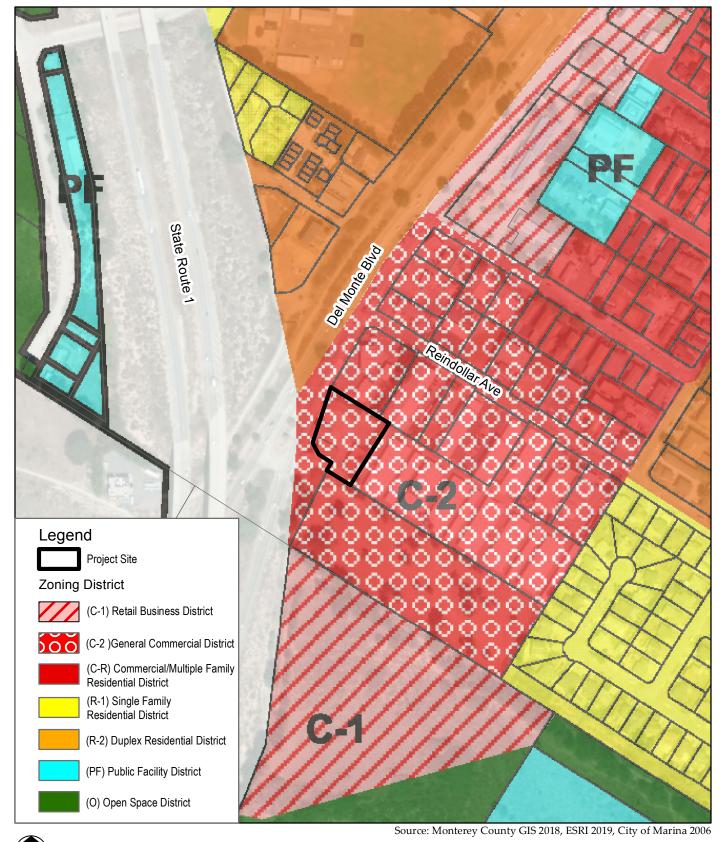


Source: Monterey County GIS 2018, ESRI 2019







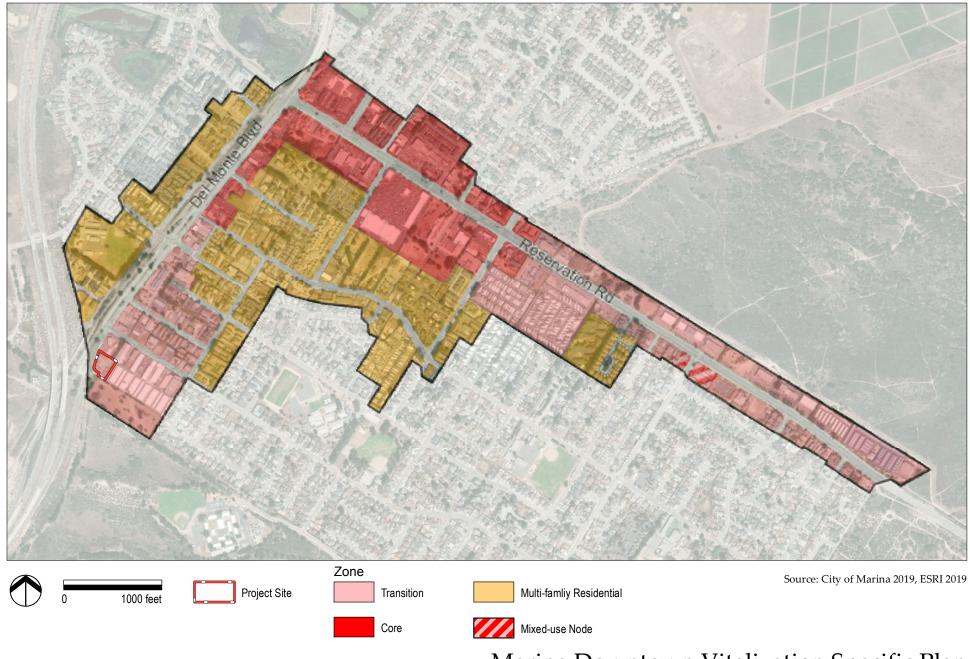


0 300 feet

Zoning Map







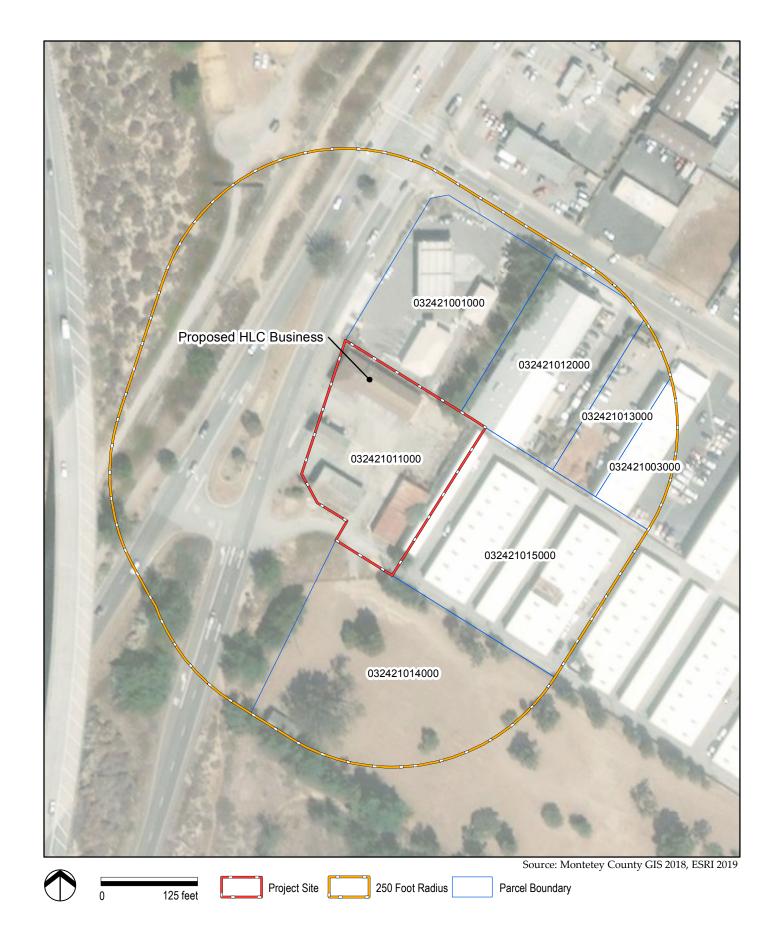
















032421014000 HPJ LLC PO BOX 7608

SPRECKELS CA 93962-7608

032421013000

GATES GERALD C & TRACEY BOONE TRS

24 A VIRGINIA WAY CARMEL VALLEY CA 93924

032421012000

MONTEREY BAY AQUARIUM FOUNDATION

886 CANNERY ROW MONTEREY CA 93940-1023 032421015000, 032421003000 RUSSELL REALTY ENTERPRISES

2032 SUNSET DR

PACIFIC GROVE CA 93950-3729

032421001000

PENINSULA PETROLEUM LLC

1324 5TH ST

EUREKA CA 95501-0661

# HIGHER LEVEL OF CARE 3016 Del Monte Blvd., Marina Cannabis Retail Neighborhood Compatability Survey

Parcel Number	<u>Owner</u>	<u>Name</u>	<u>Phone</u>	Signature of Non-Opposition	Preferred Local Charity
	HPJ, LLC	William D. Massa	9	William D. Massa	none
	Gates Gerald C & Tracey Boone TRS			E7FFE358459A4AA	
0	Monterey Bay Aquarium Foudation	Cynthia Vernon	9	Docusigned by: Cynthia Vernon	Monterey Bay Aquarium
	Russell Realty Enterprises			E7B124C878334CE	
	Peninsula Petroleum, LLC	Abraham Lopez		fred -	None
			•	FE6A35168CA9449	

# Section 3

# **Local Enterprise**

Higher Level of Care will be operated by local principals including Salvatore Palma who resides in the City of Monterey. Principal background information can be found in the proceeding section of this application package. All employees and volunteers will be at least 21 years of age.

The Business will employ no person if convicted of:

- 1. Homicide;
- 2. Any serious or violent felony listed in Penal Code Section 1192.7(c) or Section 667.5(c) Within the preceding 10 years;
- 3. Any violation of Penal Code Sections 243 through 247, except for subdivision (a) of Section 243 within the preceding 10 years;
- 4. Any offense under subdivisions (d) or (e) of Section 11357 or Section 11361, or Articles 1, 3, 5, 6, or 7 of Chapter 6 of Division 10 of the Health and Safety Code within the preceding 10 years; or
- 5. Any felony violation of Health and Safety Code Section 11358, Section 11359 or Section 11360, within the preceding 3 years.

# Section 4 & 5

# **Principal Background Information**

**Principal Background Information** 

#### Salvatore Palma-President

Date of Birth: 2/15/1981

Address: 356 Dela Vina Avenue, #4, Monterey, CA

Place of Birth: Monterey, CA

#### See Attachments:

Live Scan Receipt

Criminal Record -VC23103.5a, 11/23/2000; VC23152b, 9/11/2008; VC23152a, 8/15/2014



STATE OF CALIFORNIA BCIA 8016 (orig. 04/2001; rev. 01/2011)

# REQUEST FOR LIVE SCAN SERVICE

Applicant Submission	
A1300 ORI (Code assigned by DOJ)	Authorized Applicant Type
Type of License/Certification/Permit OR Working Title (Maximu	um 30 characters - if assigned by DOJ use exact little assigned)
Contributing Agency Information:	1
MARINA POLICE DEPARTMENT	00422
Agency Authorized to Receive Criminal Record Information	Mail Code (five-digit code assigned by DOJ)
211 HILLCREST AVE Street Address or P.O. Box	MARIA ESPARZA
AAADINIA	Contact Name (mandatory for all school submissions)
City CA 93933 State ZIP Code	(831) 884-1293 Contact Telephone Number
Applicant Information:	
PALM A Last Name	SAWATORE THOMAS First Name Middle Initial Suffix
Other Name (AKA or Alias) Last	First
Date of Birth Sex Male Female	Driver's License Number
Height Weight Eye Color Hair Co	Billing Number 110312
Place of Birth (State or Country) Social Security Number	(Agency Billing Number)  Misc. Number  (Other Identification Number)
Home Address Street Address or P.O. Box HOW LONG AT RESIDENCE 3.5	Citr
Your Number: OCA Number (Agency Identifying Number)	Level of Service:   DOJ  FBI
If re-submission, list original ATI number: (Must provide proof of rejection)	Original ATI Number
Employer (Additional response for agencies specified by	y statute):
Employer Name	Mail Code (five digit code assigned by DOJ)
Street Address or P.O. Box	
City State ZIP Code	Telephone Number (optional)
Live Scan Transaction Completed By:  M. Espany Hours  Jame of Operator  M. P.D.	4/9/19/5-21-19 Date & GGPQS 274/A
ransmitting Agency LSID	ATI Number I1 11 PA Amount Collected/Billed
ORIGINAL - Live Scan Operator SECOND C	COPY - Applicant THIRD COPY (if needed) - Requesting Agency

# Stage 2 Applicant and Business Evaluation

# Section A

# **Qualifications of Principals**

Salvatore Palma, the President of Higher Level of Care, began is entrepreneurial career after receiving his Bachelor of Arts in Business Administration and while completing his Master of Science in Real Estate, both from the University of San Diego. Salvatore began his career in the Cannabis industry opening dispensaries in San Diego from 2010-2013. Salvatore has owned and operated multiple fully-licensed and permitted storefronts in the County of Monterey since 2015 and, in addition, has been issued multiple permits for and brought to operation cultivation and manufacturing facilities in the cities of Greenfield and Hollister. Salvatore has additional experience in running successful businesses as he was the owner and operator of Bridges Bar & Grill from 2012-2016 which earned \$1.6 million in annual revenue. Salvatore owned and operated Precious Cargo, a company that acted as the primary provider of non-emergency medical transportation for Kaiser Permanente in San Diego, Orange and Los Angeles counties. Additionally, Salvatore held two Vice President roles with Tectrans, Inc. / Keolis Transit America from 2007- 2010 which, at the time, was listed on Inc. Magazines' 5000 Fastest Growing Companies. Salvatore is a Monterey native whose family has called the Monterey Peninsula home since 1929.

## See Attachments

Salvatore Palma Resume

Salvatore Palma Cannabis Business Owner Background Application

Salvatore Palma Passport Photos

Salvatore Palma Driver's License

Salvatore Palma Proof of Current Address

Salvatore Palma Social Security Card

# **SALVATORE THOMAS PALMA**

Monterey, CA ◆

# **CANNABIS RETAIL EXPERIENCE**

# HIGHER LEVEL OF CARE HOLLISTER - Hollister, CA

December 2018 - Present

Owner / Operator

Scored highest out of 7 applicants in competitive application process; currently under construction with operations to commence in June 2019

# HIGHER LEVEL OF CARE SEASIDE – Seaside, CA

June 2018 – Present

Owner / Operator

Scored highest out of 16 applicants in competitive application process; 1<sup>st</sup> of 6 approved applicants to commence operations; \$6.9M in Gross Sales in first 11 months of operations

# **HIGHER LEVEL OF CARE – Castroville, CA**

June 2015 - January 2019

Owner / Operator

\$8.64M in Annual Gross Sales; named to CannabisNewsUpdate.com's 2018 Tourist's Guide to America's Best Dispensaries

# **CAREER EXPERIENCE**

## GOLD COAST PROPERTIES - San Diego, CA

January 2011 - May 2016

Principal / Broker

Residential Sales / Leasing / Property Management / Speculative Development

## BRIDGES BAR & GRILL (Liquor) - San Diego, CA

January 2012 - March 2016

Owner / Operator

\$1.65M Annual Revenue; 46 Employees

### TECTRANS, INC / KEOLIS TRANSIT AMERICA – LOS ANGELES, CA

*April* 2007 – *August* 2010

Vice President of Taxi Operations – February 2009 – August 2010

Vice President of Bus Operations – August 2007 – February 2009

General Manager of Non-Emergency Medical Transportation - April 2007 - August 2007

\$84.2M Annual Revenue; 1300 Employees; 2011 Inc Magazine 5000 Fastest Growing Private Companies in America

#### PRECIOUS CARGO - SAN DIEGO CA

June 2005 – April 2007

Owner / Operator

Non-Emergency Medical Transportation Primary Provider for Kaiser Permanente; San Diego County, Los Angeles County, Orange County

# **EDUCATION**

# UNIVERITY OF SAN DIEGO, CA

September 2004 – July 2005

Master of Science in Real Estate

#### UNIVERITY OF SAN DIEGO - SAN DIEGO, CA

September 1999 - May 2004

**B.A.** in Business Administration

Dual Emphasis in Finance & Real Estate

Double Minor in Biology & Chemistry

#### STEVENSON SCHOOL – PEBBLE BEACH, CA

September 1995 – May 1999

Recipient of the President's Award for Excellence



# City of Marina

Economic Development Department – City Hall
211 Hillcrest Avenue
Marina, CA 93933
P: 831.384.3715
www.ci.marina.ca.us

# CANNABIS BUSINESS EMPLOYEE/OWNER BACKGROUND APPLICATION

		CA	NNABIS BUS	INESS	INFOR	MATION				
CANNABIS BUSINESS NAME/	CANNABIS BUSINESS NAME/DBA				IN THE BUSINESS, ARE YOU AN: (CHOOSE ONE) BADGE ID RI				GE ID REQUEST	
Higher Level of Ca	Higher Level of Care Marina				X Owne	er/Principal	Employe	e	Ц	ID Request
BUSINESS ADDRESS, CITY, STA	ATE, ZIP CODE						STATE B	USINESS	LICENSE	NUMBER (if known)
3016 Del Monte E	Blvd., Mari	ina, CA 9	3933				N/A			
			APPLICANT	INFO	DRMATI	ION				
Social Security Number   LAST NAME ON SOCIAL SECURITY CARD FIRST NAME ON SOCIAL SECURITY CARD							IRITY CARD	MIDDLE	NAME O	N SOCIAL SECURITY CARD
		Palma			Salvat	tore		Tho	mas	
Driver's License #	/State	LAST NA	ME ON DRIVER'S LICE	NSE	FIRST N	IAME ON DRIVER'S	LICENSE	MIDI	DLE NAME	ON DRIVER'S LICENSE
		Palma			Salvato	ore		Thor	nas	
SEX	AGE	DATE	OF BIRTH	RACE	HEIGHT	WEIG	GHT	I н	AIR	EYES
Male	38			Cauc	6'2"	20	0	В	rn	Hzl
LIST YOUR CURRENT HOME A	DDRESS, CITY, ZI	P CODE ( <u>NO P.</u>	O. BOXES ALLOWE	2)				CELL PHONE #		
									,	
LIST ANY OTHER NAMES YOU	HAVE EVER USE	D (Maiden, Ma	rried, Nicknames, e	tc.)	BIRTH COUNTRY/STATE			LANGUAGES SPOKEN		
N/A					California, USA			English		
	l ist all	arrests or a	CRIMIN			nc for traffic	violetion			
ANY FALSE OR MISLEAD	List all arrests or convictions other than infractions for traffic violations.  IF ADDITIONAL SPACE IS NEEDED, ATTACH EXTRA SHEETS TO THIS APPLICATION. PLEASE READ THE APPLICATION CAREFULLY. ANY FALSE OR MISLEADING STATEMENTS, OR OMISSIONS ON THIS APPLICATION OR ON THE COMMERCIAL CANNABIS BUSINESS APPLICATION, SHALL BE GROUNDS FOR DISQUALIFICATION.									
ARREST DATE	AI	RRESTING AGE	NCY / LOCATION / C	OURT N	AME	REASON FO	OR ARREST /	VIOLAT	ION COD	E
2 0										
DATE / TIME	C FFF AAA	DUNT DAID	CITY STA		<b>E ONLY</b>					1
4/9/19	300	OUNT PAID	2019- 3		7 L	CITY STAFF'S I	ARE 2	_	FIN	ANCE

			CRIMINAL HIS	STORY (cont.)			
	ARREST DATE	ARRESTI	NG AGENCY / LOCATION / COU		REASON FO	OR ARRES	T/VIOLATION CODE
3							
	ARREST DATE	ARRESTIN	IG AGENCY / LOCATION / COU	RT NAME	REASON FO	OR ARRES	T / VIOLATION CODE
4	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		2 2 2	Ш			
	DISPOSITION (WHAT WAS THE OUTC	OME OF T	HE CASE: Were you sentenced	? Did you have to pay	a fine? Pro	bation? F	arole? Etc.)
	ARREST DATE	ARRESTIN	IG AGENCY / LOCATION / COU	RT NAME F	REASON FO	OR ARRES	T / VIOLATION CODE
5	DISPOSITION (WHAT WAS THE OUTCO	I OME OF TI	HE CASE: Were you sentenced?	P Did you have to pay	a fine? Pro	bation? P	arole? Etc.)
		PI	RIOR REGULATED CA	NNABIS EMPL	OYERS		
BUSIN	ESS NAME	CITY / STA	ATE	PHONE	START	DATE	END DATE
Hig	her Level of Care	Castr	oville, CA	831-453-718	0 06/	15	12/19
High	ner Level of Care Seaside	Seasi	de, CA	831-583-830	0 06/	18	N/A
			STATEMENT	OF PERJURY			
I DECL KNOW	ARE UNDER THE PENALTY OF PERJUR LEDGE.	Y, UNDER	THE LAWS OF THE STATE OF C	ALIFORNIA, THAT THE	FOREGOI	NG IS TRU	E AND CORRECT TO THE BEST OF MY
	APPLICANT SIGNATURE		JOB TITLE (POSITION	ON THE APPLICATION	N)		DATE
× (	5	_	Owner			4/9/1	9
	CRIMINAL	BACK	GROUND & CREDIT	HISTORY INVE	STIGAT	ION R	ELEASE
To W	/hom It May Concern:						
							e City Manager, or Chief of Police
infor	ne City of Marina, and/or his/h mation in this application for the	ier agent e purpos	ts, employee or lawful re e of conducting a criminal	presentative(s) to to background check	take my	photogr that I m	aph and fingerprints or use the eet the qualifications required to
obta							by the City Municipal Code and
		auested :	or deemed necessary to pr	ovide to the State o	of Californ	nia Dena	rtment of Justice and the Federal
Bure	au of Investigation, or any other	law enfo	rcement agency or third-pa	rty consultant author	orized by	the City	Manager or Chief of Police.
I understand this will serve to disclose any record of arrests to which I have been the subject that resulted in conviction. I further agree to hold the City of Marina its officers, agents, or lawfully delegated representatives, harmless from any action(s) or damages whatsoever or at all which may result from the taking of such fingerprints or forwarding them to the appropriate law enforcement agency for a record check and/or obtaining access to any other documentation which pertains to meeting the qualification for a Commercial Cannabis Business Permit or Employee Permit.							
	ermore, I hereby authorize the C n and review my consumer credit						vee or lawful representative(s) to
and/d							I also understand that falsifying mination of employment per the
APPLIC	CANT SIGNATURE		APPLICANT NAME (PRINT)			DATE	
	3/12		Salvatore Palma			4/9/19	9



Salvatore Palma



Salvatore Palma

Account No: |
Statement Date:

Due Date:

05/15/2019

06/05/2019

# **Service For:**

Salvatore Palma	

# Questions about your bill?

Monday-Friday 7 a.m.-9 p.m. Saturday 8 a.m.-6 p.m. Phone: 1-800-743-5000 www.pge.com/MyEnergy

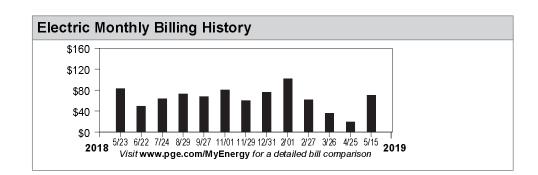
# Ways To Pay

www.pge.com/waystopay

# **Your Account Summary**

Amount Due on Previous Statement	\$20.06
Payment(s) Received Since Last Statement	0.00
Previous Unpaid Balance	\$20.06
Current PG&E Electric Delivery Charges	\$47.84
Monterey Bay Community Power Electric Generation Charges	22.93

Total Amount Due by 06/05/2019	\$90.83	
- 1	T	



# **Important Messages**

**Summer electric baseline season** The summer electric baseline season began on May 1. The total electric baseline quantities shown in your energy statement were calculated using daily summer baseline quantities. Any billing days in the billing period prior to May 1 were calculated with winter baseline quantities.

Continued on page 5

Please return this portion with your payment. No staples or paper clips. Do not fold. Thank you.

### 99903508585268500000070770000009083



Account Number:

Due Date: 06/05/2019

Total Amount Due:

\$90.83

Amount Enclosed:

SALVATORE PALMA

PG&E BOX 997300 SACRAMENTO, CA 95899-7300



# Section B

# Site Plan

A site and floor plan for the Adult Use and Medical Retail are included within this application package which includes the dimensions of the interior floorplan, and the location of all the exit doors. The floor plan indicates the principal uses within the buildings and the business layout, including, but not limited to retail areas, storage, reception, break room, restroom, and office space. The site plan indicates how the building is situated on the property and the existing parking that serves the Cannabis business. The Site Plan and Photo Page, included as an attachment, indicate the existing buildings on the property and their relationship to the proposed dispensary.

The developed project site, which is surrounded by commercial uses to the north and east open space to the south and State Highway 1 to the west, includes three buildings and a former gas pump canopy. The applicant will refurbish a 3,940 square foot building for the colocated Adult Use and Medical Retail uses and future refurbishing will take place for a Manufacturing and Distribution facility within the same building. The dispensary will comprise 2,450 square feet of one of the existing buildings and the remainder (1,490 square feet) will be used for manufacturing and distribution under separate permitting. The property is primarily paved and the applicant has 15 spaces designated with the lease of the dispensary building. The parking area will be restriped as part of the refurbishing process. See the attached Site Photographs/ Building Elevations, Site Plan, Floor Plan, and Renderings.

# See Attachments

Site Photographs/ Building Elevations Site Plan Detailed Floor Plan Exterior Building Elevation-Rendering 1 Exterior Building Elevation-Rendering 2 Interior Rendering 1 Interior Rendering 2



1 East Elevation



2 North Elevation



Project Site

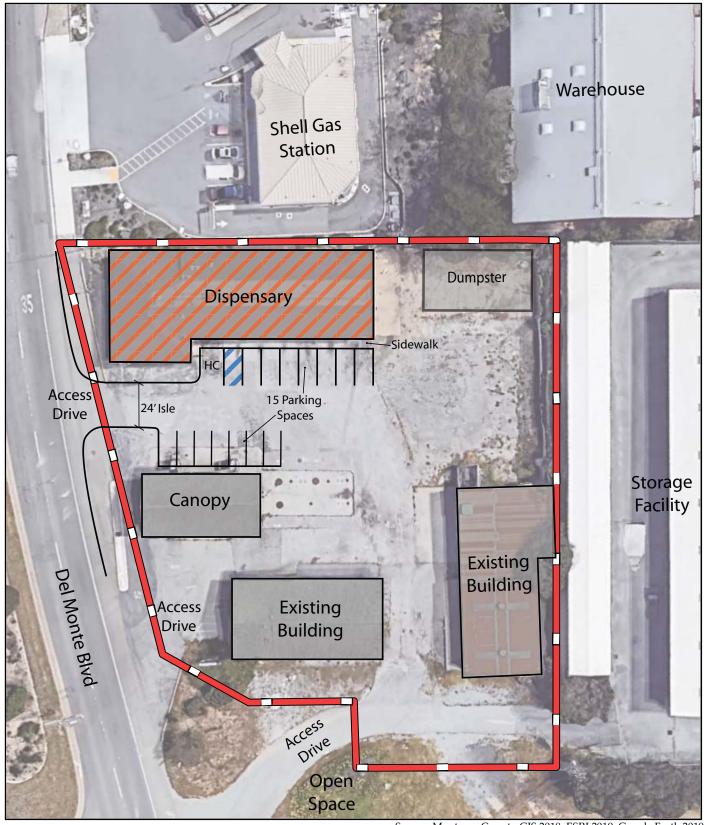
Source: ESRI 2019 Photographs: Salvatore Palma 2019

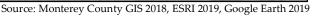


3 South Elevation



4 West Elevation

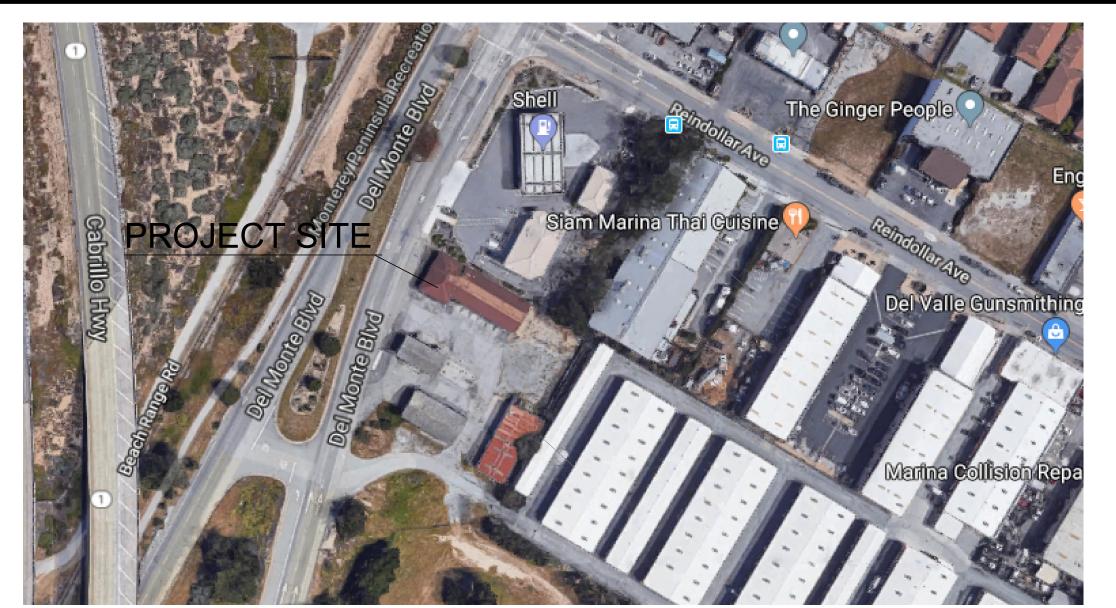














# HIGHER LEVEL OF CARE

3016 DEL MONTE BLVD. MARINA, CA

PROJECT DATA:

PROJECT LOCATION:

3016 DEL MONTE BLVD.

MARINA, 93933

APPLICANT:

SALVATORE PALMA (310) 261-4809 sal@hldispensaries.com

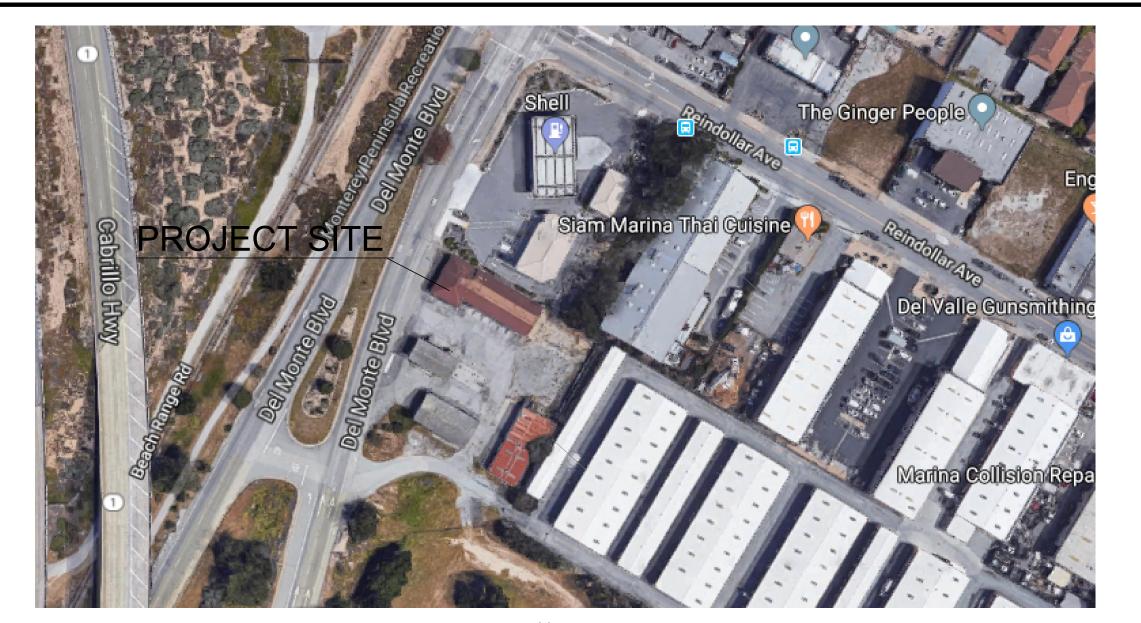


LEVEL GHER HIGHE

AVENUE,

DEL 301

DATE: 5/13/19
SCALE: AS NOTED
DWG. BY: JMONDALA



# HIGHER LEVEL OF CARE

3016 DEL MONTE AVE MARINA, C

PROJECT DATA:

PROJECT LOCATION:

3016 DEL MONTE AVE. MARINA, 93933

APPLICANT:

SALVATORE PALMA (310) 261-4809 spalma.pbs@gmail.com

LOCATION MAP

NOT TO SCALE



HIGHER LEVEL 3016 DEL MONTE AVENUE,

DATE: 5/13/19
SCALE: AS NOTED
DWG. BY: JMONDALA
JOB No.

A









## **Section C**

## Safety and Security Plan

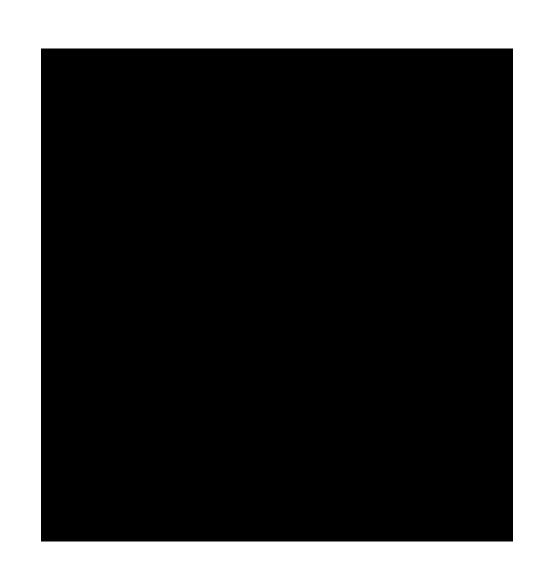
Infrastructure and security requirements within the Marina Municipal Code (MMC 19.02.070) will be strictly adhered to and detailed policies and procedures have been outlined in the attached Security Plan. Lighting will be of sufficient intensity to illuminate all areas of the parking lot. Lighting will comply with Marina Municipal Code, (MMC 15.34.080).

