RESOLUTION 5420-18

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION
CITY AWARDING EDEN CAMPUS HOLDINGS LLC FOUR CANNABIS PERMITS: A
CULTIVATION PERMIT, A MANUFACTURING PERMIT, A DISTRIBUTION
PERMIT, AND A MEDICAL RETAIL PERMIT

WHEREAS, on November 14, 2017, the City Council adopted Ordinance No. 845-17
which, among other things, established a permitting process for approval of commercial cannabis
operators in the City of Union City; and

WHEREAS, on November 14, 2017, the City Council adopted Resolution No. 5144-17
which allowed for up to three commercial cannabis permits in each of the following categories:
cultivation, manufacturing, distribution, testing and medicinal retail; and

WHEREAS, on November 14, 2017, the City Council adopted Resolution No. 5145-17
which opened the process for accepting applications for commercial cannabis permits and
approved the procedures to govern the manner in which the City Council would determine the
most qualified applicants to receive the commercial cannabis permit(s); and

WHEREAS, on November 28, 2017, the City Council adopted Ordinance No. 847-17
which, among other things, permitted commercial cannabis operations in the ML (light industrial)
and MS (special industrial) zones within the City of Union City; and

WHEREAS, pursuant to Resolution No. 5144-18, the cannabis permit application period
lasted from January 2, 2018 through January 26, 2018; and

WHEREAS, the application process consisted of four phases: preliminary determination
of eligibility, evaluation and ranking of applications by City’s consultant, interviews and ranking
by the City’s selection committee, and the City Manager’s review and recommendation to the City
Council; and

WHEREAS, on April 24, 2018, after a noticed public hearing, the City Council adopted
Resolution No. 5222-18, expressing its intention to award commercial cannabis permits to Eden
Campus Holdings, LLC (“Eden”) for cultivation, distribution, manufacturing and a medical
cannabis dispensary, subject to Eden satisfying all conditions identified and established by the City
in accordance with applicable state and local law; and

WHEREAS, Eden will operate a cultivation, distribution, manufacturing and a medical
cannabis dispensary located at 30540 Union City Boulevard, Union City (the “Property”); and

WHEREAS, Eden is proposing certain improvements to the Property, more particularly
described in the plans attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, Eden is proposing a vertically integrated cannabis business model, and each
separate cannabis permit will be phased in over time; and
WHEREAS, Eden is proposing to operate the cannabis business as further described in its Statement of Use, attached hereto as Exhibit B and incorporated herein by reference; and

WHEREAS, the City has identified certain conditions that Eden must satisfy in order to exercise the cannabis permits and operate a cannabis business; and

WHEREAS, the City has determined that such conditions of approval are necessary to protect the health, welfare or safety of the public; and

WHEREAS, Eden’s proposed cannabis business will include improvements to an existing industrial multi-tenant building, but will involve no expansion of the already existing industrial use, even after all phases have been implemented; and

WHEREAS, the City has determined that the award of the cannabis permits is exempt from further environmental review under the provisions of the California Environmental Quality Act (CEQA); and

WHEREAS, the City Council has considered a staff report dated November 27, 2018 (including background reports), and has determined that Eden is qualified to operate a commercial cannabis business in Union City, and desires to award commercial cannabis permits to Eden; and

WHEREAS, the City Council desires to award commercial cannabis permits to Eden subject to Eden complying with all conditions of approval adopted by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Union City as follows:

1. That the forgoing recitals are true and correct, and are incorporated herein by this reference.

2. That, pursuant to Municipal Code chapter 5.44, the City Council hereby authorizes the City Manager, or his or her designee, to issue four cannabis permits to Eden Campus Holdings LLC for cultivation, manufacturing, distribution and a medical cannabis dispensary.

3. That the cannabis permits authorized by this Resolution are subject to the conditions of approval attached hereto as Exhibit C and incorporated herein by reference. Pursuant to Municipal Code chapter 5.44, the cannabis permits may be revoked or suspended for violation of these conditions of approval.

4. That the issuance of the cannabis permits is exempt from further environmental review under the provisions of the California Environmental Quality Act (CEQA). Specifically, the proposed project is categorically exempt under CEQA Regulations section 15301, Class 1, because the proposed project involves only a minor alteration of existing private facilities. The proposed project includes improvements to an existing industrial multi-tenant building, but will involve no expansion of the already existing industrial use. Further, the area in which the proposed
project will be located is not environmentally sensitive, and a traffic study was prepared that concluded the project would not result in any significant traffic impact. The project will also be subject to the existing section of the Municipal Code requiring that no odors be detectable off-site.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Union City at a regular meeting held on the 27th day of November, 2018 by the following vote:

AYES: Councilmembers Duncan, Gacoscos, Vice Mayor Ellis
NOES: Councilmember Singh
ABSENT: None
ABSTAIN: Mayor Dutra-Vernaci

APPROVED:

[Signature]
CAROL DUTRA-VERNAI
Mayor

ATTESTED:

[Signature]
ANNA M. BROWN
City Clerk

APPROVED AS TO FORM:

[Signature]
KRISTOPHER J. KOKOTAYLO
City Attorney
PROPOSED SITE PLAN

SITE PLAN NOTES:

ALL OF THE SITE AREAS WITHIN THE PROPERTY BOUNDARIES ARE TO BE ARE TO REHABILITATED OR REMODELED. THIS INCLUDES THE FOLLOWING:

1. COMPLETELY REMODEL THE EXISTING FRONT YARD AREA WITH ALL NEW PAVING AND LANDSCAPING PER THE ATTACHED PLANS, INCLUDING LANDSCAPE PLAN.
2. REMOVE EXISTING CURB CUT AND ASSOCIATED PAVING AT THE SOUTHWEST CORNER OF THE SITE AND CONSTRUCT AN ALL NEW CITY SIDEWALK, CURB & CUTTER IN THIS AREA PER CITY STANDARDS AS NECESSARY TO RESTORE A REGULAR CITY SIDEWALK.
3. REDISEIGN THE EXISTING PARKING AREAS PER THE ATTACHED PLANS. THIS INCLUDES MOVING OF THE PARKING ALONG THE NORTH SIDE OF THE BUILDING AWAY FROM THE BUILDING TO AVOID EXISTING UTILITY STRUCTURES, ETC. ALONG WITH RESURFACING AND OR SEALING OF THE EXISTING PAVING AREAS AND COMPLETELY REFINISHING OF ALL PARKING AREAS, ETC.
4. CONSTRUCT AN ACCESSIBLE PATH OF TRAVEL ALONG THE NORTH AND EAST SIDES OF THE BUILDING AS SHOWN.
5. CONSTRUCT AN ALL NEW TRASH ENCLOSURE PER THE ATTACHED PLANS. SEE SHEET A-9.
6. CONSTRUCT AN ALL NEW 8’ HIGH CONCRETE BLOCK WALL ALONG THE EAST PROPERTY LINE WALL TO EXTEND DOWN TO THE BUILDING ALONG THE SOUTH PROPERTY LINE AND EXTEND ALONG THE EAST END OF THE NEIGHBORING PROPERTY LINE UNTIL IT REACHES THE NEIGHBORING FENCE THAT EXTENDS BACK TO THE NEIGHBORING BUILDING.
7. To address deferred maintenance issues on the property consistent with Section 5.44.030(C)(6), the project will be conditioned to require the following:
   a. Repair existing trench (approx. 1 ft. wide by 3’ deep x 50 ft. long) located closest to the front driveway approach on the adjacent property.
   b. Installation of a full trash device (“TCD”) in the field inlet (approx. 24”x50”) located near the driveway in the outbound (exit) direction across the property line shown on the plans.
   c. Repaving of areas of the drive aisle (including those located across the property line) that are currently falling as well as slurry sealing and re-striping of the parking stalls on the project site.
   d. Fix all depressed or missing pavement areas, including replacing the temporary cement plug that has been installed in the asphalt concrete pavement near the main driveway into the center.
   e. Repointing of speed bumps to be visible to motorists.

