

## REQUEST FOR APPLICATIONS GUIDELINES AND PROCEDURES

This document (hereafter the “RFA Guidelines and Procedures”) outlines the application process, required materials and review criteria for the consideration of applications, submitted in response to any “Request for Applications” (“RFA”) process initiated by the City of Suisun City (“City”) pursuant to Suisun City Code (“SCC”) Section 18.49.160(B), for a City-issued commercial cannabis business permit (“CCBP”) to operate as a cannabis storefront retailer/dispensary (“Storefront Retailer”) in the City.

To be considered under the first RFA process initiated by the City pursuant to SCC Section 18.49.160(B) and these RFA Guidelines and procedures, applications must meet the criteria set forth herein, satisfy any and all other applicable requirements as set forth in SCC Chapter 18.49, and be submitted to the City during the RFA application period of **8:00 a.m. July 15, 2020 through 5:00 p.m. September 1, 2020**. Applicants must **schedule an appointment** to submit an application, and applications (with applicable fees) shall be submitted to the Development Services Department located at 701 Civic Center Blvd., Suisun City, CA 94585.

### **Application Requirements**

Each application shall include the materials and comply with the requirements set forth in these RFA Guidelines and Procedures, as follows (without limitation as to any other applicable requirements set forth in SCC Chapter 18.49 or otherwise established by or pursuant to the authority of the City Council):

1. **Application Submission.** Applicants, by appointment, must hand-deliver five (5) completed and signed copies of their application, including all attachments, along with a flash drive containing one completed and signed copy of the application in PDF format, and payment of the required application fees, to the City’s Development Services Department during the application period. All application contents, as provided above, shall be enclosed in a sealed envelope or container and addressed to the City of Suisun City, Development Services Department, 701 Civic Center Blvd., Suisun City, CA 94585. **Late applications will not be accepted or considered.** No person or entity may submit multiple applications. The applicant shall be the owner(s) of the proposed Storefront Retailer that is the subject of the application.
2. **Application Deposit.** Payment of an initial deposit, in the amount established by resolution of the City Council, toward the Preliminary RFA Application Review Fee is required at the time of application submission, and may be made by a certified check, cashier’s check, or money order made payable to the City. Deposited amounts expended by the City are non-refundable. Deposited amounts remaining unexpended upon the conclusion of the RFA process will be refunded upon request of the fee payor.
3. **Required Application Contents.** Applications must include the following sections, lettered and in the sequence as noted.
  - A. **Application Form.** Include a fully completed and signed RFA application form in each set of application materials. The form will be promulgated by the City’s Development Services Department and provided by said department to prospective applicants upon request.
  - B. **Proposed Location.** Include the address, assessor’s parcel number(s), and a detailed description of the proposed location. This section should also describe and generally

characterize all uses within 600 feet of the property line of the proposed location. The proposed site must be located in the Commercial Services and Fabrication (CSF) zone and Commercial Mixed Use (CMU) zone and may not be located within 600 feet of a K-12 school, commercial daycare center, or youth center.

- C. **Site Control.** Provide a statement regarding whether the applicant has legal control of the proposed Storefront Retailer site or location. The City considers site control a requirement in enabling an operator to commence business activities in a timely manner. Demonstration of any legal control through proof of ownership, tenancy, or other legal right or entitlement to control of the site should be included with the application.

Scoring is as follows:

- |                                    |           |
|------------------------------------|-----------|
| - Lease                            | 5 points  |
| - Ownership/Substantial Renovation | 10 points |
| - New Building                     | 20 points |

- D. **Business Plan.** With as much detail as possible, describe:

- The day-to-day operations of the proposed Storefront Retailer, which are to meet industry best practices for Storefront Retailer uses.
- How the proposed use will conform to local and state laws and regulations.
- How cannabis and cannabis products will be tracked and monitored to prevent theft and diversion.
- A schedule for commencement of operation, including a narrative outlining any proposed construction and improvements and a timeline for completion of work.
- A budget for construction, operation, maintenance, compensation of employees, equipment costs, utility costs, and other operation costs. The budget must demonstrate sufficient capital in place to pay startup costs and at least three months of operating costs, and must describe the sources and uses of funds.
- A pro forma for at least three years of operation.

- E. **Compliance with City Regulations.** Describe in detail how the proposed use will comply with SCC Sections 18.49.150 “General Operating Standards and Restrictions” 18.49.160 “Commercial Cannabis Retailer (Storefront and Non-Storefront): Establishment, Operating Standards and Restrictions.”

- F. **Floor Plan/Elevations.** Depict existing and proposed conditions. The floor plan(s), elevations, site layout and vector isometric renderings should be accurate, dimensioned and to-scale (minimum scale of 1/4”). If new building construction is proposed, provide a preliminary site layout and floor plan, preliminary elevations, vector isometric renderings.

