

June McHuen

**From:** Clerk of the Board  
**Sent:** Monday, November 18, 2019 8:26 AM  
**To:** June McHuen  
**Subject:** FW: BOS 11/19/19 Item No.D.5 Cannabis RFPs

**From:** erdinc turgul <turgul@yahoo.com>  
**Sent:** Sunday, November 17, 2019 11:37 AM  
**To:** DCD Cannabis <cannabisinfo@dcd.cccounty.us>; Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>  
**Cc:** Metin Aydin <metin@modellotile.com>  
**Subject:** BOS 11/19/19 Item No.D.5 Cannabis RFPs

Clerk of the Board and DCD staff-

Please provide my email to the Board for consideration regarding the cannabis RFP discussion. Please confirm receipt of this email. Thank you.

Dear Chair Giora and Members of the Board-

My comments are provided regarding the proposal submitted by Authentic 925 for a storefront retail proposal at [5753-5759 Pacheco Blvd](#), Pacheco (the Property). In considering the staff's recommendations, the Board should reject staff's first choice and not invite Authentic 925 to submit a land use permit. Authentic 925's proposal would occupy space on the Property that is already leased to my business Modello Tile & Stone, Inc. (Modello Tile) until November 2024. Nowhere in Authentic 925's proposal have they recognized that approximately 10,000 square feet of the Property is already leased and occupied by my business Modello Tile. There is also another long-term small business tenant with a valid lease on the Property that Authentic 925's proposal equally appears to disregard. Authentic 925's proposal appears to extend into the approximately 5,000 square feet leased to ARC.

I put all of my life savings into starting Modello Tile. The business has been at the Property since 2014 and is operating under a valid lease that remains in effect until 2024. That lease remains in existence even if the Property is sold. To my complete surprise, Authentic 925's proposal states that they "have purchased the Property." If that is true, they have never contacted me or any of the other tenants on the Property to inform us that they are the new owners/lessor. If it is not true, their proposal contains false information. Modello Tile has expended more than a half a million dollars on signage and improvements to the leased space and showroom and developed a strong customer base and positive reputation in that location. It employs ten full-time employees who all reside in Contra Costa County and are paid above minimum wage (ranging from \$18- \$25 per hour) plus commission. Modello Tile is a small business that generates approximately three million dollars a year, employs a 100% local workforce, is invested in the community and supports economic diversity and vitality.

Modello Tile has no intention of leaving the Property until the end of its term in 2024 and will pursue any and all legal remedies available to protect its leasehold interest, ongoing business and the livelihood of its employees. Authentic 925's proposal is littered with feel good promises and claims that it wants to positively benefit the community. However, it is incredulous that Authentic 925 would submit a proposal that is in complete disregard of

existing leasehold rights and that ignores the existing small businesses on the Property. The Board should protect existing small businesses in the County and not invite this mammoth cannabis company to submit a land use permit. By allowing Authentic 925 to proceed with a land use permit, the Board will be subjecting two small businesses to costly and protracted litigation. There are other proposals available to the Board that can prevent this scenario and are better suited as the County's first storefront retail cannabis businesses.

Thank you for considering my comments-  
Erdinc Turgul, President Modello Tile & Stone, Inc.

11/18/19

[Cannabisinfo@dgd.cccounty.us](mailto:Cannabisinfo@dgd.cccounty.us)

[clerkoftheboard@cob.cccpunity.us](mailto:clerkoftheboard@cob.cccpunity.us)

Subject: BOS 11/19/19 Item N# D.5 Cannabis RFPs

Dear Chair Giora and Members of the Board,

I am the owner of McGuire Harley-Davidson, located at 93 1<sup>st</sup> Avenue N. Pacheco, CA, and have been in business here for 6 years. I am opposed to the proposal of a cannabis dispensary submitted by Authentic 925 to be located at 5753-5759 Pacheco Blvd, Pacheco.

I am extremely worried about the effect this will have on my business. We already have a tremendous homeless problem and I think this will add to it. We have had a lot of crime in the past few years within one block of the proposed location, including murder, armed robberies etc.

I already see a potential parking problem due to the fact that the proposed location only has 77 parking spots and that is shared with the existing tire shop. I believe that the Cannabis shop will have at least 20 employees, possibly more. This will leave very few parking spaces for a business that could have several hundred customers per day.

I strongly urge you to reject staff's recommendation and not allow Authentic 925 to be issued a land use permit.

Thank you for your attention to this matter and for considering my comments.

Sincerely

Mike McGuire

McGuire Harley-Davidson

93 1<sup>st</sup> Ave N.

Pacheco, CA 94553

925-945-6500

## June McHuen

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**From:** Clerk of the Board  
**Sent:** Monday, November 18, 2019 3:33 PM  
**To:** June McHuen  
**Subject:** FW: Garden of Eden

BGO & minutes

**From:** Sweetleaf Joe <sweetleafjoe@gmail.com>  
**Sent:** Monday, November 18, 2019 2:17 PM  
**To:** John\_Gioia <John\_Gioia@bos.cccounty.us>; Supervisor Candace Andersen <SupervisorAndersen@bos.cccounty.us>; Supervisor\_Burgis <Supervisor\_Burgis@bos.cccounty.us>; SupervisorMitchoff <SupervisorMitchoff@bos.cccounty.us>; District5 <District5@bos.cccounty.us>; Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>  
**Subject:** Garden of Eden

Dear Contra Costa Board of Supervisors:

I would like to express support for the cannabis retail storefront application submitted by Light Dream, LLC dba Garden of Eden. I value Garden of Eden's strong commitment to providing cannabis education and their proven history of giving back to the community. For example, Sweetleaf Collective, which has been providing medical cannabis to HIV/AIDS & Cancer patients since 1996, recently collaborated with Garden of Eden on a compassionate giving event. During this event, Garden of Eden donated clean, tested, and compliant cannabis products that would have otherwise been destroyed to our members. It was a highly successful event and we hope to see more events like this in the future.

Contra Costa County residents will benefit greatly from a responsible cannabis storefront operator who brings a focus on compassion. Please vote to allow Garden of Eden to open a dispensary. They are local, compliant and support the community.

Sincerely,

Josef Airone  
Founder and Director of the Sweetleaf Collective  
[www.sweetleafcollective.org](http://www.sweetleafcollective.org)

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Together we can save lives.