Consistent with the Air Quality report that was prepared for the project the project shall implement the following BAAQMD Basic Construction Mitigation Measures:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt truck-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]).
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.

PARKING ANALYSIS:

DISPENSARY AREA = 6,000sf = 175 SF/SPACE = 34 SPACES
INDUSTRIAL AREA = 44,000sf = 1000 SF/SPACE = 44 SPACES
TOTAL PARKING REQUIRED = 78 SPACES
PARKING PROVIDED = 78 SPACES

FOUR ACCESSIBLE PARKING SPACES PROVIDED, INCLUDING 2 VAN ACCESSIBLE PARKING SPACES.
OVERALL PROPOSED FLOOR PLAN

DISPENSORY
6,000 sf - M OCCUPANCY

PACKAGING / DISTRIBUTION
6,000 sf - F1 OCCUPANCY

MANUFACTURING / PROCESSING
8,000 sf - F1 OCCUPANCY

CULTIVATION
8,000 sf - F1 OCCUPANCY
(e) DOOR TO BE INFILLED

PROPOSED FLOOR PLAN - AREA OF WORK

SCALE: 1" = 30'-0"
OVERALL FUTURE FLOOR PLAN

PHASE 1
OCCUPANCY
10,000 sf - F1 OCCUPANCY

PHASE 2
CULTIVATION
12,000 sf - F1 OCCUPANCY

PHASE 3
CULTIVATION
12,000 sf - F1 OCCUPANCY

NEW DOOR
IN E OPENING

FLOOR PLAN - AREA OF WORK @ BACK PORTION OF BLDG.
EXISTING NORTH ELEVATION - LEFT SIDE

- NOTE THAT THERE ARE NO CHANGES PROPOSED TO THE WEST OR SOUTH ELEVATIONS, AND NO SIGNIFICANT CHANGES TO THE NORTH ELEVATION -

EXISTING NORTH ELEVATION - RIGHT SIDE

EXISTING WEST (REAR) ELEVATION

EXISTING WEST (FRONT) ELEVATION

TYPICAL ELEVATION NOTES:

EXISTING CORNER MOLDING TO REMAIN

LIGHT FIXTURES AND MOLDING TO BE REMOVED

TYPICAL, STUCCO FINISHED WALL TO REMAIN

STUCCO FINISHED FOAM MOLDINGS AROUND WINDOW AND DOORS TO BE REMOVED.

EXISTING ACCESSORY STOREFRONTS TO BE REMOVED.

DOORS TO BE REMOLED IF POSSIBLE

CONSIDER LANDSCAPE AREAS IN FRONT YARD

OTHER UTILITIES ON THIS SEG OF THE BUILDING TO BE SAFED OFF AND RELOCATED AS POSSIBLE.

PROPOSED WEST (FRONT) ELEVATION

TYPICAL ELEVATION NOTES:

EXISTING CORNER MOLDING TO REMAIN

NEW TUBE STEEL TRELLIS STRUCTURE PAINT TO MATCH STOREFRONT - SEE TRELLIS DETAIL

LIGHT FIXTURES AS NECESSARY

-LIGHTING WALL OVER MOST OF THE FRONT FACADE AS SHOWN - SEE DETAILS AND INFORMATION ON PAGE A-11

-NEW ALUMINUM AND GLASS STOREFRONT TO FIT IN EXISTING SPAN IN CONCRETE WALL - BRONZE COLORED

-LARGE REAR DRAINAGE BASIN

-48" HIGH ADDRESS NUMBERS

PROPOSED SIGNAGE - SEE BRICK OF SIMILAR SIGN ON PAGE A-11

CONCEPT (1ST FLOOR)

CONCEPT (2ND FLOOR)
Statement of Use
Eden Campus Project
GOE Union City Hold Co., EDH Co.,
EMH Co., and ECH Co.,
I. Overview: Eden Campus Project

The Eden Campus Project composed of GOE Union City Hold Co. dba Garden of Eden, EDH Co., EMH Co., and ECH Co (the “Applicants” or “Eden Campus Project”) seeks to establish and operate a vertically stacked and integrated commercial cannabis facility at 30540, 30542 and 30542B Union City Boulevard, Union City, CA 94587 (the “Facility”) that will engage in the following activities pursuant to Commercial Cannabis Permits issued by the City of Union City (the “City”), (i) retail dispensing to include delivery (ii) distribution to include transportation, (iii) volatile manufacturing of cannabis concentrate and infusion of cannabis products, and (iv), indoor cultivation. At a high-level, the Eden Project collective will conduct the following commercial cannabis activities:

A. EDH will use its own transportation vehicles to procure and transport (or use another licensed distributor to transport procure, transport, and sell) to ECH “mother” cannabis plants, cannabis clones, immature plants, and seeds from licensed nurseries. As ECH phasing is completed an on-site nursery provide the “mother” cannabis plans, cannabis clones and immature plants and seeds to the cultivation operation.

B. ECH operates an indoor cultivation operation (i) plant, grow, and maintain “mother” cannabis plants for the production of cannabis clones, (ii) plant and grow cannabis seeds, cannabis clones, and immature plants into mature cannabis plants using exclusively artificial lighting, and (iii) then harvest, trim, grade, dry, and cure the mature cannabis plants into unfinished cannabis through an internal Processor.

C. EDH operating, as a distributor will package, and label unfinished cannabis planted and grown by the ECH, thus transforming the unfinished cannabis into finished wholesale and retail cannabis.

D. EMH as a manufacturer will convert finished wholesale cannabis produced by ECH or finished wholesale cannabis procured by EDH from licensed cultivators or distributors into unfinished cannabis concentrate using a manufacturing process consisting of (i) propane extraction for crude cannabis oil or (ii) liquid CO2 extraction of cannabis terpenes, (iii) ethanol or isopropyl alcohol extraction of unfinished cannabis concentrate, (iv) short path distillation of unfinished cannabis concentrate, (v) pentane-based remediation of unfinished cannabis concentrate, (vi) reintroduction of cannabis terpenes to unfinished cannabis concentrate, (vii) infusion of cannabis concentrate oil for edible cannabis products.

E. EMH will package and label unfinished cannabis concentrate manufactured products thereby transforming the unfinished cannabis concentrate cannabis into finished wholesale and retail cannabis concentrate.
F. EDH will use its own transportation vehicles to procure and transport (or use another licensed distributor to transport procure, transport, and sell) finished cannabis and cannabis products from other licensed cultivators, manufacturers, and distributors to the Facility.

G. EDH will ensure performed the required quality assurance, inspection, and testing procedures contained in Section 26110 of the California Business and Professions Code (the “B&P Code”) by a licensed third party testing lab on finished cannabis and cannabis products produced by the EMH or EMC (or other licensed manufacturers or cultivators cannabis products obtaining a cleared Certificate of Analysis (“COA”).