## See Attachments

Security Plan Safety Assessment Report Safety Plan Policies

## **SECURITY PLAN**

Appendix "A"



## **SECURITY PLAN**

Appendix "B"

#### I. INTRODUCTION

This report is prepared at the request of Higher Level of Care, which is proposing to open a cannabis retail operation site in Marina, California (City). As part of the permitting process, a detailed safety report and plan (Report) is required to be prepared by a fire and safety professional with expertise in the issues involved in the proposed operations. This Report is required to review the fire protection and related systems that are or are proposed to be present in the building/facility where the operations are to be conducted, and to assess the adequacy of building safety features as they relate to the proposed operations. The Report is also required to address issues related to the proposed use of hazardous materials and other health and safety concerns related to both employees and where applicable, the public. This Report will address the safety and health concerns related to the proposed operation and activities that are planned to be conducted within the facility.

The Report is prepared by Paul Gantt, who is the President and Founder of Safety Compliance Management, Inc. (SCM), a safety and health consultation firm headquartered in San Ramon, California. Prior to founding SCM, Dr. Gantt served in four California fire departments where he advanced through the ranks holding positions that include Firefighter/Paramedic, Fire Captain, Fire Battalion Chief, Fire Marshal, Fire Training Officer, Fire Division Chief, and Deputy Fire Chief. Dr. Gantt is a Safety Engineer with a Master of Engineering degree in Advanced Safety Engineering, a Doctorate in Health and Human Services, and is a Board-Certified Safety Professional (CSP). He is also certified by the Office of the California State Fire Marshal as a Certified Fire Officer, Certified Fire Prevention Officer, Certified Public Education Officer, Certified Fire Training Officer, and additionally is certified to teach courses in many of these disciplines for the Office of the State Fire Marshal. Additionally, Dr. Gantt is a qualified Expert Witness and has testified in deposition and court on matters of the California Fire Code and fire safety matters. A copy of Dr. Gantt's CV is contained in Appendix A of this report.

In preparing the Report, Dr. Gantt consulted with the business owners and developers, reviewed the proposed building plans and related documents relative to the building, and information on the specific information on the operations that will take place within the building. This information was used as the basis for this evaluation and report, and also to identify the various ongoing safety programs that will be required to be implemented once the operations have been established. The codes relied upon in the formation of this report include the 2016 edition of the California Building Code (CBC), the 2016 edition of the California Fire Code (CFC), the current California Health and Safety Code, and applicable Cal/OSHA regulations found in Title 8 of the California Code of Regulations (8 CCR). From this review, the Report also contains plans and programs that will be required to ensure the safety of employees and the public.

#### II. BUILDING DESCRIPTION

The proposed operation that is the subject of this analysis and report will be conducted in an existing building that is located at 3016 Del Monte Boulevard, Marina, California. The building is a single-story structure. The size of the building is approximate 3,940 square feet, with 2,450 square feet to be used for a proposed retail dispensary operation. The proposed plan of the building is found in Appendix B.

Because the project is currently in the proposal state and being reviewed by the Planning Department and other City Departments, some of the specific building features have been identified and no final building plans currently have been finalized. Once the project is approved, the building will be subject to significant review by the various City agencies including, but not limited to, the Fire and Building Departments. This will provide an extensive evaluation of all aspects of the buildings to ensure compliance with applicable Code requirements including those related to building setbacks, overall building design and size, exiting from the building, ADA compliance, portable fire extinguisher types and placement, building alarm and detection systems as required, parking, and signage. This extensive review will help ensure that all necessary and required safeguards relative to fire and life safety are in place.

## III. SUMMARY OF OPERATIONS AND HAZARDS

All areas of the proposed project will involve operations that are classified as standard or traditional building uses and are covered by various aspects of the current versions of the CBC and the CFC. These Codes classify buildings, or portions thereof, into Groups and Divisions based on the type of use of the building and any hazards created by the use. For each area, safety and health assessment information is provided to ensure the safety of employees and the facility.

Given the nature of the project, public access will be provided. The maximum occupant load in each area of the building will be based on the requirements of CBC Table 1004.1.1. Appropriate numbers of exits from the building will be provided and will be part of the overall building plan review process. The initially proposed building plans that are contained in Appendix B identify adequate exiting from each area of the facility. Following is a summary of the occupancy types and groups for each of the areas and operations within the proposed facility.

## A. Office and Support Operation Areas

As proposed, a portion of the building will be used for the business and support operations associated with the primary retail and dispensary operations. This area of the building will be classified by the CBC as Business, Group B, occupancy types. As with all areas and operations of the overall project, these areas will be subject to the requirements relative to the number and location of exits, ADA compliance, signage requirements, and the inclusion of other fire protection and life safety features as required by the various Codes.

#### **B.** Storage Areas

An area is proposed that will be used for the storage of cannabis products awaiting sale. This area of the building would be classified as a Moderate Hazard Storage, Group S-1, by the CBC. The storage area will have high security with limited and restricted access. Operations that are proposed to occur within these areas will be done using standard storage equipment with minimal hazards associated with their use.

The materials stored in these areas will be on shelving that are less than six feet in height allowing for manual handling of the boxes and containers holding the packages awaiting sale. These pre-packaged materials will be retail-sized packages that are similar to those

found in other retail establishments such as commercial pharmacies. The packaging is mostly composed of cardboard and clear plastic sleeves and will conform to the State of California Cannabis Packaging regulations.

## C. Retail and Dispensary area

The proposed dispensary operations will occur in a dispensary area in the building and will be open and accessible to the public. This area is expected to be similar in layout, design, and operation as a traditional retail establishment. It will have the required configuration to allow adequate aisles and exiting and would be classified as a Group M, Mercantile, occupancy. The layout, design, exit plans, and other elements of the fire and life safety requirements will undergo standard code review processes by the various agencies once the final plans have been developed.

### IV. HAZARDOUS MATERIALS SAFETY AND COMPLIANCE

Because this project involves retail dispensary operations there will be no expected use of hazardous materials. Standard commercially available cleaning supplies and office materials such as toner will be used to support the business activities. These materials will not be present nor used in a manner that does not conform to the label and manufacturer's requirements.

# V. OCCUPATIONAL (EMPLOYEE) SAFETY

### A. Approach:

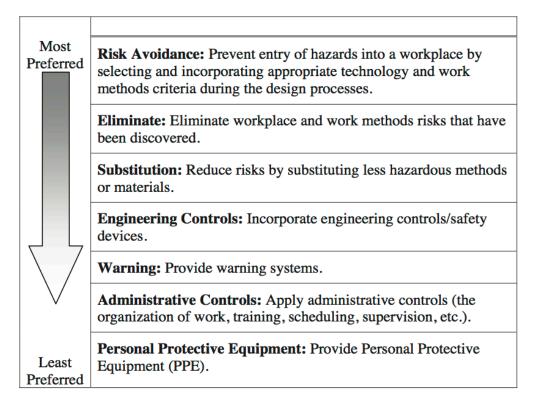
When the facility is operational, it is planned that about 20 employees will be conducting the various activities at the site while it is open for business, from 9:00 AM to 10:00 PM. In addition, principles may be present to oversee the management of the business operations.

As part of the review of the safety aspects of the project, the issues involving employee safety and health were reviewed. Once the facility is operational, a comprehensive safety and health assessment will be conducted to identify other areas that may require additional safeguards. The goal of the occupational safety and health programs is not only to ensure compliance with the applicable regulatory requirements as found in Title 8 of the California Code of Regulations, but also to help manage the occupational risk and reduce it to acceptable levels. To that end, the following information describes the occupational safety and health program philosophy and details of how these will be implemented once the facility is operational.

Effective health and safety systems and programs encompass several key areas including the use of a hierarchy of controls that include both Inherent Safety Programs and the application of Safety Controls when hazards cannot be eliminated. The programs that will be implemented for the site will use the hierarchy of controls established by the American National Standards Association (ANSI) including ANSI Z10 - 2012, *Occupational Health and Safety Management Systems*, and ANSI Z590.3 - 2011, *Prevention through Design Guidelines for Addressing Occupational Hazards and Risks in Design and* 

Redesign Processes. This process is more robust than the limited approach taken by Cal/OSHA and exceeds all of their requirements. Near the top of the hierarchy are steps that afford the greatest levels of protection and rely less on employee performance. At the bottom of the system are steps that are less effective in controlling hazards and which rely on employee performance and use of personal protective equipment (PPE). In all aspects of the safety and health programs, efforts will be made to incorporate the use of the higher levels of controlling hazards that are identified.

Following is a summary of each of these elements that were part of the review process of the assessment team.



- 1. Inherent Safety Programs: The top components of the hierarchy include those that either do not introduce or eliminate the hazards associated with a particular task or operation, or which remove some more hazardous processes and substitute less harmful processes or materials. Examples of inherent safety programs include elimination of the need to expose someone to a fall hazard through the relocation of elevated controls to lower levels thus completely eliminating the need to work at an elevated, or the removal of a significantly hazardous materials with the substitution of less harmful materials.
- 2. Safety Controls: When the hazards cannot be eliminated using the inherent methodology, Cal-OSHA requires that measures to be implemented for controlling the exposure or potential exposure that employees have to a particular hazard. These measures are termed "Controls" and are required to be implemented in an order of decreasing effectiveness with the higher Controls being the most protective and

required whenever feasible. When possible, multiple levels of these Controls can be used together to further reduce the potential for exposure by the employee. The Controls within the ANSI process are as follows:

- a. Engineering Controls. Engineering Controls are the first step used to help reduce the potential exposure of the employee to the hazards that are (or potentially could be) present in the workplace. Examples of this form of control include the installation of guardrails at elevated locations, the use of ventilation systems to reduce the level of airborne hazards, automatic fire doors that close upon activation of the alarm systems, fire resistive construction, and the use of noise dampening equipment in noisy areas. Engineering Controls require the least involvement of the employee in order to be effective but are not always feasible in many types of situations such as emergency response.
- b. Warning Systems. When Engineering Controls are not effective or are not feasible, the use of warning systems helps to ensure that employees are made aware of situations that require their attention and action. Examples of warnings include alarm systems, workplace signage, and backup alarms on vehicles.
- c. Administrative Controls. Administrative Controls are often used in conjunction with Engineering Controls or alone or in combination with other Controls when they are not effective in fully controlling personnel exposure to a given hazard. Examples of Administrative Controls include training programs, scheduling, supervision, and the use of standard operating procedures. The use of this level of control requires significant employee involvement and their conformance to rules and procedures.
- d. Personal Protective Equipment (PPE). The final level of controlling the exposure of employees to occupational hazards is through the use of PPE. There are numerous types of PPE that provide protection from a wide range of hazards that could be present. Examples of PPE include respirators to provide protection from airborne hazards, gloves and body coverings that protect employees from chemical or physical hazards, and ear plugs and muffs that limit exposure to loud noises. As with the issues associated with the application of Administrative controls, the use of PPE has a high degree of employee involvement in order for this form of Control to be effective. Additionally, there are numerous variables that limit or reduce the effectiveness of PPE including proper selection, proper maintenance of the equipment, and the proper use of the equipment when required.

# **B.** Written Compliance Programs

Based on an initial review of the operations, the overall safety and health programs will require the development and implementation of several written occupational safety and health programs.

Program	Requirement	Notes
Injury and Illness Prevention Program	8 CCR §3203	Foundation of Safety Programs
(IIPP)		and Systems
Hazard Communication Program (may	8 CCR §5194	Because only household
be required.)		materials are use, this Program
		may not be required. The initial
		evaluation will determine the
		degree to which employee
		exposure might be present and
		ascertain if the Program will be
		required.
Emergency Action Plan	8 CCR §3220	Plans for evacuation and all
		other emergencies that might
		occur. This will also include
		evacuation of the public when
		they are present.
Fire Prevention Plan	8 CCR §3221	Plans to prevent any type of site
		fire hazard.

Each of these programs will be customized for the specific operations that will be conducted at the facility. The foundation of the overall safety and health programs will be the IIPP. The IIPP has eight required elements. These will include the following:

Element	Application
Responsibility	Responsibility will be assigned for implementing the program.
	Additional responsibility will be delegated throughout the organization
	to managers, supervisors, and employees.
Compliance	Safety work rules will be developed for all aspects of the operations.
	Programs for employee recognition and discipline will be developed.
	This area will also identify other written safety programs and their role
	in the overall safety management system.
Communication	Programs to communicate safety related matters within the
	organization will be developed including procedures for anonymous
	reporting of safety concerns. Programs will include worksite postings,
	employee meetings, and the implementation of a Safety Committee.
Training	Training and retraining programs for all aspects of the facility
	operations will be established and implemented.
Hazard	Hazard identification programs including identification of the
Identification	frequency and responsibility for worksite inspections will be developed
	and implemented. Included in this will be an assessment of the site to

Element	Application
	identify the required personal protective equipment that will be needed
	for specific tasks and operations.
Hazard	Programs to correct all identified hazards in a timely manner will be
Correction	identified and implemented.
Incident	A robust incident investigation process will be developed and
Investigation	implemented. The program will also include a program of near-miss
	(close call) reporting. The program will be based on current safety
	research that focuses on system improvements and organizational
	learning.
Recordkeeping	Records retention and availability programs will be identified and
	implemented for all safety-related records.

# C. Training Programs

Full implementation of the occupational safety and health programs requires training in several areas. Following is a description of the training programs that have been identified for implementation. Most of these training programs were identified in the initial report on the proposed dispensary operations.

Training	Description	Employees
IIPP training	Training in accordance with 8 CCR §3203 on	All employees
	all elements of the IIPP and responsibilities for	
	each level of employee within the organization.	
Hazard	Training in accordance with 8 CCR §5194 on	All employees
Communication	hazardous substances found in the workplace	
(If required)	including the Hazard Communication Program,	
	labeling systems, the availability of the Safety	
	Data Sheet, definition of terms, and the newly	
	implemented Globally Harmonized System of	
	Hazard Communication.	
Emergency	Training on the elements of the site Emergency	All employees
Action Plan	Action Plan in accordance with 8 CCR §3220	
	including employee responsibilities and	
	procedures for reporting emergencies,	
	emergency action to be taken for each type of	
	anticipated emergency, and evacuation routes	
	and areas of safe refuge. Emergencies that will	
	be covered in the training and Plan include	
	medical, fire, power failure, earthquake,	
	workplace violence and active shooter,	
	chemical release, and weather emergencies.	
Fire Prevention	Training on the elements of the Fire Prevention	All employees
Plan	Plan in accordance with 8 CCR §3221	
	including employee responsibilities for	
	prevention, maintenance of aisles, and	

Training	Description	Employees
	inspection and maintenance requirements for	
	the fire protection systems found at the site.	
Inspection	Training will be provided to personnel involved	Affected/involved
programs	in the inspection of safety equipment and	employees
	emergency systems involved in the dispensary.	
Equipment	Training of personnel in the safe operations of	Affected/involved
Specific/Job	all equipment and Personal Protective	employees
Training	Equipment (PPE) as required by 8 CCR §3203.	
Driver Safety	Training in the proper safe driving	Affected/involved
	requirements and in security while operating	employees
	vehicles.	

Additionally, while not required, training in the following areas has been identified to be included in the firm's occupational safety and health training matrix.

Training	Description	Employees
Cardiopulmonary	Training in accordance with 8 CCR §3400 to	Emergency
Resuscitation	provide CPR and First Aid in accordance with	Response Team
(CPR) and First	the guidelines of the American Heart	(ERT) members
Aid	Association.	
Automatic	Training in accordance with 8 CCR §3400 to	Emergency
External	use an AED in accordance with the guidelines	Response Team
Defibrillator	of the American Heart Association.	(ERT) members
(AED)		
Portable fire	Training in accordance with 8 CCR §6151 on	Emergency
extinguisher	the use of portable fire extinguishers including	Response Team
use/Incipient Fire	requirements for notification and evacuation	(ERT) members
Control	prior to use, selection of the proper type of fire	
	extinguisher, inspection and service	
	requirements, and proper use.	

# **D.** Inspection Programs

Once the safety systems are implemented, inspection and testing programs will be required to ensure that the equipment and systems are properly maintained and useable. Inspections that are expected to occur are as follows.

<b>Equipment/System</b>	Frequency
Portable fire extinguishers	Visual inspection monthly by site personnel. Annual
	service by a licensed vendor.
Emergency lighting systems (if	Testing for 30 seconds monthly by site personnel.
present)	90-minute test annually by site personnel.
First Aid Kits	Regular inspections of inventory by site personnel or
	vendor.
Portable ladders (if used)	Regular inspections – recommended quarterly.
Detection and alarm systems (if	Maintained and tested in accordance with
present)	manufacturer's and CCR Title 19 requirements.

# E. Recordkeeping

To ensure ongoing compliance within the safety systems, records will be developed and maintained in compliance with Cal-OSHA requirements found in 8 CCR §3203, 8 CCR §3204, 8 CCR §5194, Titles 19 and 22 CCR, and other equipment-specific sections. Following is a list of the records that may be required. As with some of the other required safety elements, these are similar to those that are required and identified in the manufacturing report.

- Personnel safety training records.
- Equipment inspection records such as mobile equipment.
- Facility inspection records.
- Operation inspection records.
- Emergency equipment inspection records (e.g. alarms, detectors, fire extinguishers, emergency lighting, etc.).
- OSHA Log 300 and 300A.

## VI. CONCLUSION

Based on a review of the materials provided and consultation with key personnel involved in the project, it is my opinion that upon completion of the required code review processes that the project will undergo once it has been approved, coupled with the implementation of the employee safety programs outlined in this report, the project will contain the necessary fire and life safety elements to approve the project.

# Appendix A: PAUL W. GANTT, Ph.D., CSP Curriculum Vitae Summary

## SUMMARY/OVERVIEW

Dr. Gantt is an experienced **Safety Engineer** and **Board-Certified Safety Professional (CSP)** with an extensive background as both a regulator and in private practice encompassing over 40 years. He is experienced in many areas of occupational and construction safety, safety systems and programs, multi-employer worksites, fire and life safety, workplace and premises evaluation and liability, general safety practices, OSHA and Cal-OSHA health and safety regulations, fire and life safety, and Fire and Building Code safety and health requirements. He has considerable experience inspecting and evaluating construction sites, occupational settings, and conducting safety assessments in a broad range of public and private facilities. Additionally, his expertise includes the delivery of training programs with the ability to explain complex regulations, hazards, and practices in an easy-to-understand manner that can be essential in testimony and reports. He is a nationally recognized speaker in many areas related to occupational health and safety, fire safety, premises safety, and regulatory compliance.

## OCCUPATIONAL EXPERIENCE

January 1991 to Present:

President & Founder Safety Compliance Management, Inc San Ramon, California

Owner and operator of a tenured and successful private business that provides solutions in the areas of evaluating and implementing occupational health and safety systems and programs, emergency management and response, and safety programs (training, consultation, compliance, and written programs) to a range of clients in both the private and public sectors.

# Safety and Regulatory Compliance Consulting/Expert Witness

Provides regulatory and litigation (Expert Witness) consultation services in areas involving regulatory compliance, safety systems, fire and life safety, construction safety, Fire and Building Code compliance, and premises liability matters. He has provided testimony in the areas of safety program development and implementation, multi-employer worksites, construction safety, and the application of safety regulations both occupationally and generally.

# Safety Programs – Development, Training, Evaluation, and Consultation

Provides services in the design and delivery of a range of safety program/systems that include training and inspection programs in the areas of general safety and construction safety. Evaluates current programs to ensure compliance and develops organizational-specific Injury and Illness Prevention Programs (IIPP), Code of Safe Practices, Fall Protection Programs, and other regulatory required programs as needed. Oversees and participates in inspection programs at a range of general industry, private/public facilities, and construction projects. Assists with accident investigation, risk assessment, and evaluation of workplace and property hazards. Represents clients with OSHA issues including citations, site audits, and permits. Provides and coordinates the delivery of numerous safety training programs to a range of clients in all aspects of OSHA and Cal-OSHA required programs including Fall Protection, CPR/First Aid, Confined Space Operations, Energy Control (Lock Out/Tag Out), Fire Safety, Excavation Safety, Hazardous Materials, and other safety topics.

# PAUL W. GANTT Curriculum Vitae (Cont.)

March 1978 to July 1992:

California Fire Service: Four Departments

# **Positions Held:**

- Fire Chief (Acting)
   Fire Marshal
   Deputy Fire Chief
   Fire Division Chief
   Fire Battalion Chief
  - Fire Captain Firefighter/Paramedic

Held increasingly responsible positions in four California fire departments. Managed the operations of the Fire Department as the Chief in charge of Fire Operations, Fire Prevention, Fire Training, Public Education, Hazardous Materials enforcement, Administration, and Safety. Served as Training Officer and Instructor in Regional Fire Academies.

## EDUCATION/CERTIFICATIONS

- Doctor of Philosophy (Ph.D.), Capella University, April 2019.
- Master of Engineering (M.Eng), Advanced Safety Engineering and Management. The University of Alabama, Birmingham, 2014.
- Bachelor of Public Administration (BPA), The University of San Francisco, 1988.
- Associate of Science (AS), Fire Science. Solano College, 1981.
- Certified Safety Professional (CSP). Board of Certified Safety Professionals (BCSP), #19001, 2006.
- Certified Environmental and Safety Trainer (CET). BCSP, #13001, 2013.
- Construction Health and Safety Technician (CHST). BCSP, # C3565, 2013.
- BCSP Subject Matter Expert.
- Professional Member American Society of Safety Engineers (ASSE) (#13536), since 1999.
- Advanced Certificate of Achievement, Fire Science. Solano College, 1982.
- Certified Auditor OHSAS 18001 Safety Systems.
- Certified Fire Officer, Public Education Officer, Fire Instructor, and Fire Prevention Officer Office of the California State Fire Marshal.
- Registered Environmental Assessor, Class I California EPA, # REA I-06538, 1996-2012.
- Community College Lifetime Teaching Credentials Fire Technology, #251342 and Health and Related Technologies, #267782.
- Emergency Medical Technician 1 Instructor/ Mobile Intensive Care Paramedic (Previous).
- Instructor Levels I and II Office of the California State Fire Marshal.

# **HONORS/ASSOCIATIONS (Past/Present)**

- Professional Member American Society of Safety Engineers/Professionals (ASSE/ASSP).
- Member National Safety Council (NSC).
- Member National Fire Protection Association (NFPA).
- Life Member California Fire Training Officers' Association.

# PAUL W. GANTT Curriculum Vitae (Cont.)

# TEXTS AND PROFESSIONAL ARTICLES AUTHORED

- 1. Gantt, P. (2009) *Hazardous Materials; Regulations, Response, And Site Operations* (2nd ed.). Independence, KY: Delmar/Cengage. Note: Also authored 1st Edition 1999.
- 2. Gantt, P. (2014). "PS Asks." Professional Safety. 59(5), 28-30.
- 3. Gantt, P. (2013). "Expert Witness 101: Beginning the Process." Advisor Technical Publication of the Consultancy Practice, American Society of Safety Engineers. 12(3).
- 4. Gantt, P. (2013). "Expert Witness 201- Avoiding the Pitfalls." Advisor Technical Publication of the Consultancy Practice, American Society of Safety Engineers. 13(1).
- 5. Gantt, P. (2014). "Expert Witness 301- Tips to Help You Become A Successful Expert Witness." Advisor Technical Publication of the Consultancy Practice, American Society of Safety Engineers. 13(2).
- 6. Gantt, P. (2010). "Expert Witness 201- Achieving Success in a Time of Economic Downturn." Advisor Technical Publication of the Consultancy Practice, American Society of Safety Engineers. 10(1).
- 7. Gantt, P. & O'Connell, M. (2012). "Safety DNA." Advisor Technical Publication of the Consultancy Practice, American Society of Safety Engineers. 12(2).
- 8. Gantt, P. & Gantt, R. (2012). "Disaster Psychology The Myths of Panic." Professional Safety. 57(6). (pp. 42-49).
- 9. Gantt, P. (2006-2008). "Confined Space Activities." (7-part series). Carolina Fire Journal. 20(4). 22(3).
- 10. Gantt, P. (2016). "The Role of the International Fire Code in Promoting Safety: What Safety Practitioners Need to Know." Proceedings of Safety 2016: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 11. Gantt, P. (2015). "Safety, Not Good Enough." Proceedings of Safety 2015: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 12. Gantt, P. (2014). "Safety by Accident: A Call to Action For The Safety Profession." Proceedings of Safety 2014: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 13. Gantt, P. (2013). "There Is No Glory in Fighting a Fire That Could Have Been Prevented. Using The ANSI/ASSE Z590.3-2011 Process in Your Safety Prevention Programs." Proceedings of Safety 2013: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 14. Gantt, P. (2012). "Now What? Case Studies on How to Be Successful As An Expert Witness." Proceedings of Safety 2012: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 15. Gantt, P. & Gantt, R. (2011). "Disaster Psychology The Myths of Panic." Proceedings of Safety 2011: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 16. Gantt, P. (2010). "Expert Witness 201." Proceedings of Safety 2010: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 17. Gantt, P. (2009). "Expert Witness 101." Proceedings of Safety 2009: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.

# PAUL W. GANTT Curriculum Vitae (Cont.)

# TEXTS AND PROFESSIONAL ARTICLES AUTHORED (Cont.)

- 18. Gantt, P. (2008). "30-Second Rules for Hazardous Materials Response." Proceedings of Safety 2008: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 19. Gantt, P. (2007). "Multi-Employer Worksites: The Need to Effectively Pre-Qualify Contractors." Proceedings of Safety 2007: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 20. Gantt, P. (2006). "What am I Supposed to Do? HazMat Incident Command Made Simple." Proceedings of Safety 2006: The American Society of Safety Engineers Professional Development Conference. Des Plaines, IL: ASSE.
- 21. Gantt, P. (2005). "ICS For Dummies." Proceedings of Safety 2005: The American Society of Safety Engineers Professional Development Conference. Des Plaines, II: ASSE.

North

Legend:
FE – Fire Extinguisher
Emergency Exit

**Appendix B: Building Plans (Continued)** 



### **GENERAL SAFETY POLICIES**

This is the written General Safety Policies for HIGHER LEVEL OF CARE (hereinafter sometimes referred to as "We", "Us", "Our", or 'Facility"). This plan addresses and meets the Requirements of Chapter 19.02 of the City of Marina (hereinafter sometimes referred to as "City") Commercial Cannabis Activities Ordinance ("Commercial Cannabis Activities Ordinance"). The Facility will comply, as applicable with the Commercial Cannabis Activities Ordinance.

### PERSONNAL SAFETY

It is critical that every employee take his/her safety and the safety of his/her fellow employees very serious. The following guidelines should be followed in order to ensure employee safety:

- In case of emergency, call 911
- Report all injuries immediately to Management
- Do not tamper with or handle any electrical equipment that is outside of your duties
- Do not clean or operate any piece of equipment without proper training
- Unplug all electrical lines before cleaning any piece of equipment
- When lifting heavy objects make sure to bend at the knees
- Wear personal protective equipment when required
- Keep all exits and pathways clear at all times
- All walkways, floors, etc. must remain clear of any trip hazards at all times. Immediately correct any trip hazard and notify your manager of the hazard
- Never stand on shelving, chairs or boxes when attempting to reach items. Use proper ladders or step stools
- Floors should be damp mopped, not wet mopped during business hours. Do not leave excessive water on the floor
- Clean up any spill immediately and post a Wet Floor sign. Watch your footing when cleaning to ensure you do not slip

## **FIRE SAFETY**

- Know the location of all fire extinguishers and how to use them
- Know the evacuation plan
- Keep fire extinguishers accessible for possible use
- Report any use of a fire extinguisher(s) immediately to Management

### **ROBBERY**

In the event that employees are involved in or witness a robbery at the facility, employees are to fully cooperate with the assailants (give them anything they want). Nothing in the building is worth the risking the safety of employees.

## PROTECTIVE EQUIPMENT / REPORTING / FIRST AID

1. Required Personal Protective Equipment:

Employees may be provided with a "Safety Equipment Check List" at the time of employment and orientation. Each employee receiving this document is responsible for seeing that they have and use all required Safety Equipment while working at Higher Level of Care.

If employees have questions regarding Safety or Safety Equipment, they should be directed towards Management.

### **GENERAL SAFETY POLICIES**

- 2. Unsafe Conditions Reporting Procedures:
  - a. Immediately report all unsafe tools and equipment to Management.
  - b. Immediately report all injuries and accidents to Management.
  - c. Immediately report all hazardous conditions to Management.

### 3. First Aid:

- a. A nearby clinic or emergency room will be used to handle injuries. A list of acceptable facilities is posted in the employee breakroom.
- b. A first aid kit will be maintained at all times and employees are to know where it is located in the facility.
- c. Employees are to know where fire extinguishers, telephone, and first aid kits are located and how to use them in emergencies.

### SECURITY/LOSS PREVENTION

The security of our employees is very important to us. With that in mind, Higher Level of Care has installed and maintains an elaborate security system to protect the Facility from unlawful entry, theft and diversion. Employees are to do their part to maintain the security of the facility by following these guidelines:

- Be especially careful at Facility opening and closing, as these are the most vulnerable times for robberies.
- All doors must be kept locked at all times.
- Do not open the door to anyone you do not personally.
- Do not allow any unauthorized persons in the Facility.
- Report strange or suspicious incidents to the police.
- Never be in the Facility alone.

Additionally, although Higher Level of Care takes reasonable precaution against theft, employees are responsible for their own personal property in the Facility, office, parking lot and on all other company premises. Employees are to not bring valuables such as jewelry or large sums of cash to work.

## REPORTING OF WORK-RELATED ACCIDENTS AND HAZARDS

All accidents, including any which do not involve serious injury, must be reported immediately to Management. Only through a full knowledge of accidents and incidents can Higher Level of Care become a safer, healthier place to work, for everyone.

Employees are to report any unsafe conditions, defective tools or equipment, or other hazards to Management. Employees are expected to assist Higher Level of Care in maintaining safe working conditions. Safety is a state of mind, and requires constant vigilance and common sense. Safety is everyone's responsibility.

### **WORKPLACE CHEMICALS**

Higher Level of Care maintains a Hazardous Materials Communication Program which includes lists of any chemicals that employees may work with which may, in any way, be hazardous. Higher Level of Care will also maintain copies of Material Safety Data Sheet's (MSDS's) on each chemical, which explain how to safely work with that chemical, and a written description of ourprogram.

Employees will be provided with training before you are assigned to work with, or be exposed to a chemical which OSHA has declared "hazardous" in any way. Before employees start a job using chemicals, they should always read

### **GENERAL SAFETY POLICIES**

container labels or consult with Management on the MSDS before using a new chemical.

Employees should notify Management of any chemical containers which are leaking, unlabeled, or where one is uncertain of how to dispose of a chemical. Copies of our Hazardous Materials Communication may be obtained from Management.

### DRUG AND ALCOHOL POLICY

Performing work duties while under the influence of drugs (including Cannabis) and/or alcohol dramatically increases the likelihood of workplace accidents and injuries. We will not tolerate alcohol abuse or the use of other intoxicants or mind-altering substances, including illegal drugs and Cannabis (collectively referred to as "drugs"). To the extent allowed by law, our drug and alcohol policy requires you, as a condition of initial and continued employment, to report to work and perform your duties without the presence of any alcohol or drugs in your system. We also will not tolerate you using, possessing, manufacturing, selling, distributing, or making arrangements to distribute drugs while at work, either on or off company property.

Although the use of prescription medication is not prohibited, you must advise Management when you are legitimately taking such medication. You may be asked to have your physician complete a "Medical Release/Return to Work" form.

To enforce this policy, Management may require employees, at any time, as a condition of employment, to submit to a physical examination, including but not limited to a urine test, blood alcohol test, breathalyzer test, or any other examination to determine the presence of drugs or alcohol in your system. Employees may be tested at any time, without advance notice, including but not limited to: immediately following job-related accidents/injury, return from suspension, return from medical leave, promotion, transfer, or if Higher Level of Care has reasonable suspicion to believe that an employee may have violated our drug and alcohol policy. We DO conduct "random" drug testing.

To maintain compliance with this policy, Higher Level of Care may conduct or direct a search and/or inspection of the premises, Company-owned vehicles, and/or the contents of any article, container, storage area, desk, locker, or personal property located thereon or therein.

Should an employee be unavailable to grant access or refuse to grant access to one of these items, Higher Level of Care reserves the right to remove a lock, or take any other action necessary to gain access to the items. Items discovered in a search may be taken into custody and turned over to the appropriate law enforcement authorities.