Sincerely,

Sweetleaf Joe

Click the link below to check out our patients talking about how compassionate cannabis helps them.  
<https://m.youtube.com/watch?v=-GFs12X7FH0>

## June McHuen

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**From:** Clerk of the Board  
**Sent:** Monday, November 18, 2019 3:34 PM  
**To:** June McHuen  
**Subject:** FW: Garden of Eden Compassion Event Recap  
**Attachments:** Sweet Leaf - Compassion Over Destruction - Press Release.pdf

BGO & minutes please

**From:** Nick Rose <nickrose@edenenterprises.com>  
**Sent:** Monday, November 18, 2019 11:57 AM  
**To:** Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>; District5 <District5@bos.cccounty.us>; SupervisorMitchoff <SupervisorMitchoff@bos.cccounty.us>; Supervisor\_Burgis <Supervisor\_Burgis@bos.cccounty.us>; Supervisor Candace Andersen <SupervisorAndersen@bos.cccounty.us>; John\_Gioia <John\_Gioia@bos.cccounty.us>  
**Subject:** Garden of Eden Compassion Event Recap

Dear Contra Costa County Board of Supervisors,

Garden of Eden (Cannabis Storefront Retail License applicant) and our local community partner Sweetleaf Collective (an advocate for low-income terminally ill patients in the Bay Area) teamed up last weekend to execute a new program under Eden's sustainability initiative called: Compassion over Destruction: Eden's Post Cannabis Events Zero Waste Initiative.

Please see the attached deck for some more information on what it meant for the community and how impactful it was. As a Contra Costa County resident myself, born and raised and still living in the county, it's truly an honor to work with such a great team, and the opportunity to bring our level of professionalism and compassion to my home county is once in a lifetime.

Thank you,



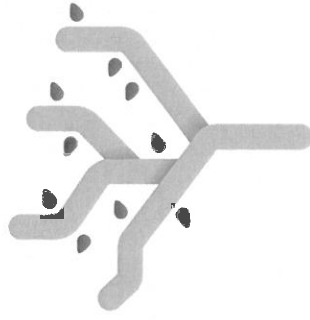
**Nick Rose**  
Director of Sales  
**925.876.1393**  
[www.EdenEnterprises.com](http://www.EdenEnterprises.com)

# COMPASSION OVER DESTRUCTION

VETERANS DAY WEEKEND 2019 W/ GARDEN OF EDEN



&



GARDEN of EDEN

# SWEETLEAF COLLECTIVE

## COMPASSION OVER DESTRUCTION

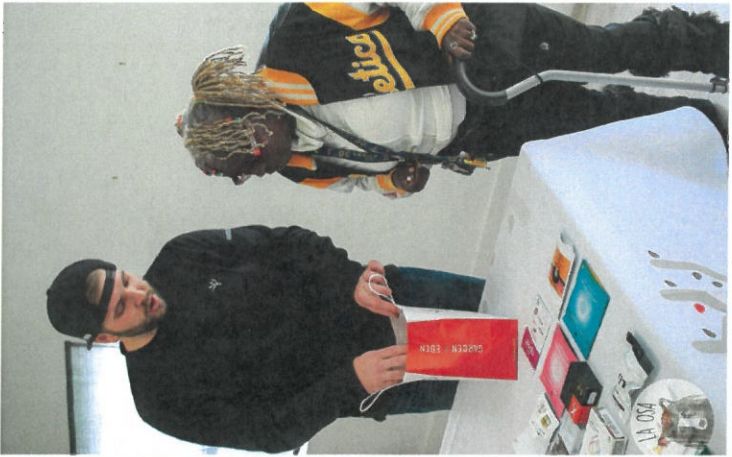
VETERANS DAY WEEKEND 2019 W/ GARDEN OF EDEN

Under the new regulatory framework, cannabis donations have been more challenging, until now. Sweetleaf is grateful to Garden of Eden and their partners for taking an idea birthed from an organic conversation and turning it into realistic action for the direct benefit of our Bay Area members!

## ABOUT US

We are exclusively a donation based charity organization. Since 1996, when the groundbreaking 215 proposition passed in California, we have been providing compassion cannabis to HIV/AIDS and Cancer patients by bicycle delivery in and around the Bay Area.







“I CAN NOW BUY MORE FOOD WITH THE  
MONEY I SAVED FROM THIS DONATION”



sweetleafbayarea • Follow  
California

...



sweetleafbayarea HALL OF FLOWERS  
DONATES LEFTOVERS TO  
COMPASSION.

Compassion over Destruction  
Thank you @hall\_of\_flowers and  
@gardenofeden.menu for giving away  
over \$30,000 worth of cannabis and  
products to Sweetleaf's patients. HoF is  
stepping up to help compassion.

What has been said...



Liked by gardenofeden.menu and  
142 others

2 DAYS AGO

Add a comment...

Post

# COMPASSION BY THE NUMBERS

30+

Members given Cannabis support directly through the event with more as part of a larger compassionate sharing campaign.

100+

Brands participated in this community event

\$0

Profits taken. Recipients received up to an ounce of flower and 8 grams of manufactured cannabis within daily limits and all applicable taxes paid.

## June McHuen

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**From:** Clerk of the Board  
**Sent:** Tuesday, November 19, 2019 1:32 PM  
**To:** June McHuen  
**Subject:** FW: November 19th Cannabis Land Use Hearing  
**Attachments:** 19-118 CC Board Ltr re Proposal Ranking.pdf

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**From:** Austin, Gina <[gaustin@austinlegalgroup.com](mailto:gaustin@austinlegalgroup.com)>  
**Sent:** Monday, November 18, 2019 5:58 PM  
**To:** Supervisor Candace Andersen <[SupervisorAndersen@bos.cccounty.us](mailto:SupervisorAndersen@bos.cccounty.us)>; Supervisor\_Burgis <[Supervisor\\_Burgis@bos.cccounty.us](mailto:Supervisor_Burgis@bos.cccounty.us)>; SupervisorMitchoff <[SupervisorMitchoff@bos.cccounty.us](mailto:SupervisorMitchoff@bos.cccounty.us)>; District5 <[District5@bos.cccounty.us](mailto:District5@bos.cccounty.us)>; John\_Gioia <[John\\_Gioia@bos.cccounty.us](mailto:John_Gioia@bos.cccounty.us)>  
**Cc:** DCD Cannabis <[cannabisinfo@dcd.cccounty.us](mailto:cannabisinfo@dcd.cccounty.us)>; Clerk of the Board <[ClerkOfTheBoard@cob.cccounty.us](mailto:ClerkOfTheBoard@cob.cccounty.us)>  
**Subject:** November 19th Cannabis Land Use Hearing

Please see attached letter of today's date.