- G. **Qualifications of Applicants.** Include information concerning applicant’s past experience with operation of any commercial cannabis businesses, including, but not limited to, Storefront Retailers/Dispensaries. Provide details on all such businesses that have been under the full or partial ownership or management of the applicant, including the full legal name, location, commencement date, and current status of the operation (including date of termination of the business and description of the reason for termination, if applicable). To the extent applicable, disclose and describe: (1) any and

all state or local cannabis permits or licenses currently held by the business or applicant; (2) any administrative order or civil judgment ever entered against the business or applicant for violation of labor standards; (3) any suspension or revocation of a state or local cannabis license or permit ever held by the business or application; and (4) any sanctions for unlicensed/unpermitted commercial cannabis activity ever imposed by a state or local agency against the business or applicant. Describe any special qualifications or licenses of the applicant that would add to the number or quality of services that the proposed Storefront Retailer would provide, especially in areas related to medicinal or scientific applications of cannabis or cannabis products.

- H. **Neighborhood Compatibility.** Address the degree to which the proposed use is compatible with surrounding uses and how the proposed use, including its exterior areas and surrounding public areas, will be managed to avoid becoming a nuisance or having impacts on its neighbors and the surrounding community. Include a site plan (accurate, dimensioned and to-scale) for the proposed location. Every cannabis business must describe how the business interacts with the neighborhood. You need to meet with your neighbors to get feedback on what to include in your Good Neighbor Policy for your business, they in turn will be added to you conditions of approval.
- I. **Safety and Security Plan.** The application shall include:
- A detailed security plan meeting and confirming ability to comply with the requirements of SCC Section 18.49.150(H) and the Supplemental Security Requirements for Storefront Retailers/Dispensaries adopted by the City Council. This plan should also include a description and detailed schematic of the overall facility security of the proposed use. It should have details on operational security, including but not limited to general security policies for the facility, employee specific policies, training, sample written policies, transactional security, visitor security, third party contractor security and delivery security. In particular, applications should address ingress and egress, perimeter security, product security (at all hours), internal security measures for access (area specific), types of security systems (alarms and cameras), and security personnel to be employed. Security plans will not be made public.
  - A detailed fire safety plan. This plan should describe the fire prevention, suppression, HVAC and alarm systems the facility will have in place. An appropriate plan will have considered all possible fire, hazardous material, and inhalation issues/threats and will have both written and physical mechanisms in place to deal with each specific situation. The plan should reflect compliance with all applicable provisions of the California Fire Code and other applicable laws and regulations.
  - A detailed fire evacuation plan. This plan should depict the location of all exits, the primary and secondary evacuation routes, and the distance to all exits. The plan should reflect compliance with all applicable provisions of the California Fire Code and other applicable laws and regulations.
- J. **Community Benefits.** Describe the benefits that the proposed use would provide to the local community, such as community contributions, participation in or support of community organizations, drug abuse awareness education, or other contributions or activities that will benefit the community.
- K. **Labor & Employment.** If applicant is proposing higher wages the application could describe to what extent the Storefront Retailer will adhere to heightened pay and benefits standards and practices, including recognition of the collective bargaining rights of

employees. Specific practices that are subject to consideration include the following:

- i. Providing a description of proposed payroll practices/use of payroll consultants that document employee compensation.
  - ii. Providing compensation to and opportunities for continuing education and training of employees/staff (include proof of the proposed business' policies and regulations for employees);
  - iii. Providing a "living wage" to the proposed business' staff and employees. The proposed wage scale should be provided in writing for all levels of employment within the business. "Living Wage" shall mean 150% of the minimum wage mandated by California or Federal law, whichever is greater.
  - iv. Describing the extent to which the proposed business will be a locally managed enterprise whose owners reside in or within the vicinity of the City.
- L. **Air Quality/Odor Control Plan.** Describe how interior air circulation, ventilation and filtration systems will minimize impacts to employees' and customers' health and welfare and prevent any odor impacts to surrounding businesses or the public.
- M. **Criminal History Check.** As part of the RFA Process, each owner and manager of the proposed Storefront Retailer must undergo a criminal background check, administered by the Suisun City Police Department using "Live Scan," demonstrating that he or she has not been convicted within the last ten years of a felony substantially related to the qualifications, functions or duties of operation of a Storefront Retailer (such as a felony conviction for distribution of controlled substances, **not including cannabis**, money laundering, racketeering, etc.). All fees and costs associated with completing background checks shall be paid by the applicant. No individual who does not undergo and pass the required background check shall be involved in the operation or ownership of a Storefront Retailer in the City, unless such individual has obtained a certificate of rehabilitation (expungement of felony record) for the applicable transgression(s) under California law or under a similar federal statute or state law where the expungement was granted. The application for the Live Scan and appointment link will be made available on the City's website. Persons who do not meet criminal history eligibility requirements will be disqualified from the RFA process.

