



# City of Lindsay Commercial Cannabis Business Application Package – Dispensary

## Application Fees

*Phase I: \$500 per applicant*

*Phase II: \$2,500*

*Phase III: \$800 (if applicable)*

*Included*

### Phase I

- Pay \$500 application fee
- Submit background check/live scan documents to the Lindsay Public Safety Department (forms attached)

### Phase II

- Pay \$2,500 application fee
- Submit application with responses to each of the seven (7) narrative descriptions listed in the Phase II Section of this packet
- Submit indemnification agreement and acknowledgement form

### Phase III (if applicable)

- Pay \$800 application fee
- Attend final interview and discuss the three topics listed in the Phase III section of the application

### Final Approval (if applicable)

- Submit Conditional Use Permit application and pay permit fees
- Submit building plans/request building permits (if applicable)

**All applications must be submitted in person to the Finance Department by Monday December 11, 2023, at 3:00 PM. Please ensure that both a hard copy and USB drive containing the application package are provided.**

### **NOTE:**

INCOMPLETE OR INCORRECT APPLICATIONS WILL BE REJECTED AND WILL REQUIRE RESUBMISSION. It is the applicant's responsibility to ensure that all required pages are included in the application package and that it is complete when submitted to the City of Lindsay Finance Department.

# Application to Operate a Commercial Cannabis Retail Dispensary

The City reserves the right to change this schedule at any time without notice.

<b>Release Date</b>	<b>October 26, 2023</b>
<b>Phase I &amp; II Submittal Deadline and Location</b>	<b>December 11, 2023, at 3:00 PM</b> City of Lindsay Finance Department 251 E. Honolulu, Lindsay, CA 93247  *Staff will be available via Zoom to address any questions
<b>Notification to Applicants Invited to Phase III Final Selection</b>	January 2024
<b>Scheduled Phase III Interviews</b>	February 2024
<b>Final Selection Announced</b>	March 2024

The City of Lindsay is now seeking applications from parties who wish to develop and operate a cannabis retail dispensary in Lindsay, which will be subject to the following requirements:

- This application process will result in the issuance of not more than one commercial cannabis retail dispensary regulatory permit (hereinafter referred to as “permit”). The Applicants will still be required to obtain the required Conditional Use Permit through the entitlement process described below;
- The approved cannabis retail dispensary (hereinafter referred to as “dispensary”) shall be located only in the City's CC (Central Commercial) zoning district, within the Central Business District, as defined in the Commercial Land Use Policies and Proposals section of the Lindsay General Plan, and further restricted to that area shown within the green polygon in the attached “Retail Cannabis Dispensary Zone” aerial image.
- Currently, applicant must have a location within the Retail Cannabis Dispensary Zone. However, the Retail Cannabis Dispensary Zone or an alternative zoning map may be in place before the final award of the permit. As the available zoning is subject to change, applicants are encouraged to select a site in the Retail Cannabis Dispensary Zone and an alternative site outside the existing Retail Cannabis Dispensary Zone and in compliance with all other state laws.
- The dispensary shall not be located within a 600-foot radius of a school providing instruction in kindergarten or any grades 1 through 12 as prescribed by state law;
- The dispensary must adhere to all state and local laws that regulate the cannabis industry;
- If permitted by state law, this dispensary may operate as and sell both medicinal and recreational products.
- Prior to or concurrently with applying for the regulatory permit, the applicant shall process a Conditional Use Permit as required by the City's Zoning Ordinance.
- The approved cannabis retail dispensary shall follow the strict operating, security, odor control, recordkeeping, facilities, zoning and signage regulations as set forth in the zoning ordinance, cannabis business ordinance and related resolutions;
- Payment of applicable application fees as required; and
- Additional conditions of approval may be imposed by the City to ensure the operator remains compliant with all state and local laws as well as the conditions set forth in the operator’s application.

Per the requirements of City of Lindsay Ordinance 573, which allows cannabis businesses and establishes permitting procedures and regulations, the dispensary must operate in accordance with the requirements defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time by the State of California. In addition to said regulations applicants must comply with all local regulations.

The dispensary shall be configured primarily for product sales, and shall not operate as a restaurant, cafe, or lounge serving food or drinks for consumption on site. No alcohol or tobacco sales will be allowed on site. Additional restrictions on the operations of the dispensary are outlined in the adopted ordinance. Applicants should review City of Lindsay Ordinance 573, which allows cannabis businesses and establishes permitting procedures and regulations along with City of Lindsay Resolution 19-27 Tax Rate and Fees for Cannabis Cultivation and Other Cannabis Businesses requirements carefully before responding to this application. It is expected that the dispensary shall fully integrate itself into the surrounding neighborhood and shall contribute in a positive manner to the broader Lindsay community.

# Overview of the Application Process and Fee Structure

The application process is structured with three phases, outlined below. The non-refundable application processing fees associated with each step of the process are outlined following the description of each phase. Fees for Phases I and II are due at the time of application submittal on December 11, 2023, at 3:00 PM. Fees for Phase III shall be required only for those applicants who advance beyond Phase II.