Sincerely,

Gina

Gina M. Austin

AUSTIN LEGAL GROUP, APC | 3990 Old Town Ave., Ste A112, San Diego, CA 92110 |  
Ofc: 619-924-9600 | Cell 619-368-4800 | Fax 619-881-0045

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Austin Legal Group  
LAWYERS  
3990 OLD TOWN AVE, STE A-101  
SAN DIEGO, CA 92110

LICENSED IN  
CALIFORNIA, ARIZONA & HAWAII  
TELEPHONE  
(619) 924-9600  
FACSIMILE  
(619) 881-0045

Writer's Email:  
gaustin@austinlegallgroup.com

November 18, 2019

Contra Costa County Board of Supervisors  
County of Contra Costa  
651 Pine Street  
Martinez, CA 94553

**Via E-mail Only**

**RE: REQUEST FOR RE-EVALUATION OF CANNABIS STOREFRONT  
RETAIL PROPOSALS TO ADDRESS EVALUATION  
INCONSISTENCIES**

To the Contra Costa County Board of Supervisors:

Austin Legal Group writes this letter on behalf of storefront retailer applicant, Stone Age Pharmacy ("Stone Age"), to address the inconsistencies within the County's proposal evaluation process. As demonstrated below, the locational values of the proposals were calculated on ambiguous and subjective standards. Moreover, Authentic 925 presents public health and safety concerns and overall uncertainty in its operations. In light of this, we respectfully urge the County to revisit the evaluation process to implement a fair and objective scoring process and amend the ranking list accordingly.

**Background**

On February 14, 2019, the County began its cannabis permitting process by issuing the Request for Proposals ("RFP"). The RFP required all interested applicants to submit a Letter of Intent by April 4, 2019. All applicants invited to submit a proposal were required to do so by June 27, 2019. The County received 21 proposals for storefront retail, including Stone Age's proposal. On November 13, 2019, the County distributed the storefront retail ranking list, in which Stone Age tied for 12<sup>th</sup> place with a final score of 1,020 points.

### Discussion

#### **A. THE COUNTY'S REVIEW OF EACH PROPOSAL'S LOCATIONAL VALUE WAS BASED ON AMBIGUOUS AND SUBJECTIVE STANDARDS.**

The County's evaluation of each applicant's proposed location is noticeably subjective. Stone Age's locational value was significantly reduced to 155 points, because it is "adjacent to residential uses" and "not located on a major thoroughfare." However, several of the top ranked proposals are under similar or worse conditions (by those standards), yet received higher location scores. Specifically:

- Authentic 925, ranked at No. 1, is located directly across from the popular youth center, Pacheco Community Center and is approximately 250 feet away from residential uses. However, Authentic 925 managed to receive a perfect score of 200 points for its location value.
- The Artist Tree, ranked at No. 2, is adjacent to residential uses and is within close proximity to a youth swim club and library. However, Artist Tree received a score of 175, 20 more point than Stone Age.
- Bento's proposed location, ranked at No. 3, is within 115 feet from residential uses. However, Bento was only deducted 15 points for this, receiving a locational value of 185 points.
- Perfect Union, ranked at No. 5, is in close proximity to residential uses and is located near popular youth center, Pacheco Community Center, yet Perfect Union received a high score of 185 points.
- The Flower Shop's proposed location, ranked at No. 7, presents far greater concerns than Stone Age's location, yet this location received 10 more points than Stone Age. The Flower Shop's location is (1) across the street from the County Library and children's reading garden, (2) in close proximity to a youth swim club, and (3) adjacent to multi-family residential apartments. Moreover, The Flower Shop would share a building with a bar establishment that has a history of serious crime. Despite this, The Flower Shop's locational value was ranked higher than Stone Age's.
- Element 7 – Bay Point, ranked at No. 9, is adjacent to residential uses, but received 20 additional points for its locational value than Stone Age.
- The Gas Station, ranked at No. 9, is also adjacent to residential uses, but received 15 more location points than Stone Age.
- Element 7 – Appian Way, ranked at No. 11, shares that same proposed address with The Flower Shop. Thus, the locations present the same public safety concerns.

Ironically, the locational values are different, with Element 7 - Appian Way at 160, and The Flower Shop at 165.

- Horizon Collective, ranked at No. 12, is also adjacent to residential uses, but received 20 additional points for its locational value than Stone Age.

Of the top 12 proposals, not one applicant was penalized in the same manner as Stone Age, despite close proximity to residential uses, sensitive uses, and high crime facilities. Stone Age must assume it was primarily deducted for not being located directly on a major thoroughfare despite a requirement of only being accessible to a thoroughfare. The Scoring Guidelines for the Request for Proposals vaguely discusses this location requirement. The location section of the Guidelines includes:

“Proposed storefront retailer is readily accessible from major thoroughfares? (a benefit)”

There is no further discussion or guidance for this criterion. The question does not define what “readily accessible” means, nor does it imply that the retail location must sit directly on a major thoroughfare. There is no implication of its weight on the final locational value. This criterion is incredibly ambiguous. Stone Age chose its proposed location in an attempt to be readily accessible, yet maintain a **safe distance to sensitive uses and minor audiences**. Choosing a location a mile from California State Highway 4 is “readily accessible” from a major thoroughfare.

**B. AUTHENTIC 925 POSES A RISK TO THE COUNTY’S PUBLIC HEALTH, SAFETY, AND WELFARE.**

Authentic 925, ranked No.1 by County staff, has expressed the desire to make Contra Costa County its distribution hub for cannabis juuls, otherwise known as cannabis vaping devices. The County has recently banned the sale of all cannabis vaping devices. To allocate the highest value to a **proposal that so openly contradicts the public health and safety concerns** of the County is entirely nonsensical.

**C. AUTHENTIC 925’s PROPOSED OPERATIONS MAY REQUIRE RELOCATION OR REZONING.**

Authentic 925 has proposed a combined licensing type for storefront retail and distribution. The proposed distribution operations would require the re-zoning of the site, thus the approval of this license is not guaranteed, and leaves uncertainty in the permitting process.