Any violation of this policy, such as testing positive, refusing to allow a search or otherwise cooperate in any investigation, or failing to execute any paperwork or consent forms necessary for examinations or tests, may result in discipline including immediate discharge.

This Drug and Alcohol Policy is for the safety and protection of all employees. Questions concerning this Drug and Alcohol Policy, should be directed to Management.

# **Section D**

# **Business Plan**

# **Operations**

The business will operate as a for-profit "C" corporation established under the laws of the State of California. The Cannabis dispensary on this site will only provide Cannabis and Cannabis products to qualified customers (MMC 19.02.030). The dispensary will prohibit loitering, tobacco, alcohol, and any type of consumption of Cannabis on the premises. A copy of any regulatory permits, use permits, or other permits issued by the City or State of California will be posted in a central location, visible to the patrons of the dispensary (MMC 19.02.120 (E)).

# Conformance to Local and State Law

Marina Municipal Code Chapter 19, Ordinance 2018-09

Higher Level of Care is submitting one application for two regulatory permits: one for the operation of a Medical Cannabis Business (Retail) and one for the operation of an Adult-Use Cannabis Business (Retail). The permits will be jointly-located in a single building according to the conditions set forth in Chapter 19 and Ordinance 2018-09. Initiation of operations of the Business will not commence until City Council approves of this application. Chapter 17 specifically allows for Cannabis Retailers, in General Commercial District (C-2) zoning areas; the proposed project site is within a General Commercial District (C-2) designated area and thus conforms to MMC 17.24.030. No Cannabis, product containing Cannabis, or Cannabis paraphernalia will be visible from the exterior of any business on the project site (MMC 19.02.080 (C)). Any delivery services (though none intended) will conform to the requirements of Section 19340 of the California Business and Professions Code and MMC section 19.02.090. All edible Cannabis products will be packaged according to Health and Safety Code Section 11362.7 et. seq. and will not be offered for distribution until approval is secured from the County of Monterey Health Department. The "Day to Day Operations" Section above demonstrates conformance to MMC 19.02.030. The retailer will operate only between the hours of 9:00 a.m. and 10:00 p.m. (MMC 19.02.100)

# Proposed Improvements and a Schedule for Initiation of Operations

Higher Level of Care will lease the building located at 3016 Del Monte Boulevard containing 3,940 square feet. The proposed project includes renovation of and existing building, and use of existing parking for the operation of a co-located Medical and Adult-Use Cannabis Business and future manufacturing /distribution facility. The interior of the building will include the dispensary, storage/receiving area, and office/administrative space. The exterior

components of the property include vehicle parking, ADA accessible walkways, and landscaping where feasible. Because the site is essentially hardscaped, decorative landscaped pots will be installed to soften the look of the facility. See renderings included in the application. The parking lot will be resurfaced and the parking lot restriped to include parking as required per MMC. Additional improvements to the site will include the addition of bicycle parking, and security cameras / lighting to meet the City of Marina Municipal Code requirements.

Higher Level of Care anticipates that upon approval of all necessary permits, renovation of the building and exterior improvements will be completed within four months which will allow for the initiation of operations.

# Environmental Benefits / Green Building Practices

Higher Level of Care will implement a variety of "green" business techniques including the following:

- Higher Level of Care will reuse the existing buildings with minimal materials used to renovate the building's interior and exterior and will utilize the existing off-street parking
- Materials used in construction of the structures will be sourced from local retailers to the extent feasible, reducing trips driven for delivery of materials;
- Higher Level of Care intends to install solar power technology to reduce energy consumption and provide robust battery backup to ensure that, in the event of a power outage, all security infrastructure remains operational;
- Energy saving LED lighting will be used within the Business;
- Higher Level of Care will implement green composting methods for disposal of Cannabis waste unless the Marina Police Department requests that it be provided to them for disposal;
- Bike parking will be provided to encourage alternative modes of transportation;
- Waste products such as paper, plastic, metal, and cardboard will be recycled;
- Higher Level of Care is conveniently located near public transit stops and will encourage employees to utilize public transportation;
- Higher Level of Care will encourage carpooling of employees;
- All new landscape plantings will include drought tolerant and native species suitable for the climate conditions specific to the site to reduce water use.

# See Attachments Start-up Budget

Income Statement FY1- FY5
Proof of Capitalization

Market Study

Solar Analysis

# Higher Level of Care 3016 Del Monte Ave. - Start-Up Budget

Permits, Legal Expenses & Consultant Fees	\$100,000
Management Salaries (2 months)	\$30,000
Employee Training Wages (2 weeks)	\$20,000
Utilities (4 months)	\$1,000
Rent (4 months)	\$45,000
Furniture, Fixtures & Equipment	\$125,000
Marketing	\$5,000
Construction	\$150,000
Interior Design Finishes	\$25,000
Inventory	\$75,000
Miscellaneous / Contingency	\$50,000
Operating Capital	<u>\$75,000</u>
Total	\$701.000

# Higher Level of Care 310 Amador Ave. - Start-Up Budget 3.1.2018

Permits, Legal Expenses & Consultant Fees	\$15,000
Q1 Permit Tax ((1,250sf x \$2,000 x 6%) ÷ 4)	\$37,500
Employee Training	\$15,000
Utilities	\$1,000
Rent (Mar, Apr, May w/ Sublease/Deposit Offsets)	\$20,500
Furniture, Fixtures & Equipment	\$85,000
Marketing (Mar, Apr)	\$4,000
Construction	\$150,000
Interior Design Finishes	\$15,000
Inventory	\$50,000
Miscellaneous / Contingency	\$30,000
Operating Capital	<u>\$50,000</u>
Total	\$473,000

<sup>\*</sup>Deposit to be returned = \$20,000 (\$50,000 - \$30,000 Security Deposit)

5 Year Forecast

# **Income Statement - Year 1 Through Year 5**

-	Year 1	Year 2	Year 3	Year 4	Year 5
Sales					
Flower	2,855,123	4,758,538	5,044,050	5,346,693	5,667,495
Concentrate	1,167,454	1,945,756	2,062,501	2,186,251	2,317,427
Edible	513,864	856,441	907,827	962,297	1,020,034
Vape	882,807	1,471,346	1,559,626	1,653,204	1,752,396
Drink	19,053	31,756	33,661	35,681	37,822
Preroll	217,671	362,784	384,551	407,625	432,082
Topical	46,767	77,946	0 82,622	0 87,580	92,835
Tincture	63,511	0 105,852	0 112,203	0 118,936	0 126,072
Seed	5,774	9,623	10,200	10,812	11,461
Clothing	1,732	2,887	3,060	3,244	3,438
Total Sales	5,773,757	9,622,928	10,200,303	10,812,322	11,461,061
Cost of Goods Sold					
Flower	1,284,805	2,141,342	2,269,823	2,406,012	2,550,373
Concentrate	671,286	1,118,810	1,185,938	1,257,095	1,332,520
Edible	295,472	492,453	522,001	553,321	586,520
Vape	507,614	846,024	896,785	950,592	1,007,628
Drink	10,956	18,260	19,355	20,516	21,747
Preroll	108,835	181,392	192,276	203,812	216,041
Topical	23,384	38,973	41,311	43,790	46,417
Tincture	36,519	60,865	64,517	68,388	72,491
Seed	2,887	4,811	5,100	5,406	5,731

Clothing	866	1,443	1,530	1,622	1,719
Packaging	5,774	9,623	10,200	10,812	11,461
Total	2,948,398	4,913,996	5,208,836	5,521,366	5,852,648
Gross Profit	2,825,359	4,708,932	4,991,467	5,290,955	5,608,413
Operating Expenses					
Saleries & Wages	866,063	918,027	973,109	1,031,495	1,093,385
Rent	190,000	199,500	209,475	219,949	230,946
Facility Improvements	24,000	24,000	24,000	24,000	24,000
Marketing & Advertising	30,000	30,000	30,000	30,000	30,000
Security Expense	284,700	284,700	284,700	284,700	284,700
Utilities	9,000	9,000	9,000	9,000	9,000
Linen Services (Uniforms)	9,000	9,000	9,000	9,000	9,000
Maintenance & Repairs	62,934	66,710	70,713	74,955	79,453
Vehicle Expense	4,800	4,800	4,800	4,800	4,800
Insurance & Permits	30,000	30,000	30,000	30,000	30,000
Professional Services	18,000	18,000	18,000	18,000	18,000
Cleaning & Supplies	11,548	12,240	12,975	13,753	14,578
Payroll Based Expenses	129,476	137,245	145,480	154,209	163,461
POS Subscription / Internet	19,200	19,200	19,200	19,200	19,200
Office Supply Expenses	15,589	25,982	27,541	29,193	30,945
Charitable Donations	37,321	48,869	50,601	52,437	54,383
Miscelaneous Expenses	12,000	12,000	12,000	12,000	12,000
Total Expenses	1,753,632	1,849,273	1,930,593	2,016,692	2,107,852
EBITDA	1,071,727	2,859,658	3,060,875	3,274,264	3,500,561
Interest	0	0	0	0	0
Taxes (State & Federal)	857,382	2,287,727	2,448,700	2,619,411	2,800,449

Depreciation	0	0	0	0	0
Amortization	0	0	0	0	0
NET PROFIT	214,345	571,932	612,175	654,853	700,112

# **Wells Fargo Business Choice Checking**

May 31, 2019 ■ Page 1 of 7



GLEANOMIC, LLC **PO BOX 140** RANCHO SANTA FE CA 92067-0140

# **Questions?**

Available by phone 24 hours a day, 7 days a week: Telecommunications Relay Services calls accepted

**1-800-CALL-WELLS** (1-800-225-5935)

TTY: 1-800-877-4833 En español: 1-877-337-7454

Online: wellsfargo.com/biz

Write: Wells Fargo Bank, N.A. (114)

P.O. Box 6995

Portland, OR 97228-6995

# Your Business and Wells Fargo

Since August 2003, the Wells Fargo/Gallup Small Business Index has surveyed small business owners on current and future perceptions of their business financial situation. View the latest results at wellsfargoworks.com.

# **Account options**

A check mark in the box indicates you have these convenient services with your account(s). Go to wellsfargo.com/biz or call the number above if you have questions or if you would like to add new services.

Business Online Banking	1
Online Statements	✓
Business Bill Pay	
Business Spending Report	✓
Overdraft Protection	

### Other Wells Fargo Benefits

# Looking for \$10,000 to \$100,000 in financing for business vehicles or equipment?

Whether you are interested in refinancing an existing vehicle loan,\* or purchasing new or used vehicles or equipment, we're here to help.

The Equipment Express® loan provides flexible financing that could help move your business forward.

- Fixed rates
- Set payments
- No annual or prepayment fees

As a small business owner, there are plenty of uncertainties - don't let financing costs be one of them. With Equipment Express, you'll know your costs before you finance.

Plus, when you apply by June 30, 2019, the \$150 documentation fee will be waived\*\*

To learn more and apply, visit wellsfargo.com/express or visit your local banker. Or if you have specific questions about our loans, call 1-800-416-0056, Monday-Friday, 7:00 a.m. to 5:00 p.m. Pacific time, to talk to a specialist.



Note: All financing is subject to credit approval.

\*\*Wells Fargo is offering a \$150 documentation fee waiver to qualifying customers who apply for an Equipment Express loan account between 04/01/2019 and 06/30/2019. To qualify, customers must (1) apply for a new Equipment Express loan account during the offer period, and (2) access funds from the account within 60 days of account opening.

Activity summary	
Beginning balance on 5/1	\$1,566,350.78
Deposits/Credits	507,443.10
Withdrawals/Debits	- 210,625.53
Ending balance on 5/31	\$1,863,168.35
Average ledger balance this period	\$1,842,230.20

Account number: 6481799721

**GLEANOMIC, LLC** 

California account terms and conditions apply

For Direct Deposit use

Routing Number (RTN): 121042882

For Wire Transfers use

Routing Number (RTN): 121000248

### **Overdraft Protection**

This account is not currently covered by Overdraft Protection. If you would like more information regarding Overdraft Protection and eligibility requirements please call the number listed on your statement or visit your Wells Fargo store.

# **Transaction history**



<sup>\*</sup>Restrictions apply.

# (A MISSION CREDIT UNION

P.O. Box 919023 San Diego CA 92191-9023

RETURN SERVICE REQUESTED

148022435 1 UNQ 06-03-19 SD 1/2

իսվիսկՈղկՈսդկՈսվիկիցիոցիիիիիրիկիկիկիիիի

SALVATORE T PALMA

356 DELA VINA AVE APT 4 MONTEREY CA 93940-3977

# **Account Statement**

MissionFed.com 858.524.2850 | 800.500.6328

Member Number: xxxxxx8682

Statement For: **05/01/2019 - 05/31/2019** 

Page: **1 of 2** 

# **Important Information About Your Account**

Buying or refinancing a home? The door to savings is open wide with fixed rate and adjustable rate home loans. Call us for details and today's rates. Equal Housing Lender.

**Your Account Balances as of 05/31/2019** 

Savings ID 01 \$25.00 Easy Checking 5942 ID 09 243,948.14 **Account Balance Total** \$243,973.14

Easy C	hecking 5942	ID 09				Beginning Balance	\$153,6	647.46
						6 Deposits for		889.04
						9 Withdrawals for	-26,5	588.36
						Ending Balance	\$243,9	948.14
Date	Amount	Balance	Transaction	Description		-		
								_
	4							

Summary by Che	eck Number	* Asterisk	next to number	indicates skip	in sequence	1 Che	cks Cleared f	or \$1,500.00
Number (	Cleared	Amount	Number	Cleared	Amount	Number	Cleared	Amount
995004 05	/01/2019	1,500.00						

	Total For This Period	Total Year-To-Date
Overdraft Fees*	\$0.00	\$0.00
Returned Item Fees	\$0.00	\$0.00

<sup>\*</sup> Fees for Mission Courtesy Pay and Mission Debit Card Privilege

# Cypress Realty & Mortgage

2888 Loker Avenue East, #310, Carlsbad, CA 92010

760-230-5011

760-454-2369

June 3, 2019



Re: Loan Preapproval

Property Address: 1802 Shelton Drive, Hollister, CA 95023

Dear Mr. Palma:

Congratulations! This letter is to confirm that you have been preapproved for a refinance loan. Based upon the review and analysis of your income, finances, and credit, you have been preapproved to obtain a real estate loan, in accordance with a loan amount of \$2,000,000,000. This approval is for private money financing with a 72 hour funding capability. This preapproval is valid for one year, expiring on June 2, 2020.

Please feel free to contact me anytime at (619) 261-5246 should you have any further questions regarding the loan preapproval or our loan process.

Sincerely,

Lorri Wirick

Lorri Wirick Senior Loan Consultant

### **MARKET STUDY**

This is the written Market Study for HIGHER LEVEL OF CARE (hereinafter sometimes referred to as "We", "Us", "Our", or 'Facility"). This plan addresses and meets the Requirements of Chapter 19.02 of the City of Marina (hereinafter sometimes referred to as "City") Commercial Cannabis Activities Ordinance ("Commercial Cannabis Activities Ordinance"). The Facility will comply, as applicable with the Commercial Cannabis Activities Ordinance.

### INTRODUCTION

This Market Study focuses on key demographics of the City of Marina, the Monterey Peninsula and Monterey County as a whole. Additionally, this study explores the impact that the tourism industry has on the local economy and how the market will likely be affected by the inauguration of the Adult-Use Cannabis industry beginning in 2018.

### **DEMOGRAPHICS**

The table below indicates the population by age of the City of Marina, the Greater Monterey Peninsula and Monterey County. For this example, the Monterey Peninsula encompasses Seaside, Marina, Pacific Grove, and the City of Monterey.

	Marina	Monterey Peninsula*	Monterey County
Total Population	22,535	100,300	435,594
Age 18+	17,690	79,981	321,468
Cannabis Users (32%)**	5,661	25,594	102,876

<sup>\*</sup> Seaside, Marina, Pacific Grove, the City of Monterey

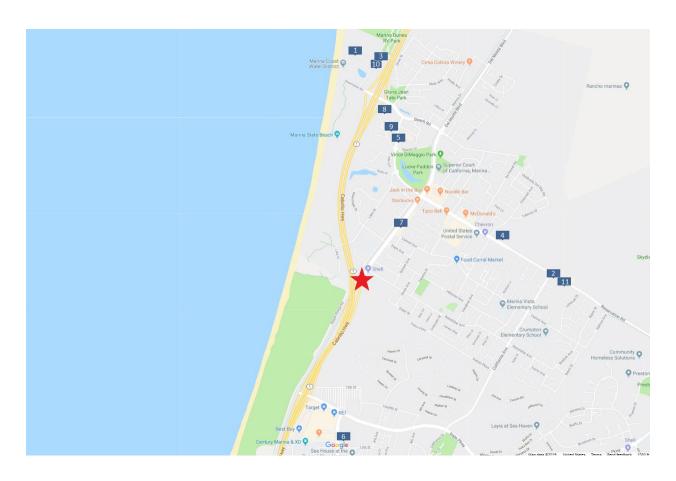
According to BDS Analytics Consumer Research, in states that have legalized both adult use and medical cannabis, 32% of individuals with legal access have consumed cannabis in the preceding six (6) months. Given that assumption, it is estimated that there are 25,594 active cannabis users on Monterey Peninsula and 102,876 countywide.

### **TOURISM**

For many reasons, Monterey County attracts roughly 4.6 million visitors per year. These 4.6 million visitors contribute roughly \$2.98 billion to the County's economy. Though the County of Monterey is vast (3,322 square miles), the overwhelming majority of its transient lodging is located within the Monterey Peninsula. Of the 11,878 hotel rooms in the County of Monterey, 7,172 are located on the Monterey Peninsula and 791 within the City of Marina. At our Seaside location, we have seen that a large fraction of our sales are derived from tourism. States such as Colorado and Oregon have seen a spike in Cannabis Tourism in recent years. California and, in particular, the Monterey Peninsula are poised to be a much larger draw for Cannabis Tourism since they are and have been such large draws for traditional tourism.

<sup>\*\*</sup>BDS Analytics Consumer Research Level 1 US States (AK, CA, CO, NV, OR, WA) Q1 2018

# **MARKET STUDY**



		Room
	Address	Count
1) The Sanctuary	3295 Dunes Rd., Marina, CA 93933	60
2) Howard Johnson	416 Reservation Rd., Marina, CA 93933	39
3) Best Western	3290 Dunes Rd., Marina, CA 93933	84
4) Ramada	323 Reservation Rd., Marina, CA 93933	43
5) Holliday Inn	189 Seaside Circle, Marina, CA 93933	80
6) Springhill Suites	215 10 <sup>th</sup> St., Marina, CA 93933	107
7) Old Marina Inn	3110 Del Monte Blvd., Marina, CA 93933	24
8) Motel 6	100 Reservation Rd., Marina, CA 93933	126
9) Comfort Inn	140 Reservation Rd., Marina, CA 93933	62
10) Dunes Inn	3280 Dunes Dr., Marina, CA 93933	144
11) Laguna Lodge	430 Reservation Rd., Marina, CA 93933	22
	Total	791

## **MARKET STUDY**

### **ADULT-USE ECONOMIC IMPACT**

As the first state to legalize cannabis for adult-use, the State of Colorado is the best case study and predictor as to how trends are likely to playout in the California cannabis market. The following table depicts overall sales (medical and adult-use) over the first five year of Colorado's full legalization of cannabis:

### **Colorado Cannabis Sales**

	2013	2014	2015	2016	2017
Annual Revenue	\$328 Million*	\$700 Million	\$996 Million	\$1.3 Billion	\$1.53 Billion
Year-Over-Year Increase	N/A*	113%	42%	31%	18%

<sup>\*</sup>First year of recreational Cannabis sales

Since the implementation of adult use cannabis in the State of California on January 1, 2018, the cannabis industry has seen substantial growth. Total sales throughout the State of California in the first quarter of 2019 was \$693.8M, up from \$452.3M during that same period in 2018; an increase of 53%. Because Colorado had a much more regulated medical cannabis market prior to the implementation of adult-use, said implementation had a much larger impact on overall sales in the legitimate market. California, on the other hand, had a much less regulated medical market prior to 2018 which has allowed the black market to proliferate throughout the state during the rollout of adult use. Because of this, California is not likely to see the same >100% growth from year 1 to year 2. Enforcement efforts against the black market are beginning to take effect and California is likely to see growth patterns similar to years 3-5 in Colorado. With that in mind, and with statewide legal sales reaching \$2.51B in 2018, annual sales are like to reach \$5.51B by 2021.



# APPLIED SOLAR ENERGY 831-334-1058

# Analysis for Higher Level of Care Marina, CA

The following analysis is for Higher Level of Care. An annual usage of 17253 kilowatt-hours (kWh) is used in this analysis, based on history at another location.

### Summary

A solar energy system costing less than \$12,000 net of tax credits and savings can save more than \$3,600 the first year, with the yearly savings increasing as PGE rates continue to rise. The system will pay for itself in 3 years, 4 months, and save at least \$90,000 over the 25 years the solar modules are warranted to produce.

The space available on the roof is more than sufficient to fit the system.

### Tax Incentives

Until the end of 2019, the Federal tax credit for solar projects is 30% of the total project's cost. One can deduct 30% of the total amount spent for solar from what is owed in federal taxes. If the year's tax liability is less than the credit, the unused credit can be rolled over to future years. As a commercial use, the project is also eligible for accelerated depreciation, where 85% of total cost can be expensed on a MACRS schedule. There is bonus depreciation - for property placed in service before Dec. 31, 2019 the enbtire 85% can be deducted as a business expense for 2019. The total depreciation is the same - the bonus moves all of the depreciation into the first year.

# Electricity Rates - PG&E's tariff energy charge per kWh:

Time-of-use metering ("TOU") is mandatory with solar - time-of-use tariffs feature different rates according to when the electricity is used - Summer vs. Winter, daytime vs. night, etc. Electricity is charged at a higher rate during peak use hours (afternoon during summer work days). Solar energy production is credited at the prevailing electricity rate. Solar panels produce the majority of their energy at peak and part-peak times. So PG&E credits peak production at a higher rate than the offpeak rate of much of the use, so more kWhs can be withdrawn than were deposited - peak credits buy more electricity at times when rates are lower.

With a time-of-use rate, one can stockpile valuable credit on Summer days while later consuming less costly Winter and off-peak energy (evenings, weekends, all winter, etc.), thanks to the combination of time of use rates and net metering. Net metering law in California allows you to buy low and sell high, increasing the value of solar.

### **System Input Parameters Version 1.0**

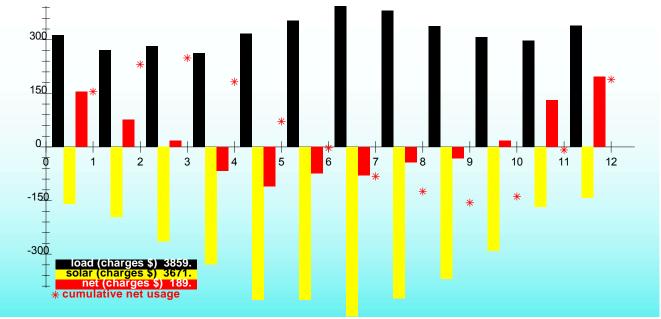
	Cystem input i diameters version no
17253.kWh	Annual Usage
\$3859.	Annual charges without Solar
A1TOU T	Utility Tariff / Territory
	Business
5.0%	Utility Inflation Rate
30	year system life
30.3%	Marginal Tax Rate (combined Fed & State)
90.%	Production Adjustment, (due to shade, non-optimal tilt)

System Estimated Performance with REC350-sb 18-36 PV modules

#	Annual	1st Year	Savings	Solar as	% of	Grid usage	IRR*	Net Cost	Monthly	Net Saved	Years to
	Production	Savings	per kwh	usage	/ cost	% baseline			Savings	per kWh	Sav > Pay
18	9772.kWh	\$2202.	\$0.2254	57.%	57.%	265.%	48.9%	\$7466.	\$138.70	\$0.1703	0
24	13030.kWh	\$2936.	\$0.2254	76.%	76.%	149.%	51.7%	\$9537.	\$187.44	\$0.1726	0
27	14658.kWh	\$3303.	\$0.2254	85.%	86.%	92.%	52.7%	\$10572.	\$211.81	\$0.1734	0
30	16287.kWh	\$3671.	\$0.2254	94.%	95.%	34.%	53.9%	\$11546.	\$236.55	\$0.1743	0
32	17373.kWh	\$3915.	\$0.2254	101.%	101.%	-4.%	49.5%	\$13148.	\$247.32	\$0.1708	0

In the table above the left hand column corresponds to various sizes of solar arrays. The bolded blue system uses **30** REC 350 watt modules. Moving along the row this system is estimated to produce **16287** kWh/year, saving **\$3671** the first year at today's electricity rates, 94% of kWh and 95% of the cost without solar, and more as electricity prices go up, with a net cost of \$11546 after tax inventives.

Load, Solar and Net (charges \$) with 30 REC350-sb 18-36 PV modules



The table below details the out-of-pocket initial cost, the tax credit you will receive against your taxes, and the net cost after tax credit for the various sized systems.

Qty	System	Rating	Solar	Utility	Total	Tax Credit	Tax Savings	Net	per	per
panels	DC kWp	CEC kWp	kwh/yr	savings/yr	Cost	Fed.+St.	Depreciation	Cost	Watt	kwh
18	6.300	5.593	9772.	\$2202.	\$16875.	\$5062.	\$4346.	\$7466.	\$ 1.19	\$ 0.025
24	8.400	7.418	13030.	\$2936.	\$21555.	\$6466.	\$5551.	\$9537.	\$ 1.14	\$ 0.024
27	9.450	8.346	14658.	\$3303.	\$23894.	\$7168.	\$6154.	\$10572.	\$ 1.12	\$ 0.024
30	10.500	9.273	16287.	\$3671.	\$26095.	\$7829.	<b>\$6721</b> .	\$11546.	\$ 1.10	\$ 0.024
32	11.200	10.045	17373.	\$3915.	\$29716.	\$8915.	\$7653.	\$13148.	\$ 1.17	\$ 0.025

Prepared 5/21/2019

## Recommendations

With estimated use, a system with 30 350 watt panels replaces almost all your use and saves 95% of your bill with TOU billing. The same size system would reduce the bill substantially with increased use.

We install modules from many companies, including: Panasonic/Sanyo, LG, REC and Silfab. Panasonic offers the most efficient panels on the market producing the most electricity per unit area, with REC close in efficiency, and lower in cost. Where there is sufficient space, the less costly panels can produce the same amount of electricity at a lower cost. Where space is limited, the more efficient panels allow getting the most from the space available.

We are free to use any module on the market not being locked to one brand like some installers. The quality of modules is very good, documented at failures of less than 1 in 10,000 modules per year, and warrantied by the manufacturers for 25 years. There is even the option of going with a 'made in the USA' system (Solaria).

Shading, which direction the array faces, the angle of the array and other factors will contribute to your ultimate level of production. Solar electricity is proven, reliable and predictable. We can calculate what any specific module on your roof will produce in an average year, once we help you decide which panels and where to best install them.

Your solar panels will provide a return on your investment unbeatable by most others. The savings will increase as electricity prices rise. Panels carry a 25 year warranty and will produce for decades beyond that. There are no moving parts (besides electrons). They will simply sit on your roof and put money into your pockets for many years into the future.

# **Backup Capabilities**

The standard system is limited in capability during an outage - it can provide up to 4000 watts while the sun is out, enough to keep your food cold, and charge computers, phones and perhaps lights. A backup system which will function when the sun isn't shining requires a separate inverter and batteries, which adds cost.

# **Future Expansion**

The modular nature of a photovoltaic system also ensures easy expansion at a later date if desired. The 30% Federal tax credit can be collected more than once if the decision is made in subsequent years to expand one's system.

# **Environmental Benefits**

For a solar system, each kilowatt of peak power will produce roughly 1540 to 1800 kilowatt-hours of energy per year. Conventional fossil-fuel power plants produce on average 2.14 pounds of carbon dioxide per kilowatt-hour of electricity. Each kilowatt of solar panels can, therefore, prevent the production of 3300 lbs of CO2 per year (~1.5 metric tons). Emissions of sulfur oxides, nitrogen oxides and waste heat are eliminated as well. Since fossil-fuel use is diminished, so are the destructive effects on wildlife habitat that accompany drilling and mining.

Installing solar can help reduce air pollution, fossil fuel depletion, and global climate change. Photovoltaics produce energy during peak demand times helping to smooth the peak demand curve and reducing the possibility of energy shortage induced blackouts. In addition, solar energy is produced at the site of consumption reducing the load on transmission facilities which are capacity constrained.



# Photovoltaic System Proposal

# Commercial

Thank you for requesting a quote for a photovoltaic system from Applied Solar Energy. We take great pride in our work and always make the process of going solar effortless for our clients. We will file all the necessary forms to; secure rebates, get building permits, and interconnect with the grid. We will also provide you with the necessary forms to claim your Federal income tax credit. All you have to do is sit back and enjoy saving money, increasing the value of your facility, and helping the environment.

This cover page highlights a few benefits of the photovoltaic system. The next page is a system summary, a more detailed analysis of performance and financial benefits. If you have any further questions call us at (831) 333-1919 and we'll be happy to answer them for you.

Annual Electric Charges:	Without Solar	\$3,889
	With Solar	\$218
1st Year Utility Savings:		\$3,671
Federal Tax Credit:		\$7,829
Down Payment:		\$0
Monthly Payment:		\$206
Net After 1 Year:* (after total p	payments and savings)	\$12,773
Net After 10 Years:*		\$28,688
Net After 30 Years:*		\$157,944

This is money in your pocket that otherwise would have gone to PG&E.

# **Other Benefits**

- -Increased Value: Photovoltaic systems increase the value of a home or facility by as much as \$20 per \$1 of annual utility savings.
- -Fixed Payments: If you choose to finance your system, you can rest assured that your payments will be fixed for the term of the loan, unlike the utility rates which are subject to inflation. When the loan is paid off, you will enjoy free electricity!

Other Assumptions: 5% utility inflation rate and 30 year system life.

<sup>\*\*</sup> Based on estimated utility savings and tax savings for interest on loan assuming 21% federal income tax rate and 9.3% state income tax rate.



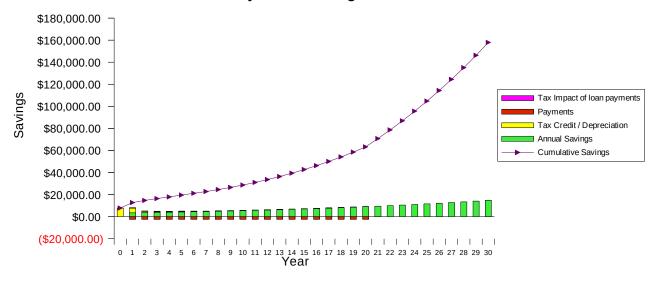
# Photovoltaic System Proposal

# **Summary of System Performance**

		Annual			
	DC Peak	Production	1 <sup>st</sup> Year	Savings per	Area Req.
Module	Power (kW)	(kWh)	Savings	kWh	(Sq. Ft.)
REC350	9.27	16287	\$3,671.09	\$0.2254	768

1st Year Lbs. CO2 Prevented: 34,854 Over 30 Years 1,045,625 System Cost **Contract Amount** \$26,095 **CSI Rebate** \$0.000 /Watt or kWh \$0 (a) **Initial Cost to System Owner** \$26,095 Total Cost - Rebate Federal Tax Credit -\$7,829 Depreciation Tax Savings (Net) -\$7,085 **Net Cost** \$11,182 Est. annual payments\* \$2,475 @7.25% 20 yr \$206.25 /Month 1st Year 26<sup>th</sup> Year Est. annual utility savings\*\* \$3,671 \$12,432 Est. 1st year interest tax savin 1st Year \$397 26th Year \$0 26<sup>th</sup> Year **Net Annual Cash Flow** 1<sup>st</sup> Year \$1,593 \$9,957

# Photovoltaic System Savings



<sup>\*\*</sup> Based on estimated utility savings and tax savings for interest on loan assuming 21% federal income tax rate and 9.3% state income tax rate.

Other Assumptions: 5% utility inflation rate and 30 year system life.