## Phase I – Background

Phase I requires each applicant to complete the Phase I background materials, which include the attached live scan form and commercial cannabis employee permit application, as well as an indemnification agreement to hold harmless the City of Lindsay. Each applicant will be required to submit to a criminal background investigation. Fingerprints and Photograph shall be required from each applicant as part of this process.

All applicants must pass the background investigation in order to proceed forward to Phase II. Once applications are received, applicants will be contacted to schedule a time to conduct the live scan at the Lindsay Public Safety Department. **NOTE:** live scans must be conducted in person at the Lindsay Public Safety Department located at 185 N. Gale Hill Ave., Lindsay, CA 93247.

*Phase I Fees: \$500 non-refundable application fee for **each applicant** payable to the “City of Lindsay.”*

## Phase II – Overview

All applicants that successfully pass the Phase I criminal background investigation will advance to the second phase of the application process, which will include the Public Safety Director’s review of the completed Commercial Cannabis Retail dispensary Regulatory Permit Application in addition to the narrative descriptions of the (1) proposed business plan summary and budgets, (2) site location and development plan, (3) proof of capitalization, (4) management team, (5) proof of existing successful retail cannabis dispensary operation, (6) summary of security practices, and (7) community benefits.

All application materials will be objectively scored and ranked according to the application requirements outlined below.

*Phase II Fees: \$2,500 non-refundable application fee due at time of initial application submittal, payable in one check to the “City of Lindsay”. If Background check is not cleared and applicant withdraws their application, the \$2,500 application fee will not be refunded.*

## Phase II - Application Requirements

- **Business Plan Summary and Budget – 20 points possible**

The applicant shall submit a summary of the business plan for the day-to-day operations of the dispensary. The business plan summary shall include but not be limited to:

- Operational Overview: A comprehensive description of the day-to-day operations of the

dispensary. This should encompass a breakdown of the cannabis-related products and/or services being sold, alongside any accessory services or connected facilities.

- Detailed Process Outline: In the business plan for the proposed dispensary, provide a meticulous list of all cannabis operations set to take place on the premises. This should detail processes including but not limited to standard operating procedures, employee count, training programs, inventory, and quality control measures, lists of both recreational and medicinal products expected to be available, waste management strategies, and logistics regarding transportation and distribution of products.
  - Budget Overview: A detailed financial plan should be provided, delineating projected expenses, anticipated revenue streams, and financial projections for the short and long term. This should also include any capital investments, ongoing operational costs, and expected return on investment.
  - Project Timeline: A clear timeline for the rollout of the dispensary's operations should be provided. This should encompass key milestones such as regulatory approvals, construction or renovation of the premises, hiring and training of staff, commencement of operations, and any subsequent expansion or development plans.
  - Compliance Measures: Elaborate on procedures concerning testing, quality control practices, visitor and vendor protocols (like logs, non-disclosure agreements, etc.), and the track and trace policies and procedures, ensuring adherence to regulatory standards.
- **Site Location and Development Proposal – 20 points possible**
    - Currently, applicant must have a location within the Retail Cannabis Dispensary Zone. However, the Retail Cannabis Dispensary Zone or an alternative zoning map may be in place before the final award of the permit. As the available zoning is subject to change, applicants are encouraged to select a site in the Retail Cannabis Dispensary Zone and an alternative site outside the existing Retail Cannabis Dispensary Zone and in compliance with all other state laws.
    - The applicant shall identify and describe the location in which the retail dispensary will be located by providing the following information:
      - Address, Assessor's Parcel Number, Site Area and Dimensions;
      - Proof of ability to lease/purchase property (Property Owner Affidavit)
    - The applicant shall provide a conceptual layout of the sites intended development including but not limited to, all proposed uses, building floor area, number of stories, parking, ingress/egress, elevations (if available), and floor plan. The conceptual plan shall be to scale but does not need to be drawn by a licensed engineer or architect.
    - The Retail Dispensary Operation may be component of a larger proposed or existing development proposal which can be described in this application.
  - **Proof of Capitalization – 20 points possible**

The applicant shall submit proof demonstrating sufficient capital is in place to pay startup costs and at least three months of operating

costs. Proof of capitalization shall be in the form of:

- Documentation of cash or other liquid assets (e.g., bank statement)
- Letter of Credit

● **Management Team – 20 points possible**

The applicant shall submit:

- An organizational chart with name and role of each known member of the management team including roles that are known but unfilled should also be included.
  - Resumes for each member of the management team.
  - A discussion of the experience of the management team.
- The application shall include information concerning any special business or professional qualifications or licenses of the management team that would add to the number or quality of services that the dispensary would provide, especially in areas related to medicinal cannabis, such as scientific or health care fields.

● **Proof of Existing Successful Retail Cannabis Dispensary Operation – 20 points possible**

The applicant shall demonstrate the ability to develop a successful, sustainable, harmonious operation by providing proof of the following:

- Has maintained an existing, successful retail cannabis dispensary operation for a period of one year or more. (Provide tax documentation)
- Has maintained a harmonious relationship for one year or more with the government entity holding jurisdictional authority over the existing retail cannabis dispensary. (Provide supporting documentation from the government entity holding jurisdictional authority along with a local crime report).