**Conclusion**

In light of the foregoing concerns, we respectfully request that the County re-evaluate the submitted proposals in a fair, just, and consistent manner. If the County would have done so in the first instance, Stone Age would have received a higher proposal score and likely have been within the top 4 proposals.



The County should rescore all applications in a fair and consistent manner and we respectfully request that the Board of Supervisors does not certify the rankings as proposed by staff until such rescoring has occurred. Once all projects have been fairly and adequately scored, all applicants ranked lower than 4 should maintain their position until all permitted businesses are open for business such that if any of the top 4 fail to open the next applicant in line would be selected.

Sincerely,

AUSTIN LEGAL GROUP, APC

A handwritten signature in black ink, appearing to read "Gina M. Austin", with a stylized flourish at the end.

Gina M. Austin, Esq.

**From:** Shareef El-Sissi <shareef@edenenterprises.com>

**Sent:** Monday, November 18, 2019 3:54 PM

**To:** John\_Gioia <John\_Gioia@bos.cccounty.us>

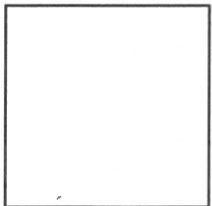
**Cc:** District5 <District5@bos.cccounty.us>; Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>; Supervisor\_Burgis <Supervisor\_Burgis@bos.cccounty.us>; SupervisorMitchoff <SupervisorMitchoff@bos.cccounty.us>; Supervisor Candace Andersen <SupervisorAndersen@bos.cccounty.us>

**Subject:** Compassion over Destruction: Eden's Post Cannabis Events Zero Waste Initiative

Dear Contra Costa County Board of Supervisors:

Storefront Retail applicant Garden of Eden and it's organizational partner Operation EVAC would like to share with you some information regarding our recent event "Compassion over Destruction: Eden's Post Cannabis Events Zero Waste Initiative." Please see attached. Thank you.

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**SHAREEF EL-SISSI**

m:

w: [www.edenenterprises.com](http://www.edenenterprises.com)



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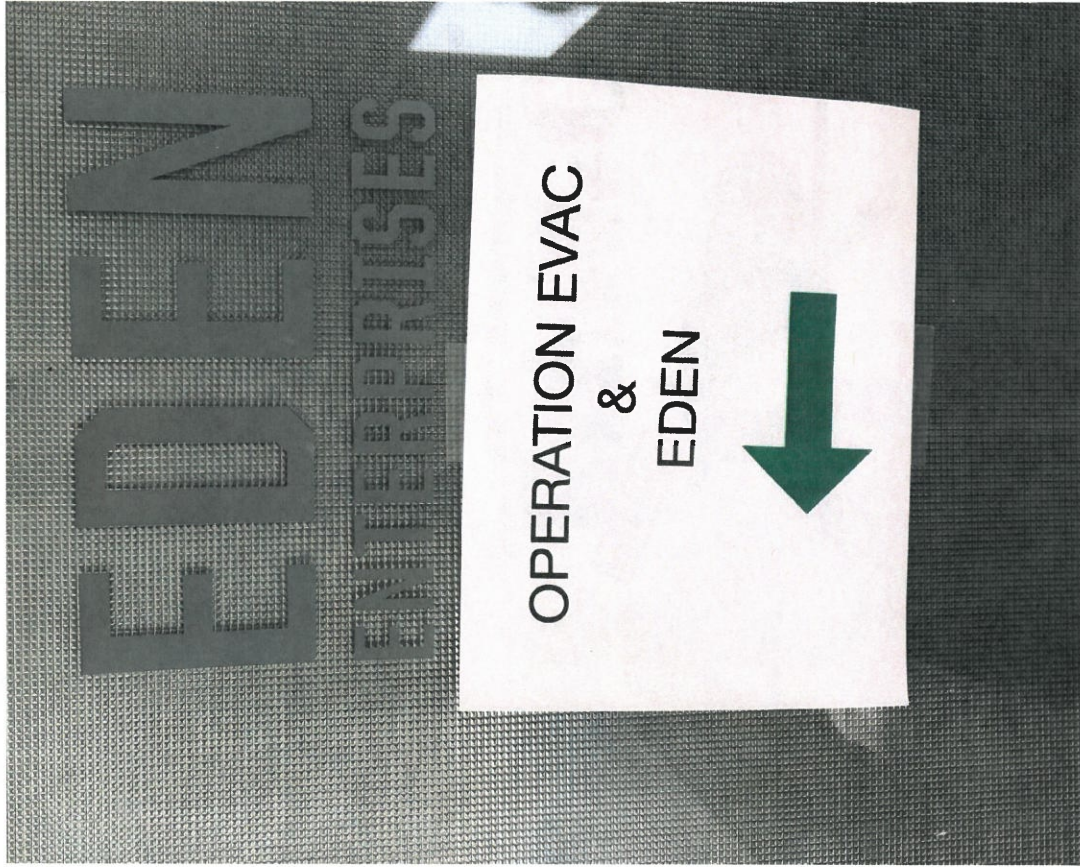


GARDEN of EDEN

# VETERANS DAY 2019

## COMPASSION OVER DESTRUCTION

*EL Jassi*



**We welcome our warriors home with the compassion of Eden through cannabis.** Operation EVAC's mission is to support the growth and healing of veterans through mutual assistance, personal development, and community service. With this mission in mind, EVAC partnered with Garden of Eden to provide compassionate cannabis products that would have otherwise been destroyed to EVAC's veteran members on Veterans Day.







Big love and respect to the entire team at [@gardenofeden.menu](#) that generously hosted our community yesterday while paving a new pathway to sourcing compassionate cannabis. Last year at [@hall\\_of\\_flowers](#), the leftover cannabis products were destroyed and this experience didn't sit well with the team at Garden of Eden. This year, those residual products were collected and redistributed to [@operationevac](#), [@sweetleafbayarea](#), and to the senior community at Rossmoor. With humility and gratitude we salute the entire team at Garden of Eden for their gracious hospitality and for not leaving veterans behind.

