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**RESOLUTION NO. 2019-119**

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUISUN CITY, CALIFORNIA, APPROVING THE FOLLOWING DOCUMENTS TO ESTABLISH A REQUEST FOR APPLICATIONS PROCESS FOR REVIEW AND SELECTION OF A RECOMMENDED OPERATOR FOR A CANNABIS STOREFRONT RETAILER/DISPENSARY PURSUANT TO SUISUN CITY CODE SECTION 18.49.160(B): (1) REQUEST FOR APPLICATIONS GUIDELINES AND PROCEDURES; (2) SUPPLEMENTAL SECURITY REQUIREMENTS – CANNABIS STOREFRONT RETAILER/DISPENSARY; AND (3) NOTICE OF REQUEST FOR APPLICATIONS – STOREFRONT RETAILER/DISPENSARY**

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**WHEREAS**, on May 29, 2018, the City Council of the City of Suisun City (“City”) adopted Ordinance No. 750, adding Chapter 18.49 (Cannabis Regulatory Program) to the Suisun City Code (“SCC”) to establish a comprehensive regulatory scheme relating to commercial cannabis activities, including requiring all commercial cannabis uses to obtain a commercial cannabis business permit (“CCBP”) issued by the City prior to commencing operation; and

**WHEREAS**, SCC Section 18.49.160(A) provides that no more than one CCBP for a cannabis storefront retailer or “dispensary” requiring a Type 10 License issued by the State Bureau of Cannabis Control (“Storefront Retailer”) may be active or valid at any one time in the City; and

**WHEREAS**, SCC Section 18.49.160(B)(1) provides that applications for Storefront Retailers may only be accepted pursuant to a Request for Applications (“RFA”) process conducted pursuant to Section 18.49.160(B);

**WHEREAS**, SCC Section 18.49.160(B)(2) provides that the City’s Development Services Director (“Director”), in his or her discretion, may initiate and conduct an RFA process whenever there is no existing CCBP for a Storefront Retailer in the City; and

**WHEREAS**, SCC Section 18.49.160(B)(3) provides that the Director, upon initiating an RFA process, shall prepare an RFA for the purpose of soliciting applications for the establishment of a Storefront Retailer, and that responses to the RFA, including regulations and other requirements that the Director may promulgate to guide the RFA process, shall be deemed applications for a CCBP for a Storefront Retailer, pursuant to SCC Sections 18.49.080 and 18.49.090; and

**WHEREAS**, SCC Section 18.49.160(B)(4) provides that the City Manager shall develop, for Council approval, a process for reviewing and selecting a recommended operator for a Storefront Retailer from applications received through the RFA process; and

1           **WHEREAS**, pursuant to SCC Section 18.49.160(B)(4), if the City Council selects a  
2 recommended operator for a Storefront Retailer, then upon complying with all applicable City  
3 laws and requirements for operation of a Storefront Retailer and any conditions of approval  
4 imposed through the RFA process, the successful applicant will be issued a CCBP and will  
5 thereafter be authorized to commence business in the City for the one-year term of the CCBP  
6 until renewal is required pursuant to SCC Sections 18.49.140 and 18.49.160(B)(6); and

7           **WHEREAS**, the City has not yet established, initiated or conducted any RFA process  
8 pursuant to SCC Section 18.49.160(B) or issued any CCBP for the establishment or operation  
9 of any Storefront Retailer in the City.

10           **NOW, THEREFORE, BE IT RESOLVED, THE CITY OF SUISUN CITY DOES  
11 HERBY RESOLVE AS FOLLOWS:**

12           **Section 1.**     The foregoing recitals are true and correct, and are incorporated herein  
13 by this reference.

14           **Section 2.**     The City Council finds and determines that this Resolution is exempt  
15 from review under the California Environmental Quality Act (CEQA) pursuant to CEQA  
16 Guidelines Section 15061(b)(3), in that there is no possibility that the activity in question may  
17 have a significant effect on the environment, because this Resolution merely establishes a  
18 process through which applications for issuance of a commercial cannabis business permit  
19 authorizing operation of a cannabis storefront retailer in the City can be accepted and evaluated  
20 by the City. The actions provided for in this Resolution, taken individually or collectively, do  
21 not authorize operation of any cannabis storefront retailer in the City. Any approval of an  
22 application for issuance of a commercial cannabis business permit for a storefront retailer, as is  
23 necessary for authorization of such an operation, would be the subject of a separate and  
24 subsequent review by the City Council. Because separate, subsequent discretionary actions by  
25 the City Council are required before a storefront retailer can be authorized to operate in the  
26 City, no impact on the environment can result from the actions provided for in this Resolution  
27 for purposes of Section 15061(b)(3). Finally, none of the exceptions to Categorical Exemptions  
28 set forth in CEQA Guidelines Section 15300.2 apply to the actions provided for this Resolution.

**Section 3.**     The “Notice of Request for Applications – Storefront  
Retailer/Dispensary” (“RFA Notice”), attached hereto as Exhibit “A” and incorporated herein  
by this reference, is hereby approved. The RFA Notice, or a substantively similar notice, shall  
be used by the Director for the initiation of any Request for Applications process initiated or  
conducted by the Director pursuant to SCC Section 18.49.160(B)(2).

**Section 4.**     The “Request for Applications - Guidelines and Procedures” (“RFA  
Guidelines and Procedures”), attached hereto as Exhibit “B” and incorporated herein by this  
reference, is hereby approved, and shall apply to any Request for Applications process initiated  
or conducted by the Director pursuant to SCC Section 18.49.160(B)(2).