The applicant must also demonstrate how they will ensure that they will minimize any nuisance and/or negative impacts on the surrounding community, including minimizing noise, odor, increased foot and vehicle traffic, increased waste production and water usage, and increased safety concerns, among others.

● **Summary of Security Practices – 20 points possible**

Applicants shall describe their approach to operational security including but not limited to:

- General security policies.
- Employee-specific policies and training.
- Discussion of transactional security, visitor security, third-party contractor security, and delivery security.
- Financial Security.

Applicants should address ingress and egress access, perimeter security, product security (at all hours), internal security measures for limited access areas, types of security systems (alarms, cameras, etc.), and security personnel to be employed. This discussion must also include a description of how cannabis will be tracked and monitored to prevent diversion, such as by verifying the status of recommending physicians, if selling medicinal cannabis, and retaining copies of all written

recommendations from recommending physicians when applicable. Applicants are encouraged to provide a sample written policy that has been developed.

Security plans shall not be made public, unless required by court action. Security plan details that could aid persons who wish to commit security violations shall be considered confidential and shall not be released to the public unless ordered by a court of law.

Please refer to City of Lindsay Ordinance 573, which allows cannabis businesses and establishes permitting procedures and regulations, Resolution 19-19 for regulatory permit requirements for cannabis business owners and City of Lindsay Resolution 19-20 for cannabis minimum premises security requirements and regulations that should be included in your proposal.

- **Community Benefits - 20 points possible**

The applicant must provide a discussion of how they intend to provide the City of Lindsay and its residents with community benefits and mitigate any nuisance and/or negative impacts that the dispensary's existence may create. Quantifying the community benefit with a level of financial commitment along with performance timelines is required and shall be provided in a Community Benefits Program document.

Examples of community benefits may include, but are not limited to;

- improve blighted buildings within the City's Central Business District;
- provide funding for repairs and improvements to Sweet Brier Plaza;
- provide improvements and/or support to the Lindsay's Wellness Center or parks;
- Provide funding to the Public Safety Department for capital expenses such as: police vehicles, safety equipment, and/or public safety building improvements;
- contribute to local substance abuse programs or other activities that benefit the local community as well as the City of Lindsay.
- support or fund other community programs;
- on-going support for programs that benefit the community

## **Phase III – Overview**

After all applications from Phase II have been ranked and scored, a sub-set of finalists shall be invited to advance to Phase III, at which point the Phase III non-refundable application fee shall be due, and Phase III applicants will be invited to an interview to discuss the Phase II items listed below. The number of applications that will be invited to submit a Phase III response will be set by the selection committee.

*Phase III Fees: Non-refundable fee of \$800, payable in one check to the “City of Lindsay.” Please note that this application fee is applicable only to applicants who advance to Phase III.*

## **Phase III - Application Requirements**

### **1. Product Safety and Labeling**

The application shall state how the dispensary will ensure enhanced consumer safety by testing or confirming that testing has been certified for biological and chemical contaminants. The applicant must also submit a discussion regarding the product labeling standards to be employed and how they will comply with state and local laws, regulations, and policies. The applicant must also provide information on product labeling sufficient to ensure that cannabis and edible products containing cannabis clearly identify the percentage level of delta-9 (trans) tetrahydrocannabinol, cannabidiol, and cannabitol, and have adequate warnings.

### **2. Community Benefits**

The applicant must provide a discussion of how they intend to provide the City of Lindsay and its residents with the community benefits described in Phase II along with how they intend to mitigate any negative impacts.

### **3. Hiring and Employment Practices**

The applicant must submit a description of their labor and employment practices. These policies and practices could include, but are not necessarily limited to, the following:

- Discussion of Hiring Plan
- Training and continuing education opportunities—the applicant should discuss the introductory and on-going training opportunities that will be provided to the employees of the dispensary.
- For an applicant with 20 or more employees, provide a statement that the applicant will enter into, or demonstrate that it has already entered into, and abide by the terms of a labor agreement.
- Providing Equal Benefits and/or signing a Declaration of Non-Discrimination.



## **Final Selection**

Following an objective ranking of the above application materials, applicants may be invited for interview(s) with City staff and/or representatives. Following completion of the interview(s), City staff intends to bring forward for the City Council's consideration not more than two recommended dispensary operators. The recommended operator should be prepared to attend a City Council meeting in Lindsay in order to provide a public presentation before the Mayor and City Council introducing their team and providing an overview of their proposal. The City of Lindsay reserves the right to request any other additional information or documentation deemed necessary to review the applications throughout the entire application and dispensary permitting process. The City also reserves the right to request references from applicants.

Following the review and approval by the City Council, the selected operator will be invited to submit, within 90 days, a Conditional Use Permit (CUP) application along with any other necessary land use entitlement applications to the Lindsay City Services Department for processing. Once the conditional use permit and other applicable land use entitlements have been secured the applicant will be issued an official regulatory permit from the Public Safety Department within 30 days.

## **Submission Process and General Conditions**

Should applicants have questions about this application or require additional clarification about the contents of the application, such questions should be directed to the Office of the City Manager via phone at (559) 562-7102 Ext. 8011 or via email to the Assistant to the City Manager at [npineda@lindsay.ca.us](mailto:npineda@lindsay.ca.us).