**Ryan Miller of Operation EVAC**



**From:** Clerk of the Board  
**Sent:**  
**To:**  
**Subject:**

5 on NOV. 19TH BOS AGENDA\*\*\*

**Attachments:**

**From:** Jasun C. Molinelli <JMolinelli@hansonbridgett.com>  
**Sent:** Tuesday, November 19, 2019 12:59 AM  
**To:** John Kopchik <John.Kopchik@dcd.cccounty.us>; Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>  
**Cc:** Jasun C. Molinelli <JMolinelli@hansonbridgett.com>  
**Subject:** \*\*\*CORRESPONDENCE RE: DISCUSSION ITEM D.5 on NOV. 19TH BOS AGENDA\*\*\* // Sender: Royal Craft LLC // 11-18-19

Dear Director Kopchik and Madam Clerk,

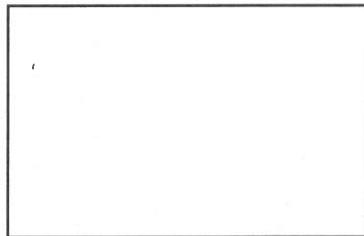
Good morning. Enclosed please find correspondence to the Board and Conservation & Development Department in advance of today's Board Meeting on Discussion Item D.5. A representative of Royal Craft (likely me) will attend today's hearing to present the contents of the letter to the Board.

Please do not hesitate to contact me with any questions or for extra copies of the letter, etc. As always, thank you all for the hard work that you do. It does not go unappreciated.

Sincerely,

**Jasun C. Molinelli**

Hanson Bridgett LLP  
(925) 746-8476 office  
(925) 639-8728 call/text  
JMolinelli@hansonbridgett.com



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November 18, 2019

John Kopchik, Dir.  
Contra Costa County  
Conservation & Development Department  
30 Muir Road  
Martinez, CA 94553

Re: Royal Craft LLC – Response to RFP for Commercial Cannabis Business  
MJ19-055

Dear Director Kopchik:

I am general counsel to Royal Craft LLC ("Royal Craft") and write today on its behalf. In your November 19th report to the Board entitled "Scoring and ranking of commercial cannabis proposals in order to select invitees for storefront retailers and commercial cultivation" ("Scoring Memo"), you indicate that the Conservation & Development Department did not receive any proposals for the establishment of commercial manufacturing in ag districts.

**ROYAL CRAFT'S RESPONSE TO RFP FOR MANUFACTURING BUSINESS**

While the indication in the Scoring Memo is that the County did not receive any proposals for manufacturing businesses, **Royal Craft submitted a Letter of Intent ("LOI") and proposal to establish a manufacturing business in an Agricultural zone.** In its LOI dated April 4, 2019, Royal Craft adopted the county's language and stated: "I am interested in applying for a vertically integrated business that includes at least one of a commercial cultivation and/or manufacturing in agricultural zone cannabis permit(s)."

On June 17, 2019, Royal Craft sent an email to the county staff cannabis email address used by the county which stated:

"Royal Craft's LOI noticed its intent to apply for a vertically integrated business including commercial cultivation and/or a manufacturing in an ag zone. This leads to the following questions:

1. Does the County prefer separate RFPs from Royal Craft, one each for cultivation and manufacturing? Or one RFP containing the requisite information for both business types?
2. Should we plan on 1 or 2 filing fees?

3. Can Royal Craft potentially receive an invitation to apply for a LUP for one or the other business type, irrespective of the other, in the event that Royal Craft is not awarded an invitation to apply for both?"

On June 18, 2019, Royal Craft received an email from the DCD (county) that was a boilerplate email to applicants who did not attend a June 7th Q&A session. It included answers to questions asked but not answered at the session. It did not address Royal Craft's questions regarding its cultivation/manufacturing proposal sent by email the day before.

It did however recognize that the County had received and accepted one LOI for a manufacturing business. Royal Craft presumed this referred to their LOI. (See County's *Responses to Questions from the June 7, 2019 Meeting Regarding Commercial Cannabis Requests For Proposals (RFP)* at No. 5.)

Thus, receiving no clarification whether to submit one or two separate proposals, Royal Craft submitted one proposal for a "cultivation and/or manufacturing" business, again adopting the County's language, as an effort to be economical for the County and Royal Craft, and included all requisite information for both a cultivation and manufacturing proposal.

Royal Craft's proposal includes in its Cover Letter, a proposed description of its intended business that states:

"In addition to the cultivation operation, or alternatively, Royal Craft also proposes a commercial manufacturing business".

In its statement of State Licenses to Be Obtained, also part of its cover letter, Royal Craft indicates:

"If first permitted by County, Royal Craft will pursue a Type 6 – Manufacturing License ... from the CDPH – MCSB."

Royal Craft's proposal also included a response to RFP Part 3.f. Addtl Information Required for Manufacturing in an Agricultural Zone and Part 4.a CANNABIS MANUFACTURING IN (A-) ZONING DISTRICT.

Throughout the proposal, every piece of required information for a manufacturing proposal under the RFP is included. The planned manufacturing business is detailed and referenced throughout to support the proposal for a manufacturing business, including product descriptions, operations, and a detailed floor plan/site map of the manufacturing premises. (See Royal Craft's *Response to Request for Proposal, MJ19-055*.)

And in the County's two page summary of Royal Craft's proposal, it recognizes Royal Craft's intent and proposal for a manufacturing business at Section 3. wherein it states: "Manufacturing CBD infused coffee and other foods. Plan to construct commercial kitchen within manufacturing area." And at Section 4., the county states: "Extensive camera coverage for manufacturing facility ..."

And where Royal Craft's proposal for a cultivation business was found to be prohibited under County Code § 88-28.410(b)(2)(A) because the premises is located within one mile from the urban limit line, its Manufacturing business is permitted under Section 88-28.410 (b)(2)(C) which provided that a business engaged in manufacturing "may be located outside the urban limit line." Thus, it should be awarded an invitation to apply for a Land Use Permit for a manufacturing business.

### **SCORING OF ROYAL CRAFT'S PROPOSAL**

While Royal Craft does not dispute that its proposed cultivation is within one mile of the Urban Limit Line, a review of another approved cultivation applicant shows that is also located within one mile of the Urban Limit Line. There are also a number of other inexplicable discrepancies noted in the scoring between the other applicants and Royal Craft's proposal. These must be addressed to afford equal process to Royal Craft the same as was afforded to the other applicants.