H. EDH will store and stage finished cannabis and cannabis products prior to (i) distribution or (ii) retail sale.

I. EDH will further procure, sell, and transport cannabis and cannabis products between persons conducting commercial cannabis activity lawfully under the State Cannabis Law, namely (i) EDH will use its own transportation vehicles to transport and sell (or use another licensed distributor to transport and sell) finished cannabis and cannabis products produced EMH and EMC to licensed distributors and retailers, such as Garden of Eden.

J. Garden of Eden will offer finished cannabis and cannabis products for retail sale to patient customers by operating a cannabis “Brick-and-Mortar Dispensary”.

K. Garden of Eden will further offer finished cannabis and cannabis products for retail sale to customers via delivery vehicles by operating a cannabis “Delivery Dispensary”.

The initial Staffing and Employment plan for the Campus Project is included as Appendix A.

II. GOE Union City Hold Co. dba Garden of Eden Retail – Storefront & Delivery (Type 10)

a. Hours of Operation –

   i. Facility Hours: 6am – 10pm.¹
   ii. Public Hours: 9am – 9pm.

b. Summary of Operation & Features

¹ The allowance authorized by the BCC is 6am – 10pm, Section 5403.
With a longstanding track record of compliant retail operations at the Alameda County Garden of Eden - Hayward location the Principals are well positioned to service Union City and the surrounding communities with a flagship retail location as part of the overall campus. While Garden of Eden - Hayward operates to serve both medical and adult use customers it retains a medical focus curating its operations to educate and empower customers to have a rich and meaningful experience with cannabis and its known palliative benefits.

While Garden of Eden – Union City will feature an array of the state’s top-quality products from licensed cultivators and manufacturers cleared by EDH distribution protocols, the vertically stacked campus provides a efficient and sustainable model. Garden of Eden’s consumer experience will feature a farm to table cannabis style experience as Eden cannabis and cannabis products will have been cultivated and manufactured at campus. Consumers will be able attend on and off site educational workshops where they will be able to engage directly with the cultivator and manufacturer of their medicine.

c. **Proposed Daily Operations**

1. Morning-shift personnel open the Brick-and-Mortar Dispensary for non-public operations at 6:00 a.m.

2. From 6:00 a.m. to 8:45 a.m., morning-shift personnel stage finished cannabis and cannabis products for display and ultimate retail sale to customers.

3. Morning-shift Brick-and-Mortar Dispensary personnel open the Brick-and-Mortar Dispensary for public operations at 9:00 a.m.

4. From 9:00 a.m. to 9:00 p.m., the Brick-and-Mortar Dispensary is open to the public and customers may engage in the retail purchase of finished cannabis and cannabis products.

5. Evening-shift personnel close the Brick-and-Mortar Dispensary for public operations at 9:00 p.m.

6. From 9:00 p.m. to 10:00 p.m., evening-shift personnel return unsold finished cannabis and cannabis products back to overnight storage.

7. Evening-shift personnel close the Brick-and-Mortar Dispensary at 10:00 p.m.

d. **Delivery Dispensing Operations**
Garden of Eden proposes to operate the Delivery Dispensary pursuant to the below requirements and procedures.  

1. **“The Sales Zone Operational Model”**: in which delivery vehicles are assigned and drivers to specific areas or “zones” in the A delivery area to process and assemble orders “in the field” for delivery to qualified patients and primary caregivers located in the particular zone.  

2. **“The Sales Chain Operational Model”**, in which the Applicant compiles and preassembles orders at the Delivery Dispensary for the purpose of placing delivery vehicles and drivers on delivery routes that maximize the number of transactions that the delivery vehicle and driver can complete on a particular route of set of routes.

Both the Sales Zone Operational Model and the Sales Chain Operational Model are permissible and feasible within the current regulated market and will be employed by Garden of Eden.

### III. EDH Co., - Distribution (Type 11)

a. **Hours of Operation – 24-hours**

b. **Summary of Operations & Features**

An additional benefit of the vertical stacked campus is EDH distribution operation charged with quality control and quality assurance procedures. The distribution operation all shall be charged with the receiving and transporting of cannabis and cannabis products.

A. EDH employees shall pre-arrange the receipt and transportation of cannabis and cannabis products, and pre-authorized transportation personnel shall schedule time to arrive at the Facility.

B. Upon arrival at the Facility, the transportation personnel shall check-in with a security guard, and the security guard will inform the on-duty security officer. The security officer shall then contact the on-duty Inventory Control Agent. The on-duty Inventory Control Agent will then allow the transportation personnel to enter the designated secured sally port cage. Upon entry into the cage, the

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2 There are significant changes to the delivery model rhetoric at the state level between the readopted regulations and the proposed draft permanent regulations. Garden of Eden will adjust and modify its delivery SOPs and operations in accordance with the laws as they are finalized and implemented.

3 The proposed permanent regulations will allow for delivery to any address in California as long as the Operator acts in accordance with the rule sand regulation laid out in the regulations for delivery operations.
Inventory Control Agent will provide the licensed distributor a “security badge” and sign into a distribution log. The distribution log shall be kept up-to-date.

C. Prior to receiving or transporting cannabis and cannabis products, the EDH shall complete an electronic shipping manifest, which shall contain the following information:

1. The Applicant’s name and license number;
2. The Cannabis Supply Chain Actor’s name and license number;
3. The names of authorized transportation vehicle drivers;
4. A list of all of the cannabis and cannabis products, including a description of the quantity transported;
5. The unique identifiers associated with the cannabis and cannabis products;
6. The time and location of departure;
7. The time and location of expected arrival;
8. The make, model, and license plate number of the transportation vehicle; and
9. Any other information required elsewhere by the State or City Cannabis Laws.

D. During transportation, EDH shall maintain a physical copy of the shipping manifest and make it available upon request to any law enforcement officers (and until on METRC provide a copy to info@bcc.ca.gov).

E. Prior to receipt and during transportation, EDH shall maintain each electronic shipping manifest within the trace and trace system (METRC and TREEZ) and shall make them available upon request to any law enforcement officers.

F. Upon receipt of a shipment of cannabis and cannabis products, EDH employee shall submit create a record verifying receipt of the shipment and the details of the shipment.

G. EDH shall only offload cannabis and cannabis products at the Facility or another licensed premises.

H. Upon accepting a shipment cannabis and cannabis products, EDH employee shall immediately place the products in a secured and locked room, safe, or vault in a manner as to prevent diversion, theft, and loss.

IV. EMH Co., - Volatile Manufacturing (Type 7)

   a. **Hours of Operation – 24-hours**

   b. **Summary of Operations & Features**

As a Type 7 volatile manufacturer EMH will have control over the quality of the manufactured goods and the process by which they are manufactured. EMH will utilize
the waterfall allowance of the state licensing system and process cannabis concentrate for vape cartridges as well as cannabis oil to infuse into edible products with a focus on micro dosing for reasonable consumption.

A detailed overview of the manufacturing process and equipment is included in Exhibit 1) Appendix C – Manufacturing Details.

V. ECH Co., - Cultivation up to 22,000 Square Feet (multiple Type 2 premises, Processor and Nursery).

a. Hours of Operation – 24-hours

b. Summary of Operations & Features

The cultivation operation is the heart of the Eden Campus Project as ECH provides the basis for all other operations – raw cannabis. ECH indoor grow is designed to maximize efficiency with a lens on sustainability with LEP (light emitting plasma) lighting - with Pro 270e LEP SUP / GROW and Gavita Pro 1000 DE 277-347 lights, which provide features like sunset and sundown. The individual flower rooms are curated to be strain specific the attention to detail of the process will result in top shelf, high quality, clean cannabis.

