



Meeting Minutes - Draft

Marijuana Licensing Authority

Friday, December 2, 2016

1:00 PM

Room 2108

1. Call To Order/Roll Call

Hearing Officer Ablao called the marijuana licensing meeting of Friday, December 2, 2016, to order at 1:00 pm

2. Approval of Minutes

Min 16-88 Meeting Minutes of November 4, 2016

Hearing Officer Ablao approved the minutes as presented.

3. Public Hearings

Pres 16-604 APPLICATION FOR A RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSE AND A MEDICAL MARIJUANA-INFUSED-PRODUCT MANUFACTURER LICENSE OF NEXTRACT LABS, LLC TO BE LOCATED AT 9670 DALLAS ST UNITS 3+4, HENDERSON, CO 80640

Hearing Officer Ablao opened the public hearing.

Entering their appearance:

*Attorney Michael Lane, Registration #49145, on behalf of the applicant
Attorney Rachel Allen, on behalf of the city*

Attorney Lane asked that the public hearing on the application be continued to the next available meeting to accommodate a last minute change of corporate structure for this applicant and a decision by the state marijuana enforcement division on that requested change.

Hearing Officer Ablao continued the public hearing to January 20, 2017, at 1:00 pm.

Pres 16-640 SHOW CAUSE HEARING FOR THE MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURER LICENSE AND THE RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSE FOR STARBUDS MIPS, LLC, LOCATED AT 9670 DALLAS ST. UNITS E+F

Hearing Officer Ablao opened the public hearing and stated that she had received a stipulated agreement just prior to the hearing.

Entering their appearance:

*Brian Ruden, owner, managing member of Starbuds MIPS, LLC
Attorney Jim McTurnan on behalf of the licensee
Attorney Rachel Allen on behalf of the city*

Attorney Allen stated the city and the licensee were able to reach a stipulated agreement. The licensee will admit to violating camera surveillance system requirements and odor control.

Eric Weiland, American Down & Feather, appeared before the authority. Mr. Weiland stated that marijuana odor is affecting his company and he would like it mitigated.

Lawrence Ligon, construction company business owner, appeared before the authority. Mr. Ligon stated that odor has been an issue for his company and his employees do not want to work around it. He also stated that parking has become a problem and on November 17th, an employee walked out of the licensed premises smoking a glass pipe.

Hearing Officer Ablao accepted the stipulated agreement between the city and the licensee.

Pres 16-642

**APPLICATION FOR A RETAIL MARIJUANA STORE LICENSE FOR
STARBUDS COMMERCE CITY LLC, DBA STARBUDS TO BE LOCATED
AT 5844 DAHLIA ST**

Hearing Officer Ablao opened the public hearing.

Entering appearances:

*Chris McCullogh, VP of Operations for the licensee
Brian Ruden, on behalf of the applicant*

Hearing Officer Ablao stated that the authority has received notice of a change in corporate structure prior to this hearing and that the hearing will be continued to January 20, 2017, at 1:00 pm.

Pres 16-641

**RENEWAL HEARING FOR THE RETAIL MARIJUANA PRODUCTS
MANUFACTURER LICENSE AND THE MEDICAL
MARIJUANA-INFUSED PRODUCTS MANUFACTURER LICENSE OF
STARBUDS MIPS, LLC LOCATED AT 9670 DALLAS ST. UNITS E+F**

Hearing Officer Ablao stated that this matter is before her as a renewal hearing.

Entering their appearance and sworn in:

*Brian Ruden, owner, and managing member of Starbuds, LLC
Chris McCullogh, VP of Operations of Starbuds, LLC
Senior Assistant City Attorney Rachel Allen on behalf of the city.*

Mr. Ruden testified that operations began shortly after receiving their certificate of occupancy and that a modification of premises has been submitted, yet not begun.

In response to questions from the authority, Mr. Ruden stated that there have been no changes in financial investments or ownership in these licenses and that his Denver OPC renewal was denied. He believes the denial was based on the fact that

the location is directly across from the stock show complex which is under redevelopment, and that a cultivation facility in the neighborhood is no longer desired. Mr. Ruden further testified that the license denial is under appeal.

Attorney McTurnan, appeared on behalf of the applicant and reviewed the appeal process that the licensee is undergoing in regards to the Denver license.

Mr. Ruden provided testimony to the violations that have occurred in other jurisdictions listed on the renewal application. He also asked that Commerce City consider using a scientific standard for determining odor violations.

Attorney Allen offered a Denver Post article and the City of Boulder's website page regarding violation history as evidence.

Hearing Office Ablao accepted them as Exhibit A and Exhibit B.

Mr. Ruden felt that the stipulated agreement he just entered into with the city should be considered separate from this license renewal.

Hearing Officer Ablao found that evidence supports renewal of the license under the following conditions:

- a. Full compliance with the state marijuana code, rules, regulations and all municipal ordinances concerning the operation of a marijuana business*
- b. Obtain all required permits, certificates and inspections related to any modification of the premises*
- c. Full compliance with all terms and conditions of the stipulated admission of violation approved on December 2, 2016, within the time limits specified in the stipulation.*

At the request of the licensee, Hearing Officer Ablao will draft written findings.

4. Adjourn

The meeting adjourned at 2:30 pm.