



Meeting Minutes - Draft

Marijuana Licensing Authority

Friday, January 20, 2017

1:00 PM

Room 3109

1. Call To Order/Roll Call

Hearing Officer Ablao called the meeting to order at 1:00 pm.

2. 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 and stated that the secretary's official file is hereby entered into the record for this hearing.

Entering their appearance:

Attorney Tom Downey, Registration #29490, on behalf of the applicant James Lowe, applicant, was sworn in

Attorney Michael Lane, Registration #49145, on behalf of the applicant

Attorney Philip Snow, Registration #44507, on behalf of the applicant

Senior Assistant City Attorney Rachel Allen, on behalf of the city

Mr. Lowe reviewed the application history, his licensing background, the business plan, compliance plan and security plan.

Max Scott, on behalf of the petition company, Oedipus, appeared and was sworn in. Mr. Scott testified to the survey process and results, which were 80% in favor.

Interested Parties:

Brian Ruden, 9670 Dallas St. Units 5+6, appeared before the authority and was sworn in. He testified in support of the application.

Hearing Officer Ablao closed the public hearing and made the following findings:

- the evidence presented supports the issuance of the licenses*
- the applicant is qualified and fit to conduct the type of business proposed*

The license is granted based on the following conditions:

- satisfactory inspection by the police department to determine compliance with the diagram submitted with the application within six months of this date*

- satisfactory inspection by building and fire departments to determine compliance with their respective codes within six months of this date
- continued compliance with state marijuana code, rules, regulations, and all municipal ordinances and rules regarding the marijuana industry
- if and when applicable, an inspection by the health department if the licensee produces edibles
- an extraction permit prior to an extraction taking place, part of that requirement is an industrial hygienist report satisfactory to the fire department
- submittal of an amended security narrative within 30 days.

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 and noted that the secretary's official file is admitted into the record of this hearing.

Entering their appearance:

*Brian Ruden, applicant, was sworn in
Chris McCullough, VP of Operations, on behalf of applicant, was sworn in
Jim McTurnan, general council, on behalf of the applicant, was sworn in
Senior Assistant City Attorney Rachel Allen, on behalf of the city*

Mr. Ruden testified to his background in the marijuana industry. His original application included a business partner who is no longer part of the application and he is now 100% owner. In response to questions from the authority, Mr. Ruden stated that the store will sell cannabis in its raw form, edibles, concentrates, and non-cannabis items such as accessories and apparel. Mr. Ruden reviewed the company's security policies and training process.

Carol Johnson, appeared on behalf of the petitioning company, Esquire Petitioning Services, and was sworn in. Ms. Johnson testified to the petition methodology and results. The survey results were 97% in favor of the application being granted.

No one appeared to speak in favor or opposition of this license application and the public hearing was closed.

Hearing Officer Ablao made the following findings:

- the majority of the adult inhabitants of the neighborhood do desire the issuance of the license
- the number and type of marijuana businesses located at or near this particular neighborhood do not preclude the issuance of this license
- applicant has been addressing prior issues with compliance and is qualified to hold the license

The license is approved with the following conditions:

- satisfactory inspection by the police department to determine compliance with the diagram provided in the application no later than six months from this date

- satisfactory inspection by the building and fire departments to determine compliance with respective codes no later than six months from this date

- complete compliance with the state marijuana code, rules, regulations, and all of the municipal ordinances and rules related to marijuana business licenses

3. Other Business

Hearing Officer Ablao stated that she will approve a stipulation between the city and LP Capital, LLC, but questioned the procedure to implement. She would prefer setting a renewal hearing, and if the licensee complies with the stipulation, the date could be vacated.

Senior Assistant City Attorney Allen stated that within the state statutes and authority rules and regulations, there are certain criteria for holding a renewal hearing.

Attorney Allen recommended bringing the licensee before the authority on a show cause hearing if they failed to meet the conditions of the stipulation within 60 days.

Hearing Officer Ablao approved that condition

Secretary Bauer, Hearing Officer Ablao, and Attorney Allen discussed how to process renewals.

Hearing Officer Ablao stated that she will draft an amendment to the authority's procedures for review.

4. Adjourn

The meeting adjourned at 3:03 pm.