ECH seeks up to 22,000 square feet of canopy for cultivation with processing. The cultivation operation will have a phased build-out timed with the ability to possess the back two units of the building. The phasing schedule is currently slated as detailed below; however, this is subject to change if the existing tenant vacate early.

Phase I: Along with the initial build-out 8,000 square feet of operation space with 4,500 approximately square feet of cultivated canopy.

Phase II: Commencing in Q4 of 2019 an additional 12,000 square feet of operating space with 6,480 approximately square feet of cultivated canopy.

Phase III: Commencing in Q2 of 2021 an additional 10,000 square feet of operating space with 5,600 approximately square feet of cultivated canopy.

c. Cultivation Operational Overview

Subject to (i.e., to be modified to the specifics of) the State Cannabis Law and the City Cannabis Law, the Applicant’s indoor cultivation processes shall be conducted and operationally integrate into the overall cannabis supply chain as follows:

A. The Cloning Process: The Applicant intends to produce cannabis plants from seed and by cloning. Cloning is when female plants are grown large enough under a vegetative lighting cycle (18 to 24 hours of lighting per day) to be able to produce enough cuttings for new plants. Cuttings are areas of new growth on a
mature cloning mother cannabis plant that are cut and then planted to make new plants. This vegetative reproduction process allows for the cutting to maintain the exact same genetic qualities as the cloning mother cannabis (which is why cuttings are often referred to as “clones”).

B. The Vegetation Process: Vegetation is when seeds or clones are grown into full-size, immature cannabis plants under a vegetative lighting cycle (18 to 24 hours of lighting per day) so they are large enough for flower production. Since a plant usually will grow an extra few inches in the Flowering Process the optimal size for a full-size, immature cannabis plant is between two and three feet, depending on the kind or strain of cannabis. During the growth process as a plant grows it is imperative that the plant is managed correctly through several techniques such as Topping, Fimming, Pruning, and Bending.

1. Topping: Topping involves locating the top of the plant and cutting the main stem just below the newest growth, making it a “headless” plant. The new branch will then form a “Y” shape, allowing for two new stems to grow. Whenever one stem is cut, the smaller leaves below the cut area begin to grow out new branches; therefore, one stem becomes two stems; two stems becomes four; and so on.

2. Fimming: Fimming is very similar to Topping and involves removing the top new growth of a plant to force the hormones to expand down and outward. This causes the plant to grow more tops and flowering sites. Fimming can be done multiple times to one plant to increase the plant’s yield capacity.

3. Pruning: Pruning is a process that is required when the plant is about one to 1.5 feet tall. The lower region of the teen will be pruned of all leaves and smaller branches, promoting upward growth. This allows the plant to utilize its resources and energy toward growing its upper portion or the area that is more likely to produce flowers since it is closest to the grow light.

4. Bending: Bending is angling the teen toward a specific area of concentrated light that will allow maximum light penetration for the entire plant. As the plant’s top branch turns toward the light, it allows the light to illuminate other areas of the plant that are not receiving as much lighting.

C. The Flowering Process: Flowering is a process by which immature cannabis plants develop into mature cannabis plants, producing usable cannabis flowers. Once immature cannabis plants are placed into flowering, the lighting cycle is changed from a vegetative lighting cycle to a flowering lighting cycle (12 hours of lighting and 12 hours of darkness per day) to induce flowering.

Processing Activities
Once a mature cannabis plant has completed its flowering cycle, it is ready to be harvested, or cut and hang dried. Harvesting is done in a temperature-controlled room with minimal humidity and adequate air circulation. The drying process is a delicate balance if the harvested plants are dried too quickly as this can affect the plant’s smell and taste but if dried too slowly can attract mildew and mold.

The finished plants are cut from their main branch and hung upside down on racks to dry out excess water weight. Each plant is placed at least four (4) feet above the ground and separated by a few inches. The plants are not vertically stacked on top of each other because that would impede the drying process and make the plants more susceptible to mold and mildew. After the plant is hung upside down the sun leaves that droop and cover the cannabis flowers are cut off.

The Applicant plans on staggering harvests so there is a steady flow of cannabis being produced at the Facility and downstream processes can manage workflows and capacity. This is opposed to having all of the plants within the Facility harvested at once, which would create an overabundance of work during harvest time and a shortage of work and cannabis right before harvest.

E. The Trimming Process: After a hanging plant is fully dried it is ready to be trimmed. Trimming is done in a large sterile room full of ample lighting, tables, and chairs. Trimming entails cutting off any remaining plant matter (leaves, stems, etc.) to leave the cannabis flower buds. Mostly hand instruments will be used for precision trimming. Automated machines are helpful for initial manicuring and can save time, but hand instruments are still necessary for detailed finish work.

F. The Curing Process: The final step of the cultivation process is Curing. The trimmed cannabis contained within the sealed curing bins is properly aerated to remove any remaining water. The lids of the curing bins are manually opened and closed, to slowly let out the remaining water weight and increase the flavor and aroma of the trimmed cannabis. The trimmed cannabis is rotated in the curing bin from time to time, and turned over to facilitate the curing process. The bins are opened and closed every two to four hours typically over the course of a week.

Additional information regarding the CO2 and pesticide / fungicide use and storage thereof is detailed in Exhibit 1) Appendix B – Cultivation Details.
Employment and Staff Plan – Eden Campus Project

The following jobs have been identified and Eden will seek to hire from within Union City and the greater Alameda County area as discussed and highlighted in the previously submitted Labor and Employment Plan for the Project.

Retail (GOE Union City Hold. Co. dba Garden of Eden)

GOE Union Co, dba Garden of Eden (“GOE”) anticipates hiring a total of fifty (50) retail employees once fully operational. To start GOE has identified the following staffing needs:

Inventory Control Manager & Agent(s) – The Manager will be trained on both the State’s trace and trace software METRC and TREEZ which is METRC compliant in order to oversee and manage the Inventory Control team ensuring inventory management and internal fulfillment of order processing at both the retail location and delivery. The team will be charged with inspection of packaging and labeling on all products set for retail sale upon intake and inventory control reconciliation procedures in accordance with state law. The Manager will supervise destruction of any non-usable cannabis and cannabis products maintain accurate track and trace records for the mandatory 7-year period.

Customer Management Executive – will be a liaison between customers and the Company to provide the highest quality experience. Will coordination with the Community Liaison for education events and content that will be available at the dispensary and on the website. Coordinate educational trainings on compliance and products with internal staff. Charged with responding to any complaints and coordination with the Inventory Control Manager and their team for any product recalls.
Delivery Manager & Delivery Drivers – The Delivery Manager shall oversee the
delivery all products and order fulfillment to ensure that all pre-packaged orders
are correctly processed and secured in delivery cars.

Lead Budtender and Budtender(s) – will facilitate a sale from beginning to end,
including assisting the patient customers in selecting products, distributing all
necessary literature and maintaining a welcoming and educational experience.

Purchasing Manager / Vendor Relations Associates - Will work to create
favorable business relationships with vendors via EDH or other licensed
distributors with whom the company does business. Coordinates with Customer
Management Executive for education of budtenders on products for meaningful
customer interaction. Will work with the Inventory Control to maintain compliant
product purchasing and maintain inventory.