Applicants should submit the following materials before the Phase I/II deadline outlined above:

- Completed "Live Scan/Background Packet" form for all Applicants. Background packets will be required for owners and live scan will be required for employees.
- Indemnification Agreement and Acknowledgement Form
- One (1) Response to the Phase II Application, outlined above

In addition, applicant must submit, in person, checks as follows:

- Application check for \$2,500 payable to the "City of Lindsay"
- Fees for background checks (\$500 x the number of applicants)

**All of the above materials shall be submitted to:**

City of Lindsay – Finance Department  
251 E. Honolulu.  
Lindsay, CA 93247

**Deadline for submitting applications:  
December 11, 2023, at 3:00 PM**

**By submitting a proposal, the applicant represents and warrants that:**

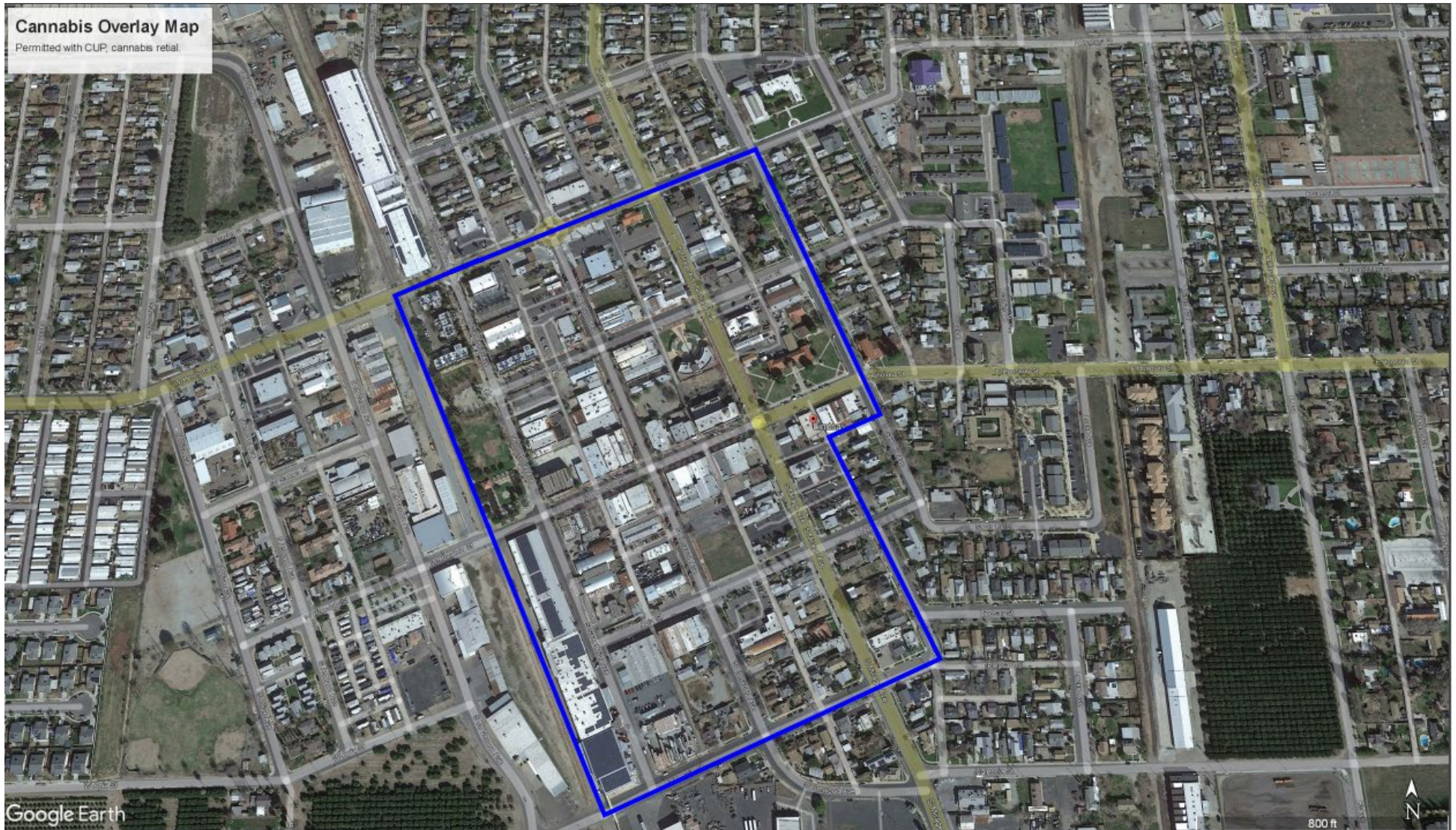
1. The information provided is genuine and not a sham, collusive, or made in the interest or on behalf of any party not therein named, and that the applicant has not directly or indirectly induced or solicited any other applicant to put in a sham proposal, or any other applicant to refrain from presenting information and that the prospective provider has not in any manner sought by collusion to secure an advantage.
2. The applicant has not paid or agreed to pay any fee or commission, or any other thing of value contingent upon the award of an exclusive operating area, to any employee, official, or existing contracting consultant of the City of Lindsay.
3. All costs of preparation of proposals including travel for any interviews scheduled shall be borne by the applicants.
4. All proposals become the property of the City of Lindsay. The City reserves the right to reject any and all submittals; to request clarification of information submitted; to request additional information from competitors; and to waive any irregularity in the submission and review process. None of the materials submitted will be returned to the bidder.
5. Information or materials submitted in response to this application will be stored on file with the City of Lindsay and may subject to the requirements of the California Public Records Act, or subject to public disclosure as ordered by a court of law. Proposed security plans shall be considered confidential.
6. The City reserves the right to request additional information not included in this application from any or all applicants.
7. The City reserves the right to contact references not provided in the submittals.