- All the other summaries of the cultivation applications recognize as a benefit the owners' experience with cannabis related business, but Royal Craft's summary fails to recognize Royal Craft's general counsel's experience working intimately with and being employed by well over 80 California cannabis businesses as General and Regulatory Compliance Counsel as the benefit that it is; fails to recognize the property's owner/Ag Director as a 3rd Generation farmer; and fails to identify as a benefit the managing director's generational experience in the specialty food business (Mezzetta Company).
- "Local Ownership" is listed as a Pro on 4 of the 7 approved cultivation proposals yet was not similarly identified as a Pro on Royal Craft's scoring summary despite all four owners residing in Contra Costa County.
- Royal Craft is a Women Owned Business. It is owned by Jacqueline Mezzetta and Kendall Tuffli who have full ownership, and will always have a majority ownership. In fact, at this time the two other owners, Jasun Molinelli and Mark Spilker are "owners" not in equity but within the meaning of 17 C.C.R. §40102, which provides that an "owner" is anyone who will be participating in the direction, control, or management of the licensed commercial cannabis business (Molinelli as Compliance Director and Spilker as Director of Agriculture). This was not identified as a benefit or a Pro, but absolutely must be recognized, supported and awarded. It is the only applicant out of all 53 applicants to be a Women Owned Business.
- Royal Craft was docked points in its Business Plan, which was otherwise thoroughly detailed, for not providing proof of capital. However, Royal Craft cited Government Code §6254 in its proposal and reserved publishing that information. Section 6254(n) provides an exclusion to public disclosure for "[s]tatements of personal worth or personal financial data required by a licensing agency and filed by an applicant with the licensing agency to establish their personal qualification for the license, certificate, or permit applied for." **Royal Craft cannot be docked for exercising this right to privacy granted to it by the Government Code.** Royal Craft did however indicate that it would provide Proof of Sufficient Capital if requested, in person, subject to Government Code §6254(n).

- Royal Craft was docked in Sustainability because it set forth a plan to include Solar Powered Energy without including it in its proposed Budget. However, the cost for Solar was calculated into and included in the general line item located in its included Proforma, as: "Equipment 500,000.00".
- Royal Craft was also docked in Sustainability because it has elected to use well water. despite such use being fully authorized under County Code as recognized by the County at page 15 of the RFP. Additionally, if the County preferred Royal Craft to use the East Contra Costa County Irrigation District, it could have so indicated in an interview with Royal Craft as the premises sits in the District. And had the County conducted an interview with Royal Craft, it would have also received the clarification regarding the inclusion of the cost for Solar Power as indicated above. And finally, had the County required a confidential showing of Proof of Sufficient Capital, it rightfully should have requested said information during an interview with Royal Craft.<sup>1</sup>

### **REQUEST TO CONSIDER MANUFACTURING PROPOSAL**

The County of course reserves the right to decide not to award any invitations at all but it is in the best interest of the County, its residents, and the other licensees to award an invitation to Royal Craft to apply for a Land Use Permit to operate a Type 6 cannabis manufacturing license. If granted an LUP for a manufacturing business, the manufacturing operation would include extracting cannabis oil from cannabis flower and trim, using non-volatile extraction processes, to create adult-use and medical cannabis infused edible products including CoCo Coffee (CBD/THC infused cold brew coffee), CoCo Berries (CBD/THC infused chocolate covered berries) and CoCo Nuts (CBD/THC infused chocolate covered coffee beans).

Royal Craft will also offer its manufacturing services to other County permitted cultivators, pursuant to 16 C.C.R. §5032, to help them create the highest quality manufactured cannabis products under their respective brands keeping all of that business local, and building great Contra Costa County cannabis brands, rather than the licensees using manufacturers from outside of the County. In addition, Royal Craft will source all of its cannabis from County licensed cultivators and its edible product materials and ingredients from local manufacturers/vendors.

The cannabis edible market is the most rapidly expanding segment of the medical and adult use cannabis markets. Multiple new reports cite recent studies projecting "[f]rom candy and

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<sup>1</sup> In the Scoring Memo, the County states that "In addition to evaluating the written proposals, the panel also interviewed applicants/ owners for all 21 of the storefront retailer proposals. Interviews of commercial cultivation applicants/owners were deemed unnecessary by the panel since fewer than 10 proposals can meet code requirements. However, because Royal Craft can meet the code requirements but was scored below 80%, the Staff's failure to interview Royal Craft to resolve some of the issues Staff identified, the same as it did for the retailers, creates a material and substantive failure of due process to Royal Craft. Contrary to Staff's position that it was necessary, it was in fact very necessary to give equal process (the other cultivation applicants did not require an interview because they were either disqualified or determined by Staff not to need an interview. No applicant was prejudiced out of the 53 total applicants except for Royal Craft by this decision of the reviewing agency.

chocolate to infused beverages, the cannabis edibles market will hit \$4.1 billion by 2022 according to a research report from ArcView..."

More than 50% of all new cannabis businesses will fail in the first 2 years, particularly cultivations. In my experience over the last 3 years, the two primary factors causing cannabusinesses to fail are (1) gross mismanagement, and (2) regulatory compliance and operational failures. Under the leadership of Ms. Mezzetta and Ms. Tuffli, Royal Craft's business management and leadership is unsurpassed in experience and acumen. And this counsel will oversee and implement the absolute highest and intricately complete regulatory compliant operations of any cannabis business in the State of California.

Royal Craft submitted a proposal for a commercial cannabis manufacturing business and requests that its proposal be considered and submitted to the Board of Supervisors. Royal Craft is run by experience, caring and dedicated residents of Contra Costa County who seek to create the highest caliber CBD and THC edible products any city or county has to offer right here at home.

Thank you on behalf of Royal Craft LLC for your consideration.

Sincerely,



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Jasun C. Molinelli



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**From:** Laurie Light <

**Sent:** Monday, November 18, 2019 4:57 PM

**To:** John\_Gioia <John\_Gioia@bos.cccounty.us>; Supervisor Candace Andersen <SupervisorAndersen@bos.cccounty.us>; Supervisor\_Burgis <Supervisor\_Burgis@bos.cccounty.us>; SupervisorMitchoff <SupervisorMitchoff@bos.cccounty.us>; District5 <District5@bos.cccounty.us>; Clerk of the Board <ClerkOfTheBoard@cob.cccounty.us>

**Subject:** Garden of Eden + Rossmoor compassion event

Dear Contra Costa County Board of Supervisors:

On November 10th, Garden of Eden & Rossmoor came together for a day of compassionate cannabis giving. I'd like share with you some information and images from our recent event, "Compassion over Destruction: Eden's Post Cannabis Events Zero Waste Initiative."