Security - Retail Public Facing Operation

Eden anticipates hiring eight (8) full-time security employees with following job
descriptions to focus on the Retail public facing operation:

Security Manager - will manage security guards, create schedules, and maintain
management relations. Acts as an employee relations specialist, working closely
with managers and employees to improve work relationships, build morale and
increase productivity and retention. Manage employee performance review
system to ensure compliance with company policies. Addressing employee
performance and corrective action plans. Communicate job expectations; and
reviewing job contributions. Respond in a timely manner to emergent events,
issues, staffing deficiencies and company requests. Manage physical security
operations for the company including post orders, standards, policies and
procedures. Maintain close coordination, planning, and regular direct
communication with management and around all aspects of physical security,
safety, investigations and risk management programs. Responsible for identifying
areas of program improvement, expansions of service, and customer service
improvements. Maintain relationships with Federal, State and Local law
enforcement and other government agencies. Responsible for recruiting and hiring
efforts, including conducting guard interviews and candidate selection. Assists
with new hire and ongoing training for all employees. Stay up-to-date on all
regulatory issues in the security and cannabis industries. Ensure employees are
properly BSIS licensed and trained. Oversees and verifies weekly schedules.

Security Guards - will patrol and secure assigned premises as well as identify
risks to staff and patrons. Monitor premises to prevent theft, violence, or
infractions of rules. Thoroughly examine doors, windows, and gates to ensure
proper function and security. Warn violators of premise rules and regulations. Apprehend or expel persons engaging in suspicious or criminal acts. Report any facility issues such as fire hazards and leaking water pipes. Request emergency personnel for high-risk situations. Crowd control with an emphasis on customer service. Escorts owner or employees to their vehicle or to the parking lot. All must be BSIS certified. Security guard will work in eight (8) hour shifts.

Cultivation (ECH, Co.)

ECH, Co. anticipates hiring seven (7) full-time cultivation team members to start. Eden has identified the following jobs for potential employees:

- **Master Cultivator** – will perform all tasks in the cultivation of cannabis including: cloning, transplanting, feeding plants, defoliation, super cropping, topping, flushing, trimming, packaging, waste disposal, and inventory management. Will be responsible to effectively plan, organize, direct, and control cannabis production at each of our clients cultivation facilities to meet the company’s high-quality standards and yield requirements. Provide recommendations and resolutions to the executive management team resulting in increased organizational effectiveness and results. In addition, this position ensures effective communication between client corporate headquarters and its satellite facility operations, company meets its customers’ delivery-time expectations and production timelines are met. Additionally, this position ensures that all applicable corporate programs, policies and procedures are followed at the satellite facility.

- **Cultivation supervisors** - Responsible for managing the day-to-day operations of the company cultivation facility in accordance with standards set by the State and the company. Provides support for all cultivation agents, including schedules, training, policy and procedure updates, industry news, and product information. Responsible for the documentation, ordering, and receiving of all inventory and products, arranging deliveries, maintaining facility compliance, and cleanliness in accordance with State regulations and standards set by the company.

Cultivation Assistants - to assist in various aspects of the production, harvest, and packaging processes such as, propagation, feeding, watering and pruning of cannabis. This is an entry-level position with room for learning and growth. Other duties include ensuring all harvested plants are hung, dried and de-stemmed properly, and are correctly entered into the tracking software system. Duties may also include weighing and packaging accordingly.
EDH, Co. anticipates hiring seven (7) full-time distribution employees with following job descriptions:

- **Packaging & Labeling/Quality Control Officer** – will set procedures for the properly packaging and labeling of flower cannabis and pre-rolls in order meet all compliance standards. Will establish metrics and guides for clearing final form manufactured product and placing where appropriate at the manufacturer direction the cannabinoid content (THC and CBD) based on the results of the Certificate of Analysis (“COA”). Establish and implement batch sample testing protocols with contracted third-party licensed labs for COA in order to clear product for sale to retailers.

- **Chief Operations Logistics Manager** – will oversee the logistics and daily operations needed for business to run properly and efficiently.

- **Vendor Relations** – will curate and establish favorable business relationships with vendors with whom the Company does business. Work with General Counsel to execute Distribution Agreements. Will work on Purchase Orders for management approval.

- **Transportation Manager** – oversees all Distribution related transportation needs and issues which arise.

- **Inventory Control Manager** – manages the Inventory and Packaging team in all aspects of day-to-day management and assist in strategic goal development. Responsible for track and trace with TREEZ, Distru and METRC. Responsible for implementing recall procedures when necessary and destruction of defective cannabis and cannabis products.

- **Drivers** - will pick up and deliver product pursuant to established protocols.

**Manufacturing**

EMH, Co., anticipates hiring fifteen (15) full-time manufacturing employees:

- **Director of Manufacturing Operations** - Will liaise with superiors to make decisions for operational activities and set strategic goals. Plan and monitor day-to-day operations. Evaluate regularly the efficiency and finances of manufacturing division. Manage relationships and agreements with external partners and vendors.

- **Operations Manager** - will oversee the production pipeline, inventory management, and workflow for the company’s manufacturing facility, the
processes, team and supplies for the packaging of extracts, vaporizers and other manufactured products and the development of packaging production lines across Eden’s divisions. Responsible for leading the production team and collaborating with the management of production divisions and QC, this individual will be responsible for meeting production goals, exceeding quality control standards and consistently striving to improve metrics.

Laboratory / Extraction Technician - will prepare plant material for decarboxylation. Operate and maintain complex decarboxylation, extraction, and winterization equipment. Prepare equipment and plant material for extraction. Process concentrates and extracts. Maintain records associated with production and laboratory operations. Clean and sterilize laboratory glassware and tools. Maintain immaculate production and laboratory environments adhering to Good Laboratory Practice (GLP) and Good Manufacturing Practice (GMP) standards. Assist in development and optimization of current protocols for decarboxylation, extraction, and winterization procedures. In accordance with established procedures, assist in sample preparation and analytical testing procedures. Assist in filling, labeling, and packaging of inventory according to the company’s specifications. Maintain strict inventory records of all plant materials, supplies, and equipment. Perform clerical work pertaining to laboratory activities such as word processing, record-keeping and answering electronic and telephone inquiries.

Shared Employees:

As a vertical stacked business the Facility in compliance with State law will share certain employees:

- **General Counsel** – will provide expert and strategic legal advice to management, and evaluate and weigh in on multiple inputs and impacts of any decision or course of action.
  The General Counsel in coordinate with outside counsel Green Wise Legal, LLP to ensure that the Companies operates within the law at all times. Offers counsel on legal issues, create an effective guardian of the organization and facilitate business strategies development. Interact with external parties as a representative - regulators, external counsel, local and state jurisdictions.

- **Human Resources Director** – Will develop organization strategies by identifying and researching human resources issues; contributing information, analysis, and recommendations to organization strategic thinking and direction; establishing human resources objectives in line with organizational objectives. Implements human resources strategies by establishing department accountabilities, including talent acquisition, staffing, employment processing, training and development, records management, safety and health, and labor relations. Manages human resources operations by recruiting, selecting, orienting, training, coaching, counseling, and disciplining staff. Guides management and employee actions by
researching, developing, writing, and updating policies, procedures, methods, and guidelines; communicating and enforcing organization values.

- **IT Manager** – will be responsible and accountable for the smooth running of the computer systems including the trace and trace software within the limits of requirements, specifications, costs and timelines. They will supervise the implementation and maintenance of our company’s computing needs, and proven professional experience and a detailed knowledge of industry’s best practice processes. Responsibilities will include: managing information technology and computer systems; planning, organizing, controlling and evaluating IT and electronic data operations; Designing, developing, and implementing systems, policies and procedures; and ensure security of data, network access and backup systems.