# **Photovoltaic System**

Annual usage Average Cost per kWh Estimated electricity bill CEC Rated AC power Number of systems CEC Rated AC power Total Cost		17,253 kwh
Business Use %	100.0%	
Marginal Fed Tax Rate	21.0%	
State Tax Rate	9.3%	
Federal Income Tax Credit	30%	<b>\$7,829</b> 30% of Total Cost (2006-2008)
Amount subject to depreciation	85%	\$22,181 Total Cost – $\frac{1}{2}$ of Fed Income Tax Credit
Fed Depreciation Tax Savings		<b>\$4,658</b> Tax rate x above (spread over 5 years)
Amount subject to CA depreciation		\$26,095 Net Cost - Calif Income Tax Credit
Ca Depreciation Tax Savings		\$2,427 State tax rate X above
Net Cost after rebate, tax credits & depreciation savings		<b>\$11,182</b> Net cost -Tax Credits - Depreciation Savings

#### **Production Estimates**

Avg kWh/kWp-AC	1756.39	Connected PV Systems) http://rredc.nrel.gov/solar/codes_algs/PVWATTS/
Yearly production - estimate		16,287 kwh CEC rated AC X kWh/kWp-AC x adjustments
Annual Savings - @	\$0.2254	\$3,671
Simple Payback –ignores inflation		3.0 yrs Cost after / Annual Savings
PV Internal Rate of Return (IRR)		56.3%
Taxed equivalent rate		80.8%
Cost per kwh over warranted lifetime (	25.0 yrs	\$0.02746 Assuming yearly production estimate
Cost per kwh over expected lifetime o	40.0 yrs	\$0.01716

Inputs for Analysis Page	
Electricity charges inflation *	5.0%
Inflation rate	2.0% PG&E's "Average Retail Electricity Prices" have risen from 4.79 cents/kwh in 1980 to 13.06 cents/kwh in 2001 - an average inflation rate of 5.15%
Discount Rate	5.0% http://www.energy.ca.gov/electricity/weighted_avg_retail_prices.html

State Depreciation Basis=[Total System Cost]-[Any and All Cash Incentives]-[State Tax Credit Amount]

A Note on State Depreciation: California allows all "non-corporate" business taxpayers to use the same 5-year MACRS method as allowed under federal tax law. But "Corporate" business taxpayers CANNOT use the 5-year MACRS depreciation method and must use a Class Life/Recovery Period of 12 years. For details consult the California Franchise Tax Board, state tax code, a certified public accountant and/or tax attorney.

Copyright 2003-2012 Antony Tersol

(PVWATTS - A Performance Calculator for Grid-

performance correction	0.9	Azimuth / tilt
geographic correction	1	CSI-EPBB
warranty correction	1	
CSI-EBB design factor	0.99	Power tolerance correction

# Section E

# **Community Benefits**

The project site is an ideal location for development of the proposed uses as there is adequate infrastructure to serve the property, an existing building and parking to serve the use and the surrounding uses are compatible. Minimal improvements to the project site will be required, which will minimize construction noise and construction related dust and emissions.

The business will encourage use of alternative means of transportation. The business design includes bicycle parking and accessible public transportation is located on Del Monte Boulevard and Reindollar Avenue within 500 feet of the facilities, with a bus stop near the corner of Reindollar Avenue and Del Monte Boulevard. Accessible alternative transportation will encourage fewer vehicle trips, thereby reducing the potential for greenhouse gas emissions.

# Local Enterprise

Higher Level of Care will provide new job opportunities within the City of Marina and surrounding area. Management will choose employees best suited for the positions in question, and will, to the extent of the law, give preference in hiring to residents of the City of Marina or Monterey County. Higher Level of Care intends to hire a minimum of twenty (20) employees for the proposed Business and has identified three (3) individuals that are residents of the City of Marina to fill a portion of those roles should permits be awarded:

Alex Ledesma		
	Mar	ia
Raymond Cruz	Marina	
Raycheal Jarvis	_	
	Mariı	าล

Higher Level of Care is committed to providing all of its employees a fair living wage, Paid Sick Leave, Paid Vacation and offer Medical and Dental Benefits to all fulltime staff.

# Philanthropy

Higher Level of Care prides itself on donating to worthy causes and giving back to the communities it serves. To name a few, Higher Level of Care has made recent donations to:

- Retired & Disabled Police of America;
- International Association of Retired Firefighters;

- Community Foundation for Monterey County;
- Marina Police Activities League;
- North County Recreation & Park District;
- North Monterey County Middle School Parent/Teacher Group;
- Central Coast Quality of Life Programs;
- Monterey County Free Libraries;
- Breast Cancer Assistance Group of Monterey County;
- Alzheimer's Association of Northern California;
- Greenfield Memorial Hall;
- Greenfield High School Sober Graduation;
- Greenfield City Partnership; and
- Realm of Caring Foundation.

As such, should Higher Level of Care be awarded permits for a dispensary in the City of Marina, the following donations are committed to be made to local, Marina charities/foundations on an annual basis:

- Monterey Bay Aquarium Foundation \$5,000
- Marina PAL \$5,000
- Marina Youth Arts \$5,000
- The Marina Foundation \$5,000
- Veterans Transition Center \$5,000

In addition to monetary donations, Higher Level of Care's principal employees and staff are committed to volunteering their time to the aforementioned foundations and City sponsored community events.

# Customer Service & Product Quality

Perhaps the most important Community Benefits that an entity can provide are the products and services that the business offers to the public. Given the community will have at most three (3) options (3 adult-use & 3 medical) within the City of Marina to patronize for their Cannabis needs, the City has an obligation to its community to select those operators that have a track

record of providing the best products available by way of knowledgeable staff that is hyperfocused on providing top-quality customer service. Higher Level of Care employs staff positions with the sole duty of researching and procuring the newest, highest quality and best valued products available. In addition, all staff undergoes extensive and ongoing customer service training including, but not limited to, communication, product education, conflict resolution and general awareness.

Higher Level of Care prides itself on its current operation (Seaside, CA) providing customers the best products, prices and customer service in Monterey County and beyond. This can be seen by exploring its ratings on popular online review sites:

- Google.com 4.8 (out of 5.0) rating
- Facebook.com 4.8 (out of 5.0) rating
- WeedMaps.com 4.7 (out of 5.0) rating
- Yelp.com 4.5 (out of 5.0) rating
- iHeartJane.com 5.0 (out of 5.0) rating

# Cannabis Industry Community Outreach

Salvatore Palma and Higher Level of Care will spearhead the formation of an association of Cannabis permittees operating within the City of Marina. As a cohesive group, operators will be able to host job fairs, Cannabis focused educational seminars, fundraisers and collectively volunteer their time and resources for the betterment of the City of Marina and its residents.

#### Utilization/Patronization of Local Trades & Businesses

Higher Level of Care is committed to the utilization/patronization of businesses located in the City of Marina for its initial build out, startup and ongoing operations. These local businesses include:

- Stowe Contracting 3338 Paul Davis Dr., Marina
- Monterey Peninsula Engineering 192 Healy Ave., Marina
- KeyMe 117 General Stillwell Dr., Marina
- Precision Electric 3248 Villa Cir., Marina
- Best Buy 101 General Stillwell Dr., Marina
- Marina Glass 218 Reindollar Ave., Marina

- Silcon Contractors 3160 Ocean Ter., Marina
- JT Plumbing 3016 Del Monte Blvd., Marina
- Morson Electrical Services 191 Paddon Pl., Marina
- American Floors 216 Reservation Rd., Marina
- Peninsula Painting 266 Reservation Rd., Marina
- Springhill Suites 215 10th St., Marina
- McCAllon Construction 3101 Everett Cir., Marina
- Walmart 150 Beach Rd., Marina
- Docutec 3174 Del Monte Blvd., Marina
- Red Shift Internet Services 3180 Imjin Rd., Ste. 105, Marina

# Tax Payments

Higher Level of Care, a Cannabis Retailer will pay a business operations tax equal to a minimum of 5% of annual gross receipts. Payments are due quarterly on July 1, October 1, January 1, and April 1 each year.

#### Community Liaison

Salvatore Palma will be the designated community liaison to which the City can provide notice or refer members of the public who may have any concerns or complaints regarding the operations of the Business. The community liaison will provide his name, address and email to the Police Department and to all residents and property owners located within a 100-foot radius of the business.

# Neighborhood Compatibility

Per MMC Chapter 19.02.030 and 19.02.100, in order to ensure public health and safety the business will operate in a manner such that the dispensing, delivery, or transportation of Cannabis or Cannabis products does not adversely affect the health or safety of nearby properties through creation of mold, mildew, dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts.

The standards identified in the business plan will ensure that the delivery and transportation of Cannabis or Cannabis products will not create hazards due to the use or storage of materials, processes, products, chemicals, fertilizers, or wastes.

Higher Level of Care will maintain the interior and exterior of the Cannabis Business, including parking areas, sidewalks, alleys and areas surrounding the premises to ensure clean and safe conditions. Such conditions include, but are not limited to: smoking; creating a noise disturbance; drinking; loitering; littering; and graffiti.

Further, exterior lighting on the premises and location will be designed to ensure the safety of the public and the members and employees of the business while not disturbing surrounding residential or commercial areas. Further details about the lighting can be found in the Security Plan.

The Retailer will be of an architectural and visual quality and character which harmonizes with, and enhances, the surrounding area and that the design will avoid unduly large or obtrusive signs, un-landscaped parking areas, unduly bright or garish lighting, or design features which encourage loitering as determined by the Zoning Administrator. Landscaping will be added where feasible and decorative landscaped pots will be added to soften the look of the facility.

# Section F

# **Labor and Employment**

Higher Level of Care will, to the extent of the law, and where feasible, give preference in hiring to residents of the City of Marina or Monterey County.

Higher Level of Care will comply with section 19.02.050 of the MMC as follows:

A. All employees and volunteers must be Members who are at least 21 years of age.

B. Medical Dispensaries may not admit any person under 18 years of age to membership without written authorization of a parent or legal guardian. Any Member under 18 years of age shall be accompanied by a parent or legal guardian at all times that such person is at the Dispensary.

Manager and Supervisory wages will range from \$18 per hour to \$60 per hour. Other dispensary employees will have a starting wage between \$12 per hour (for initial 30 day probationary period) and \$18 per hour. Employees will have multiple performance reviews during their first year of employment and annually thereafter. Each of these performance reviews will carry with it the probability of a significant wage increase. The dispensary will have a manager on duty at all times during business hours.

Higher Level of Care will employ approximately 20 people.

#### See Attachment

Worker's Comp - General Liability Insurance Employee Handbook

# **Section G**

# **Employment Benefits**

All employees will be provided or offered the following:

- Medical & Dental Insurance
- Vacation Package

Year 1 accrues at 1hr for every 86.67 hours work (3 days/year)
Years 2-3 accrues at 1hr for every 52 hours worked (5 days/year)
Years 4 & after accrue at 1hr for every 37.14 hours worked (7 days/year)

Sick Leave

Employees will accumulate "Sick Leave" at a rate of one (1) hour for every thirty (30) hours worked.

- Company training for Cultivation and Manufacturing positions
- Employee Handbook

# GT BROWN Insurance Services, Inc.

# To Whom It May Concern:

Salvatore Palma and Higher Level of Care are current clients of GT Brown Insurance Services, Inc and currently have multiple lines of insurance placed with our agency relating to Cannabis operations.

GT Brown Insurance Services, Inc has the ability in quoting, offering, and providing Cannabis operations insurance including, but not limited to General Liability Insurance and excess up to \$4,000,000, Products Liability, Property & Crop Coverage, Commercial Auto and Workers Compensation with limits at \$1,000,000 and many other lines of insurance as well. These coverages are available for retail, manufacturing, cultivating, distribution and all other Cannabis related risks.

This letter is to ensure and confirm that insurance will be quoted and offered once needed for Mr. Salvatore Palma and Higher Level of Care.

Sincerely,

Gene Brown, CEO

GT Brown Insurance Services, Inc.

Ca. Ins. Lis. 0M22967

3845 Via Nona Marie #222411

Carmel, CA 93922

gtbis@paccannins.com

831-578-4566



# **Employee Handbook**

Greenknight Business Solutions TELEPHONE NUMBER: (310) 371-5300

> Version 1.2 November 1, 2017 EMPLOYEE HANDBOOK

Your Ready Reference Guide to Employment

# Table of Contents

<u>WELCOME</u>	5
GREENKNIGHT BUSINESS SOLUTIONS	6
CONCEPT OF "CO-EMPLOYMENT	6
INTRODUCTORY POLICIES	7
EMPLOYEE RELATIONS PHILOSOPHY	7
DISPUTE RESOLUTION PROCEDURES	7
SPECIAL NOTES	8
EQUAL EMPLOYMENT OPPORTUNITY	8
NO HARASSMENT-NO DISCRIMINATION POLICY EMPLOYEE STATUS	8 9
EMI EO I EE SI XI CO	
PAY AND BENEFITS	10
YOUR PAY	10
PAID SICK DAYS	10
PAID VACATION	10
SOCIAL SECURITY INSURANCE	11
UNEMPLOYEMENT INSURANCE	11
CIVIC DUTY PAY	11
BEREAVEMENT LEAVE	11
MILITARY LEAVE OF ABSENCE	11
PERSONAL LEAVE OF ABSENCE	11
FAMILY AND MEDICAL LEAVE OF ABSENCE (FMLA)	12
FMLA – MAINTENANCE OF HEALTH BENEFITS	12
FMLA – JOB RESTORATION	12
FMLA – NOTICE OF MEDICAL CERTIFICATION	12
FMLA – EXTENDED MEDICAL LEAVE	13
FMLA – FAILURE TO RETURN FROM LEAVE OR COMPLY	
WITH THIS POLICY	13
REASONABLE ACCOMMODATIONS/MODIFIED JOB DUTIES	13
REST AND MEAL PERIODS	14
SAFTEY AND SECURITY POLICIES	14
CASH HANDLING	14
DRUG AND ALCOHOL POLICY	14
FIRE SAFETY	15
FOOD SAFETY	15
PERSONNAL SAFETY	16
ROBBERY	17
SAFETY PROGRAM.	17
SECURITY/LOSS PREVENTION.	17
REPORTING OF WORK-RELATED ACCIDENTS AND HAZZARDS	18

WORKPLACE CHEMICALS	18
GENERAL POLICIES	18
ABSENTEEISM OR TARDINESS	10
BUSINESS RECORDS	19 19
CHANGES IN PERSONNEL RECORDS	19
COMPANY PARKING LOTS AND ROADWAYS	19
COMPANY PROPERTY	19
CONFIDENTIAL INFORMATION	20
CUSTOMER COMPLAINTS	20
CUSTOMER SERVICE	21
EMPLOYER POSTING AREA.	21
EXIT INTERVIEW.	21
JOB RESPONSIBILITIES.	21
LOANS AND PAY ADVANCES.	22
MEDIA POLICY	22
NOTICE OF RESIGNATION	23
KEYS / ACCESS CARDS / ACCESS CODES	23
OVERTIME	23
PERSONAL ELECTRONICS POLICY	23
PERSONAL RULES OF CONDUCT	23
PERSONAL TELEPHONE CALLS	25
SHIFT MANAGER TRAINING	25
TOBACCO POLICY	26
SOCIALIZING AND/OR DATING	26
STANDARDS OF CONDUCT AT WORK	26
TIMEKEEPING PROCEDURES	28
UNIFORM	. 29
UTILITY CONSERVATION	29
WAGE AND SALARY REVIEWS	. 29
WORK PLACE APPEARANCE AND BEHAVIOR	30
WORK SCHEDULE	30
ACKNOWLEDGEMENT OF UNDERSTANDING AND	
RECEIPT OF EMPLOYEE POLICIES HANDBOOK	. 31
THE CENTER OF EACH PROPERTY OF THE CONTRACT OF	. 31
AUTHORIZATION TO DEDUCT FROM FINAL	
	22
PAYCHECK	. 32
WAIVER OF UNPAID OFF-DUTY MEAL BREAK	33
EMPLOYEE CREDIT CARD AGREEMENT	34
TIPS REPORTING	35
111 5 NEI ONIIIO	33
ALCOHOL / DRUG POLICY	37

CLOCKING IN/OUT POLICY
------------------------

#### WELCOME

Welcome to Higher Level of Care. At Higher Level of Care, we take great pride in all of our employees. We are glad you have chosen to become a team member of Higher Level of Care and we want you to know that we are committed to your success and growth, both personally and professionally. Higher Level of Care is committed to dispensing the highest quality cannabis products to its customers while providing excellent custom service and product education. Higher Level of Care is committed to hiring team members who share in this desire.

#### Mission

To build successful, socially responsible cannabis dispensaries while providing excellent opportunities for our team members, top quality products, service and education to our customers and benefits to the communities in which we operate.

#### **Purpose**

To dispense all natural, safe cannabis products to our customer base.

#### Values

Integrity – Integrity means that you are honest and truthful in what you say and do. We demand honesty and high moral standards of all of our team members.

Initiative – Initiative is taking action even if you haven't been specifically instructed to do so. It means meeting new and unexpected situations with prompt action.

Knowledge – Knowledge means that you have acquired the information needed to accomplish a job or task. It means striving to have the full knowledge of how to not only do your job, but the jobs of all team members.

Passion – Passion is being relentless about getting things done. It includes daring to do whatever it takes to perform your job duties to the standards which are expected of you.

Sense of Urgency – Sense of Urgency is understanding the need for quick responses; anticipating the needs of your supervisor and fellow team members; looking to satisfy customer needs quickly and driving for results.

Tact – Tact means that you can deal with other people in a way that will maintain good relations and avoid problems. It means that you are polite and calm, but firm when needed.

### **Our Expectations of You**

- 1. Arrive on time for work.
- 2. Have a great attitude.
- 3. Be in a clean, perfect image uniform.
- 4. Work hard.
- 5. Represent our company in a professional manner.
- 6. Keep the facility clean and organized.
- 7. Use your best judgment.
- 8. Know your job.

# What You Can Expect from Us

- 1. To be challenged.
- 2. To provide comprehensive training.
- 3. To maintain a safe and clean work environment.
- 4. To have a well-managed facility.
- 5. To be treated fairly.
- 6. To be paid fairly.
- 7. To have a fair and flexible schedule.
- 8. To provide opportunities for growth and advancement.
- 9. Open and honest communications.

Keep in mind that this Handbook is only a summary of benefits, practices, procedures, policies and regulations. It should not be construed as creating an "employment contract" or creating other contractual rights of any nature with Higher Level of Care. Although Higher Level of Care intends that the benefits, practices, procedures, policies, and regulations outlined in this Handbook will generally remain in effect, we must reserve the right at any time, to amend, curtail, or to otherwise revise the benefits, practices, policies, procedures, or regulations outlined in this Handbook. You will receive any such changes in written form from Management. This Handbook supersedes all previous handbooks and any prior benefits, practices, procedures, policies, or regulations that are inconsistent with its contents.

#### **GREENKNIGHT BUSINESS SOLUTIONS**

Greenknight Business Solutions is your "Administrative Co-Employer". Together with Higher Level of Care, we provide you with this Handbook. Its primary purpose is to outline what you, as an employee, can expect from us and in turn what we expect from you. It familiarizes you with the 'co-employment' concept and summarizes for you the benefits, practices, procedures, policies, and regulations that apply to all of our employees.

We hope this handbook serves as your **Ready Reference Guide** throughout your employment with us. If you have questions, please ask Management or call Greenknight Business Solutions at (310) 371-5300 between the hours of 9 a.m. and 5 p.m., Monday through Friday (excluding holidays).

# **CONCEPT of "CO – EMPLOYMENT"**

Before we go further, let us help you to understand the concept of working for "Co-Employers". Millions of American workers in many different industries now work for Professional Employer Organizations, like Greenknight Business Solutions, under a co-employment arrangement.

Greenknight Business Solutions, as the Administrative Employer, provides administrative expertise to many Work-Site Employers. Greenknight Business Solutions handles most of the administrative aspects of employment, including: providing your Work-Site Employer with expertise in the areas of human resources, loss control, safety, risk management and compliance with federal and state laws and regulations affecting these administrative areas of employment; providing and administering workers' compensation; administering employee benefits; processing payroll and withholding and filing taxes.

Higher Level of Care is the business for whom you directly perform the duties of the job for which you were hired. Higher Level of Care controls the day-to-day running of the business, including: determining your pay, funding payroll and paying you, deciding employee duties and

responsibilities, work schedules, employee performance evaluations, paid holiday, vacations and so on.

The combined expertise of Greenknight Business Solutions and Higher Level of Care makes your overall employment experience more enjoyable, productive, and reliable for you. In this handbook, the term "Company" will be used to mean both Greenknight Business Solutions and Higher Level of Care.

When you have questions about benefits, practices, procedures, policies or regulations, please ask Higher Level of Care Management for help. If that person can't answer your questions, they will refer it to the proper authority and you'll receive a response as quickly as possible. You can always call Greenknight Business Solutions Human Resources at (310) 371-5300 between the hours of 9 a.m. and 5 p.m., Monday through Friday (excluding holidays).

# **INTRODUCTORY POLICIES**

# EMPLOYEE RELATIONS PHILOSOPHY

Every employee of Higher Level of Care is equally important to us. We are committed to attracting and retaining quality employees like you. Our success depends upon a cooperative relationship between Higher Level of Care and you. Our goal is to foster this cooperative spirit. We welcome and need your help.

#### DISPUTE RESOLUTION PROCEDURES

Higher Level of Care subscribes to the open-door policy. You may bring any complaint to your supervisor for resolution. When matters cannot be handled on an informal basis, Higher Level of Care has established a formal procedure for a fair review of any work-related controversy, dispute or misunderstanding. A complaint may be brought by one or more employees concerning any work-related problem where the complaint has not been satisfactorily resolved in an informal manner.

Step 1 - The complaint must be submitted in writing to Management or designee within three (3) working days of the incident. A written request for a meeting must be submitted simultaneously. Generally, a meeting will be held within three (3) working days of the employee's request depending upon scheduling availability. Witnesses will be allowed as necessary. If the problem is not resolved during this meeting, Management or designee will give the employee a written resolution within three (3) working days. If the employee is not satisfied, the employee may proceed to Step 2.

Step 2 - If the employee is not satisfied after Step 1, the employee may submit a written request for review of the complaint and Step 1 solution to Greenknight Business Solutions. Such a request must be made within three (3) working days following the receipt of the Step 1 resolution. The Greenknight Business Solutions appointed representative will review the complaint and proposed solution and may call a further meeting to explore the problem. This meeting is to be attended by the employee concerned, the employee's immediate supervisor, and any other employee of Higher Level of Care whom the aggrieved employee chooses. Greenknight Business Solutions will render the final decision within ten (10) working days after receiving the Step 2 request, assuming scheduling availability. The decision will be given to the employee in writing and will become part of the employee's personnel file.

<u>Step 3</u> – Request for Mediation: If the issue is not settled to the employees' satisfaction at Step 2, the Employee may proceed to Step 3 by submitting a written Issue Resolution Form to Greenknight Business Solutions, which will forward the form to AAA for non-binding Mediation (refer to Dispute Resolution Procedures).

<u>Step 4</u> – Request for Arbitration: If the issue is not settled to the employees' satisfaction at Level Three, the Employee may proceed to Step 4 by submitting a written Issue Resolution Form to Greenknight Business Solutions, which will forward the form to AAA for binding Arbitration (refer to Dispute Resolution Procedures).

#### SPECIAL NOTES

If you are disabled or become disabled and you feel you need accommodation to enable you to perform the essential functions of your job, please let us know without delay.

If you believe our "NO HARRASSMENT- NO DISCRIMINATION" policies are being violated, we want to know immediately.

After discussing the matter with you and conducting an appropriate investigation, we will then attempt to reasonably accommodate you or take whatever remedial action is appropriate. When you inform us of a concern or problem, we will try to answer you as soon as possible.

# **EQUAL EMPLOYMENT OPPORTUNITY**

We are committed to providing equal opportunity in all of our employment practices (including, but not limited to selection, hiring, promotions, transfers, training and compensation) to all qualified applicants and employees without regard to race, religion, national origin, gender, sexual orientation, age, disability, handicap, citizenship status or any other category protected by federal, state, or local law.

# NO HARASSMENT – NO DISCRIMINATION POLICY

We do not and will not tolerate any form of harassment or discrimination against any of our employees, applicants, customers, vendors, or any other person. Any form of harassment or discrimination related to an individual's race, religion, national origin, gender (including samesex), sexual orientation, age, disability, handicap, citizenship status or any other "protected category", is a violation of this policy and will be treated as a serious disciplinary matter.

The term "harassment" includes (but is not limited to) slurs, jokes, and other verbal, graphic, or physical conduct relating to an individual's race, color, sex (including same-sex), religion, national origin, citizenship, age, or handicap.

Harassment also includes sexual advances, request for sexual favors, unwelcome or offensive touching of another person, and other verbal, graphic, physical, electronic threats of violence or intimidation for any reason.

Violation of this policy will subject you to disciplinary action, up to and including immediate termination.

If you feel that you are being harassed or discriminated against in any way by another employee, a customer, a vendor or any other person, or if you observe a co-worker being harassed or

discriminated against, you should immediately notify Management or Greenknight Business Solutions. We will thoroughly investigate the matter and, where appropriate, take action.

All supervisors, managers and other management resources of Higher Level of Care are also covered by this No Harassment – No Discrimination policy. In addition, no supervisor or other member of the Higher Level of Care' Management has the authority to suggest to any employee or applicant that the individual's employment, continued employment, or future advancement, raises or transfers will be affected in any way by the individual entering into (or refusing to enter into) any form of personal relationship with the supervisor or member of management. Such conduct is a direct violation of this policy.

If you feel that Management has violated this policy, please report it immediately to Greenknight Business Solutions at (310) 371-5300 between the hours of 9 a.m. and 5 p.m. (Pacific Standard Time), Monday through Friday (excluding holidays).

If you are uncomfortable bringing a complaint regarding harassment or discrimination to your immediate supervisor, please call Greenknight Business Solutions.

If you have already made a complaint to your immediate supervisor and feel it has not been handled properly, please call Greenknight Business Solutions.

If you feel you would be more comfortable speaking to a man or woman, please call Greenknight Business Solutions and express that desire. Whenever possible, an appropriate contact person will be provided for you.

Harassment of our employees by a non-employee may also be a violation of this policy. If you are harassed or observe any form of harassment of, by or against a co-worker, you should report the harassment to Management. Appropriate action will be taken for a violation by a non-employee.

Please, DO NOT ASSUME THAT WE ARE AWARE OF YOUR PROBLEM OR CONCERN. We want you to feel totally and completely free to bring your complaints, problems or questions to our attention so that we can do our very best resolve them in a timely manner.

You will NEVER be penalized in any way for reporting improper conduct, harassment, or discrimination.

#### **EMPOYEE STATUS**

Employees are employed "at-will", as provided by California state law, which means that they can be terminated at any time, with or without cause and with or without advance notice. This "at-will" relationship can only be changed in a written document signed by the President/CEO of Higher Level of Care.

Regular full-time employees are employees normally scheduled to work forty (40) hours or more per week.

Temporary full-time employees are employees normally scheduled to work forty (40) hours or more per week but are only employed on a short-term, temporary, or special project basis.

Regular part-time employees are employees normally scheduled to work less than thirty (32) hours each week on a consistent basis.

Regular, full-time employees are eligible for employee benefits provided by or administered by Higher Level of Care. Temporary full-time employees, part-time employees, and independent contractors are not eligible for employee benefits.

For purpose of family and medical leave, workers' compensation and certain other programs or benefits, eligibility requirements may be different. If so, the specific law, plan document, or insurance contract will determine eligibility for benefits.

If you have any questions regarding your eligibility for benefits or the benefits for which you qualify, please ask Management or call Greenknight Business Solutions at (310) 371-5300 between the hours of 9 a.m. and 5 p.m. (Pacific Standard Time), Monday through Friday (excluding holidays).

#### **PAY AND BENEFITS**

#### **YOUR PAY**

All employees are paid on the Tuesday one week after the close of the pay period. Pay periods are designated as 12am every other Tuesday to 11:59pm on the second Monday following the start of the pay period. A pay period and payday list will be posted in the employee break room as a point of reference.

Your paycheck will not be issued to anyone else except you unless you provide written authorization. Your check is available for pickup from 9am to 5pm. If you fail to pick up your check on payday the check will remain at the facility.

Once you receive your paycheck or check stub please examine the paycheck carefully to ensure it is correct. If you think there is an error on your paycheck immediately inform Management.

# PAID SICK DAYS

All hourly employees shall accrue Paid Sick Leave at a rate of one (1) hour for every thirty (30) hours of time worked. For salaried employees, the workweek is considered to be forty (40) hours for purposes of Paid Sick Leave law. Employees are able to accumulate a maximum of twenty-four (24) Paid Sick Leave hours per year and these hours shall "roll over" from one year to next at a maximum accrual of 48 hours.

#### PAID VACATION

All regular full-time employees will be begin to accrue vacation days after their initial 120 day probationary period. Paid vacation days will be accrued as follows:

Year 1 – One hour for every 86.67 hours worked (3 days/year)

Years 2-3 – One hour for every 52 hours worked (5 days/year)

Years 4 & After – One hour for every 37.14 hours worked (7 days/year)

Paid vacation days will not carry over year to year. If you have any accrued vacation days that have not been used by the end of any calendar year, they will be paid out on your final paycheck of that calendar year.

Time-off requests must be submitted in writing and will be approved at the discretion of Management based upon availability. While management will do its best to accommodate time-off requests, approval is not guaranteed.

#### SOCIAL SECURITY INSURANCE

Pursuant to the Federal Insurance Contributions Act (FICA), better known as the Social Security Act, Higher Level of Care deducts a percentage of your pay, matches it with an amount, and sends the totals to the government to be deposited into your Social Security account. If you are not familiar with the retirement and disability benefits provided under Social Security, please contact your local office of the Social Security Administration for a complete explanation.

#### UNEMPLOYMENT COMPENSATION

The purpose of unemployment compensation insurance is to provide financial assistance to people who lose their jobs and remain unemployed through no fault of their own. Higher Level of Care pays for this protection through the state unemployment system. Should you become unemployed through no fault of your own, you may apply to the state for unemployment compensation. Specific requirements vary by state and will be explained by the state at the time of application.

#### **CIVIC DUTY**

We encourage each of our employees to accept his or her civic responsibilities. As a good corporate citizen, Higher Level of Care is pleased to assist you in the performance of your civic duties.

If you are called for jury duty, please notify Management immediately. If you report for jury duty and are released from jury service before the end of your regularly scheduled work period, or if you are not asked to serve on a jury panel, you are expected to call Management as soon as possible and report to work for the balance of your normally scheduled work period.

We encourage all employees to vote in all public elections. If you are unable to exercise your voting rights before or after your normally scheduled work period, please Management know immediately so that we can make necessary arrangements for you to have enough time to get to the polls.

#### BEREAVEMENT LEAVE

If you are notified of a death in your immediate family while at work, contact your Manager and inform them of the situation. They will inform you of the Bereavement Policy along with any recent changes to the Policy. All time off in connection with the death of one of your immediate family members should be scheduled with Management. Your paycheck will be adjusted appropriately, based on the Bereavement Policy in effect at the time.

#### MILITARY LEAVE OF ABSENCE

Employees who require time off from work to fulfill military duties are allowed time off to meet those commitments. Employees with such commitments are expected to notify Management and to provide them with copy of their orders as soon as possible. We ask that you be sensitive to your Higher Level of Care' needs when scheduling military duty or training.

# PERSONAL LEAVE OF ABSENCE

On rare occasions, you may find it necessary to be absent from your job due to personal reasons. If this happens, you should request an unpaid personal leave of absence with Management. Criteria considered before leave is granted will include the time requested, the reason, and the current business conditions. All leave requests will be dealt with on and individual basis.

# FAMILY AND MEDICAL LEAVE OF ABSENCE (FMLA)

We abide and support all federal and state laws or regulations affecting family and medical leaves of absence. Eligible employees may take up to twelve (12) weeks of unpaid, job-protected leave each year for specific family or medical reasons. Any explanation of these benefits that follow will automatically change as the federal and/or state laws change. If there is any conflict between our policy and the federal and/or state laws, the latter will govern our policy.

To be eligible, you must have worked for Higher Level of Care for twelve (12) months and have worked at least 1,250 hours for Higher Level of Care over the previous twelve (12) months. To be an eligible employee, you must meet **both** of these requirements. You can take a family or medical leave of absence when faced with one of the following situations:

- 1. You are caring for a newly-born child, or a newly adopted or foster child.
- 2. You are caring for a member of your immediate family who has a serious medical condition. The "immediate family" in this case means your spouse, child or parent.
- 3. You have a serious health condition preventing you from performing your job.

Eligible employees who qualify for family or medical leave may receive up to 12 workweeks of unpaid leave during any "rolling" twelve (12) month period, measured backward from the date of any family or medical leave. Family or medical leave involving the birth or placement of a child for adoption or foster care must be concluded within 12 months of the birth, placement or adoption.

You may take family or medical leave intermittently. This means you may take leave in blocks of time or by reducing your normal weekly or daily work schedule whenever it is medically necessary to care for a seriously ill member of your immediate family, or because you are seriously ill and unable to work. Intermittent leave is not permitted for birth of a child, placement of a foster child or adoption.