I personally, have been working within this community for the past 4 years, via the company I cofounded, Octavia Wellness, a senior focused cannabis education and delivery business. It was great day being able to donate cannabis products to this demographic, many of whom live on a fixed income.

Please see attached.

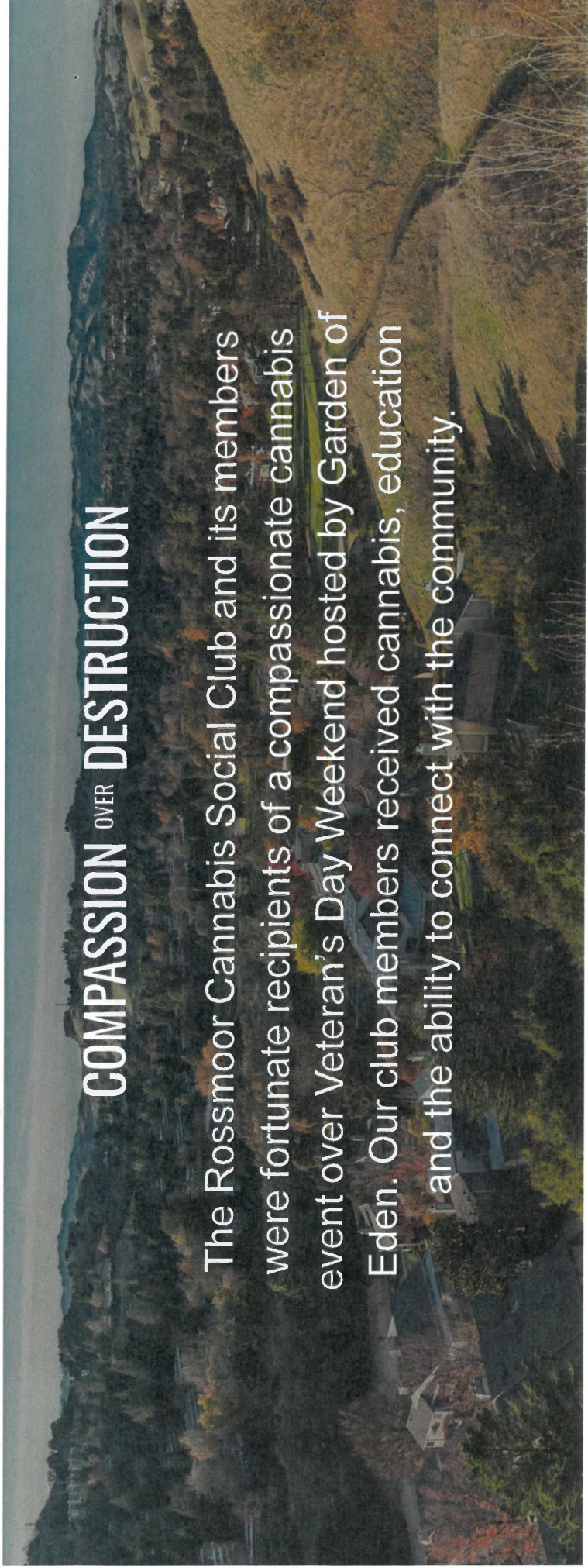
Thank you,

Laurie Light



## COMPASSION OVER DESTRUCTION

The Rossmoor Cannabis Social Club and its members were fortunate recipients of a compassionate cannabis event over Veteran's Day Weekend hosted by Garden of Eden. Our club members received cannabis, education and the ability to connect with the community.







## Rossmoor Cannabis Social Club is proud to participate the first of it's kind Zero Waste Cannabis Initiative.

In partnership with long-time Contra Costa residents, advocates Matt and Laurie Light and the team at Garden of Eden, an educational compassionate cannabis event was brought to life at the Rossmoor retirement community over Veteran's Day weekend. Our members were moved by the generosity. The event elevated the cannabis conversation allowing our members to engage in conversations about the different mechanisms of ingestion, test dosing and sharing stores of their past cannabis use. Our residents wish to provide the strongest support for the Garden of Eden as a Storefront Retail Operator in Contra Costa County!





## Thoughts From Our Residents

### Renee Lee

Rossmoor Resident

"In 2005 I had brain surgery and a number of other surgeries. I was prescribed 10 different meds including Norco every six hours for 8 years. In 2004, I got my medical marijuana recommendation and started withdrawing myself off the prescribed meds. In 2011, I co-founded the Rossmoor Medical Marijuana Club and educated thousands of seniors about marijuana. In June 2019, I founded Compassion Society to help seniors learn how to understand and use cannabis. Because of the lack of local access I have always wanted a way to bring cannabis products to our senior population. It was so wonderful to see so many Rossmoor residents enjoying the conversation and access to products. Thank you so much Garden of Eden professional staff, Matt and Laurie Light, CCNORML members and everyone who donated their time to make one of our first compassion events such a success. Thank you all at Garden of Eden. I am very impressed by your professionalism and I know our residents enjoyed the conversations regarding the wide variety of products. Most of our residents get their cannabis delivered and don't get a chance to have access to products. It truly is my goal to bring local access to Contra Costa County. Thank you so much for caring about our senior population."

### Greg

Rossmoor Resident

"Compassion has been a consistent part of the Bay Area Cannabis culture for decades. As a cancer patient, I am blessed to be able to receive medicine from the Shelter Program. In appreciation for what has been given to me, I give back whenever I can and was thrilled to be able to help out at the heart warming Rossmoor giveaway last Sunday. My only problem is that so many of the wonderful folks from Garden of Eden showed up, rolled up their sleeves and pitched in, that I had nothing to do. What a gift to seniors from the heart. Thank you Matt, Laurie, Renee and Eden."





**CONTRA COSTA COUNTY**  
**Board of Supervisors**

Today's

Date:

11-19-19

**CIRCLE ONE:**

General Public  
Comment

or

Agenda Item #

D.5

**REQUEST TO SPEAK (2-minute limit)**

**CITIZENS PARTICIPATION**

There are opportunities for citizens to make comments or present information to the Board of Supervisors.

When you are recognized by the chair to speak, approach the lectern and give your name followed by comments.

Personal information is optional. This speaker card is part of the public record for this meeting.

After completing this form place it in the box near the podium.

Your Name:

Harvey Yurkovich

Representing:

Knighten School dist.