- **Community Liaison** – Will be responsible for the management and implementation of the Community Benefits Plans. The Community Liaison will work in coordination with Customer Management Executive for education events and content that will be available at the dispensary and on the website. Coordinate educational training on compliance and products with internal staff. Respond and handle any complaints, neighbor feedback and work with the City to address any comments.

- **Administration/Compliance Manager and Associates** – To administer the issuance and ongoing oversight of compliance protocols and implementation to ensure compliance with all local and state laws regarding commercial cannabis activity.

### Security – Non-public Supply Chain Operations:
**EDH Co. ECH Co, and EMH Co.**

Eden Campus anticipate hiring six (6) full-time security employees with following job descriptions that will float and provide security for all non-public facing uses – Distribution, Cultivation and Manufacturing.

- **Security Manager** - will manage security guards, create schedules, and maintain management relations. Acts as an employee relations specialist, working closely with managers and employees to improve work relationships, build morale and increase productivity and retention. Manage employee performance review system to ensure compliance with company policies. Addressing employee performance and corrective action plans. Communicate job expectations; and review job contributions. Respond in a timely manner to emergent events, issues, staffing deficiencies and company requests. Manage physical security operations for the company including post orders, standards, policies and procedures. Maintain close coordination, planning, communication and regular direct liaison with management and
around all aspects of physical security, safety, investigations and risk management programs. Responsible for identifying areas of program improvement, expansions of service, and customer service improvements. Maintain relationships with Federal, State and Local law enforcement and other government agencies. Responsible for recruiting and hiring efforts, including conducting guard interviews and candidate selection. Assists with new hire and ongoing training for all employees. Stay up-to-date on all regulatory issues in the security and cannabis industries. Ensure employees are properly BSIS licensed and trained. Oversees and verifies weekly schedules.

- Security Guard - will patrol industrial premises to prevent and detect signs of intrusion and ensure security of doors, windows, and gates. Secures premises and personnel by patrolling property regularly; monitoring surveillance equipment; inspecting buildings, equipment, and access points; permitting entry. Prevents losses and damage by reporting irregularities; informing violators of policy and procedures. Monitor and authorize entrance and departure of employees, visitors, and other persons to guard against theft and maintain security of premises. Guard courier vehicles after arrival and delivery of product and valuables to prevent theft and ensure safe delivery. Promote a work environment that is positive, customer-service oriented, and compliant with established policies and procedures. Ensure compliance with all state and federal laws and regulations. Report any security or compliance issue or situation to the direct supervisor. Security Guards will work in twelve (12) hour shifts.
## Eden Campus – Employees Per Use & Per Shift

<table>
<thead>
<tr>
<th>Total Expected Employees</th>
<th>Employees Per Shift</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Retail</strong></td>
<td></td>
</tr>
<tr>
<td>Eden expects to hire fifty (50) total employees to operate the retail storefront and delivery.</td>
<td>Twelve (12)</td>
</tr>
<tr>
<td><strong>Distribution</strong></td>
<td></td>
</tr>
<tr>
<td>EDC expects to hire seven (7) total employees for the distribution operation.</td>
<td>Five (5)</td>
</tr>
<tr>
<td><strong>Manufacturing</strong></td>
<td></td>
</tr>
<tr>
<td>EMC expects to hire fifteen (15) total employees to operate the manufacturing facility.</td>
<td>Ten (10)</td>
</tr>
<tr>
<td><strong>Cultivation</strong></td>
<td></td>
</tr>
<tr>
<td>Eden expects to hire seven (7) total employees for the cultivation employees to start increasing as the phasing develops.</td>
<td>Three (3)</td>
</tr>
<tr>
<td><strong>Security</strong></td>
<td></td>
</tr>
<tr>
<td>Eden expects to hire eight (8) total security guards for the retail public facing operation.</td>
<td>Three (3)</td>
</tr>
<tr>
<td>Eden expects to hire six (6) total security guards for the supply chain operations.</td>
<td>Two (2)</td>
</tr>
<tr>
<td><strong>General Counsel</strong></td>
<td></td>
</tr>
<tr>
<td>Eden expects to have one (1) person on call for general</td>
<td>One (1)</td>
</tr>
<tr>
<td>Human Resources</td>
<td>IT</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Eden expects to hire one (1) human resources director.</td>
<td>One (1)</td>
</tr>
<tr>
<td>Eden expects to hire 2 (two) IT Managers.</td>
<td>One (1)</td>
</tr>
</tbody>
</table>
Exhibit C
Eden Campus Holdings
Conditions of Approval

Planning Division:

General

1. All actual site improvements shall be made and maintained with strict adherence to plans marked as Exhibit A of the City Council Resolution, except as they may be modified by other conditions of approval included in this document.

2. Business shall operate consistent with the Statement of Use marked as Exhibit B of the City Council Resolution.

3. The Cannabis Permits shall expire one year from the date of City Council approval unless a renewal is granted by the City Council. The Cannabis Permits must be exercised, and may be renewed or revoked, in accordance with Municipal Code section 5.44.030(F), or as otherwise provided by applicable law. The Cannabis Permits shall automatically expire if it is abandoned for a period of six months, and shall become null and void with no further action required on the part of the City.

4. The Business shall operate at all times in accordance with all applicable state and local laws, regulations and policies, including, but not limited to, Union City Municipal Code chapter 5. 44, and shall obtain and maintain all necessary licenses and permits.

5. This Cannabis Permits shall expire upon change of tenancy or sale or transfer of the business or property.

6. This Cannabis Permits may be immediately suspended if the operator fails to comply with the requirements of Municipal Code chapter 5. 44 or any condition of approval, the operator’s state license for commercial cannabis is revoked, terminated or not renewed, or for any other reason listed in Municipal Code section 5.44.030(F).

7. The applicant/property owner shall obtain a business license from the City and shall maintain said license as long as it operates at this address.

8. The applicant and/or property owner shall be responsible for ensuring that all contractors and subcontractors have obtained a City of Union City business license for the duration of the project.

9. The applicant and/or property owner shall apply for and take out all required building and fire permits prior to beginning any on-site work. Plans submitted to
the Building Division and Fire Department shall demonstrate compliance with all code requirements, local ordinances and State building regulations where applicable.

11. All business activities shall take place indoors. No activities shall take place outside of the building or in the parking lot areas.

12. The City strongly encourages the participation of Union City businesses in the Alameda County Green Business program. Prior to issuance of a Certificate of Occupancy, the applicant/property owner shall meet with the Economic & Community Development Department to discuss their participation in the Alameda County Green Business program. For more information regarding the Alameda County Green Business program, please contact Pamela Evans, Alameda County Green Business Coordinator, at pamela.evans@acgov.org.

13. The applicant and/or property owner shall pay a General Plan Cost Recovery Fee in the amount of $1.00 per $1,000.00 of building valuation per City Council Resolution Number 3379-07.

14. Prior to building permit issuance for each phase, provide a construction staging plan for review by the Economic and Community Development Department. Plan shall detail all proposed improvements, limits of work, location of any equipment / construction materials staging areas associated with the phase of work. Plan shall also demonstrate that access to operating businesses shall be maintained.