The City reserves the right to incorporate its standard agreement language into any contract resulting from this application



## Retail Cannabis Dispensary Zone

Retail Cannabis Dispensaries shall be located with the designated boundary outlined in blue.







# COMMERCIAL MARIJUANA APPLICATION INDEMNIFICATION AGREEMENT BY AND BETWEEN CITY OF LINDSAY AND

THIS INDEMNIFICATION AGREEMENT (“Agreement”) is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the City of Lindsay (“City”) and \_\_\_\_\_ (“Applicant”).

## RECITALS

WHEREAS, the Applicant has a legal and/or equitable interest in the certain real property located at Assessor Parcel Number(s): \_\_\_\_\_ (“Property”); and

WHEREAS, the Applicant has submitted an application to the City for a cannabis business on the Property, pursuant to Chapter 5.28 of the City of Lindsay Municipal Code, hereafter referred to as the “Project.”

## TERMS

NOW, THEREFORE, pursuant to Chapter 5.28 of the City of Lindsay Municipal Code, and in consideration of the premises, covenants and provisions set forth herein, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

1. Nothing in this Agreement shall be construed to limit, direct, impede or influence the City’s review and consideration of the Project.
2. Applicant shall defend, indemnify, save and hold harmless the City of Lindsay, its elected and appointed officials, officers, employees, agents and volunteers from any and all claims, actions, proceedings or liability of any nature whatsoever (including, but not limited to: any approvals issued in connection with any of the above described application(s) by City; any action taken to provide related environmental clearance under the California Environmental Quality Act (“CEQA”) by City’s advisory agencies, boards or commissions, appeals boards, or commissions, Planning Commission, or City Council; and attorneys’ fees and costs awards) arising out of, or in connection with the City’s review or approval of the Project or arising out of or in connection with the acts or omissions of the Applicant, its agents, employees or contractors.

With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the Project, including any contention the Project or its approval is defective because a City ordinance, resolution, policy, standard or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the Applicant, its agents, employees or contractors, its obligation, hereunder shall apply regardless of whether the City prepared, supplied or approved plans, specifications or both.

3. The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.
4. The City will promptly notify Owner and Applicant of any such claim, action, or proceeding that is or may be subject to this Indemnification and will cooperate fully in the defense. The City may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the City defends the claim, action, or proceeding in good faith.
5. The City Council shall have the absolute right to approve any and all counsel employed to defend the City. To the extent the City uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Applicant will reimburse the City upon demand. Such resources include, but are not limited to, staff time, court costs, City Council's time at its regular rate for non-City agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action or proceedings.
6. For any breach of this obligation the City may rescind its approval of the Project.
7. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved in writing by the Applicant, which approval shall not be unreasonably withheld. The City must approve any settlement affecting the rights and obligations of the City.
8. The parties agree that this Agreement shall constitute a separate agreement from any Project approval, and that if the Project, in part or in whole, is invalidated, rendered null or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Agreement, which shall survive such invalidation, nullification or setting aside.
9. This Agreement shall be construed and enforced in accordance with the laws of the State of California.
10. The Applicant shall pay all court ordered costs and attorney fees.
11. The defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including appeals of any lower court judgments rendered in the proceeding.

After review and consideration of the foregoing terms and conditions, Applicant, but its signature below, hereby agrees to be bound by and to fully and timely comply with all of the foregoing terms and conditions.

Dated: \_\_\_\_\_

Applicant(s):