Address:

Knighten CA 94548

Phone or Email:

hyurkovich@  
Knighten.k12.ca.us

**SUBJECT MATTER TO BE PRESENTED:**

Marijuana Cultivation in proximity of Schools  
School Bus stops, where children walk home!  
Safety Issue (public)

☒ \*I do not want to speak but would like to leave comments for the Board to consider (Use the back of this form)

Please write comment here if you wish not to speak.

- Pastor Lane Proposed Cultivation site is right Down the Street from our Knighten school.
- We have A Bus Stop At the top of Pastor Ln. Children walk home down that Road.
- Only Method of ingress/Egress passes in front of Knighten School or Old River Elementary
- Limited Law Enforcement By Sheriff's Dept.
- This past October A Man Attempting to Rob An illegal grow was Bound & Severely Beaten up the street from our school & Proposed Pastor Ln Site.
- Our Community is Not Ready for this type of Agriculture on Behalf of myself & our School Board, we are opposed to this.



Handwritten text, likely a date or reference number, appearing in the top left corner.

Handwritten text, possibly a title or subject line, located in the top center.

11-11-11

Handwritten text, possibly a list or description, located in the middle left section.

0.3

Main body of handwritten text, consisting of several lines of cursive script, possibly a letter or report.





**CONTRA COSTA COUNTY  
Board of Supervisors**

Today's  
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After completing this form place it in the box near the podium.

Your Name: \_\_\_\_\_ Representing: \_\_\_\_\_

Address: \_\_\_\_\_ Phone or Email: \_\_\_\_\_

**SUBJECT MATTER TO BE PRESENTED:**

☐ \*I do not want to speak but would like to leave comments for the Board to consider (Use the back of this form)

**Please write comment here if you wish not to speak.**

My name is Brian Elliff. You may remember me from your Cannabis Meetings the last 4 years.

I want to inform you that my LOI was rejected because I did not provide a lease that allowed for Cannabis use. The requirement for the LOI lease info was that the lease allow for Cannabis use. I provided a lease for a property that is in the agriculture zone and I had a agreement that allowed me to farm my property. I was emailed to provide further lease info but was not asked to clarify "for commercial cannabis use" neither did the requirement for lease say that it must explicitly say "for commercial cannabis use"



I believe that the requirements were unclear and I was eliminated on-fairly. When I was notified of rejection I immediately provided a amendment from the land owner (my mother) and I was still rejected. I was told by Micheal on your staff that "if its so important to me I should have paid closer attention" I believe I provided all the info necessary to be invited to the next step and I was eliminated based on how staff interpreted there requirements not based on what the requirements actually said.

Considering that you have less eligible candidates then you expected I propose you re open the process to applicants that were eliminated on a arguable technicality. With all respect given I beg you to please reconsider looking at my proposal

Thanks

Brian Elliff





**CONTRA COSTA COUNTY**  
**Board of Supervisors**

**Today's**

**Date:**

11/19/19

**CIRCLE ONE:**

**General Public  
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**or**

**Agenda Item #**

D.5

**REQUEST TO SPEAK (2-minute limit)**

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*After completing this form place it in the box near the podium.*

Your Name: Elaina Garcia Representing: Brentwood/Knighten  
Address: Brentwood, CA 94513 Phone or Email: community member

**SUBJECT MATTER TO BE PRESENTED:**

MJ19-0051 concerns

☒ \*I do not want to speak but would like to leave comments for the Board to consider (Use the back of this form)

**Please write comment here if you wish not to speak.**

I am writing because I have recently become aware of a review for commercial marijuana cultivation on Sellers Avenue in Brentwood. I am a mother of two young boys (5 and 3), my husband and I are active community members, as well as own a local business. Our family lives on Sellers, across from the proposed site, and we have growing concerns of the proposed business. It is in close proximity to our home, as well as, many other family friendly environments, like Smith Family Farms, Sunset Athletic Complex and Mary Casey Black Elementary School. I ask that you please strongly consider voting against this proposed marijuana cultivation, + put a stop to any further progress of this operation.









**CONTRA COSTA COUNTY  
Board of Supervisors**

**Today's  
Date:**

**CIRCLE ONE:**

**General Public  
Comment  
or  
Agenda Item #**

**REQUEST TO SPEAK (2-minute limit)  
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After completing this form place it in the box near the podium.

Your Name: Maureen Brennan Representing: citizen of Rodeo  
Address: [redacted] Phone or Email: [redacted] not

**SUBJECT MATTER TO BE PRESENTED:**

Sustainability Committee deliberation on  
Adoption of a Climate Emergency Resolution. -

☒ \*I do not want to speak but would like to leave comments for the Board to consider (Use the back of this form)

**Please write comment here if you wish not to speak.**

I applaud the Sustainability Commission for recommending a resolution "declaring a climate emergency." The #1 resolution is especially important, to help a transition from a fossil-fuel economy. In our county, fossil-fuel expansion is the "big elephant in the room" that exacerbates our climate catastrophes. - With the huge tax break of 2018, Phillips 66 invested \$35 billion in stock buy-backs. No employee benefits, no updated technologies. - P66 in Rodeo, desperately needs a hydro treater to "scrub out" sulfur. No such investment. - Please consider a "Carbon Tax," a substantial Carbon Tax, to specifically to address items on the updated Climate Action Plan. - Electric car subsidies, an expanded Westcat dial-a-ride to transit hubs, the list is long. -









**CONTRA COSTA COUNTY  
Board of Supervisors**

**Today's  
Date:**

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*After completing this form place it in the box near the podium.*

Your Name: Rebecca Byars, MSHR Representing: Self  
Address: [REDACTED] Phone or Email: [REDACTED]

**CIRCLE ONE:**

**General Public  
Comment  
or  
Agenda Item #**

**SUBJECT MATTER TO BE PRESENTED:**

Proposed cannabis retail businesses.



☒ \*I do not want to speak but would like to leave comments for the Board to consider (Use the back of this form)

**Please write comment here if you wish not to speak.**

I would like to voice my support to select Garden of Eden as  
a retailer for CC County. As an advocate for safe + responsible  
cannabis policy I have partnered with the lights on outreach + education  
work in our community. They represent the work ethic, values,  
and community involvement that we need to see in our County.  
Their business and community backgrounds are aligned with  
your vision of a responsible cannabis retail service. As an HR  
practitioner, the lights represent cannabis industry leadership  
that we should encourage in our community.  
Thank You -