15. The site shall be kept clean and in good maintenance at all times.

Waste Management

16. Prior to issuance of building permits for Phase 1, submitted Waste Management Plan shall be reviewed and approved by the Recycling and Solid Waste Manager. Business operations and enclosure design shall comply with the approved Waste Management Plan.

17. The waste/recycling enclosure shall be designed consistent with Section 7.04.055, Enclosures for solid waste, organic waste and recycling containers, of the Municipal Code and the approved Waste Management Plan. Details shall be shown on plans submitted for building permit issuance and for Public Works
approvals. Enclosures shall be covered and shall consist of walls matching the material, texture and color of the building and gates of heavy gauge corrugated steel, or other material approved by the Economic and Community Development Department. Trash and recycling bins shall be kept within the enclosure at all times.

18. The applicant shall comply with all local, county and state mandatory solid waste and recycling requirements. Cannabis waste is considered organic waste if it is not combined with any hazardous or toxic material. The law considers organic waste a type of solid waste. Per Section all solid waste shall be collected from premises and disposed of at least once each week by the City’s solid waste franchise hauler, Republic Services, unless excepted by Section 7.04.170. All recyclable materials placed for collection shall be collected from the premises at least once each week by Republic Services and/or Tri-CED Community Recycling.

Landscaping

19. Prior to the issuance of building permits, the applicant shall submit a final landscape package. Landscape package shall be consistent with Chapter 18.112, Water Efficient Landscape, of the Municipal Code and the Landscape Standards Policy Statement that includes details regarding the living wall. Landscape package shall be reviewed and approved by the City’s consulting Landscape Architect. A final inspection of the installed landscaping and irrigation shall be completed prior to issuance of the Certificate of Occupancy. The applicant/property owner shall be responsible for maintaining all irrigation and landscaping and shall replace any dead or dying vegetation for the life of the project. The landscape package shall incorporate the following comments:

a. Trees planted within 10 feet of any public paved or concrete area shall include a root control barrier and deep watering sleeve, the design of which shall be subject to approval by the City Arborist.

b. Plant selection for “living wall” shall be subject to review and approval.

c. Any new trees shall be a minimum of 24’ box size.

d. Update plant selection on northwest corner of project site to provide screening of existing equipment along northerly building wall.

20. A certificate of deposit shall be submitted in the amount of 50% of the estimated installation cost of the landscaping, up to $10,000.00, in order to insure installation of the planting shown on the approved landscape plan. The property owner shall enter into a private landscape maintenance contract for the maintenance of the required landscaping for a minimum period of two years after installation. The required certificate of deposit shall be submitted to the Economic and Community Development Department prior to the issuance of building permits. The project landscaping shall be completed, pursuant to the above-
stated requirements, prior to issuance of a Certificate of Occupancy for the building.

Fencing and Screening

21. Prior to building permit issuance for Phase 1, submit detail of proposed decorative 8-foot CMU wall and gate proposed along the side and rear portions of the site for review and approval by the Economic and Community Development Department.

22. Plans submitted for building permit issuance for Phase 1, shall show installation of a new 3-foot tubular steel fence along the southerly property line extending from the edge of the right-of-way to the building edge.

23. The applicant and/or property owner shall screen all meters, telecommunications equipment, roof equipment and appurtenant structures from public view. If applicable, a detail of such screening shall be shown on the plans submitted building permit issuance.

24. The applicant and/or property owner shall subsurface all new transformers, switching boxes, and similar appurtenances. Any new above-ground equipment shall be screened by locating them in an enclosure with walls matching the material and color of the nearest building. The enclosure shall be surrounded by trees, shrubs and climbing vines. The applicant and/or property owner shall arrange the location and treatment of the appurtenances with the gas, electric and communication providers prior to issuance of building permits. Screening details shall be included on the plans submitted for building permit issuance.

Signage

25. Prior to building permit issuance for Phase 1, submit a sign program for review and approval, which includes sign copy, design details and locations and is consistent with the provisions listed in Municipal Code Chapter 18.30, Sign Regulations, and also addresses the following:

a. Provide directional signage at driveway directing people to parking area.
b. Provide signage identifying parking areas for patron use.
c. Provide signage on proposed 3-foot tubular fence at southerly property line identifying parking on adjacent parking is for that site.
d. Building signs shall be designed with individual letters and can be internally or externally illuminated.

Lighting

26. Prior to building permit issuance for Phase 1, submit a photometric/lighting plan that reflects lighting levels in exterior areas sufficient to mitigate any safety concern in all exterior areas and includes details regarding design and location for
any new fixtures and/or existing fixture to remain. Motion sensors shall be provided for areas inside and directly adjacent to trash enclosure areas. Plan shall be reviewed and approved by the Economic and Community Development Department and Police Department.

Utilities
27. Plans submitted for building permit issuance and Public Works approvals shall include a utility plan showing any proposed on-or off-site utility (electrical, water, sewer, etc.) improvements necessary to serve all aspects of the proposed use. Contact the Alameda County Water District, Engineering Department, at (510) 659-1970 to determine water service and permit requirements and Union Sanitary District at (510) 477-7500 to determine sewer service and permit requirements. It is recommended that you contact these agencies as soon as possible as they are experiencing a high volume of application activity and their review timelines are taking longer than normal.

Odors
28. Plans submitted for issuance of building permits for each phase shall be consistent with Municipal Code Section 5.44.030, which requires odor control devices and techniques to be incorporated in all commercial cannabis uses to ensure that odors from cannabis are not detectable off-site.

29. Submit correspondence from Terraphase Engineering, who is the consultant who prepared the Air Quality Plan for the project, that design of tenant improvements for each phase comply with the recommendations listed in the Air Quality Plan dated November 4, 2018.

30. Within fifteen (15) days of commencing commercial cannabis activities at the site for each phase, submit documentation from Terraphase Engineering that the improvements recommended by the Air Quality Plan were installed consistent with the approved building permit plans and that odors from the cannabis use are not detectable off-site.

31. In the event that the City receives more than three odor complaints within a 15-day period that the odors from cannabis are detectable off-site, the City shall hire an odor consultant, at the applicant’s expense, to inspect the property and prepare a report regarding the source of the odors and recommendations to ensure the odors are detectable off-site. Applicant shall have 15 days after receipt of report to comply with recommendations.

Miscellaneous
32. Prior to final inspection of first building permit, repaint northerly wall of building. The applicant and/or property owner shall submit color samples for review and approval by the Economic and Community Development Department prior to the issuance of building permits. The color samples shall be full-size brush-outs as
opposed to paint chips. Any future amendments or changes to the approved painting schemes shall be submitted to the Economic and Community Development Department for approval prior to the repainting of any buildings or structures on site.

33. Prior to final inspection of first building permit, paint existing equipment located along northwest corner of building to match new building color, except that portions of the equipment shall be painted red as required by the Fire Code.

34. The applicant and/or property owner shall provide factory processed color finishes, such as baked enamel, on all exterior metal surfaces.

35. Any graffiti appearing on the site shall be removed by the applicant and/or property owner within forty-eight hours after discovery. If not removed in a timely manner, the City may, at its option, remove the graffiti and charge the applicant and/or property owner for the services performed. The applicant and/or property owner shall coordinate with neighboring property owners, as needed, to ensure adequate property maintenance.

36. Prior to final inspection of the first building permit, the applicant and/or property owner shall install bicycle racks as required by Section 18.28.080 of the Zoning Ordinance. The final design and location of the racks shall be shown on the plans submitted for building permit issuance.