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature



## Commercial Cannabis Permit Application Acknowledgement Form

- I/we have read, fully understand and agree to operate within the regulations identified in The City of Lindsay's Ordinance's and all other applicable state laws and regulations as it relates to commercial cannabis operations and further understand that my permit(s) may be revoked for not operating in compliance with said regulations.
- I/we understand the City reserves the right to reduce the size of area allowed for cultivation under any clearance or license issued, in the event that environmental conditions, such as a sustained drought or low flows in the watershed will not support diversions for irrigation.
- I/we understand that it is our responsibility as the applicant to obtain will serve letters from all utility companies that will be serving my development. I/we understand that we will bear the sole cost of any upgrades, transmission improvements needed to serve my development as required by the utility companies.
- I/we agree that all structures utilized for Commercial Cannabis Businesses will be planned and built in accordance with applicable Building Codes and to the satisfaction of the City.
- I/we understand that the information I provide with my application may be released as required by law, judicial order, or subpoena, and could be used in a criminal prosecution.
- I/we agree to defend, indemnify, and hold harmless the City from any defense costs, including attorneys' fees or other loss connected with any legal challenge brought as a result of the City's review and/or approval of this license issuance. I/we agree to execute a formal agreement to this effect on a form provided by the City and available for my inspection.
- I/we understand that the application fee is non-refundable even if I cancel my application or it is denied during the process.
- I/we acknowledge that without a complete application package my application may be delayed.
- I/we recognize that the City Services Department and Public Safety Director reserves the right to request additional information if necessary to complete review or processing of the application and confirm or promote conformance to ordinance-specific requirements and standards.
- I/we authorize the City, its agents, and employees to seek verification of the information contained within the application including a background check of the applicant and all employees and independent contractors.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Property Owner Affidavit**

I, \_\_\_\_\_, authorize the Commercial Cannabis activity entitled \_\_\_\_\_ to use/purchase this property as a Commercial Cannabis facility, as those terms are defined in the Lindsay City Municipal Code, should this facility obtain the appropriate permit. I further understand that I am responsible for, and also subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property if leasing the property to the applicant.

Legal Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Signature) Title: \_\_\_\_\_

Legal Building Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Signature) Title: \_\_\_\_\_

**ATTACH:**

Proof of possession of the premises and approval of use (deed, lease, lease agreement, agreement showing willingness to sell property if applicant obtains permit)

\_\_\_\_\_  
Notary Use Only:

State of California  
County of Tulare

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me a notary public, the undersigned Officer, personally appeared to me, \_\_\_\_\_, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he/she executed the same for the purpose therein contained.

I witness hereof, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public



**Building Owner Affidavit**

I, \_\_\_\_\_, authorize the Commercial Cannabis Dispensary entitled \_\_\_\_\_ to use/purchase this property as a Commercial Cannabis dispensary, as those terms are defined in the City of Lindsay Municipal Code, should this dispensary obtain a Permit. I further understand that I am responsible for, and also subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property if leasing the property to the applicant.

**Property Manager Affidavit (if applicable)**

I, \_\_\_\_\_, authorize the Commercial Cannabis Dispensary entitled \_\_\_\_\_ to use this property as a Commercial Cannabis dispensary, as those terms are defined in the City of Lindsay Municipal Code, should this dispensary obtain a Permit. I further understand that I am responsible for, and subject to, enforcement actions regarding any violations and/or nuisance activity which may occur at this property.



**Background Investigation Packet – Business Owners  
(Must be completed by each owner)**

Under penalty of perjury, I acknowledge that I have personal knowledge of the information stated in this application. I hereby certify that all of the answers provided and statements made in this questionnaire are true and complete. I understand any misstatements of material fact, omissions, incomplete answers, or inaccurate responses will subject me to disqualification or dismissal.

**Owner Name:** \_\_\_\_\_

**Home or Cell Phone:** \_\_\_\_\_

**Home Address:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Tax ID Number:** \_\_\_\_\_

**Height:** \_\_\_\_\_

**Weight:** \_\_\_\_\_

**Hair Color:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Items to be completed as part of the Packet at the Lindsay Public Safety Department:**

Live Scan (attached)

Photograph (taken at the Lindsay Public Safety

Department) Fingerprinting (done at the Lindsay Public

Safety Department) Copy of Driver’s License, DMV issued

ID Card or Passport

Proof of address (DMV-issued ID/driver’s license, and/or recent utility bill under Owner’s name)

Staff use only: Pass background check

**Add more pages as necessary to accommodate responses.**

1. Indicate whether, the owner has been convicted of any of the violent felonies listed below as specified in subdivision (c) of Section 667.5 of the Penal Code or a serious felony as specified in subdivision (c) of Section 1192.7 of the Penal Code including:

**Section 667.5**

- Murder or voluntary manslaughter.
- Mayhem.
- Rape as defined in paragraph (2) or (6) of subdivision (a) of Section 261 or paragraph (1) or (4) of subdivision (a) of Section 262.
- Sodomy as defined in subdivision (c) or (d) of Section 286.
- Oral copulation as defined in subdivision (c) or (d) of Section 288a.
- Lewd or lascivious act as defined in subdivision (a) or (b) of Section 288.
- Any felony punishable by death or imprisonment in the state prison for life.
- Any felony in which the defendant inflicts great bodily injury on any person other than an accomplice which has been charged and proved as provided for in Section 12022.7, 12022.8, or 12022.9 on or after July 1, 1977, or as specified prior to July 1, 1977, in Sections 213, 264, and 461, or any felony in which the defendant uses a firearm which use has been charged and proved as provided in subdivision (a) of Section 12022.3, or Section 12022.5 or 12022.55.
- Any robbery.
- Arson, in violation of subdivision (a) or (b) of Section 451.
- Sexual penetration as defined in subdivision (a) or (j) of Section 289.
- Attempted murder.
- A violation of Section 18745, 18750, or 18755.
- Kidnapping.
- Assault with the intent to commit a specified felony, in violation of Section 220.
- Continuous sexual abuse of a child, in violation of Section 288.5.
- Carjacking, as defined in subdivision (a) of Section 215.
- Rape, spousal rape, or sexual penetration, in concert, in violation of Section 264.1.
- Extortion, as defined in Section 518, which would constitute a felony violation of Section 186.22.
- Threats to victims or witnesses, as defined in Section 136.1, which would constitute a felony violation of Section 186.22.
- Any burglary of the first degree, as defined in subdivision (a) of Section 460, wherein it is charged and proved that another person, other than an accomplice, was present in the residence during the commission of the burglary.
- Any violation of Section 12022.53.
- A violation of subdivision (b) or (c) of Section 11418. The Legislature finds and declares that these specified crimes merit special consideration when imposing a sentence to display society's condemnation for these extraordinary crimes of violence against the person.