#### FMLA – JOB RESTORATION

Upon returning from a family or medical leave, you will normally be restored to your original job, or an equivalent job with equivalent pay, benefits and other employment terms and conditions.

In addition, use of family or medical leave cannot result in the loss of your employment benefits that you earned or were entitled to before using family or medical leave.

#### FMLA - NOTICE OF MEDICAL CERTIFICATION

When seeking family or medical leave, you may be required to provide:

- 1. Thirty (30) days advance notice of the need to take family or medical leave, if the need is foreseeable.
- Medical certifications supporting the need for leaves due to a serious health condition affecting you or an immediate family member. Second or third medical opinions and periodic re-certifications (at our expense) may also be required.

- 3. Periodic reports during the leave regarding your status and intent to return to work.
- 4. Medical certification of fitness for duty before returning to work, if the leave was due to your health conditions.

When leave is needed to care for an immediate family member or for your own illness, and is for planned medical treatment, you must try to schedule treatment so that it will not unduly disrupt the Work-Site Employer's operations.

#### FMLA - EXTENDED MEDICAL LEAVE

Eligible employees who have exhausted their family or medical leave (and all other employees) may be allowed to take extended medical leaves of absence, not to exceed twelve (12) months following the last day worked.

When you take such an extended medical leave, you are not guaranteed to be returned to work, be reinstated to a particular job, or rate of pay, or shift at the end of your extended leave. However, we will attempt to return you to your regular position if it is available. If it is not available at the time reinstatement is sought, we will attempt to place you in a similar job, for which you are qualified, if such a job is available. While on extended medical leave, you may maintain the group benefits plan(s) subject to policy terms and conditions, by paying the applicable COBRA premiums in a timely manner.

#### FMLA – FAILURE TO RETURN FROM LEAVE OR COMPLY WITH THIS POLICY

You will be subject to immediate termination for:

- 1. Failure to return to work within six (6) months of the beginning of a medical leave:
- 2. Failure to return to work within twelve (12) weeks of the beginning of a family leave;
- 3. Failure to return to work as scheduled following the end of a family or medical leave:
- 4. Providing false or misleading information or omitting certain information in connection with a family and medical leave; or
- 5. Violation of any of the requirements and regulations relating to a family or medical leave (or any other policy or performance).

# REASONABLE ACCOMMODATIONS/MODIFIED JOB DUTIES

To assist you in the event you become disabled, or suffer an on the job injury, we will make reasonable accommodations to enable you to continue performing the essential functions of your job. Consistent with this policy, we may modify your job duties to comply with medical requirements or restrictions. Other accommodations, such as transfer to a vacant position for which you are qualified, may be appropriate, depending upon specific facts and circumstances of individual situations.

There may be limits to the accommodations we can realistically make. For example, where an accommodation would cause an undue hardship on Higher Level of Care, we would be unable to make the particular accommodation. Similarly, where placing you in a position, with or without accommodation, would cause you to be a direct threat to the safety of yourself, co-workers or

others, we may be unable to place you in a particular position. If you need to request a reasonable accommodation because of a disability or on the job injury, please follow the procedure set forth in our Grievance Procedure in this Handbook. We will discuss the matter with you, investigate your request and attempt to reasonably accommodate you.

#### REST BREAKS AND MEAL PERIODS

Higher Level of Care is committed to ensuring that non-exempt employees take meal and rest periods as outlined in our policy and in accordance with all applicable laws. We authorize and permit all employees to take one ten-minute rest break for every 4 hours worked.

Rest periods are normally scheduled as close to the middle of the fourth hour period as possible, but the exact schedule may vary according to business needs and must be coordinated with your supervisor. Rest-breaks may not be combined with meal breaks, nor can you skip rest breaks and come in to work late or leave early. Since <u>rest periods are paid time</u>, you <u>may not leave the</u> <u>work premises</u> during the break and <u>must spent in either the employee break room or</u> <u>designated smoking area</u>. If your break is interrupted, you will be allowed to take an additional net 10-minute rest break.

Meal periods are unpaid and you are required to sign out during your meal break. You will be completely relieved of your duties during a meal period and you may not perform any work duties.

If an employee's shift is 6 hours or less, the meal period may be waived upon mutual consent of the employee and Higher Level of Care.

# **SAFTEY AND SECURITY POLICIES**

#### CASH HANDLING

- Employees are responsible for all cash in their register
- Employees must count their drawer at the beginning of their shift after clocking in
- Employees may observe Management balancing their cash drawer at the end of their shift
- Employees must only use the register assigned to them
- Do not permit anyone else (except Management) to use your cash drawer
- Close the cash drawer after each transaction
- Contact Management immediately if you have a void or any other adjustment
- It is the employee's responsibility to verify authenticity of bills \$20 & over
- Leave the customer's bill out of the register while you make change
- Bills of \$50 or more should be placed under the cash drawer insert
- Always open enough rolled coins to get through rush periods
- Call Management if you get confused or think someone is trying to short change you
- Call Management if a customer challenges their change
- Employees are responsible for all cash shortages
- If your cash drawer is short will be subject to disciplinary action up to and including termination of employment

#### DRUG AND ALCOHOL POLICY

We will not tolerate alcohol abuse or the use of other intoxicants, mind-altering substances (including cannabis) or illegal drugs (collectively referred to as "drugs"). To the extent allowed by law, our drug and alcohol policy requires you as a condition of initial and continued employment to report to work and perform your duties without the presence of any alcohol or drugs in your system. We also will not tolerate you using, possessing, manufacturing, selling, distributing, or making arrangements to distribute drugs while at work, either on or off company property.

Although the use of prescription medication is not prohibited, you must advise Management when you are legitimately taking such medication. You may be asked to have your physician complete a "Medical Release/Return to Work" form.

To enforce this policy, Management may require you, at any time, as a condition of employment, to submit to a physical examination, including but not limited to a urine test, blood alcohol test, breathalyzer test, or any other examination to determine the presence of drugs or alcohol in your system. You may be tested at any time, without advanced notice, including but not limited to: immediately following job-related accidents/injury, return from suspension, return from medical leave, promotion, transfer and where Higher Level of Care has reasonable suspicion to believe that you have violated our drug and alcohol policy. We DO conduct "random" drug testing.

To maintain compliance with this policy, Higher Level of Care may conduct or direct a search and/or inspection of the premises, Company-owned vehicles, and/or the contents of any article, container, storage area, desk, locker, or private property located thereon or therein.

Should you be unavailable to grant access or refuse to grant access to one of these items, Higher Level of Care reserves the right to remove a lock, or take any other action necessary to gain access to the item. Items discovered in a search may be taken into custody and turned over to the appropriate law enforcement authorities.

Any violation of this policy, such as testing positive, refusing to allow a search or otherwise cooperate in any investigation, or failing to execute any paperwork or consent forms necessary for examinations or tests, may result in discipline including immediate discharge.

This Drug and Alcohol Policy is for your safety and protection, and the safety and protection of others. If you have any questions concerning this Drug and Alcohol Policy, please direct them to your Manager or contact Greenknight Business Solutions at (310) 371-5300 between the hours of 8 a.m. and 5 p.m. (Pacific Standard Time), Monday through Friday (excluding holidays).

# **FIRE SAFETY**

- Know the location of all fire extinguishers and how to use them
- Know the evacuation plan
- Keep fire extinguishers accessible for possible use
- Report any use of a fire extinguisher(s) immediately to Management

#### FOOD SAFETY

Cannabis in the edible form is a significant segment of the overall cannabis market. Higher Level of Care is in the business of storing and dispensing cannabis products in the edible form to qualified end-users. When doing so, Higher Level of Care shall at all times operate in compliance with state

and local Department of Health & Human Services regulations. All food must be stored while following food safety guidelines that will ensure only safe food is dispensed. The following guidelines will help to ensure safe food preparation:

#### **Temperatures**

- Cold foods must be held below 40 degrees
- Hot foods must be held above 135 degrees
- Raw beef must be cooked to a temperature of 155 degrees before being served
- The temperature danger zone is between 41 degrees and 135 degrees. Food left in this zone for more than 4 hours has the potential for microorganisms and bacteria to grow on it.
- Any food left in the danger zone for 4 hours or more must be discarded

# **Sanitation**

- Clean and sanitize all work surfaces before and after each use
- Use separate work areas for raw and cooked foods

# **Storing of Food**

- All food must be labeled and dated when storing
- All food must be stored at least 6 inches off the floor

#### **Illness**

• Any employee displaying exposed pustule lesions or symptoms of vomiting, diarrhea, jaundice, sore throat, abdominal pain, abdominal cramps or fever are restricted from working around exposed food, utensils or equipment. These can be symptoms of Hepatitis A, Norovirus, E.Coli, Salmonellosis or Shigellosis.

# PERSONNAL SAFETY

It is critical that every employee takes their safety and the safety of their fellow employees and customers very serious. The following guidelines should be followed in order to ensure your save and the safety of others:

- In case of emergency, call 911
- Report all injuries immediately to Management
- Do not tamper with or handle any electrical equipment that is outside of your duties
- Do not clean or operate any piece of equipment without proper training
- Unplug all electrical lines before cleaning any piece of equipment
- When lifting heavy objects make sure to bend at the knees
- Wear personal protective equipment when required
- Keep all exits and pathways clear at all times
- All walkways, floors, etc. must remain clear of any trip hazards at all time. Immediately correct any trip hazard and notify your manager of the hazard
- Never stand on shelving, chairs or boxes when attempting to reach items. Use proper ladders or step stools
- Floors should be damp mopped, not wet mopped during business hours. Do not leave excessive water on the floor

• Clean up any spill immediately and post a Wet Floor sign. Watch your footing when cleaning to ensure you do not slip

#### ROBBERY

In the event you are involved in or witness a robbery, fully cooperate with the assailants (give them anything they want). Always remember, nothing in the building (cash, product, etc.) is worth the safety of yourself, one of your fellow employees.

#### SAFETY PROGRAM

# 1. Required Personal Protective Equipment.

You may be provided with a "Safety Equipment Check List" at the time of your employment and orientation. Each employee receiving this document is responsible for seeing that they have and use all required Safety Equipment while working Higher Level of Care.

If you have questions regarding Safety or Safety Equipment, talk with Management or call Greenknight Business Solutions at the (310) 371-5300 between the hours of 8 a.m. and 5 p.m. (Pacific Standard Time), Monday through Friday (excluding holidays).

# 2. Unsafe Conditions Reporting Procedures:

- a. Immediately report all unsafe tools and equipment to Management.
- b. Immediately report all injuries and accidents to Management.
- c. Immediately report all hazardous conditions to Management.

#### 3. First Aid:

- a. A nearby clinic or emergency room will be used to handle injuries. A list of acceptable facilities is posted in the employee break room. Using a facility not posted may result in you having to pay your own expenses.
- b. A first aid kit will be maintained. Know where it is located.
- c. Know where fire extinguishers, telephone, and first aid kits are located and how to use them in emergencies.

# 4. Formal Inspections:

A Greenknight Business Solutions representative or third-party contractor may perform Safety Inspections at any time. You are expected to comply with all safety rules and regulations at all times.

# SECURITY/LOSS PREVENTION

The security of our employees and assets are very important to us. With that in mind, Higher Level of Care has installed and maintains an elaborate security system to protect the premises from fire, unlawful entry, and theft. You can do your part to maintain the security of the facility by following these guidelines:

- Be especially careful at facility opening and closing, as these are the most vulnerable times for robberies. Doors must be kept locked at all times.
- Side and rear entrances are only to be used in case of an emergency. All staff and visitors must enter and exit through the main entrance.
- All visitors must be pre-approved by Management and check-in with security staff prior to entering the facility; visitors must be issued a visitor pass and have it prominently displayed while in the facility
- Immediately report strange or suspicious incidents and individuals to Management and security staff.
- Never be in the facility alone after dark.

Additionally, although Higher Level of Care takes reasonable precaution against theft, you are responsible for your personal property in the facility, parking lot, and on all other company premises. For your own protection, please do not bring valuables such as jewelry or large sums of cash to work.

# REPORTING OF WORK-RELATED ACCIDENTS AND HAZARDS

All accidents, including any which do not involve serious injury and those involving customers, must be reported immediately to Management. Only through a full knowledge of accidents and incidents can Higher Level of Care become a safer, healthier place to work for everyone.

Please be sure to report any unsafe conditions, defective tools or equipment, or other hazards to your Manager, or call Greenknight Business Solutions at (310) 371-5300 between the hours of 9 a.m. and 5 p.m. (Eastern Standard Time), Monday through Friday (excluding holidays). You are expected to assist Higher Level of Care in maintaining safe working conditions. Safety is a state of mind, and requires constant vigilance and common sense. Safety is everyone's responsibility.

# WORKPLACE CHEMICALS

Higher Level of Care maintains a Hazardous Materials Communication Program which includes lists of any chemicals you may work with which may, in any way, be hazardous. We also maintain copies of Material Safety Data Sheet's (MSDS's) on each chemical, which explain how to safely work with that chemical, and a written description of our program.

You will be provided with training before you are assigned to work with, or be exposed to a chemical which OSHA has declared "hazardous" in any way. Before you start a job using chemicals, you should always read container labels or consult with Management on the MSDS before using a new chemical.

You should notify your Manager of any chemical containers which are leaking, unlabeled, or where you are uncertain of how to dispose of a chemical. Copies of our Hazardous Materials Communication may be obtained from Management.

#### **GENERAL POLICIES**

#### ABSENTEEISM OR TARDINESS

Each of our employees plays an important role in getting the day's work done. Absenteeism or tardiness, even for good reasons, is disruptive to business and interferes with the ability to satisfy customers' needs. Therefore, any absenteeism or tardiness can result in disciplinary action or immediate discharge.

If you are going to be late or absent for any reason, you must personally notify Management.

Some situations may arise in which prior notice can't be given. In those cases, we expect you to notify Management as soon as possible. Leaving a message doesn't qualify as notification. You must personally speak with your supervisor.

Failure to report to work without notifying Management or designated representative can result in automatic termination.

When absence is due to illness, you may be required to have a "Medical Release / Return to Work" form completed by your physician before you are allowed to return to resume your job duties.

#### BUSINESS RECORDS

Higher Level of Care and employees maintain various types of written and electronic records related to the Higher Level of Care' business. All such records maintained on Higher Level of Care' premises and/or in company systems are considered to be Higher Level of Care' property and, thus, are subject to review or inspection by Higher Level of Care, its employees, or agents at any time without advance notice. For these and other reasons, please do not use Higher Level of Care' computer systems or other business systems for personal matters or matters unrelated to business.

#### CHANGES IN PERSONNEL RECORDS

To keep your personnel records up to date, you are expected to notify Higher Level of Care promptly of any change of name, address, phone number, marital status, number dependents, or other applicable information. If you do not have a phone, please provide us with the phone number of your nearest contact.

#### COMPANY PARKING LOTS AND ROADWAYS

We ask that you park your vehicle in the area designated for employee parking. If you have any questions as to where you should park, please ask Management.

Speeding or operating a motor vehicle in a reckless manner on Higher Level of Care' property or in a Higher Level of Care' owned vehicle strictly forbidden. Parking lots are considered as much a part of the work place as the inside of a building, and you are subject to all Higher Level of Care' rules in the roadways and parking lots.

#### **COMPANY PROPERTY**

We obviously have a large investment in our facility and equipment. We expect you to maintain and ensure proper care of all company equipment in your possession. Failure to do so may result in disciplinary action, up to and including termination. You must return all company property, including but not limited to, computer hardware or software, users' manuals or documentation, keys, and company files or records, immediately upon your termination.

#### CONFIDENTIAL INFORMATION

The details of an employee's terms of employment and compensation should be treated as confidential matters and not disclosed to co-workers, vendors, or customers, except as necessary for business purposes.

Upon the termination of your employment, you must deliver to Higher Level of Care all confidential information; including all copies of documents prepared or produced in connection to your employment with Higher Level of Care, pertaining to the Higher Level of Care' business or your services for Higher Level of Care, whether made or complied by you or furnished to you in connection with such services to Higher Level of Care.

#### CUSTOMER COMPLAINTS

Higher Level of Care's primary goal is to provide quality products and service each and every time a customer visits the dispensary. However, if there is an occasion where a customer is not happy, then our secondary goal must be to ensure the customer complaint is properly handled.

Employees should make every attempt to handle customer complaints on their own if possible. Every employee has the authority to resolve a customer complaint. It is important to promptly handle customer complaints as it is simpler retain a customer than acquire a new customer.

Complaints also give employees a chance to learn from the customer and improve customer loyalty if handled properly.

In order to properly handle customer complaints:

<u>Listen</u> – listen carefully to the complaint and remember to keep eye contact and pay attention. However, this is not an appropriate time to overly smile, laugh or joke. The customer is unhappy; maintain a serious and attentive attitude.

<u>Apologize</u> – after the customer has described their problem apologize for the inconvenience that has been caused. Start by acknowledging the customer's feelings such as "I understand you are upset".

Solve – solve the problem. Ask the customer what would resolve this problem for them.

- Replace the item (scan the item back into inventory and give to Management to exchange with the manufacturer)
- Exchange the item (scan the item back into inventory and give to Management to exchange with the manufacturer)
- Try other methods to repair the situation

If the customer is still unsatisfied consult Management to:

- Replace the item (scan the item back into inventory and give to Management to exchange with the manufacturer)
- Refund the money (scan the item back into inventory and give to Management to exchange with the manufacturer)

<u>Thank</u> – thank the customer for bringing the issue to your attention.

#### **CUSTOMER SERVICE**

Customer service is the most basic and most important element of the Higher Level of Care experience. All customers must experience exceptional customer service. The four primary components of customer service are:

<u>Smile</u> – Give all customers a warm and friendly smile as you first make contact with them. This will help to make the customer feel welcome, demonstrate your enthusiasm, demonstrate your positive attitude and demonstrate a positive self-image.

<u>Eye Contact</u> – Make eye contact with the customer any time you talk to them. Do not stare but do make eye contact at the beginning of each conversation and during the conversation. Eye contact helps to demonstrate you are paying attention, that the customer is important to you and that you are ready to serve them.

<u>Greet</u> – Greet EVERY customer. Do not use preplanned phrases or slang. The greeting should be warm, friendly, respectful and enthusiastic. Once you have made eye contact while smiling greet the customer with any appropriate greeting you want as long as it is warm, friendly, respectful and enthusiastic.

<u>Thank</u> – Always say "thank you" to all customers. Let the customer know that Higher Level of Care appreciates their business and the opportunity to serve them with the best product and service in town. While thanking them, also remind them to return soon.

# EMPLOYER POSTING AREA

The Employer Postings Area will be outside of the Manager's office. Please form a habit of checking this area from time to time so that you will be familiar with the information posted. No information may be placed on this Employer Postings Area without Management approval.

#### **EXIT INTERVIEW**

Upon leaving Higher Level of Care, you may be required to attend an exit interview conducted by your immediate supervisor or other designated representative of Higher Level of Care. The purpose of this interview is to determine your reasons for leaving, resolve any concerns, answer any questions, return property, or other related matters.

# JOB RESPONSIBILITIES

We expect and require all of our employees to do a variety of tasks from day to day as requested by Management. Each of us must be flexible and perform any necessary tasks. Where possible, we attempt to cross-train our employees so that they can perform as many tasks as possible. This practice allows us to achieve maximum efficiency, as well as providing better job security for you.

Whenever operational needs require assigning you to a new task, either temporarily or permanently, we will provide additional training if necessary.

From time to time, we may publish lists of tasks to be performed by you as part of your job. These lists (such as job descriptions) are only guidelines intended to facilitate communications with you and other employees. They should not be viewed as an exhaustive listing of your job requirements.

All of our employees are responsible for compliance with the various federal, state or local laws which apply to and regulate their job duties.

Basic responsibilities of all employees include:

- Arrive for work on time
- Be dressed in clean and proper attire
- Clock in and start work at the scheduled time and clock out at the end of shift
- Check with Management to determine your job assignment if needed
- Have a great attitude
- Go out of your way to accommodate every customer
- Replenish supplies
- Keep all areas clean

#### LOANS AND PAY ADVANCES

It is our policy not to make loans or pay advances to employees. However, certain specific advances (such as tool or uniform advances) may be permitted as determined by Management.

#### MEDIA POLICY

Employees shall direct all media inquiries concerning Higher Level of Care concepts, policies, hiring practices, or other business practices to Higher Level of Care's CEO.

No member of the media may film, photograph, or conduct interviews on Higher Level of Care' property without written approval from Higher Level of Care' CEO. The media may receive permission on an individual basis as determined by Higher Level of Care. Such permission shall be granted or rejected at its sole and absolute discretion. Should permission be given, the requesting individual must agree to follow these minimum guidelines:

- No filming of any back-of-the-house area or restrooms.
- Employees may not be interviewed without permission from Management.
- All requests for a media interview must be made at least 24 hours in advance.

Our goal, through this policy, is to guarantee the delivery of accurate and consistent information to the media, while maintaining a quality atmosphere and safe work environment for our employees and guests.

In the unlikely event that a negative event takes place in the facility such as a robbery, death, fire, injury or other catastrophic event, no member of the staff including the management team may speak with the media. All inquiries must be directed to Higher Level of Care' CEO.

#### NOTICE OF RESIGNATION

In the event you choose to resign from your position, we ask that you give us at least two (2) weeks' notice. We expect you to submit all requests for business related reimbursements, to take care of all your outstanding accounts with the company, and to return all company property prior to receiving your final paycheck.

Final paycheck shall be issued on the next regularly scheduled payroll period after resignation or as directed by state law. It will be up to Higher Level of Care whether to accept the two-week notice or to allow you to leave on the day of resignation. Any pay in addition to the pay due you is at the discretion of Higher Level of Care.

#### KEYS / ACCESS CARDS / ACCESS CODES



#### **OVERTIME**

Overtime work may be scheduled periodically to meet our business and customers' needs. It is expected that you will be at work when scheduled to work overtime or called upon to work on special projects unless you are specifically excused by Management. Failure to report for scheduled overtime work may result in discipline, up to and including immediate termination.

Overtime shall be paid to non-exempt employees for all hours worked in excess of forty (40) hours per work week (or in accordance with state law). For purposes of calculating overtime, only actual hours of work will be considered, paid sick leave, civic duty, bereavement leave, holidays, vacations, and similar paid time off will not be considered for purposes of calculating overtime.

OVERTIME MUST BE PRE-APPROVED BY MANAGEMENT. ALL OVERTIME HOURS WORKED WILL BE PAID AT THE EMPLOYEES REGULAR PAY RATE IF NOT PRE-APPROVED BY MANAGEMENT.

# PERSONAL ELECTRONICS POLICY

THE USE OF PERSONAL ELECTRONIC DEVICES INCLUDING CELL PHONES IS NOT PERMITTED WHILE WORKING.

# PERSONAL RULES OF CONDUCT

As dispensers of high grade cannabis, our goal is to provide a top tier, consistent products via exceptional customer service to our customers. To accomplish this, all of us must adhere to high standards of quality in our service and cleanliness. Any deterioration in this service hurts the company. Accordingly, it is essential that we have rules and regulations, and that we insist that each employee know these rules and regulations and observe them at all times while at the facility. The orderly and efficient operation of the company requires that employees

maintain proper standards of personal conduct. Most of our rules involve common sense and accepted standards of conduct. These rules are necessary to protect the health, safety and property of our company and fellow employees.

The following lists (A and B) are not intended to be all inclusive nor to waive Management's right to exercise its sole discretion to discipline, suspend, or terminate an employee for such action as may be in the best interests of the company, its clients or other employees.

- A. Any of the following acts is considered serious and provides grounds for immediate suspension, and or dismissal.
  - 1. Absence from work without authorization.
  - 2. Failure to call Management when you are unable to attend work.
  - 3. Engaging in offensive or inappropriate sexual behavior directed at fellow employees or other persons on the company premises.
  - 4. Disclosure of confidential information about the company or its employees to any unauthorized persons.
  - 5. Failure to comply with company policies and procedures, or unsatisfactory work performance.
  - 6. Failure to act in a professional manner.
  - 7. Refusal or failure to perform assigned work, or to follow a supervisor's instructions.
  - 8. Any act of insubordination.
  - 9. Non-Solicitation Policy: The conducting of non-company business, such as canvassing, collection of funds, pledges, circulation of petitions, solicitation of memberships, or any other similar type of activity will not be permitted on company property. The distribution of non-company literature, such as leaflets, letters or other written material, by any employee is not permitted during working time or in any working area.
  - 10. Engaging in any act of violence or disorderly conduct, threatening, using abusive language, rudeness, or similar acts to supervisors or other employees.
  - 11. Abusing, defacing or destroying company property, or the property of other employees.
  - 12. Gross negligence or carelessness.
  - 13. Abuse of any leave of absence policy.
  - 14. Excessive tardiness.
  - 15. Supplying false or misleading information when applying for employment, or at any time during your employment.
  - 16. Altering or falsifying company records, including one's own time record or that of other employees.
  - 17. Possession of weapons on company property, including the parking lot.
  - 18. Theft or unlawful possession of stolen, lost or mislaid property of the company, including property or records of other employees. All such materials must be immediately turned in to your supervisor upon discovery.

- 19. Committing immoral or indecent conduct, soliciting persons for immoral purposes, aiding and/or abetting any of the above.
- 20. Possession, use or being under the influence of drugs (including cannabis) and/or alcoholic substances while on the premises or while in uniform.
- B. In addition to the preceding rules, any of the following acts may be considered just cause for remedial action:
  - 1. Failure to maintain a high degree of personal cleanliness when reporting to work and while at work.
  - 2. Failure to wear prescribed uniform in good repair.
  - 3. Failure to notify Management, prior to the start of your shift, if you will be absent or late. An employee must report directly to Management by telephone as far in advance as possible, but not less than two hours prior to start of shift. Failure to report for work, or call, constitutes a "voluntary quit".
  - 4. Failure to punch in and out in accordance with the instructions of your supervisor.
  - 5. Working overtime without prior supervisor approval.
  - 6. Dining, smoking, or snacking in other than designated areas.
  - 7. Unauthorized use of company telephones, since such telephones are for business purposes only.
  - 8. Leaving your work area without permission from Management, or being in other than your assigned work area without authorization.
  - 9. Failure to perform work or job assignment satisfactorily.
  - 10. Loitering or sleeping on the job.
  - 11. Failure to follow safety, fire and health regulations.
  - 12. Failure to report an accident.
  - 13. Making personal calls and texting during operating hours.

# PERSONAL TELEPHONE CALLS

We realize that from time to time it is necessary for you make personal phone calls during the business day. However, these calls should be kept to a minimum. Personal calls should not interfere with business calls, meetings, or other duties. Store telephones should not be used for receiving incoming or making outgoing personal long-distance calls.

#### SHIFT MANAGER TRAINING

Higher Level of Care is constantly looking for employees who exhibit manager qualities. It is the policy of Higher Level of Care to promote from within when possible. Manager training is the first step to a Management career with Higher Level of Care.

In order to qualify for the Manager training program, an employee must meet the following basic requirement:

- 1. Have reliable transportation.
- 2. Have a reliable contact phone number.

- 3. Successfully master all duties of positions which one would have oversight.
- 4. Be available to work any hours the company requires.
- 5. Have above average performance appraisals
- 6. Demonstrate leadership abilities

#### TOBACCO POLICY

Use of tobacco in any form is permitted only in designated places. Under no conditions is smoking allowed on the premise of the Facility.

Smoke breaks are ONLY allowed in accordance with the normal break policy. Smokers are not permitted additional smoke breaks. When smoking during breaks ensure you wash your hands prior to resuming your duties.

#### SOCIALIZING AND/OR DATING

Romantic or sexual liaisons that develop among employees in the workplace may be potentially disruptive to the conduct of our business. If such relations become disruptive we will intervene and discuss the romantic or sexual liaisons with involved employees. We may also take remedial measures, up to and including immediate discharge, when we determine that it is necessary to do so to protect our business interests.

Managers or supervisors are expressly prohibited from dating or becoming similarly involved with any non-Management employee within their sphere of responsibility. In the event we become aware of such a relationship, the supervisor or manager involved will be subject to immediate discharge.

## STANDARD OF CONDUCT AT WORK

Higher Level of Care has certain policies and rules to govern the conduct and performance of our employees. Our most important rule is to use "good sense" at all times. We have also established some basic work rules that should not be violated. Violation of these or similar rules may result in discipline up to and including immediate termination.

Higher Level of Care emphasizes that outstanding employees and a positive, productive working environment are the keys to success. To ensure continued success, it is important that you understand the minimum **Standards of Conduct** that govern all employees. Please know that any of the following infractions may lead to immediate termination.

- 1. Theft or misuse of property, merchandise, or cash, whether it belongs to a co-worker, customer, or the company.
  - Examples include: theft of property, merchandise or cash; damage or destruction of co-workers' customer or company property; unauthorized removal of company property or products whether finished or unfinished goods.
- 2. Improper or illegal use of alcoholic beverages, drugs (including cannabis), or controlled substances while on the job.

Examples include: drinking alcoholic beverages or using drugs (including cannabis) on the job; working under the influence of alcohol/drugs (including cannabis) on the job; possession, transfer, sale, or use of narcotics, hallucinogens, or other types of

illegal drugs or controlled substances on the job. Under circumstances where a doctor specifically prescribes the use of a controlled substance, you should notify your Management in order to protect your safety and the safety of the workplace. In circumstances where you are found to be under the influence of alcohol or drugs (including cannabis), you will be required to leave immediately and assistance will be provided to ensure that you arrive home safely.

3. Taking part in any conduct that may endanger a co-worker, customer, or the company.

Examples include: fighting or assaulting anyone on company property; committing immoral or indecent acts on Higher Level of Care' property; bringing fireworks, explosives, firearms or other lethal weapons on company property; committing an unlawful act on or off company property which discredits the company in any way; or which impacts customer or co-workers' ability to do their job.

4. Falsification of any company records or documents.

Examples include: partaking in the falsification of, or asking another to falsify: employment applications; time records, production records and/or batch cards; payroll records, documents, and/or systems; expense reports, request for check forms, and/or purchase orders, company records or documents on behalf of yourself or anyone else inside the employment of Higher Level of Care.

5. Significant, improper and/or disruptive behavior in performing the assigned job.

Examples include: negative, vulgar or inappropriate behavior; insubordination; refusing to do the assigned work or to follow the supervisor's instructions; unapproved solicitation or distribution of goods, materials, or services; leaving the work area without authorization, as in the case of sleeping, or hiding with the intent to sleep; causing or participating in an unauthorized work stoppage or slowdown; failure to report to work on scheduled workdays without notifying a manager (if Higher Level of Care receives no acceptable explanation, it will assume that you have resigned), failure or refusal to cooperate in a company investigation dealing with the loss of assets or violation of company policy.

6. Conflicts of interest or confidentiality, mishandling of proprietary information.

Examples include: providing Managerial or consultation services, soliciting or accepting gratuities from other businesses or serving as an employee for any outside concern which does business with Higher Level of Care or is in a competing business except with the prior knowledge and approval of an officer of Higher Level of Care, the use of company property for unauthorized personal business or profit, disclosing company information or matters, held to be strictly confidential, to unauthorized to persons.

7. Causing, breeding, or displaying a harmful attitude towards a co-worker, a customer, or the company.

Higher Level of Care directs its employment and personnel practice toward ensuring equal opportunity for everyone. Therefore, we intend that all matters related to hiring,

training, promotions, and discharge is free of any form of discrimination or intimidation (be it sexual, racial, age, religious, or otherwise).

Examples include: any behavior that might be harmful to you, your co-work, or company, or that might be viewed unfavorably by current or potential customers, or by the public at large, including: being a disruptive influence, spreading rumors, malicious gossip or showing a lack of respect, disclosing information about another that the company holds personal and confidential, inflicting practical jokes or horseplay on other, abusive or indecent language which is offensive to associates or customers, harassment of our discrimination towards a co-worker, customer, or anyone on company property, due to their sex, race, religion or other distinguishing characteristics.

8. Improper behavior in performing the job.

Examples include: coarse, vulgar or otherwise inappropriate language at the work site, absenteeism or habitual lateness, spending too much time away from the job, violation of any company dress code or the policy regarding uniforms; waste, destruction, or misuse of company material, time, or property, gambling of any form that involves money or property valued at more than one (\$1.00) dollar; showing improper favoritism to a subordinate.

9. Violation of company policies or procedures that have been established to protect Higher Level of Care's assets or to protect the health and safety of any co-worker.

Examples include: violation of safe work practices or rules, failure to adhere to the benefits, practice, procedures, policies and regulations of this handbook, unauthorized use of equipment or material, possession, selling, transferring, or use of illegal substances off the job.

10. Failure to inform Higher Level of Care of illegal or improper actions by co-workers or customers.

Examples include: failure to report incidents of theft to management; failure to report violations of company benefits, practices, procedures, policies and regulations as cited in this handbook.