#### 4. Application Process

- A. **Application Period.** As noted above, applications under the first RFA process initiated by the City pursuant to SCC Section 18.49.160(B) and these RFA Guidelines and Procedures will be accepted from **8:00 a.m. July 15, 2020 through 5:00 p.m. September 1, 2020.** Late applications will not be accepted.
- B. **Review Process.** After the application period has expired, the Director and/or his/her designees shall open and evaluate all applications received pursuant to the RFA process. The criteria for evaluation are listed in Section 5 below. City staff will then prepare a report summarizing its evaluation of the top five ranked applicants and identifying its recommended applicant, which shall be set for the consideration of the full City Council. The City Council will consider the applications, staff's evaluation, and any interviews conducted. Using the criteria listed in Section 5 below, the City Council shall determine whether to tentatively approve one of the applicants as the "recommended operator" for issuance of a CCBP pursuant to SCC Section 18.49.160(B)(4).

If the City Council tentatively approves a recommended operator, City staff will work directly with that applicant (commencing upon payment by the applicant of the required deposit toward the Application Fee as established by resolution of the City Council) to complete the City’s review of, and preparation of documentation concerning, all aspects of the proposed use, including but not limited to confirmation of compliance with the Supplemental Security Requirements for Storefront Retailers/Dispensaries, applicable City laws, and regulations and zoning standards, development of draft conditions of approval, and CEQA review of the proposed use. City staff will then present the selection/approval documents to the City Council for consideration of final approval of the applicant as the “recommended operator” pursuant to SCC Section 18.49.160(B)(4).

As provided in SCC Section 18.49.160, final approval of a “recommended operator” pursuant to this RFA process shall constitute approval of issuance of a CCBP to the selected applicant. Prior to commencement of operations, the selected applicant/permittee must make payment of all required fees and comply with all applicable laws, regulations, standards and conditions, as referenced above.

- C. **Withdrawal of Application.** Any applicant may withdraw his/her application at any time by submitting a written request for withdrawal to:

Greg Folsom  
City Manager  
City of Suisun City  
701 Civic Center Boulevard  
Suisun City, CA 94585

Any fees deposited and applied to the City’s costs up to the time of submission and processing of the request for withdrawal will not be refunded.

- 5. **Scoring Criteria for Application Evaluation.** The City will consider the following selection criteria in its evaluation of applications submitted under this RFA and will award up to a maximum of 200 points to each application received.

A. Site Control	(20 points)
B. Business Plan	(30 points)
C. Floor Plan/Elevations	(15 points)
D. Qualification of Applicants	(20 points)
E. Neighborhood Compatibility	(25 points)
F. Safety and Security Plan	(20 points)
G. Community Benefits, Labor, and Employment	(20 points)
H. Air Quality Control Plan	(15 points)
I. <u>Suisun City Resident</u>	(10 points)
J. <u>Tax Revenue</u>	(25 points)
K. <u>Current Suisun City Cannabis Business</u>	(-15 points)

- 6. **Amendments to the Application.** An applicant will not be allowed to amend or supplement its application, except as otherwise specifically provided for in these procedures or SCC Chapter

18.49, or as authorized in writing by the Director or designee. The City may, at its discretion, request supplemental information to clarify the qualifications of an applicant.

**The City's Reservation of Rights.** The initiation or conducting of an RFA process does not commit the City to approve any application for CCBP issuance or pay any costs related to any application, including but not limited to those costs incurred in the preparation or processing of an application. The City reserves the right to reject all applications submitted in response to any RFA for a Storefront Retailer at any time, with or without any cause or reason. The City may also modify, postpone, or cancel the RFA process at any time with or without cause or reason, and without liability, obligation, or commitment to any party, firm, or organization. After taking such action, the City is not obligated to resume such process or to initiate any new RFA process at any time. The City reserves the right to request and obtain additional information from any candidate submitting a proposal and reserves the right to waive any irregularities in any proposal. Late proposals WILL BE REJECTED. Furthermore, a proposal MAY BE REJECTED, in the Director's (or designee's) sole discretion, if the application or documents submitted are incomplete or not responsive to the requirements of this application procedure.

7. **Definitions.** Except as otherwise defined herein, and to the extent applicable, the terms used in these RFA Guidelines and Procedures shall have the definitions set forth in SCC Chapter 18.49.