## **Section 1192.7**

- Murder or voluntary manslaughter
- Mayhem
- Rape
- Sodomy by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person
- Oral copulation by force, violence, duress, menace, threat of great bodily injury, or fear of immediate and unlawful bodily injury on the victim or another person;
- Lewd or lascivious act on a child under 14 years of age;
- Any felony punishable by death or imprisonment in the state prison for life;
- Any felony in which the defendant personally inflicts great bodily injury on any person, other than an accomplice, or any felony in which the defendant personally uses a firearm;
- Attempted murder;
- Assault with intent to commit rape or robbery;
- Assault with a deadly weapon or instrument on a peace officer;
- Assault by a life prisoner on a non-inmate;
- Assault with a deadly weapon by an inmate;
- Arson;
- Exploding a destructive device or any explosive with intent to injure;
- exploding a destructive device or any explosive causing bodily injury, great bodily injury, or mayhem;
- Exploding a destructive device or any explosive with intent to murder;
- Any burglary of the first degree;
- Robbery or bank robbery;
- Kidnapping;
- Holding of a hostage by a person confined in a state prison;
- Attempt to commit a felony punishable by death or imprisonment in the state prison for life;
- Any felony in which the defendant personally used a dangerous or deadly weapon;
- Selling, furnishing, administering, giving, or offering to sell, furnish, administer, or give to a minor any heroin, cocaine, phencyclidine (PCP), or any methamphetamine-related drug, as described in paragraph (2) of subdivision (d) of Section 11055 of the Health and Safety Code, or any of the precursors of methamphetamines, as described in subparagraph (A) of paragraph (1) of subdivision (f) of Section 11055 or subdivision (a) of Section 11100 of the Health and Safety Code;
- Any violation of subdivision (a) of Section 289 where the act is accomplished against the victim's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person;
- Grand theft involving a firearm;
- Carjacking;
- Any felony offense, which would also constitute a felony violation of Section 186.22;
- Assault with the intent to commit mayhem, rape, sodomy, or oral copulation, in violation of Section 220;
- Throwing acid or flammable substances, in violation of Section 244;
- Assault with a deadly weapon, firearm, machinegun, assault weapon, or semiautomatic firearm or assault on a peace officer or firefighter, in violation of Section 245;
- Assault with a deadly weapon against a public transit employee, custodial officer, or school employee, in violation of Section 245.2, 245.3, or 245.5;
- Discharge of a firearm at an inhabited dwelling, vehicle, or aircraft, in violation of Section 246;

- Commission of rape or sexual penetration in concert with another person, in violation of Section 264.1;
- Continuous sexual abuse of a child, in violation of Section 288.5;
- Shooting from a vehicle, in violation of subdivision (c) or (d) of Section 26100;
- Intimidation of victims or witnesses, in violation of Section 136.1;
- Criminal threats, in violation of Section 422;
- Any attempt to commit a crime listed in this subdivision other than an assault;
- Any violation of Section 12022.53;
- A violation of subdivision (b) or (c) of Section 11418; and any conspiracy to commit an offense described in this subdivision. If yes, explain.'

1. \_\_\_\_\_  
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 \_\_\_\_\_  
 \_\_\_\_\_

2. Does the owner have a conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling, any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor? If yes, explain.

\_\_\_\_\_  
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3. Does the owner have a felony conviction involving fraud, deceit, or embezzlement? If yes, explain.

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4. Does the applicant have a felony conviction for drug trafficking with enhancements pursuant to Section 11370.4 or 11379.8 of the Health and Safety Code? If yes, explain.

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5. Does the applicant, or any of its officers, directors, or owners, has been subject to fines, penalties, or otherwise been sanctioned for cultivation or production of a controlled substance on public or private lands pursuant to Section 12025 or 12025.1 of the Fish and Game Code?

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6. Does the applicant, or any of its officers, directors, or owners, has been sanctioned by a licensing authority or a city, county, or city and county for unauthorized commercial cannabis activities, has had a license suspended or revoked under this division in the three years immediately preceding the date the application is filed with the licensing authority? If yes, explain.

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7. Failure to obtain and maintain a valid seller's permit required pursuant to Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code. If yes, explain.

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8. Are you a member or have you been associated with any criminal street gang? If yes, explain.

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9. Is there anything else you feel the background investigator should know about you or your experiences?

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10. List 5 references that the City may contact.