The above **Standards of Conduct** are provided to outline the actions that may result in immediate termination. They are not intended to convey that, absent any offense, employment with Higher Level of Care will be for any specified period of time. Just as you are free to leave for any reason, Higher Level of Care reserves the right to end its relationship with any employee at any time, with or without notice for any reason not prohibited by law.

Violation of these or similar rules may lead to discipline, up to and including immediate termination.

Obviously, these specific **Standards of Conduct** are not all-inclusive. There may be other circumstances for which you may be disciplined or terminated. If you have any questions about these standards, or what is expected of you, please discuss them with Management.

#### TIMEKEEPING PROCEDURES

You are required to record your hours of work through the use of the point of sale system – HOURLY EMPLOYEES MAY NEVER WORK WITHOUT BEING CLOCKED IN. Accurately recording all of your time is required in order to be sure that you are paid for all hours worked. You will be instructed during your introductory period on how to use the timekeeping system on the point of sale system.

Under no circumstances may you clock in or out a fellow co-worker or ask a co-worker to clock you in or out. If an error occurs when clocking in or out, contact Management to make adjustments.

#### UNIFORM

The following uniform guidelines will be followed by all employees:

- Uniforms will be issued to employees by Higher Level of Care
- All employees must change into their company issued uniform in the designated changing area
- Employees my not enter designated restricted areas at any time when not in the company issued uniform
- Higher Level of Care will be providing laundry services for all company issued uniforms
- Company issued uniforms are not to be removed from the premises at any time without explicit authorization from Management
- All employees must wear socks and non-slip rubber sole, closed toe, lacing shoes at all times

#### **UTILITY CONSERVATION**

All employees must be aware that the use of utilities such as gas, electricity and water is a very expensive necessity in our line of business. Higher Level of Care expects every employee to contribute to the conservation of these commodities. To conserve energy the following practices have been established:

- Turn off the lights where practical.
- Turn off machinery after a job is done.
- Set the thermostats at the prescribed settings.
- Turn off equipment when not in use.

#### WAGE AND SALARY REVIEWS

The initial 120 days of employment with Higher Level of Care is considered to be a "probationary period". Newly hired employees will receive performance appraisals at day 30, day 120 and day 300 of employment. Thereafter, all employees will receive a performance appraisal annually. This performance appraisal may be either in writing or verbal, at the discretion of Management. Appraisals will include the following:

- 1. The enthusiasm and initiative you demonstrate in your work.
- 2. Your personal appearance.
- 3. The courtesy and cooperation you show toward your fellow employees
- 4. The amount of work accomplished.

- 5. The accuracy and thoroughness of the work.
- 6. Your dependability and attendance on the job.
- 7. Your attitude toward your job, your co-workers and the facility.
- 8. Your ability to organize and plan your work.
- 9. Your knowledge of your job duties.

Recommendations are based predominately on merit, along with the wage scale established for your job classification. A satisfactory or favorable evaluation is not a guarantee of continued employment. If you do not receive an evaluation when due, please contact Management.

#### WORK PLACE APPEARANCE AND BEHAVIOR

We expect you to maintain an appropriate work place appearance which is neat and acceptable. The following guidelines apply should be followed:

- Hair must be worn about the collar and be pulled back away from the face and eyes.
- Nails should be closely manicured and clean.
- Facial hair will be at the discretion of management.
- Employees must be in uniform when entering the facility.
- Wash your hands after coughing, sneezing or touching your hair or hat.
- Wash your hands after using the restroom.

#### WORK SCHEDULE

It is your responsibility to be aware of your work schedule and be on time for all of your shifts. Anytime that you cannot work your scheduled shift, it is your responsibility to get your shift "covered" by a qualified employee and have it approved by Management. Your normal workweek is set by Management. Lunch and break time is set by your Management, and may be varied to meet customer needs. If you have any questions about your schedule, please consult with Management.

# ACKNOWLEDGEMENT OF UNDERSTANDING AND RECEIPT OF EMPLOYEE POLICIES HANDBOOK

I have received my copy of the employee policy handbook. I further understand that my signature below evidences that I have read and familiarized myself with the policies and procedures of Higher Level of Care and that following these rules are a condition of my continued employment with the Higher Level of Care.

I understand that nothing in the handbook creates a promise or representation of continued employment or employment for a specific period of time and that should I choose to not follow Higher Level of Care' Policies and Procedures that Higher Level of Care could exercise their right to implement disciplinary action up to include termination of my employment.

Print Name:			
Signature:			
-			
Date:			

# AUTHORIZATION TO DEDUCT FROM FINAL PAYCHECK

I authorize my employer to deduct from my final paycheck the amount necessary to render my outstanding balance with Higher Level of Care at the time of termination. This will include any negative balance of vacation, sick leave days, unpaid insurance premiums, educational expenses, cash advances for travel, and/or any other financial obligations I have that would be outstanding to Higher Level of Care.

Signed:		
<u> </u>	Employee's Signature	
	Employee's Printed Name	
Date:		
Signed:		
<u> </u>	Authorized Signature (Higher Level of Care)	
Date:		

# WAIVER OF UNPAID OFF-DUTY MEAL BREAK

I understand under California Labor Law, after a work period of 5 hours, I am entitled to receive an unpaid meal break of not less than 30 minutes.

I give my consent to waive my 30 minute unpaid meal break only when my work and/or scheduled shift will be completed in 6 hours or less in one workday. I understand that if my shift exceeds 6 hours, I am required to take an unpaid meal break of at least 30 minutes.

I enter into this agreement freely and voluntarily. I understand that this agreement can be revoked in writing by either me or Higher Leve of Care at any time.

In order for this waiver to be valid, my supervisor must also authorize the waiver in writing by signing below.

Signed:	
	Employee's Signature
	Employee's Printed Name
Date:	
Signed:	
	Authorized Signature (Higher Level of Care)
Date:	

# EMPLOYEE CREDIT CARD AGREEMENT

As an employee of Higher Level of Care, I understand that I am responsible for all the monetary transactions that occur through me. If there is a credit card transaction that is disputed and cannot be resolved due to my failure to properly close out a transaction, I understand that I will be financially responsible.

I understand that it is my responsibility to:

- Retain a signed receipt
- Obtain a legible signature
- Apply the proper tip (if applicable)

If any of these steps are not completed, I will be financially responsible. In the case of repeated offenses, I may be suspended and/or terminated.

Print Name:				
Signature:	-			
Date:			_	

# TIPS REPORTING

# 1. 100% is the magic number: ALL TIPS ARE TAXABLE

Be aware that if you receive more than \$20 in a month in tips, all of these tips count as income that you must report and pay taxes on. That includes your cash tips, your credit card tips and any tips you get from other employees, minus what you tip out to others. You may have heard that all you need to report is tips equal to 8% of sales or just your credit card tips. That is a big misconception, and could get you in legal trouble if you earn more. The law requires you to report and pay taxes on 100% of the tips you keep after tip outs.

#### 2. You must record your tips daily

If you get audited, there is only one thing that will save you - good daily records. The IRS requires tipped employees to keep a daily tip diary or other evidence to prove tip earnings. Your daily records must show how much you made in cash tips and credit card tips, the amount of tips you received from other employees through tip pools or other tip sharing arrangements and the amount tipped out to other employees. While you are not required to use the IRS's forms to keep track of your tips, the IRS offers form 4070A (Employee's Daily Record of Tips) that you can use as your personal tip diary. Call the IRS at (800) TAX FORM.

# 3. Not reporting your tips is a big deal

If the IRS audits you and finds out you did not report all your tips, you could face some big bills. Falsifying tip income is illegal. You will owe income and FICA (social security and Medicare) taxes on the unreported tips. You will likely face interest charges and penalties. Additionally, the IRS has the right to audit at least as far back as 3 years – or further, if the agency believes it is a case of fraud. Some service industry workers been jailed for tax evasion.

# 4. The 8% Myth

Many service industry employers employees may have heard the false rumor that tip earners only need to report tips equal to 8% (or perhaps some other number such as 10%) of their sales; that is a widespread misconception. The law requires employees to report and pay taxes on 100% of the tips they keep after tip-outs. The 8% figure is simply a threshold below which many employers must allocate tips and report certain additional information to the IRS. The IRS can use this information to flag establishments where employees may be underreporting tips.

I acknowledge that Higher Level of Care has made me aware that I am required by law to report all tip income. If I don't report my tips, I understand that Higher Level of Care will report any tips that Management is aware of including cash and credit card tips.

- SIGNATURE PAGE TO FOLLOW -

# TIPS REPORTING SIGNATURE PAGE

Print Name:		
Signature:		
Date:		
READ & SIG	N THIS FORM	

KEEP A COPY OF IT FOR YOUR RECORDS

RETURN ORIGINAL TO THE YOUR SUPERVISOR

# ALCOHOL / DRUG POLICY

Being under the influence of alcohol/drugs (including cannabis) while working is prohibited. Arriving to work intoxicated, or under the influence of alcohol/drugs (including cannabis) is prohibited.

If you are found to be intoxicated while working, it will result in disciplinary action up to and including termination.

Print Name: \_\_\_\_\_\_Signature: \_\_\_\_\_

I have read and understand the above policies.

Date:

# **CLOCKING IN/OUT POLICY**

- 1. You must clock in and out promptly for each shift.
- 2. You cannot clock in before your scheduled shift unless told to do so by Management.
- 3. You must clock out before counting your tips.
- 4. If you forget to clock out, you may ask Management to adjust your hours. You must show him/her your checkout/cash out report and that will be the time your clock out will be adjusted for.
- 5. If you forget to clock out or forget to ask Management for an adjustment, you will be paid for only 3 hours.
- 6. If you see that your paycheck is incorrect, you may go to Management and have them adjust. You will see the corrected hours on your next paycheck.
- 7. Employees may be disciplined if they frequently forget to clock out or clock in early.

Higher Level of Care is happy to adjust common errors with regard to clocking in and out. It is our goal to provide accurate paychecks to all employees on time. Each employee is encouraged to keep their receipt when clocking in and out and read their paycheck carefully to check for errors.

# I have read and understand the above policies.

Print Name:			
Signature:			
Signature.			
<b>.</b>			
Date:			

# Section H

# **Operating Procedures**

Higher Level of Care describes in detail the Organization, Management, Governance, Products, Service, Operations, Property Maintenance and Community Engagement procedures and policies that will be implemented to do business in the City of Marina. This is documented in the Operations Management Plan.

# Medical Dispensing

Higher Level of Care will comply with the following conditions per Section 19.02.040:

- A. Medical Dispensary may not dispense to any person who is not a Member and may not dispense without first verifying membership.
- B. Medical Dispensary may not provide more Medical Cannabis to an Individual than is necessary for that person's personal medical use.
- C. Dispensary may not distribute free samples for promotional purposes outside of the Dispensary premises.
- D. No dispensary shall dispense Medical Marijuana from more than one (1) location m the City of Marina.
- E. No owner of dispensary in the City shall open a second dispensary in the City; except that medical dispensaries and co-located or adjacent Adult dispensaries may have the same ownership.

# Adult Dispensing

Higher Level of Care's Adult-Use dispensary will comply with the following conditions per Section 19.02.060:

- A. Dispensary may not dispense to any person who is not 21 years of age or older.
- B. Dispensary may not distribute free samples for promotional purposes outside of the Dispensary premises.
- C. No dispensary shall dispense Adult Marijuana from more than one (1) location in the City of Marina, however, subject to State requirements, may have a co-located or adjacent Medical and Adult location.
- D. No owner of dispensary in the City shall open a second dispensary in the City; except that medical dispensaries and co-located or adjacent Adult dispensaries may have the same ownership.
- E. All adult dispensaries must hold a valid and current Use Permit from the City of Marina pursuant section 19.08.010 (d) of this chapter.

#### See Attachment

Operations Management Plan

# Section I

# **Product Disposal**

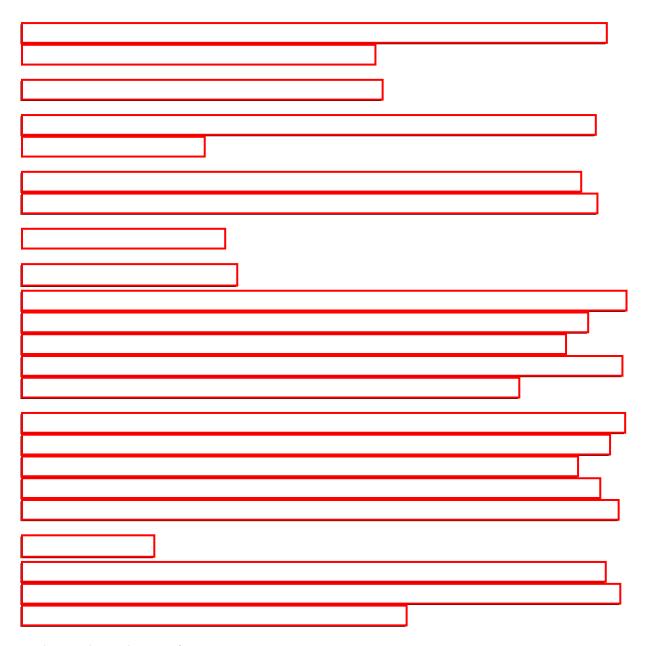
Higher Level of Care will, in compliance with State of California regulations, transport waste and bi-products to one of its affiliate cultivation sites for composting unless the Marina Police Department requests that it be provided to them for disposal. In addition, the Business will comply with all applicable federal, state, and local laws regarding use and disposal Cannabis waste. All unused or surplus Cannabis and its by-products shall be weighed, documented, and recorded for review by city officials as requested.

Any stolen or lost Cannabis will be reported by filing a police report by calling 911 or in person with the Police Department within 24 hours of becoming aware of the theft or loss.

# See Attachment Waste Disposal Program

**Section J** 

# Inventory Management



# **Enhanced Product Safety**

As previously discussed and per MMC Chapter 19.02.030, all Cannabis products sold will be packaged and labeled as required by the Health and Safety Code Section 11362.7 et. seq. and other applicable state requirements and regulations. In addition, Per Section 5302 of State Regulations, all Cannabis products sold will be packaged in a tamper-evident package with a label stating:

- (1) The name, license number, and licensed premises address of the licensed manufacturer or licensed cultivator who provided the batch;
- (2) The date of entry into the licensed distributor's storage area;

- (3) The unique identifiers and batch number associated with the batch;
- (4) A description of the cannabis goods with enough detail to easily identify the batch;
- (5) The weight of or quantity of units in the batch; and
- (6) The best-by, sell-by, or expiration date of the batch, if any.

# **Packaging**

- (1) Until January 1, 2020, all packages shall meet the following requirements:
  - (A) The package shall protect the cannabis, including pre-rolls, from contamination and shall not expose the cannabis or pre-rolls to any harmful substance.
  - (B) The package shall be tamper-evident.
  - (C) If the package of cannabis or pre-rolls contains more than one serving, then the packaging shall be resealable.
  - (D) The package shall not imitate any package used for goods that are typically marketed to children.
- (2) Beginning January 1, 2020, all packages shall meet the requirements of subsection (a)(1) of this section and shall also meet the following requirements:
  - (A) The package shall be child-resistant until the package is first opened. For purposes of this division, the following packages are considered child-resistant:
    - (i) Any package that has been certified as child-resistant under the requirements of the Poison Prevention Packaging Act of 1970 Regulations (16 C.F.R. §1700.15(b)(1)) (Rev. July 1995), which is hereby incorporated by reference.
    - (ii) Plastic packaging that is at least 4 mils thick and heat-sealed without an easy-open tab, dimple, corner, or flap.
  - (B) The package shall be labeled with the statement "This package is not child-resistant after opening."
- (3) Notwithstanding subsections (a)(1)-(a)(2) of this section, immature plants and seeds shall not be required to be packaged in child-resistant, tamper-evident, and resealable packaging.
- (b) A licensed distributor shall not process cannabis, but may roll pre-rolls that consist exclusively of any combination of flower, shake, leaf, or kief. Pre-rolls shall be rolled prior to regulatory compliance testing.

(c) Licensed distributors may label and re-label a package containing manufactured cannabis goods with the amount of cannabinoids and terpenoids based on regulatory compliance testing results.

Edible products dispensed by Higher Level of Care will only come from licensed, commercial kitchen facilities and will not be produced, manufactured, stored, or packaged in private homes. Additionally, all edible Cannabis products will be individually wrapped at the original point of preparation.

### See Attachment

Traceability & Inventory Management Plan Cash Management Plan

This is the written Dispensary Operations Plan for HIGHER LEVEL OF CARE (hereinafter sometimes referred to as "We", "Us", "Our", or 'Facility"). This plan addresses and meets the Requirements of Chapter 19.02.030 of the City of Marina (hereinafter sometimes referred to as "City") Commercial Cannabis Activities Ordinance ("Commercial Cannabis Activities Ordinance"). The Facility will comply, as applicable with the Commercial Cannabis Activities Ordinance.

#### **INTRODUCTION**

The Facility is a dispensary organized as "C" corporation under the laws of State of California. The purpose of the Facility includes the procurement and resale of Medical and Adult-Use Cannabis to end users, as lawfully permitted under the laws of the State of California. The Facility is committed to the highest ethical standards, customer safety and transparency in our operations and business practices.

The key objectives of the Facility are to:

Promote the betterment of and enhance the development of physical, mental, and emotional fitness of its customers;

Find solutions for, share knowledge of, and furnish assistance for the health problems of its customers, and acquire the skills necessary to administer Cannabis for Medical and Adult-Use purposes to qualified customers as lawfully permitted under the laws of the State of California;

Provide safe and legal access to Cannabis for all qualified customers;

Reduce the barriers and improve access to Cannabis and its potential benefits.

#### **IMPLEMENTATION STRATEGY**

The Facility will use a community-driven, Customer-Centered (CC) approach that will benefit customers, including operating in a way that makes quality, affordable Cannabis available to underserved minority, low-income and indigent populations. This complex commitment dictates the features of our implementation strategy:

- Customer-Centered;
- A skilled and knowledgeable staff;
- A professional clinical setting;
- Product variety;
- Quality control;
- Support Services;
- Community outreach

The crucial element of our CC approach will be communicating with our customers in terms they are comfortable with and comprehend. This requires that our staff be well trained, comfortable with diversity, and competent to interact appropriately with individuals with different levels of "Cannabis literacy." As a "socio-culturally competent" Facility, Higher Level of Care will educate and empower its customers so that they share responsibility for their own healthcare decision-making and healthy lifestyle choices.

Our CC-focused dispensary will provide:

- A welcoming environment;
- Respect for customers' values and expressed needs;
- Customer- Empowerment;
- Socio-cultural competent staff;
- Emphasis on customer comfort and support; and
- Community outreach and collaboration.

Our staff, Facility, and operations will prioritize the safe and careful implementation of the Cannabis laws of the State of California as well as further regulate the safe and lawful dispensing of Cannabis to all customers, in a manner consistent with all applicable laws.

Our staff, Facility, and operations will maintain a holistic focus offering support services with emphases falling on pain management, avoiding unhealthy behaviors, lifestyle change, improving physical conditioning, adopting better nutritional practices, reducing stress, and taking advantage of the profound mental health benefits that customers can derive from interpersonal support such as counseling, group sessions, and community activities with likeminded individuals.

It is crucial to our implementation strategy that we are not simply a Cannabis dispensary. Our focus is on overall health and wellness.

The compassionate cause of Cannabis is ill served by reminders of the counterculture or association with the image or ethos of the "stoner." Our atmosphere will be designed to move Cannabis away from any association with the counterculture and will focus attention on its scientific and medical legitimacy. In keeping with this, our Facility will maintain the professional look and feel of a medical services clinic, and the fact that our products are scientifically cultivated and tested will be the key element in our strategy on which we will continue to build public awareness of our "brand."

#### **Variety of Products**

Different strains of Cannabis have different therapeutic and palliative effects, some offering relief for a given condition more than others. Furthermore, customers with serious medical conditions, such as those with a wasting syndrome or undergoing chemotherapy for cancer, can have very specific tolerances, intolerances, and idiopathic reactions to medication. In order to offer customers customized and scientifically precise options, it is critical that we provide as wide a variety of products, including strains of Cannabis and as great a variety of delivery methods as possible.

#### **Skilled and Knowledgeable Staff**

Without a skilled and knowledgeable staff, our product diversity and CC approach would be of little benefit to most customers. A crucial feature of our strategy is the extensive training that our staff will undergo to be able to advise customers on such things as specific effects and side effects of various strains or delivery methods, their benefits for specific conditions, and their interactions with other medications, as well as with drugs and alcohol.

Providing customers with types of information not generally known conforms with our overall strategy of offering something that does not replace traditional health care, but complements it by providing something critically lacking. The need for complementary care is particularly evident in the case of Cannabis because physicians typically recommend only that the patient use it, without specifying a strain or delivery method. This creates information deficit and education needs that our approach is designed to address. Because many dispensaries do not take this need seriously, our educational approach quickly distinguishes our "brand."

#### **ORGANIZATION**

#### **Organizational Compliance**

In organizing the Facility, we have made efforts to prevent Cannabis diversions, and to comply with all applicable laws, including state and local laws.

To ensure lawful operation, The Facility will:

- Require membership application and physician recommendation verification for all Medical Cannabis customers;
- Validate that that all Adult-Use customers are over the age of twenty-one (21);
- Acquire, possess, and dispense only lawfully cultivated Cannabis;
- Acquire, possess, and dispense only lawfully manufactured Cannabis derived products;
- Not dispense and/or sell Cannabis to unqualified customers;
- Ensure that all Cannabis and Cannabis derived products meet the State of California lab testing and packaging standards priors to being dispensed;
- Provide adequate security to ensure customer safety and prevent the negative impact of any nuisance to surrounding homes and businesses;
- Keep accurate records;
- Comply with all possession and track-and-trace requirements;
- Obtain necessary business licenses/permits' and pay required sales taxes and City fees.

#### **Transparency and Oversight**

To ensure transparency of the operation, including easy verification that the Facility is operating within the limits set forth by state and local law, we will enforce strict oversight procedures regarding facility access, operations, and documentation of legal compliance.

The Facility will verify that all Medical Cannabis customers are over the age of eighteen (18) and have a valid Medical Cannabis recommendation from a licensed California physician. The Facility will verify that all Adult-Use customers are over the age of twenty-one (21). Age verification will be confirmed by third-party security staff through the use of an IDvisor Smart ID Scanner (See 'Security Plan' for additional information and specifications) prior to all customers entering the Facility. Age verification will be dually confirmed by the Facility's front desk staff. Additional oversight will include, but not be limited to, the following:

- Cannabis will only be distributed at the dispensary site. The dispensary will not engage in the delivery of Cannabis.
- All customers must have a valid, government-issued photo ID.
- The purchasing privileges of those individuals caught diverting Cannabis for illegal means will be revoked. The Facility will not dispense cannabis to anyone whose purchasing privileges have been revoked.
- Agents for the City of Marina shall be granted unfettered access to the Facility's video surveillance system and all historical footage upon request.
- Agents for the City of Marina shall be granted unfettered access to the Facility's Point-of-Sale system and all historical data and reports upon request.

The following will be posted on the Facility's premises in a prominent place, readily viewable by any member of the general public:

- A copy of the Facility's regulatory permit issued by the city;
- Any licenses or certifications issued by the State of California, and any conditions thereof;
- A document providing the name, telephone number, and address of a person(s) authorized to accept service of process on behalf of the Facility;
- the name, telephone number and address of the Facility's community liaison.

The following will be posted on the Facility's premises in a prominent place, readily viewable by any member of the general public AND shall be provided to all customers:

- The sale or diversion of Cannabis without a permit issued by the City of Marina is a violation of State law and the Marina Municipal Code.
- Secondary sale, barter, or distribution of Cannabis or Cannabis products purchased from Higher Level of Care is a crime and can lead to arrest.
- Patrons must immediately leave the dispensary and not consume Cannabis or Cannabis products until at home or in an equivalent private location. Staff shall monitor the location and vicinity to ensure compliance.
- The use of Cannabis or Cannabis products may impair a person's ability to drive a motor vehicle or operate heavy machinery.
- Entry into the premises by persons under the age of twenty-one (21) is prohibited unless they are a qualified Medical Cannabis user over the age of eighteen (18) or accompanied by a licensed attending physician, parent, or legal guardian.
- CALIFORNIA PROP. 65 WARNING: Smoking of Cannabis and Cannabis-derived products will expose you
  and those in your immediate vicinity to cannabis smoke. Cannabis smoke is known by the State of
  California to cause cancer.

#### **Verification of Doctor's Recommendations for Medical Cannabis Customers**

The State of California allows individuals to enroll in a voluntary state or local Medical Cannabis ID program that provides them with a government-issued card identifying them as legally-qualified Medical Cannabis users or caregivers. These Medical Cannabis ID cards allow for easy verification of the cardholder's current eligibility status through a telephone or electronic verification system that dispensaries and law enforcement can access. To be eligible for the purchase of Medical Cannabis, we will verify a prospective Medical Cannabis customer as follows:

- The individual's identity must be verified by a form of government-issued photo ID (separate from any medical cannabis ID);
- The individual must be over the age of eighteen (18) or accompanied by a licensed attending physician, parent, or legal guardian;
- The doctor's recommendation must be confirmed to be valid (not expired) at the time of each visit;
- The recommending physician's license must be verified to have been in good standing with the State of California at the time the recommendation was made;
- The enrolling employee of the dispensary must check to make sure the individual has not been a customer in the past whose purchasing privileges were revoked.

Every Medical Cannabis customer must present his/her physician's recommendation for the use of Medical Cannabis or a Medical Cannabis ID card issued by the State of California. The physician's recommendation must be

an original, not a photocopy. Upon presentation of the physician's recommendation, the Facility will verify the physician's license to practice medicine in the State of California and the recommendation.

If the Medical Cannabis customer does not have a California State Medical Cannabis ID Card (MMIC), the individual will have to present the physician's recommendation at the time of each subsequent visit, and it will be matched against the copy on file.

If the Medical Cannabis customer does have a California State Medical Cannabis ID Card (MMIC), the validity of the card is checked electronically or by phone. Subsequently, the customer will not have to re-present his/her physician's recommendation at the time of each visit as long as he or she presents the medical cannabis ID card and it is found to be valid by the verification system.

If the Medical Cannabis customer is a primary caregiver, the individual must present proof of his/her status as the patient's caregiver. The presented document must be an original, not a copy. The primary caregiver must also present a copy of the physician's recommendation for the individual for which they are the primary caregiver. The individual receiving care will be contacted to verify that the person is question is in fact his/her primary caregiver. The verification of the physician recommendation will be the same as above. If the caregiver does not have a California State medical cannabis ID card, he or she must present the original caregiver agreement and a copy of the recommendation at each subsequent visit, and they will be matched against the copies on file. If the caregiver has a California Medical Cannabis ID Card (MMIC), the validity of the card is checked electronically or by phone. Subsequently, the caregiver member will not have to re-present the caregiver agreement or patient's physician's recommendation at the time of each visit as long as he or she presents the Medical Cannabis ID card and it is found to be valid by the verification system.

No recommendations or approvals by a physician to use Medical Cannabis or medical cannabis products will be issued at the Facility.

If all verifications are in order, the customer will be able to procure Medical Cannabis from the Facility.

#### **Transaction Tracking**

The Facility will track its transactions. The Facility will maintain a database that tracks and associates each transaction with a specific customer, tracks the number of customers that visit the dispensary, the number of each customer's visits, and the number, quantity, and type of products associated with each transaction. This will allow the Facility to document, for the purposes of regulatory compliance, all Cannabis and Cannabis derived products taken into possession and dispensed to each end user.

Additionally, the Facility will track customers' monthly cumulative buy amounts to monitor for patterns suggestive of diversion or abuse.

All books, records, and accounts will be maintained to comply with applicable laws and regulations and made available to the City of Marina upon request.

#### **Tax Compliance and Accounting**

The Facility will comply with local, state, and federal tax requirements. We are aware of the unique federal tax implications for Cannabis businesses, and have consulted with appropriate professionals to ensure full compliance with the Internal Revenue Service's treatment of Cannabis.

#### Insurance

#### **Personnel and Training Records**

We will maintain personnel records for each employee and agent for a period of at least six (6) months past the end of the individual's affiliation with Higher Level of Care. All information listed below will be secured and maintained on an on-site encrypted computer system.

- Application & Documentation of all required training,
- Training for employees will include, but is not limited to, corporate entity status and job descriptions, general security policies, visitation policy, safety, salvaging guidelines, emergency procedures, bookkeeping procedures, delivery reception procedure, sanitation procedure, packaging and labeling procedure, salvaging questionable product and destruction of unusable product, transportation procedure, incident procedure, filter monitoring procedure and inventory reconciliation with Bio-Track THC.
- Written policies for employees will include instructions for Employee Eligibility Verification from Department of Homeland Security, Disability Insurance Provisions, paid family leave, time of hire pamphlet that informs about worker's compensation for industrial injuries, including temporary disabilities, permanent disability benefits, supplemental job displacement benefits and death benefits, notice to employees regarding Labor Code section 2810.5, prohibition of sexual harassment, paid sick leave policy, policy against discrimination, harassment, and retaliation, rest and meal periods acknowledgement and waiver, at-will employee policy acknowledgment, leave of absence policies, pregnancy disability leave, non-work related disability leave (physical/mental illness not work related), occupational leave (worker's comp), voting time-off, jury duty, witness leave, victims of domestic violence, sexual assault, stalking, and crime victims.
- A signed statement from the individual indicating the date, time, and place that he or she received training and the topics discussed, including the name and title of the presenters.
- Record of any disciplinary action taken against employee at any time during employment.
- Matters of occupational safety will be managed in accordance with applicable Cal-OSHA regulations. The
  safety program will include a combination of the development and implementation of several required
  written programs, training of employees in accordance with the job duties, inspections of safety-related
  equipment, and maintenance of records.
- Records will be developed and maintained in compliance with Cal-OSHA requirements found in 8 CCR §3203 and 8 CCR §3204. Following is a list of the records that are expected to be developed and maintained.
  - 1. Personnel safety training records
  - 2. Equipment inspection records
  - 3. Facility inspection records
  - 4. OSHA Log 300 and 300A
- The overall safety and health programs will require the development and implementation of the following written programs:

Program	Requirement
Injury and Illness Prevention Program (IIPP)	8 CCR §3203
Emergency Action Plan	8 CCR §3220
Fire Prevention Plan	8 CCR §3221

• Each of these programs will be customized for the specific operations that will be conducted at the facility. The foundation of the overall safety and health programs will be the IIPP. The IIPP has eight required elements. These will include the following:

Element	Application
Responsibility	Responsibility will be assigned for implementing the program. Additional responsibility will be delegated throughout the organization to managers, supervisors, and employees.
Compliance	Safety work rules will be developed for all aspects of the operations. Programs for employee recognition and discipline will be developed. This area will also identify other written safety programs and their role in the overall safety management system.
Communication	Programs to communicate safety-related matters within the organization will be developed including procedures for anonymous reporting of safety concerns. Programs will include worksite postings, employee meetings, and the implementation of a Safety Committee
Training	Training and retraining programs for all aspects of the facility operations will be established and implemented. Based on the size of the fire, less than 10 employees, some aspects of this can be modified in accordance with the allowances within the regulation.
Hazard Identification	Hazard identification programs including identification of the frequency and responsibility for worksite inspections will be developed and implemented. Included in this will be an assessment of the site to identify the required personal protective equipment that will be needed for specific tasks and operations.
Hazard Correction	Programs to correct all identified hazards in a timely manner will be identified and implemented.
Incident Investigation	A robust incident investigation process will be developed and implemented. The program will also include a program of near-miss (close call) reporting. The program will be based on current safety research that focuses on system improvements and organizational learning.
Recordkeeping	Records retention and availability programs will be identified and implemented for all safety-related records.

# **MANAGEMENT AND GOVERNANCE**

See "Appendix 'A'" for Organizational Chart

Salvatore Palma Owner/Operator Monterey, CA 93940

Tino Advincula

<u>Director of Operations</u> / Security Manager

Monterey, CA 93940

Adam Shepherd

Manager / Inventory Controller

Alex Ledesma
Manager

Marina, CA 93933

Cassidy Keister
Purchasing Manager

Monterey, CA 939

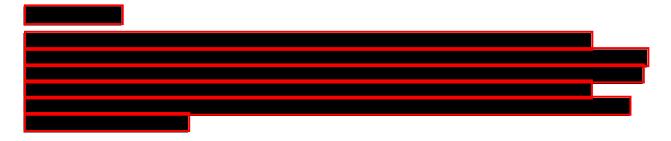
#### **Responsibility of Managers**

Managers are those individuals who, directly or indirectly, are engaged in the management of the Facility as may be evidenced by being responsible for the establishment, organization, registration, supervision, or oversight of the operations of the Facility which may include, but not be limited to, the following: performing the functions of President, Vice President, Board Member, Director, or Owner.

#### **Qualifications of a Manager**

The Facility will not have any Manager or any other employee who:

- 1. Has not undergone a Fingerprint-based Criminal History Records Check conducted by the City of Marina Police Department pursuant to Section 19.02.020 of the Municipal Code
- 2. Has been convicted of:
  - a) Homicide;
  - b) Within the preceding 10 years, any serious or violent felony listed in Penal Code Section 1192.7(c) or Section 667(c);
  - c) Within the preceding 10 years, any violation of Penal Code Sections 243 through 247, except for subdivision (a) of Section 243;
  - d) Within the preceding 10 years, any offense under subdivisions (d) or (e) of Section 11357 or Section 11361, or Articles 1, 3, 5, 6, or 7 of Chapter 6 of Division 10 of the Health and Safety Code; or
  - e) Within the preceding 3 years any felony violation of Health and Safety Code Section 11358. Section 11359 or Section 11360.
- 3. Is not 21 years of age or older.



#### **PRODUCTS AND SERVICES**

#### Dried Cannabis: Sativa, Indicia, & Hybrids

The effectiveness of Cannabis is directly related to strain selection. Therefore, the Facility will demand that care be taken in selecting appropriate strains to meet customer needs. Customers will be encouraged to use vaporizers or ingest Cannabis to reduce any potential risks from smoking.

#### **Edibles**

The Facility plans to offer many different edible product lines to cater to the various medical, nutritional, taste, and financial needs of its customers. Infusing cannabis into foods is a long-practiced and very effective method to use Cannabis. However, careful dosing is important. Edibles can be used as effectively as smoking or vaporizing.

#### **Concentrates**

This line will ensure customers have a variety of consumption methods that suit each person's needs and lifestyle. This line is designed to provide high levels of cannabinoids in a readily accessible form, which provides instant relief for serious conditions.

#### Medicinal

This line is designed to conveniently access the palliative as well as curative properties of Cannabis. Each different delivery method of ingestion is targeted to treat specific diseases; for example, capsules and tonics have the potency to provide curative treatment, while the oral spray and chewing gum are designed for immediate palliative treatment of pain or spasticity.

#### Topical

This line is designed to provide topical applications of Cannabis for arthritic customers or customers with injuries. Topical have an analgesic and anti-inflammatory effect to reduce or eliminate pain.

#### **Tinctures**

Tinctures are alcohol extractions of whole Cannabis (usually the flowers and trim leaves). This line is designed to make dose control easy for customers, with rapid absorption and effect. Tinctures can be flavored for better taste.

#### Services

We will offer all a full range of supportive services for our customers, including palliative care services.

Services may include:

- Classes on Cannabis compliance;
- Classes on pain management, wellness strategies, and oncology issues;
- Condition-based support groups (e.g. Veteran's support group, women's cancer support group, chronic pain support, HIV/AIDS support group);
- Counseling services focusing on proper practices and avoiding substance misuse;
- Educational seminars for those new to Cannabis;
- Horticulture classes and programs on growing your own Cannabis (including organic and solar), and on making edibles;
- Nutrition and diet counseling;

Resource services (referrals for a wide variety of essential life, social and economic services);

Additional services may be added based upon feedback.

These services will be available to all customers. Their use and retention will depend on demand.

We recognize the need to provide a safe environment that helps customers avoid substance abuse and misuse. Our employees will be trained to recognize the signs and symptoms of substance abuse, including tolerance, dependency, and withdrawal. We will emphasize personal responsibility for individual behavior. We will also provide information about the differing strengths of Cannabis strains and products and the potential drug-to-drug interactions, including interactions with alcohol, prescription drugs, non-prescription drugs, and supplements. Working with our employees, education about the potential abuse of Cannabis will be integrated in all customer visits, materials, and outreach.

#### **Product Safety**

The purpose of product safety protocols is to ensure that our Cannabis is:

- Free of pests and microbiological contaminants, toxins, pesticides and non-organic nutrient residues;
- Properly potent; and
- Properly packaged & labeled.

All Cannabis will be sent for batch testing to a Cannabis testing center that maintains operations in full conformance with State and local regulations prior to sale at a dispensary. Further, the Facility will comply with sanitation standards equivalent to the California Retail Food Code (Part 7 commencing with Section 113700) of Division 104 of the Health and Safety Code for food preparation, storage, handling, and sale of edible Cannabis products. The Facility will only dispense non-potentially hazardous Cannabis food products, as established by the State Department of Public Health pursuant to Section 114365.35 of the Health and Safety Code.

#### **Product Recall**

If a product is recalled by federal, state or local authorities, the following process steps will be implemented:

- 1. Identification of Implicated Products
  - a. Properly identify all products and quantities implicated in the recall
  - b. Distribution list of persons receiving the product(s)
  - c. Information list of products affected and when received
- 2. Notification of Affected Parties
  - a. Regulatory Agencies
  - b. Distribution Chain for written notices
  - c. Consumers
- 3. Removal, Control and Disposition of Affected Product
  - a. Control products to ensure that recalled products do not re-enter commerce
  - b. Document redirection, destruction or recondition of product
- 4. Mock Recalls to Support Annual Verification of Recall Program

#### **Packaging and Labeling**

All Cannabis products dispensed to patient members will be packaged and labeled in accordance with applicable laws and regulations.

All Cannabis will be in an opaque, tamper-evident, child resistant, resealable (for products with multiple uses) package which will contain a label or be accompanied by a hang-tag, peel-back label or insert that clearly states the following:

- 1. Product identity A generic or common name that describes the product. Examples include chocolate, fruit chew, vape cartridge, lotion, tincture, etc.
- 2. Universal symbol (in black, at least 0.5" x 0.5") The California symbol that identifies items as containing cannabis
- 3. Net weight or volume (in both metric and U.S. customary units) The weight or volume of the contents of the package
- 4. For edible cannabis products, the words "Cannabis-Infused" must be listed above the product identity, in a bold font and larger text size than the one used for the product identity
- 5. Manufacturer name and contact information Must be a name listed on the license certificate (either the legal business name or the registered DBA), and their phone number or website
- 6. Date of manufacture/packaging Including month, day and year. (Example: MFG/PKG: 02/23/19)
- 7. Government warning statement for cannabis products (capital letters and bold font)
- 8. UID number The unique tracking number issued through Track-and-Trace
- 9. Batch or lot number
- 10. Instructions for use and any preparation needed For example, the method of consumption or application
- 11. List of all ingredients (in descending order by weight or volume) Including sub-ingredients, if any
- 12. Allergens (if applicable) The word "Contains," followed by a list of any major food allergen in the product. The major food allergens are milk, egg, tree nuts, wheat, peanuts, soybeans, fish or crustacean shellfish. The specific food name must be used when disclosing allergens (i.e. "almonds" instead of "tree nuts")
- 13. Artificial food colorings (if applicable)
- 14. Expiration, use-by or best-by date (if applicable)
- 15. "KEEP REFRIGERATED" or "REFRIGERATE AFTER OPENING" (if perishable after opening)
- 16. "FOR MEDICAL USE ONLY" (if applicable)
- 17. For edible cannabis products, sodium, sugar, carbohydrates, and total fat per serving (in milligrams or grams)
- 18. Cannabinoid content (in milligrams)
- a. THC and CBD per package (for all manufactured products)
- b. THC and CBD per serving (for edibles and concentrates with designated serving sizes)
- Any other cannabinoid that makes up 5% or more of the total cannabinoid content (if labeled after testing)
- 19. Prop 65 Warning (if applicable) Proposition 65 requires businesses to provide a clear and reasonable warning before knowingly and intentionally exposing anyone to chemicals that are known to the state to cause cancer or birth defects or other reproductive harm.
- 20. CRV Recycling (for beverages, if applicable)

Child-resistant packaging shall be:

- 1. Packages that have been certified as child-resistant, in accordance with the federal Poison Prevention Packaging Act (PPPA, 16 CFR §1700.1)
- 2. A bottle sealed with a pry-off metal crown bottle cap

#### Additionally:

- No edible Cannabis products that **require** refrigeration or hot-holding shall be sold or distributed.
- All items to be sold or distributed will be individually wrapped at the original point of preparation.

#### **OPERATIONS**

The Facility designates the location for its operation's to be located at: **3016 Del Monte Blvd., Marina, CA 93933**. The Dispensary hours of operation of the Facility will be from the property of the City of Marina.

#### **Rules and Regulations**

The Facility has adopted a set of Rule and Regulations for operations. The set of Rules and Regulations are attached.

#### **Dispensary Access**



#### **Non-Diversion: Inventory Control**

We will implement an inventory and point-of-sale tracking system to report and track all aspects of the Facility's business including, but not limited to, Cannabis tracking, inventory data, gross sales by weight, gross sales by dollar amount and individual customer transaction history. The following data will be recorded and stored for each transaction involving the exchange of Cannabis or Cannabis products between the dispensary and the end user:

- The identity of the individual dispensing Cannabis or Cannabis products on behalf of the dispensary.
- The identity of the customer receiving Cannabis or Cannabis products from the dispensary.
- The type and quantity of Cannabis or Cannabis products dispensed and received.
- The dollar amount charged by the dispensary and received by the individual dispensing Cannabis or Cannabis products on behalf of the dispensary for the Cannabis or Cannabis products dispensed and received.





#### **Waste Tracking**

All Cannabis waste shall be identified, weighed and tracked in accordance with federal, state and local rules as is the proper disposal method required (unusable, unrecognizable and via secured waste receptacle).

All related liquid waste from the facility is disposed of in compliance with all applicable federal, state and local laws, regulations, rules and other requirements.

All waste will be tracked with the following information:

<u>Date</u>	<u>Time</u>	Waste Description	Weight	<b>Disposal Method</b>	Employee Badge #

The weighing and measuring devices used by the Facility will meet standards equivalent to Division 5 of the Business and Professions Code and registered with the Monterey County Department of Weights & Measures.

All designated and tracked waste will be disposed of in a secured and locked receptacle and final disposal will be made by a licensed waste facility, as per State and Local regulatory guidelines.

See "Waste Disposal Plan" for additional information.

#### Record Keeping

The Facility will maintain complete records of all Cannabis and Cannabis products that are in its possession at any time and for any period of time. The Facility will maintain complete records regarding Cannabis transfers from the Facility's location to and of its "sister" locations, including the date and time of the transfer as well as the amount, form and type of Cannabis and/or Cannabis products transferred.

The Facility's records will maintain, for a period or seven years, at the premises, and in a fireproof safe, all records and documents required by Section 19.02 of the City of Marina Commercial Cannabis Activities Ordinance and all the information and records listed below:

- 1. The name, address, and telephone number(s) of the owner, landlord and/or lessee of the location;
- 2. The following information concerning each customer of the Facility:
  - A. Name and a confidential customer number unique to that individual;
  - B. A copy of the customer's valid government issued photo Identification Card or license;
  - C. A copy of each customer's executed Rules & Regulations;
- 3. If Medical:

- A. A copy of the customer's California Medical Cannabis (MMIC) identification card and/or the physician's recommendation;
- B. The name and telephone number of each primary caregiver customer, along with a copy of every written designation for every qualified patient that designated the customer as his or her primary caregiver;
- C. The name, business address and telephone number of each attending physician who provided a physician's recommendation for any customer of the Facility;
- D. The records of all qualified patients with a valid California Medical Cannabis (MMIC) identification card and primary caregivers with a valid California Medical Cannabis (MMIC) identification card may be maintained by the Facility using only the identification card number issued by the State pursuant to California Health and Safety Code Section 11362.7 et seq., in lieu of the information required by chapter 19.02 of the City of Marina Commercial Cannabis Activities Ordinance;
- 4. Up-to-date information for all savings accounts, checking accounts, investment accounts and trusts associated with the operation of the Facility;
- 5. All receipts of the Facility, including but not limited to all revenues and all expenditures incurred by the Facility;
- 6. An up-to-date log documenting each transfer of Cannabis reflecting the amount provided, the form or product category in which the Cannabis was provided, the date provided, the time provided and the customer number to whom it was provided;
- 7. An up-to-date log documenting the date, time, nature, and response by the Facility to all complaints received by the Facility pursuant to Chapter 19.0 of the City of Marina Commercial Cannabis Activities Ordinance:
- 8. A copy of the annual audit reports required pursuant to section 19.02.120 of the City of Marina Commercial Cannabis Activities Ordinance; and
- 9. Proof of completed registration with the City Manager in conformance with the City of Marina Commercial Cannabis Activities Ordinance.
- 10. Records demonstrating compliance with state and federal rules and regulations regarding reporting and taxation of income received.
- 11. Inventory audit records which will be performed, at a minimum, on a bi-weekly basis and shall record the total quantity of each form of Cannabis on the premises.

Such records will be made available by the Facility to the City Manager and any City official charged with enforcing the provisions of the City of Marina Commercial Cannabis Activities Ordinance, in accordance with section 19.02 of the City of Marina Commercial Cannabis Activities Ordinance. At the request of the City Manager, all such records required would be made available in standard electronic format which will be compatible with Microsoft Office programs and which can easily be imported into Excel, Access, or any other contemporary software program compatible with the City's record keeping systems that would have a capability to produce historical transactional data for review by the City Manager or designee. In addition to all other formats that the Facility may maintain, all such records required will be stored by the Facility at the Location in a printed format in a fireproof safe.

The Facility will keep, or cause to be kept, a true and correct copy of the Regulatory Permit in legible condition, on the premises of the Facility. The Facility will present, or cause to be presented, the copy of its Regulatory Permit to a City police officer, City code enforcement officer, or any other City Official who is at the site of the Facility immediately upon request.



#### **Inspection and Enforcement**

The Chief of Police and any other City agents or employees of the City will be permitted to lawfully enter the Facility location at any time during the hours of operation, without notice, to inspect the Facility as well as the recordings and records maintained pursuant to City of Marina Commercial Cannabis Activities Ordinance in accordance with section 19.02 the City of Marina Commercial Cannabis Activities Ordinance.

Additionally, the Chief of Police and any other City official charged with enforcing the provisions of this City of Marina Municipal Code will be permitted to lawfully enter the Facility to obtain samples of Cannabis to test for public safety purposes upon reasonable notice.

#### **Customer Confidentiality**

Nothing herein is intended to require the disclosure of any customer's private medical records.

Nothing herein is intended to require, to the extent required by law, disclosures and member record-keeping in violation of the any customers right of privacy as recognized by the California and United States Constitutions.

To the extent required by law, member record-keeping will be HIPAA-compliant.

#### **Reports to Law Enforcement**

The Facility will immediately report to the Chief of Police, any violations of State or local law or conditions which the on-site designated representative knows, or reasonably should know, exist on the premises and at the location and could result or have resulted in harm or an imminent threat of harm to the health, safety or general welfare of any person or member of the public. The Facility will immediately report to the Chief of Police, the County Health Department, and customers of the Facility any information indicating that a customer experienced an adverse reaction to, or other difficulty related to, any Cannabis procured from the Facility.

#### **PROPERTY MAINTENANCE**

The Facility will keep the premises and location in a clean and safe condition by, at a minimum, performing all of the following tasks:

- A. Properly remove and store all trash, litter, rubbish and debris on the premises and location at the end of each business day;
- B. Properly dispose of all trash, litter, rubbish and debris from the premises and location;
- C. Remove graffiti placed upon the premises and location within twenty-four hours of its occurrence;
- D. Keep driveways, sidewalks, park strips, fire access roads and streets on or adjacent to the premises and location clear and clean;

- E. Provide lighting on the premises and location to ensure the safety of the public and the employees of the Facility; and
- F. Otherwise operate in a manner that does not create or result in any significant adverse impacts upon its premises and location or within three hundred (300) feet of the premises and location.

#### **Operational Standards**

The Facility will not conduct operation in a manner that creates or results in a public nuisance on the premises and location or within three hundred (300) feet of the premises and location, including but not limited to:

- A. Disturbance of the peace;
- B. Illegal drug activity;
- C. Public intoxication;
- D. Drinking/Smoking in public;
- E. Gambling;
- F. Prostitution;
- G. Sale of stolen goods;
- H. Public urination;
- I. Theft;
- J. Assault;
- K. Battery; or
- L. Acts of vandalism.

Compliance training will cover all municipal and laws and requirements relating to Cannabis. Obligations of licensed Cannabis facilities will be emphasized. Other topics may include the rules and regulations of the Facility, sexual harassment training, effective interaction with law enforcement personnel, and the rights and responsibilities of Cannabis customers.

The sale, dispensing, or consumption of alcoholic beverages on or about the Facility or in the parking area for the Facility will be prohibited. Cannabis may not be inhaled, smoked, eaten, ingested, vaped, or otherwise used or consumed on the premises or in the parking areas of the premises. Additionally, loud car stereos or activities disruptive to the neighborhood from within the Facility or immediately surrounding area are prohibited. Each entrance of the Facility will have a visibly posted clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the Facility is prohibited. The loitering by persons outside the facility, either on the premises or within one hundred feet (100) of the premises, is prohibited.

#### **General Sanitary Requirements**

Higher Level of Care enforces the following reasonable measures and precautions:

- All persons who appear to be ill, or have open lesions, boils, sores, wounds or other related health and/or medical issues are excluded from all operations.
- All persons in contact with Cannabis and Cannabis products shall maintain adequate personal cleanliness, washing hands thoroughly and refraining from contact with any ill individuals.
- All cleaning compounds (sanitizing agents, solvents and other chemicals) are identified, held, stored and disposed of in accordance to local, state or federal laws, rules, regulations and ordinances.

- All contact surfaces, utensils and equipment are cleaned and sanitized to protect against contamination.
- All operations in the receiving, inspecting, transporting, segregating, preparing, manufacturing, packaging and storage of Cannabis and Cannabis products are in accordance with adequate sanitation principles.
- All cleaning products and chemicals must be stored and secured in a locked cabinet.
- Cannabis and Cannabis products are only handled by licensed store employees/contractors using sanitary gloves.
- Customers are not allowed to handle Cannabis and/or Cannabis products at any time.
- Cannabis and Cannabis products are only handled via sanitary conditions and cross-contamination of any kind is avoided.

#### Fire Safety

The Facility recognizes that a prime motivation for regulating Cannabis dispensaries is to protect the peace, health, safety, and welfare of the community from these types of problems. Fires not only cause millions of dollars of property damage annually, but they also affect lives.

The Facility will comply with all national and local fire Code requirements. The fire system design will be reviewed for approval by the City of Marina Fire Department for permit issuance. Requirements of the Fire Department above the proposed design will be reflected on a Change Order.

We will use AB Fire to provide a sprinkler system for the facility. Alarm initiating, and supervisory switches will be connected to the fire alarm system. Notification appliances will be installed throughout the building. A single manual pull station will be installed in a continuously occupied area of the building for access during business hours. The fire alarm equipment will be an addressable Firelight alarm control/communicator. Communication to the central monitoring station will be via dedicated land line with high security cellular/GSM back-up communication. In addition, all rooms will be equipped with smoke detectors. ABC rated fire extinguishers will be present in every facility.

Approved portable fire extinguisher(s) meeting the requirements of CFC Section 906 are located as required within the prescribed travel distance within the facility. The portable fire extinguishers within the Facility are maintained as required including servicing on an annual basis by an approved vendor. The maintenance of this equipment is the responsibility of the property owner for all of the tenants in the complex.

#### The Facility will:

- Comply with State and Local Fire Codes;
- Go Beyond Code Requirements
- Ensure Electrical Safety
- Engage in Good Housekeeping and Site Maintenance
- Adequate Signs and Notification for Hazardous Materials

For additional Fire Safety measures, see "Safety Plan"

#### **DISPENSARY OPERATIONS PLAN**

## Signage

The exterior signage for the facility will conform to the City of Marina Municipal Code Section 17.41.290. Business identification signage will be limited to that needed for identification only. The identification signage will not contain any logos or information that identifies, advertises, or lists the services or the products offered. The Facility will not advertise by having an individual holding a sign and advertising the business to passerby either on or off the premises. No signs will be placed on the premises of the Facility that would obstruct any entrance or exit to the building or any window. Signage shall be reviewed and approved by the City in accordance with City of Marina, Section 17.41.290.

#### COMMUNITY ENGAGEMENT

The Facility seeks to be an asset and a beneficial resource for the surrounding community. As a good neighbor, the Facility will seek neighborhood and other necessary input.

The Facility is committed to strong public engagement and outreach to the community. Salvatore Palma will serve as the community outreach liaison. Our community outreach liaison has three goals: (i) to establish a process by which the community can express itself regarding the project; (ii) to inform the community about Cannabis issues; and (iii) to ensure that our approach genuinely reflects the community's needs.

To reach our goals, we anticipate identifying a broad cross-section of community-based organizations and community leaders, including those representing indigent and traditionally under served and underrepresented residents, to learn how residents and stakeholders can best receive useful information that enables them to participate meaningfully.

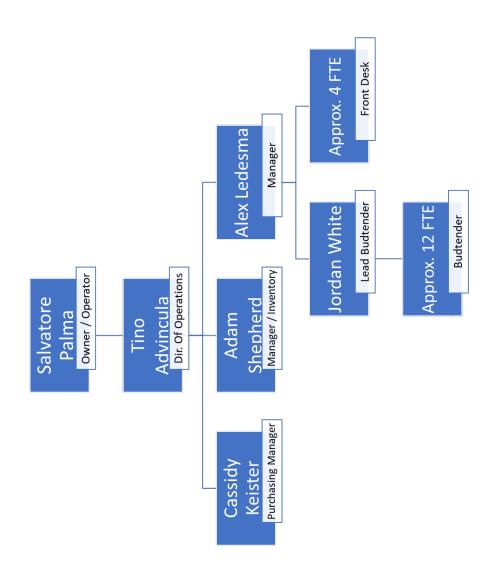
In order to bring Customer-Centered care to underserved populations and effectively address the health disparities affecting them, the Facility will provide discounted products and services to indigent or low-income Medical Cannabis customers.

### **DEVELOPMENT / OPERATING AGREEMENT**

The Facility will comply with any other operating requirement included in any development / operating agreement between the Facility and the City pursuant to 19.02 of the Municipal Code

Once the Cannabis Facility has selected employees, a list of Managers and their responsibilities, including a list of all Managers responsible for receiving, logging, and responding to complaints regarding the Collective, and all Managers designated as an on-site representative will be provided to the City and all residents, property owners, and businesses within 250 feet of the Facility.

# **APPENDIX "A"**



### WASTE DISPOSAL PROGRAM

This is the written Waste Disposal Program for HIGHER LEVEL OF CARE (hereinafter sometimes referred to as "We", "Us", "Our", or 'Facility"). This plan addresses and meets the Requirements of Chapter 19.02 of the City of Marina (hereinafter sometimes referred to as "City") Commercial Cannabis Activities Ordinance ("Commercial Cannabis Activities Ordinance"). The Facility will comply, as applicable with the Commercial Cannabis Activities Ordinance.

#### INTRODUCTION

Given the nature of its business, Higher Level of Care will have very little Cannabis waste produced from its day-to-day activities. Though any such waste will be in very small quantities, it is important that it is properly disposed of so as to eliminate the probability of diversion.

In accordance with state and local regulations, all Cannabis waste products at the Facility will be weighed, logged and kept securely stored until such time that they can be transported off-site to one of Higher Level of Care's affiliated cultivation operations, where it will be composted with Cannabis waste from said cultivation operation and reintroduced to the cultivation process as fertilizer. This composting will take place by way of a method known as "Bokashi Fermenting."

Bokashi fermenting of Cannabis is an approved method of disposing of waste. All Cannabis waste will be recycled back to soil saving on the cost of additional fertilizers and dramatically decreasing water consumption. This system is capable of processing several tons of waste per week.

Active ingredients are destroyed in the fermenting process, so the fermented waste can be stored with confidence it will be of no value to individuals hoping to gather active material. The product of the fermented waste will ultimately be used as an enrichment by returning organic nutrients and microbes to the soil.

### **BOKASHI FERMENTING**

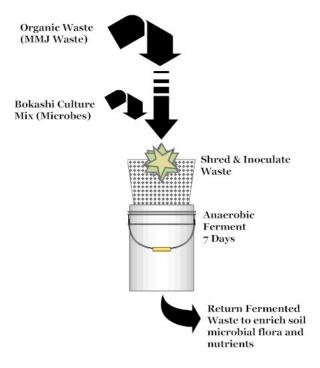
Bokashi fermenting is a method of rapidly metabolizing all organic waste with naturally occurring soil microbes. It is 10 times faster than traditional composting, produces no greenhouse gases, produces no heat, and takes only 7 days. The "pickled" waste material is then mixed with soil to return all the nutrients and microbes to soil.

All organic waste will rapidly decompose, and noxious odors, putrefaction, and gases are eliminated. No insects or rodents are attracted to the end-product. It is accomplished in a remarkably small amount of space and requires no turning, mixing, aerating, or additional materials to complete. An accelerant is combined with the microbes to increase the speed of processing because the cellulose content of waste is very high. The liquid accelerant is sprayed onto the waste with each addition of culture mix and the system is then closed to exclude oxygen.

Bokashi fermenting is very scalable. One can mix weeds, plant debris, food scraps including meat and dairy products, and any other organic material with no concerns about the carbon to nitrogen ratio. One will simply shred the material and place it in a proper fermenter. During the shredding process one will add a powder (wheat bran base inoculants) which is homogenously mixed with the waste material during the shredding step. The material is then simply left alone for 7 days in a sealed fermenter.

The fermenting conditions will kill all seeds and pathogens including E. coli and Salmonella. No methane is produced because the pH shifts to a mildly acidic profile as material is metabolized. Methanogens, the organisms that produce methane cannot survive under these conditions.

A single 4 cubic yard Poly Dura Kan fermenter can process 2 tons of waste per week.



## **ADVANTAGES OF BOKASHI FERMENTING**

- Rapid disposal of all organic waste
- Far more efficient than traditional composting; takes only 7 days to ferment
- Biopulp mixed with soil results in highly enriched soil, improved microbial flora and enriched organic content soil
- Conserves water
- Requires no additional machinery or effort to process
- Eliminates odors and does not attract vermin or pests
- Fermenting is phytotoxic killing weeds and their seeds
- May combine all waste in a single operation
- Eliminates expense of pick-up and transport
- Eliminates greenhouse gas production in processing waste
- Bokashi culture mix costs are about \$25 per ton of waste processed and is the least expensive of all waste processing methods
- Is the most sustainable agricultural method of waste management

## **GENERAL PROCESS FOR FERMENTING**

- All Cannabis waste (including stems, stalks and other woody plant parts) must be shredded and inoculated before it is placed in a fermenter.
- Any water or product that is alkaline should be neutralized to pH 7 or lower before adding it to the fermenter.

### WASTE DISPOSAL PROGRAM

- No plastic or other non-organic material should be placed in the fermenter.
- Inoculating waste should take place at the shredder assuring wide uniform dispersal of the inoculants in the waste. Dust is avoided with water soaking waste before it is fermented.
- Add 5 pounds of bokashi culture mix per 400 pounds of pre-wetted waste.
- When the fermenter is full, it is set aside and left alone undisturbed at ambient (room) temperature for a period of 7-10 days. It is then ready to be mixed with soil although it can be left in the fermenter undisturbed for weeks and months with no harm.

## **EQUIPMENT**

A dedicated area for processing will be established. A shredding unit will be put into position so that all inoculated shredded material falls directly into the fermenter. The fermenter is then set aside with a sealed lid equipped with a safety pressure release valve cassette. The processing area will house multiple fermenters so that so that there is always enough capacity to continue the shredding/filling while other fermenters are completing the pickling process. This allows the process waste to run continually without any interruptions.

Shredding Unit: A stationary, high throughput, electrically driven shredder manufactured by Buffalo
Schulte will be used as it has the capacity of handling upwards of 1000 pounds of waste at a time. This
shredder also has the added advantage that it can be mounted in position to send all shredded product
directly to the fermenter thus eliminating the need for to fill the fermenters.



Buffalo Schulte Electrical Driven shredder

• Fermenting Unit: Poly Dura Kan fermenters are made of HDPE with casters so they can be easily moved about. They hold up to 2 tons of shredded waste and are equipped with anaerobic seals to exclude oxygen which is a requirement for successful fermenting.

### WASTE DISPOSAL PROGRAM



Poly Dura Kan Fermenter with anaerobic seal

Bokashi Culture Mix: Bokashi culture mix is the only consumable used in the recycling process. The general formula for processing is 25 pounds of culture mix per ton of waste processed. Bokashi culture mix is inexpensive and cost approximately \$25 per ton of waste processed. Waste recycled through soil quickly returns nutrients and microbes to feed new plants. The bio pulp cycled through soil re-establishes nutrients so efficiently that little additional fertilizing will be required. In addition, less watering is required due to the increased soil organic content that avidly retains water where it is needed.

#### RECONSTITUTION

After the fermenters have completed the fermentation process (7-10 days), we will then mix the resulting bio-pulp with soil. This is done by applying it to the surface at a rate of 10 pounds per square foot and tilling it so that it is mixed with soil and covered with a few inches of soil. The soil can then be used for planting after 14 days.

## **CASH MANAGEMENT PLAN**

This is the written Dispensary Cash Management Plan for HIGHER LEVEL OF CARE (hereinafter sometimes referred to as "We", "Us", "Our", or 'Facility"). This plan addresses and meets the Requirements of Chapter 19.02 of the City of Marina (hereinafter sometimes referred to as "City") Commercial Cannabis Activities Ordinance ("Commercial Cannabis Activities Ordinance"). The Facility will comply, as applicable with the Commercial Cannabis Activities Ordinance.

### INTRODUCTION

Given the Federal Government's current stance on Cannabis, banking and cash management continue to be a challenge for the Cannabis industry. Higher Level of Care and its principal has been managing this challenge since 2010 and implemented solutions to deal with and minimize the risk factors and logistical difficulties of operating a business which is traditionally "cash only".

## **IMPLEMENTATION STRATEGY**

Higher Level of Care uses two main strategies of minimizing the amount of cash both coming onto and leaving the premises; (1) "Cash Recycling" and (2) "Non-Traditional Banking".

# **Cash Recycling**

# **CASH MANAGEMENT PLAN**



# Section K

# **Odor Management**

A comprehensive odor management plan will be implemented that includes a closed loop aeration system that keeps all environmental conditions contained within the Business to prevent any odors from becoming a nuisance to adjoining properties.

### See Attachment

Odor Management Plan

# Section L

# **Signage**

Exterior signage of the facilities will adhere to the City of Marina Municipal Code Section 17.40. Business identification signage will be limited to that needed for identification only. The identification signage will not contain any logos or information that identifies, advertises, or lists the services or the products offered. The facilities will not advertise by having an individual holding a sign and advertising the business to passerby either on or off of the premises. No signs will be placed on the premises of the facilities that would obstruct any entrance or exit to the building or any window. Signage shall be reviewed and approved by the City in accordance with Municipal Code Section 17.40.

# Additional Signage

Higher Level of Care will post a sign at the entrance to the medical dispensary that includes the following language. The required text will be of sufficient size to be easily read from a distance of five feet.

**Medical -** This Dispensary only provides medical cannabis to its members, who must have legally recognized California Medical Cannabis Identification Cards or a verifiable, written recommendation from a physician for medical cannabis.

Adult-Use - This Dispensary only provides cannabis to adults who qualify under the Adult Use of Marijuana Act and applicable state law. No person under the age of 21 may enter this facility. Providing cannabis products to those under 21 is illegal and shall be prosecuted to the fullest extent of the law.

In addition a sign will be posted in a conspicuous location inside the structure at the location advising:

**Medical** - This Dispensary is registered in accordance with the laws of the City of Marina. The sale of marijuana and the diversion of marijuana for non-medical purposes are violations of State law. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.

**Adult-Use** - This Dispensary is registered in accordance with the laws of the City of Marina. The sale of marijuana and the diversion of marijuana to persons under the age of 21 are violations of State law. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.

Additionally no Cannabis products or graphics describing Cannabis will be visible from the exterior of the property.

# See Attachment

Signage Plan

# Section M

# Consistency with Chapter 19.0 of the Municipal Code

(Procedures for Adopting, Monitoring, Implementing, and Enforcing Chapter 19.0)

The applicant understands that the City Council desires to enact reasonable regulations pertaining to Cannabis Retailer to ensure that customers are afforded safe and convenient access to Cannabis, while at the same time ensuring that such uses do not conflict with the General Plan, are not inconsistent with surrounding uses, and are not detrimental to the public health, safety and welfare, and the operation of such facilities is in compliance with applicable State law and regulations. The applicant has provided an analysis of how the project is consistent with Chapter 19.0 and discusses consistency of the proposed project with the City of Marina's Municipal Code.