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_ Phone: \_\_\_\_\_



## Background Investigation Packet – Employee (Must be completed by each employee)

Under penalty of perjury, I acknowledge that I have personal knowledge of the information stated in this application. I hereby certify that all of the answers provided, and statements made in this questionnaire are true and complete. I understand any misstatements of material fact, omissions, incomplete answers, or inaccurate responses will subject me to disqualification or dismissal.

**Employee Name:** \_\_\_\_\_

**Home or Cell Phone:** \_\_\_\_\_

**Home Address:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Height:** \_\_\_\_\_

**Weight:** \_\_\_\_\_

**Hair Color:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

### Items to be completed as part of the Packet at the Lindsay Public Safety Department:

Live Scan (attached)

Photograph (taken at the Lindsay Public Safety

Department) Fingerprinting (done at the Lindsay Public

Safety Department) Copy of Driver's License, DMV issued

ID Card or Passport

Proof of address (DMV-issued ID/driver's license, and/or recent utility bill under Employee's name)

Staff use only: Pass background check





### REQUEST FOR LIVE SCAN SERVICE

#### Applicant Submission

CA0540400  
ORI (Code assigned by DOJ)

NON-SWORN LEA PERSONNEL  
Authorized Applicant Type

Type of License/Certification/Permit OR Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)

Contributing Agency Information:  
LINDSAY POLICE DEPARTMENT  
Agency Authorized to Receive Criminal Record Information  
185 N. GALE HILL AVE.  
Street Address or P.O. Box  
LINDSAY CA 93247  
City State ZIP Code

05890  
Mail Code (five-digit code assigned by DOJ)  
MARI CARRILLO  
Contact Name (mandatory for all school submissions)  
(559) 562-7120  
Contact Telephone Number

#### Applicant Information:

Last Name  
Other Name (AKA or Alias) Last  
Date of Birth Sex  Male  Female  
Height Weight Eye Color Hair Color  
Place of Birth (State or Country) Social Security Number  
Home Address Street Address or P.O. Box

First Name Middle Initial Suffix  
First Suffix  
Driver's License Number  
Billing Number 143059  
(Agency Billing Number)  
Misc. Number  
(Other Identification Number)  
City State ZIP Code

Your Number: \_\_\_\_\_  
OCA Number (Agency Identifying Number)

Level of Service:  DOJ  FBI  
(If the Level of Service indicates FBI, the fingerprints will be used to check the criminal history record information of the FBI)

If re-submission, list original ATI number:  
(Must provide proof of rejection)

Original ATI Number

#### Employer (Additional response for agencies specified by statute):

Employer Name  
Street Address or P.O. Box  
City State ZIP Code

Mail Code (five digit code assigned by DOJ)  
Telephone Number (optional)

Live Scan Transaction Completed By:

Name of Operator

Date

Transmitting Agency

LSID

ATI Number

Amount Collected/Billed



## REQUEST FOR LIVE SCAN SERVICE

### Privacy Notice

As Required by Civil Code § 1798.17

**Collection and Use of Personal Information.** The California Justice Information Services (CJIS) Division in the Department of Justice (DOJ) collects the information requested on this form as authorized by Business and Professions Code sections 4600-4621, 7574-7574.16, 26050-26059, 11340-11346, and 22440-22449; Penal Code sections 11100-11112, and 11077.1; Health and Safety Code sections 1522, 1416.20-1416.50, 1569.10-1569.24, 1596.80-1596.879, 1725-1742, and 18050-18055; Family Code sections 8700-87200, 8800-8823, and 8900-8925; Financial Code sections 1300-1301, 22100-22112, 17200-17215, and 28122-28124; Education Code sections 44330-44355; Welfare and Institutions Code sections 9710-9719.5, 14043-14045, 4684-4689.8, and 16500-16523.1; and other various state statutes and regulations. The CJIS Division uses this information to process requests of authorized entities that want to obtain information as to the existence and content of a record of state or federal convictions to help determine suitability for employment, or volunteer work with children, elderly, or disabled; or for adoption or purposes of a license, certification, or permit. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The DOJ's general privacy policy is available at <http://oag.ca.gov/privacy-policy>.

**Providing Personal Information.** All the personal information requested in the form must be provided. Failure to provide all the necessary information will result in delays and/or the rejection of your request.

**Access to Your Information.** You may review the records maintained by the CJIS Division in the DOJ that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

**Possible Disclosure of Personal Information.** In order to process applications pertaining to Live Scan service to help determine the suitability of a person applying for a license, employment, or a volunteer position working with children, the elderly, or the disabled, we may need to share the information you give us with authorized applicant agencies.

The information you provide may also be disclosed in the following circumstances:

- With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes;
- To another government agency as required by state or federal law.

**Contact Information.** For questions about this notice or access to your records, you may contact the Associate Governmental Program Analyst at the DOJ's Keeper of Records at (916) 210-3310, by email at [keeperofrecords@doj.ca.gov](mailto:keeperofrecords@doj.ca.gov), or by mail at:

Department of Justice  
Bureau of Criminal Information & Analysis  
Keeper of Records  
P.O. Box 903417

Sacramento, CA 94203-4170