# See Attachment

Consistency Analysis

### ODOR MANAGMENT PLAN

This is the written Dispensary Odor Management Plan for HIGHER LEVEL OF CARE (hereinafter sometimes referred to as "We", "Us", "Our", or 'Facility"). This plan addresses and meets the Requirements of Chapter 19.02 of the City of Marina (hereinafter sometimes referred to as "City") Commercial Cannabis Activities Ordinance ("Commercial Cannabis Activities Ordinance"). The Facility will comply, as applicable with the Commercial Cannabis Activities Ordinance.

### **INTRODUCTION**

The odor caused by storage and dispensing of Cannabis can potentially impact surrounding premises if not properly addressed. A preliminary evaluation has been made of possible significant impacts of odors to the environment and mitigation measures that can be incorporated into the planning, design, and operation of the Facility. The primary purpose of Odor Management Plan is to demonstrate how the Facility will comply with the applicable environmental laws and regulations pertaining to the Facility.

### **SCRUBBING AND TREATMENT OF AIR**

The Facility intends to use a closed loop aeration system that minimizes the transference of air between the interior and exterior of the facility. Any air exhausted from the facility will first undergo a minimum of one the following treatments.

Odor Neutralization: Higher Level of Care will have an Uvonair 5000 Plus Ozone Generator supplying Ona air neutralizer for every 5,000 cubic feet of interior space. The ONA odor neutralizing products consist of complex formulations representing a variety of chemical compounds offering different functionalities, both structural and chemical. The technology behind ONA was initiated over 25 years ago. The scientist who invented ONA became fascinated when he observed that terpenes, when diffused into the environment, reduced odors and unwanted emissions. Inspired by this finding, further evidence showed that the odors were not just masked but permanently removed. The result was a set of specialized formulations that neutralize a wide spectrum of organic and inorganic odor problems — effectively, efficiently and permanently. ONA formulations have been scientifically engineered to be environmentally safe. ONA is manufactured under strict quality controls to ensure a safe and non-toxic product. The components used to make ONA are generally recognized as safe and have been commonly used in the food and cosmetics industries with a long history of safety.

<u>Terpenes</u>: Terpenes are widespread in nature, mainly in plants as constituents of essential oils. Many terpenes are hydrocarbons, but oxygen-containing compounds such as alcohols, aldehydes or ketones (terpenoids) are also found. Their building block is the hydrocarbon isoprene, CH2=C(CH3)-CH=CH21.

- Terpenes have anti-bacterial, antifungal and antiseptic properties.
- Terpenes have oxygenating properties (increases oxygen level).
- When diffused into the environment, terpenes have been found to reduce airborne chemicals and bacteria.
- Terpene characteristics appear to either destroy the odor molecule or convert it to a more acceptable level.

<u>Mechanisms of Action</u>: There are three mechanisms of action that can occur, based on the chemical and physical natures of each terpene and active ingredient versus the organic and inorganic volatile compounds.

- Adsorption All VOCs (volatile organic compounds) and odorous compounds have a solubility factor
  in ONA active ingredients. This solubility will allow the VOC compound to solubilize itself in the presence of ONA, relative to the chemistry of the emission, temperature, pH, and pressure of the environment.
- Absorption The active molecules in ONA will attract or come into contact with low molecular weight or VOCs These VOCs will enter and bond with the ONA active ingredients to eliminate odors.
- Chemical Reaction (The Pairs Theory) This involves the permanent bonding of the odorous molecule

### ODOR MANAGMENT PLAN

(VOC) and the ONA active ingredients reactive sites. This mechanism transforms the pollutant in its basic properties. As a result, odor disappears.

The affinity of the different odorous compounds (VOCs) with ONA is directly relative to their chemical composition and physical state. For example, a hydrogen sulfite can have a great affinity for certain sites of the ONA active ingredient. It can either bond electrostatically, or react in comparison to its relative solubility. This means different components will be neutralized by one mechanism compared to the other two, or a blend of each of the three. ONA is NOT a masking agent; rather, it offers a safe, effective way to PERMENANTLY ELIMINATE odors and emissions.



Uvonair 5000 Plus Ozone Generator

<u>Air Purification</u>: Higher Level of Care will use a robust and extensive system of Carbon & HEPA filters to purify the air within its Facility.

Activated carbon filters are small pieces of carbon, typically in granular or powdered block form, that have been treated to be extremely porous. It is so cavernous that just one gram of activated carbon can easily have a surface area of 500m2 or higher. Vast surface area enables these carbon filters to adsorb exponentially more contaminants and allergens than traditional carbon.

Adsorption is a distinct process where organic compounds in the air or water react chemically with the activated carbon, which causes them to stick to the filter. The more porous the activated carbon is, the more contaminants it will capture.

In air purification systems, activated carbon filters are used in conjunction with HEPA filters to trap known allergens and impurities like:

- Dust
- Lint
- Mold spores
- Smoke
- · Pet hair
- Common household chemicals
- Benzene and other VOCs

Carbon filters also help eliminate unpleasant odors so indoor air remains fresh. Used together, activated carbon and HEPA filters can trap 99.97% of small particles 0.3 microns and higher as well as most larger particles, especially spores.

<u>Transference Minimization</u>: Air Curtains prevent air, contaminants & odors from moving from one open space to another. It reduces penetration of insects and unconditioned air into a conditioned space and vice versa by forcing an air stream over the entire entrance. The air stream layer moves with a velocity and angle such that any air that tries to penetrate the curtain is entrained. Air curtain effectiveness in preventing infiltration through an entrance

## ODOR MANAGMENT PLAN

are up to 90% effective.

At each entrance and exit, Higher Level of Care will install an industrial air curtain, manufactured by Northern Tool and Equipment TPI Variable Speed Air Curtain offering 4,168 CFM keep air/odors from escaping through any exterior doorways during the extremely brief periods which they are open during operations. Doorways will only be open for the period that it takes an individual to pass through the doorway.

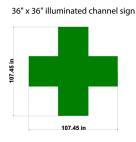


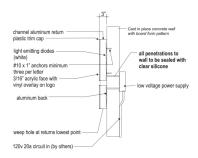
Northern Tool & Equipment TPI Variable Speed Air Curtain

Through the implementation of the above infrastructure and protocols, Higher Level of Care can ensure that any odors produced form the storage and dispensing of Cannabis will not become nuisance to our neighbors and the general public.

~53" tall x 108" wide set of 1/2" thick dimensional acrylic lettering Pantone 451 for beige/green Pantone 7401 for light beige Logo is 32" diameter circle with digitally printed graphics 14.5" tall text Qty: 1 sets 1850 fr









Installation Address:

Special Instructions:

Approval Date:

SO #:





DESIGNER TonyCalvert

PHONE

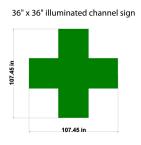
831.632-0490

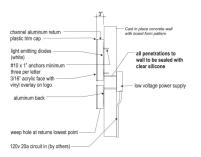
EMAIL

tony@montereysigns.com

~53" tall x 108" wide set of 1/2" thick dimensional acrylic lettering Pantone 451 for beige/green Pantone 7401 for light beige Logo is 32" diameter circle with digitally printed graphics 14.5" tall text Qty: 1 sets 18sq. ft.









Installation Address:

Special Instructions:

Approval Date:

SO #:





DESIGNER TonyCalvert

PHONE

831.632-0490

EMAIL

tony@montereysigns.com

# Analysis of Consistency with City of Marina Code Chapter 19.0

## City of Marina Municipal Code Chapter 19.0

Municipal Code Regulations (MMC)	Project Conformity
Business License (MMC Section 5)	Conforms. The applicant
1. Section 5.20.020 shall be added to the Marina Municipal	whether selling Cannabis or
Code and state the following:	Cannabis related products for
5.04.401 Cannabis Retailer: All establishments selling Cannabis	adult or medical use will pay the
or Cannabis Related Products for medicinal and adult use shall	business operation tax as set
pay a business operations tax equal to a minimum of 2.5% of	forth in the City of Marina
annual gross receipts prior to January 1, 2022, and no more	Municipal Code.
than 5% (at the discretion of City Council) beginning January 1,	Wallerpar Code.
2022. Payments are due quarterly on July 1, October 1, January	
1, and April 1 each year.	
Eligibility Requirement (MMC 19.20.020 A)	Conforms. As outlined in the
A. No person may be allowed to have any position with a	operations plan, the applicant
Dispensary other than that of Member if he or she has been	will assure that no person will
convicted of:	hold a position at the
1. Homicide;	Dispensary if they have been
2. Within the preceding 10 years, any serious or violent felony	convicted of a homicide, violent
listed in Penal Code Section 1192.7(c) or Section 667.5(c);	felony, violation of Penal Code
3. Within the preceding 10 years, any violation of Penal Code	section 243-247, or have offences
Sections 243 through 247, except for subdivision (a) of Section	of Division 10 of the Health and
243;	Safety Code as stated in the
4. Within the preceding 10 years, any offense under	MMC.
subdivisions (d) or (e) of Section 11357 or Section 11361, or	
Articles 1, 3, 5, 6, or 7 of Chapter 6 of Division 10 of the Health	
and Safety Code; or	
5. Within the preceding 3 years any felony violation of Health	
and Safety Code Section 11358, Section 11359 or Section 11360.	

Municipal Code Regulations (MMC)	Project Conformity
Background Check (MMC 19.02.020 B). Such other information deemed necessary to conduct any investigation or Live Scan Background check of the applicant, and for the City Manager to determine compliance with this Chapter, the City's Municipal Code and Zoning Code.	Conforms. Each applicant, owner, manager, employee, or any other individual who participates in the dispensing or transporting of cannabis or participates in daily operations of the facility will submit to a fingerprint based Live Scan background check conducted by the City police department.
Fees and charges (MMC 19.02.020 C - F).  C. All applicants shall pay an application fee, a permit fee, and all inspection fees that may be required as part of the application process, as specified in the City's Master Fee Schedule.  D. At the time of submission of dispensary permit application, the applicant shall pay a dispensary permit application fee not to exceed \$8,000. The fee amount shall be set by City Council resolution per the City's Master Fee Schedule  E. Notarized, written authorization from the property owner(s) that a Commercial Cannabis Business may be operated at the	Conforms. Prior to initiation of operations of the medical cannabis facility, all fees will be paid as set forth if the City's Master Fee Schedule.  In addition the applicant will pay a dispensary permit application fee. The fee amount shall be set by City Council resolution per the City's Master Fee Schedule
site.  F. The name and address of Managers or responsible agents of the Commercial Cannabis Business, which shall be updated not less frequently than annually.	The applicant has submitted, as part of this application, a notarized letter from the property owner acknowledging the operation of a Cannabis Business on the property. The applicant will provide the appropriate authority the name and address of managers at the Cannabis Business.

Operations Plan (MMC 19.02.030) All applicants must provide a plan of operations that will describe how the dispensary will operate consistent with State Law and the provisions of this Chapter including but not limited controls to ensure medical or Adult cannabis will be dispensed only to qualified adults, qualified patients and primary caregivers. Dispensaries shall comply with Health and Safety Code Sections 11362. 7 et seq. and any other state laws that may be adopted concerning Medical or Adult Cannabis, California's Medical Marijuana Regulation and Safety Act, the Adult Use of Marijuana Act, the Attorney General's Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use, and any other applicable City laws or regulations, and shall pay all applicable state or local taxes. Dispensaries shall also comply with the operating standards set forth in this Section.

### **Project Conformity**

Conforms. The applicant has submitted an operations plan within this application outlining dispensing procedures. These regulations conform to all state laws and regulations. The dispensary will pay all applicable state or local taxes.

### Membership (MMC 19.02.030 A-F)

- A. Medical Dispensaries may consist only of Members.
- B. Medical Dispensaries may only obtain Medical Cannabis from, and supply Medical Cannabis to, their Members.
- C. Dispensaries may not admit any person as a Member without first verifying her or his status as a qualified patient or primary caregiver as defined by state law, and shall immediately cancel the membership of any person who diverts Medical Cannabis for non-medical use or in any minor not permitted by this Chapter or State law.
- D. Physicians' recommendations shall be verified prior to granting membership and at least every twelve (12) months thereafter, and a physical or digital record shall be kept of such verification. No Medical Cannabis may be dispensed except to a Member and pursuant to a recommendation that is no more than twelve (12) months old, unless the recommendation expressly states that it has a longer term or does not expire.

Conforms. The medical dispensary will consist only of Members. The dispensary will obtain and supply medical cannabis solely to its Members.

The dispensary will verify
Member's status as a qualified
patient or primary caregiver
before admitting them into the
dispensary. In addition
Physicians' recommendations
will be verified prior to granting
memberships.

The Adult Use dispensary will comply with all aspects of the Adult Use of Marijuana Act and will receive a license from the

Municipal Code Regulations (MMC)	Project Conformity
E. Adult Dispensaries must comply with all aspects of the	State prior to starting
Adult Use of Marijuana Act and must receive a license from	operations.
the State prior to start of operations, and shall maintain license	The dispensary will limit access
throughout operations.	to Medical Cannabis, Medical
F. Non-Diversion. Medical dispensaries shall take all	Cannabis Products and Edibles
practicable steps necessary to prevent and deter diversion of	to authorized personnel only
Medical Cannabis to non-Members. Dispensaries must limit	and maintain an inventory
access to Medical Cannabis, Medical Cannabis Products and	management system that will
Edibles to authorized personnel only, and must maintain an	account for all Medical Cannabis
inventory management system that accounts for all Medical	including Cannabis Products
Cannabis, Medical Cannabis Products and Edibles.	and Edibles.
Dispensing (MMC 19.02.040 A-E)	Conforms. As stated in the
A. Medical Dispensary may not dispense to any person who is	operations manual, Membership
not a Member, and may not dispense without first verifying	Compliance section, the
membership.	dispensary will verify Member's
B. Medical Dispensary may not provide more Medical	status as a qualified patient or
Cannabis to an Individual than is necessary for that person's	primary caregiver before
personal medical use.	admitting them into the
	dispensary.
C. Dispensary may not distribute free samples for promotional	Appropriate amounts of
purposes outside of the Dispensary premises.	Medical Cannabis will be
D. No dispensary shall dispense Medical Marijuana from more	provided as necessary for
than one (1) location in the City of Marina.	Members personal medical use.
E. No owner of dispensary in the City shall open a second	Free samples outside the
dispensary in the City; except that medical dispensaries and	Dispensary will not be
co-located or adjacent Adult dispensaries may have the same	distributed for promotional
ownership.	purposes.
	The applicant will only dispense
	in one location in the City of

Marina, and it will not own a

second dispensary in the City of

Municipal Code Regulations (MMC)	Project Conformity
	Marina unless it is an adjacent or co-located Adult dispensary.
Members and Employees (MMC 19.02.050 A&B) A. All employees and volunteers must be Members who are at least 21 years of age.  B. Medical Dispensaries may not admit any person under 18 years of age to membership without written authorization of a parent or legal guardian. Any Member under 18 years of age shall be accompanied by a parent or legal guardian at all times that such person is at the Dispensary.	Conforms. All volunteers and employees will be at least 21 years of age. No person under the age of 18 will be admitted to membership without written authorization of a legal guardian or parent. Members under 18 years of age shall be accompanied by a legal guardian or parent at all time that they are at the Dispensary.
Development Operating Agreement (MMC Section 6).  Section 5.04.403 shall be added to the Marina Municipal Code and state the following: Prior to operating in the City and as a condition of issuance of a Use Permit each Cannabis facility shall enter into an annual development/operating agreement with the City setting forth the terms and conditions under which the Cannabis facility will operate that are in addition to the requirements of this chapter, including, but not limited to payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety and welfare.	Conforms. Prior to initiation of operations of the medical cannabis facility and issuance of a Use Permit or Administrative Use Permit, the operator will enter into an annual development /operating agreement with the City of Marina and mutually agree to terms and conditions that will protect and promote the public health, safety, and welfare.
Adult Dispensaries (MMC 19.02.060 A-E)  A. Dispensary may not dispense to any person who is not 21 years of age or older.  B. Dispensary may not distribute free samples for promotional purposes outside of the Dispensary premises.  C. No dispensary shall dispense Adult Marijuana from more	Conforms. The Applicant for the adult use dispensary will not dispense to any person who is not 21 year of age or older. Nor will the dispensary distribute free samples for promotional

than one (1) location in the City of Marina, however, subject to State requirements, may have a co-located or adjacent Medical and Adult location.

D. No owner of dispensary in the City shall open a second dispensary in the City; except that medical dispensaries and co-located or adjacent Adult dispensaries may have the same ownership.

E. All adult dispensaries must hold a valid and current Use Permit from the City of Marina pursuant section 19.08.010 (d) of this chapter.

### **Project Conformity**

purposes outside the dispensary.

The applicant will not have more than one Adult Use
Cannabis facility in the City of
Marina unless it has a co-located or adjacent Medical and Adult
Use location.

The applicant will hold a valid and current Use Permit from the City of Marina pursuant to Section 19.08.010 (d).

### Security (MMC 19.02.070 A-H)

A. Dispensaries shall provide adequate security and lighting on-site to ensure the safety of persons and protect the premises from theft at all times. Lighting shall be of sufficient intensity to illuminate all areas of the parking lot, if any. Lighting shall comply with Marina Municipal Code 15.34.080.

B. Dispensaries must maintain security guards and camera coverage of their entire grounds to an extent sufficient to ensure the safety of persons and deter crime. Cameras must be maintained in good condition, and use a format approved by the City Manager or his/her designee, which is of adequate quality, color rendition and resolution to allow the ready identification of any individual committing a crime. The cameras shall be m use 24 hours per day, seven (7) days per week. The areas to be covered by the security cameras include, but are not limited to, dispensing areas, storage areas, cultivation areas, all doors, parking lots, anyplace where new product is delivered and any other area determined by the City Manager or her/his designee. Surveillance footage must be retained for a period of 90 days and made available to the

Conforms. The proposed dispensary will be located on developed property with existing light fixtures. If not already meeting City Code requirements, lighting on site will be upgraded to conform to MMC 15.34.080 and ensure the safety of persons and protect the premises from theft. Lighting installed on the building will be subject to review and approval by the City of Marina.

The applicant will maintain security guards and camera coverage of the entire property. The cameras will meet the City Manager or his/her designee, format and print quality.

Marina Police Department for purposes of investigation of alleged crimes, promptly upon request without the necessity of a warrant or subpoena.

- C. Dispensaries must be equipped with an alarm system that is operated and monitored by a security company licensed by and in good standing with the California Department of Consumer Affairs. Alarms shall be maintained and in good working condition at all times.
- D. In order to prevent unauthorized entry during non-business hours, a Dispensary shall either secure all points of entry with bars, retractable, folding or sliding metal gates, or metal rollup or accordion doors, none of which may be visible from the exterior, or provide at least one security guard during those hours.
- E. Any security guards employed by Dispensaries shall be licensed and possess a valid Department of Consumer Affairs "Security Guard Card" at all times. Security personnel may not be armed.
- F. All Medical or Adult Cannabis, Medical or Adult Cannabis Products and Edibles, except for limited amounts used for display purposes, samples or immediate sale, shall be securely stored at all times, and the entrance to all storage areas shall be locked and under the control of staff.
- G. Dispensaries shall make transactions with payment methods other than cash when feasible. All cash received, except that needed for retail customer transactions shall be kept in a secure receptacle such as a drop safe or other type of safe.
- H. Dispensaries shall notify the Marina Police Department and the licensing authority within 24 hours after discovering any of the following:

### **Project Conformity**

Footage will be maintained for 90 days and made available to the City Police Department.

The dispensary will also install an alarm system that meets state requirements.

The dispensary will either secure all points of entry with bars, retractable, folding or sliding metal gates, or metal rollup or accordion doors, none of which will be visible from the exterior, or provide at least one security guard during non-business hours.

The security guards employed by the Dispensary shall be licensed and possess a valid Department of Consumer Affairs "Security Guard Card" at all times. Security personnel will not be armed.

All cannabis or cannabis products not used for display, samples or immediate sale, will be securely stored at all times, and the entrance to all storage areas will be locked and under the control of staff.

All cash received, except that needed for retail customer transactions will be kept in a

- 1. Significant discrepancies identified during inventory;
- 2. Diversion, theft, loss, or any criminal activity involving the dispensary or any agent or employee of the dispensary;
- 3. The loss or unauthorized alteration of records related to medical or Adult cannabis, registered qualifying patients, primary caregivers, or dispensary employees or agents; or
- 4. Any other breach of security.

### **Project Conformity**

secure receptacle such as a safe.
The Dispensary will notify the
Marina Police Department and
the licensing authority if a
security breach occurs.

All Medical or Adult Use
Cannabis, Medical or Adult use
Cannabis Products and Edibles,
except for limited amounts used
for display purposes, samples or
immediate sale will be securely
stored in a locked staff
controlled area.

The Marina Police Department will be notified within 24 hours if there are Significant discrepancies, theft or loss or any criminal activity involving any agent or employee, any records are altered or if there is a breach in security.

### Signage (MMC 19.02.080 A-D)

A. Sign shall be posted at the entrance to any Dispensary that includes the following language. The required text shall be of sufficient size to be easily read from a distance of five feet.

### For Medical:

This Dispensary only provides medical cannabis to its members, who must have legally recognized California Medical Cannabis Identification Cards or a verifiable, written recommendation from a physician for medical cannabis.

### For Adult Use:

This Dispensary only provides cannabis to adults who qualify

Conforms. Signage will be displayed in the dispensary to meet MMC Section 19.02.080 and conform to MMC Section 17.40. (See rendering in application package)

No Cannabis products or graphics describing cannabis will be visible from the exterior of the property.

Municipal Code Regulations (MMC)	Project Conformity
under the Adult Use of Marijuana Act and applicable state law.  No person under the age of 21 may enter this facility.  Providing cannabis products to those under 21 is illegal and shall be prosecuted to the fullest extent of the law.  B. A sign shall be posted in a conspicuous location inside the structure at the location advising:  For Medical:  This Dispensary is registered in accordance with the laws of the City of Marina. The sale of marijuana and the diversion of marijuana for non-medical purposes are violations of State law. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.  For Adult:  This Dispensary is registered in accordance with the laws of the City of Marina. The sale of marijuana and the diversion of marijuana to persons under the age of 21 are violations of State law. The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery.  C. No Cannabis products or graphics describing cannabis shall be visible from the exterior of the property.	Project Conformity
D. Signage for a dispensary shall comply with Marina Municipal Code 17.40.	
Neighborhood Compatibility (MMC 19.02.100 A-J)  A. Dispensaries shall be operated to ensure neighborhood compatibility, and shall take all steps necessary to ensure that customers do not create neighborhood disturbances.  B. Dispensaries shall provide the Police Department and all residents and property owners within 100 feet with the current name, phone number, secondary phone number, and e-mail address of an on-site community relations staff person to whom notice of any operating problems associated with the	Conforms. The applicant will operate the dispensary in a manner that is courteous to the surrounding neighborhood.  The dispensary will provide the Marina Police Department and residents within 100 feet of the property with current contact information for the community

establishment may be reported. This information shall be updated as necessary to keep it current. Dispensaries shall encourage neighbors to call this person to try to solve any operating problems.

C. All Dispensaries shall have an on-site manager responsible for overall operation at all times they are open, and shall provide the Police Department with contact information for all such persons, including telephone number, street address and e-mail address. Dispensaries shall also provide the Police Department with the current name and phone numbers of at least one 24-houron-call manager. This information shall be updated as necessary to keep it current.

- D. Dispensaries shall take all reasonable steps to discourage and correct objectionable conditions that constitute a public or private nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties. Such conditions include, but are not limited to: smoking; creating a noise disturbance; drinking; loitering; littering; and graffiti.
- E. Dispensary will be of an architectural and visual quality and character which harmonizes with, and enhances, the surrounding area and that the design will avoid unduly large or obtrusive signs, un-landscaped parking areas, unduly bright or garish lighting, or design features which encourage loitering as determined by the Zoning Administrator.
- F. That adequate litter receptacles will be provided where appropriate.
- G. Where the dispensary or delivery only dispensary is in proximity to residential uses, it will be limited in hours of operation, and designed and operated, so as to avoid disruption of residents' sleep.
- H. No cannabis or cannabis odors shall be detectable by sight

### **Project Conformity**

relations staff person. This will be updated periodically to ensure it is current.

The dispensary will have a manager on duty at all times of operation and provide their contact information to the Police Department.

The applicant will take all reasonable steps to discourage and correct objectionable conditions that constitute a public or private nuisance in parking areas, sidewalks, alleys, and areas surrounding the premises and adjacent properties (e.g. smoking; creating a noise disturbance; drinking; loitering; littering; and graffiti).

The Dispensary will be of an architectural and visual quality and character which harmonizes with neighborhood. (See attached building elevations and renderings)

Appropriate waste disposal and trash receptacles will be used to promote cleanliness of the property.

The proposed dispensary is not

Municipal Code Regulations (MMC)	Project Conformity	
or smell outside of a permitted facility.	proximate to residential uses	
I. Dispensaries shall ensure all graffiti is removed from	and will comply to hours of	
property and parking lots under their control within 24 hours	operation as required in the	
of its appearance.	MMC.	
J. Dispensaries shall operate only between the hours of 9:00	The applicant has submitted an	
a.m. and 11:59 p.m.	odor management plan with this	
•	application that will keep the	
	cannabis odor within the	
	dispensary.	
	Any graffiti will be removed in a	
	timely manner, not more than 24	
	hours after discovery.	
	The Dispensary will operate	
	only between the hours of 9:00	
	a.m. and 11:59 p.m.	
Consumption (MMC 19.02.110 A-D)	Conforms. As noted in the	
A. Smoking of Medical Cannabis is prohibited at Dispensaries.	Operations Plan the dispensary	
B. Sale or consumption of tobacco is prohibited at Dispensaries.	will prohibit smoking of	
C. Sale, service and consumption of alcoholic beverages at	Medical Cannabis, the sale or	
Dispensaries is prohibited, and Dispensaries shall prohibit any	consumption of tobacco,	
person in possession of an alcoholic beverage from entering or	alcoholic beverages, and the	
remaining on the premises.	possession of an alcoholic	
D. This subdivision does not prohibit the testing of Medical or	beverage on the premises.	
Adult Cannabis Products by staff of a Dispensary or the use of	The applicant understands	
tinctures or topical Medical Cannabis Products that do not	Medical or Adult Use Cannabis	
have intoxicating effects.	Product testing by staff of their	
	Dispensary or the use of	
	tinctures or topical Medical	
	Cannabis Products that do not	
	have intoxicating effects is	
	permitted in the Dispensary.	

### Regulatory Fees / Seller's Permit (MMC 19.02.120 A-G)

- A. The cannabis dispensary shall allow access to dispensary facilities and records if requested by the City, its officers, or agents, and shall pay for an annual inspection and submit to inspections from the City or its officers to verify compliance with all relevant rules, regulations, and conditions.
- B. The applicant, owner, and all permittees agree to submit to, and pay for, inspections of the operations and relevant records or documents necessary to determine compliance with this Chapter from any enforcement officer of the City or their designee.
- C. Any person operating a medical or Adult cannabis dispensary shall obtain a valid and fully executed commercial medical or Adult cannabis permit pursuant to 19.02 of the Marina Municipal Code prior to commencing operations and must maintain such permit in good standing in order to continue operations.
- D. Upon implementation of state regulations pursuant to California Business and Professions Code Section 19320, a valid license from the State shall be required to operate any commercial medical cannabis activity.
- E. The owner shall post or cause to be posted on site the Use Permit and all required City, County and state permits and licenses required to operate. Such posting shall be in a central location, visible to the patrons, at the operating site, and in all vehicles that deliver or transport marijuana.
- F. The owner shall be responsible for ensuring that all commercial medical cannabis activities at the site operate in good standing with all permits and licenses required by the Marina Municipal Code and State law. Failure to take appropriate action to evict or otherwise remove permittees and persons conducting commercial medical cannabis activities at the site who do not maintain permits or licenses in good

### **Project Conformity**

Conforms. The dispensary will allow access to records, pay annual inspection fees, and submit to inspections from the City or its officers to verify compliance with all relevant rules, regulations and conditions.

The applicant will obtain a valid and fully executed commercial Medical or Adult Use cannabis permit pursuant to MMC 19.02 and a valid license from the State before commencing any commercial medical or adult use cannabis activity. The Use Permit and all required City, County and State permits and licenses required to operate the facility will be posted at the dispensary.

The applicant will obtain all permits and licenses required by the Marina Municipal Code and State law needed to remain in good standing or understands the Use Permit will be revoked per MMC Section 17.80.

Additionally the Dispensary will comply with all physical accessibility requirements

Municipal Code Regulations (MMC)	Project Conformity
standing with the City or State shall be grounds for the	pursuant to the American
suspension or revocation of a Use Permit pursuant to Section	Disability Act.
17.80 of the Marina Municipal Code.	
G. Dispensaries shall comply with all physical accessibility	
requirements pursuant to American Disability Act.	
Location (MMC 19.02.010)	The project site is not located
No new Cannabis Premise shall be located within 600 feet of a	within a 600 feet radius of a
school providing instruction in kindergarten or any grades 1	school, day care center, or youth
through 12, day care center, or youth center that is in existence	center.
at the time the license is issued. All distances shall be measured	There are no other applications
in a straight line, without regard to intervening structures,	for a dispensary within 1,000
from the nearest point of the building or structure in which the	feet of this proposed location
Cannabis Premise is, or will be, located to the nearest property	known to the applicant.
line of those uses describe in this Subsection.	The applicant has proposed the
Dispensaries shall not be located within one thousand hundred	Medical Dispensary and the
(1,000) feet of another dispensary, unless the adjacent	Adult Use Dispensary be located
dispensary is a medical dispensary locating next to an adult	adjacent to one another in a
dispensary or the opposite.	single building.

Source: City of Marina Municipal Code, EMC Planning Group, Site Plan, May 29, 2019, and Jimmy Mondala, Floor Plan, May 13, 2019, Higher Level of Care. Business Permit Management Plans

### Section N

# **Development / Operating Agreement**

As stated in Section 19.11 Severability, Section 6, prior to operating in the City and as a condition of issuance of a regulatory permit, each Cannabis Business shall enter into a development / operating agreement with the City setting forth the terms and conditions under which the Cannabis Business will operate. Operations must be consistent with the requirements of Section 19.09, including, but not limited to, public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety, and welfare.

The development / operating agreement required by section 19.09 and the design and layout of a Cannabis Business authorized under section 19.09, shall be subject to the review and approval of the City Council prior to the issuance or renewal of a use permit.

The applicant understands that a "permit issuance fee" for the cost to the City for preparing a development agreement, City Council review, and approval of the development agreement as authorized by the City Council, is due and payable in full, at the time the City issues a Use Permit. A Development Agreement will be provided to the City of Marina at a later date.

### City Reimbursement

The management staff of the proposed Cannabis Business located at 3016 Del Monte Boulevard, Marina, California, will reimburse the City of Marina for all costs incurred in review and evaluation of the application for the cannabis regulatory permits, issuance of said permit(s), and implementing and administering the cannabis regulatory permit program authorized under Chapter 19.0 of the City of Marina Municipal Code.

# HIGHER LEVEL OF CARE 3016 Del Monte Blvd., Marina Cannabis Retail Neighborhood Compatability Survey

_	<u>Parcel Number</u>	<u>Owner</u>	<u>Name</u>	<u>Phone</u>	Signature of Non-Opposition	Preferred Local Charity
		HPJ, LLC	William D. Massa		William D. Massa	none
		Gates Gerald C & Tracey Boone TRS			E7FFE358459A4AA	
		Monterey Bay Aquarium Foudation	Cynthia Vernon		Cynthia Vernon	Monterey Bay Aquarium
		Russell Realty Enterprises			E7B124C878334CE	
		Peninsula Petroleum, LLC	Abraham Lopez		Boddogned By.	None
_					FE6A35168CA9449	



### EMC PLANNING GROUP INC.

A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue Suite C Monterey California 93940 Tel 831·649·1799 Fax 831·649·8399 www.emcplanning.com

To:		Layne Long, City Manager					
		City of Marina					
		221 Hillcrest Avenue					
		Marina, CA 93933					
From:		EMC Planning Group					
Cc:		Salvatore Palma					
Project:		Higher Level of Care 3016 Del Monte Blvd.			Project No:		CS-637
Date:		June 7, 2019					
Re:		Permit Application for Commercial Cannabis Business - Retail A/M					
I am sending to you the following documents via hand delivered by client.  Application package (2 binders)							
Flash Drive with Electronic Application package							
Check for fee (\$8,000)							
<b>□</b>	Urgent For Revie	w	<u> </u>	Please Comment For Your Use		<u> </u>	Per Your Request Please Return
Message:							
Copy to file							