37. The applicant and/or property owner shall provide illuminated addressing on the forwardmost portion of the building with a minimum of six-inch high numerals and painted addressing on curbs.

**Building Division:**

38. The buildings and site shall be designed or modified to be accessible to persons with physical disabilities in accordance with California State Disabled Access Regulations.

39. The applicant/property owner shall maintain all public and exterior private improvements to be in compliance with the Americans with Disabilities Act (ADA).

40. Any construction shall fully comply with the Uniform Building Codes in effect at the time of building permit issuance.

41. The applicant and/or property owner shall provide detailed construction plans (working drawings) and calculations to the Building Division for plan review prior to issuance of a building permit. Plans and supporting documents shall be prepared by a state-licensed architect or engineer. Upon completion of the plan check, all applicable fees shall be paid and a building permit issued prior to commencement of any actual construction work on-site.
42. The applicant, business owner, and/or property owner shall maintain the property to be free of litter, weeds, debris, etc., both before and after issuance of building permits. Daily litter and debris collection rounds shall be conducted on the site and an adequate number of trash receptacles shall be provided to minimize litter accumulation.

43. The applicant and/or property owner shall comply with the Construction and Demolition Ordinance 576-01 to divert recyclable debris away from landfills. The applicant and/or property owner shall submit a completed Construction and Demolition Waste Management Plan with their application for a construction or demolition permit.

44. The applicant and/or property owner shall not locate construction debris boxes within the public right-of-way (ROW), driveways or on adjacent private properties.

**Fire Department:**

45. The project shall comply with the California Building and Fire Codes and current local ordinances in effect at the time of building permit submittal.

46. Applicant shall update plans submitted for building permit issuance for Phase 1 and required Public Works approvals to address the following:

   a. Remove parking in front of sprinkler riser and provide vehicle impact protection (i.e. bollards).
   b. Remove sufficient parking stall(s) on northeast corner of building to facilitate adequate emergency vehicle aerial access.
   c. Provide vehicle impact protection for existing gas meters along the side of the building.

47. Plans submitted for building permit issuance shall contain an exiting analysis including any delayed / controlled access to the building.

**Police Department:**

48. Applicant shall construct and operate the security system consistent with the Security Plan submitted in its January 25, 2018 cannabis permit application to the City. Prior to final inspection of the building permits for each phase, the Security Consultant of record shall submit a statement to the City attesting that the security system as described in the Security Plan has been installed consistent with the submitted Security Plan. Applicant shall comply with all elements of the January 25, 2018 Security Plan at all times, except as otherwise approved by the Chief of Police.
Environmental Programs:

49. A permit from the Environmental Programs Division is required for the storage of hazardous materials.

Public Works Department:

General

50. The applicant /or property owner shall secure an Encroachment Permit from the Public Works Department for all work in the public right-of-way. This process includes applying for an Encroachment Permit, submitting plan sheets showing proposed work, paying the required fee and posting a Bond for all work in the public right-of-way. The applicant shall be responsible for any required repairs associated with the development, including paving, trenching, curbs and gutters, sidewalks, street lights, or installation of same where not existing, as determined by the City Engineer.

51. The applicant shall submit a grading plan to the Public Works Department and obtain a Grading Permit prior to proceeding with any demolition and grading operations.

52. The applicant shall pay all Public Works Department fees such as Plan Check & Inspection fees, Grading Permit Fee (and associated bonds) and Encroachment Permit fee. Except for the Encroachment Permit fee, all other fees shall be paid prior to the issuance of the Grading Permit.

53. The applicant shall provide a detailed breakdown of the engineer’s estimate for all on-site work including saw-cutting, pavement removal, grading, storm drainage facilities, paving, sidewalk, striping, lighting and landscaping. The Plan Check & Inspection Fees will be based upon this estimate.

54. Prior to issuance of building permits, the applicant and/or property owner shall submit improvement / grading plans for review and approval prior to issuance of the Encroachment or Grading permits detailing proposed site improvements consistent with the plans shown in Exhibit A of the City Council Resolution except as they may be modified by other conditions of approval included in this document.

55. The applicant shall place a copy of the approved Public Works conditions of approval (COA) on the grading plans released to the contractor.

Site Improvements

56. Submitted improvement plans shall show / address the following site issues:
a. Show the existing and proposed grades on the parking lot and demonstrate how the drainage will be conveyed away from the buildings and to the storm drainage system on private property. The plans shall show the location of the downspouts, any existing and proposed drainage structures and all other proposed improvements, such as paving and striping, etc.

b. Show any proposed improvements to the existing drainage system that are necessary to properly convey the drainage to the public right-of-way. This shall include addressing the small makeshift trench (approx. 1 ft. wide by 3" deep x 50 ft. long) that has been cut in the pavement to convey drainage to a field inlet located on the other side (outbound direction) of the shared access driveway on the adjacent parcel (APN 483-5-7-7). This field inlet is also connected to an older field inlet a few feet to the west which has been plugged with a cement top. The needed storm drainage improvement may require adjusting or replacing the inlet structures, the incoming and outgoing drainage pipes, including in the public right of way, as needed.

c. Install a full trash capture device (TCD) in the field inlet located near the driveway in the outbound (exit) direction across the property line. The property line goes through the middle of the shared access roadway/ drive aisle that serves the two properties.

d. Repair and repaving of the failing drive aisle shared by the project site (APN 483-5-9-2 and 483-5-10) and the adjacent property (APN 483-5-7-7 and 483-5-8-1).

e. Pave or slurry seal and re-striping of parking lot area on project site (APN 483-5-9-2 and 483-5-10)

f. Show the dimension of typical parking stalls and width of the access aisle (26' min.).

g. Install ‘Drains to Bay’ stencils at all field inlets located in the pavement areas.

h. Any work in the public right of way, including the removal of the existing driveway in front of the area that has the ‘Carpet Mill Floor’ and ‘Showroom’ signage and the existing concrete path.

i. Install a stop sign (R1-1) on post at the exit along with the associated pavement marking and a ‘right-turn’ only sign in the median across from the driveway.

j. Removal and replacement of the failing/ cracked main driveway that serves the property from Union City Blvd.
57. The applicant and/or property owner shall clean up the rear of the site which has miscellaneous debris and abandoned items, such as cars and pieces of metals. The area shall be kept clean and shall not be used to store abandoned items.

58. The applicant shall coordinate with the property owners along the rear of the site when installing the proposed 8 ft. high CMU wall.

Miscellaneous

59. The project site consists of two underlying lots resulting in a property line that traverses the rear of the existing building. Prior to issuance of building permits for Phase 3 improvements (proposed in last tenant space closest to the rear property line), a lot merger is required to combine APNs 483-5-9-2 and 483-5-10 to address any inconsistencies with applicable Building Code provisions.

60. To the extent that any of the improvements required herein will be located off-site, applicant shall obtain any necessary approval to perform the work from the applicable property owner at applicant’s sole cost and expense.

61. The applicant shall ensure that on-site and off-site construction activity complies with Section 9.40.053 of the Union City Municipal Code, and is limited to the following hours:

- Monday through Friday - 8:00 a.m. to 8:00 p.m.
- Saturday - 9:00 a.m. to 8:00 p.m.
- Sundays & Holidays - 10:00 a.m. to 6:00 p.m.

62. The following best management practices relating to construction site controls shall be implemented during construction activities. These best management practices shall be shown as notes on the approved grading and building permit plan sets:

a. The applicant shall ensure compliance with all best management practices by making sure that all contractors, subcontractors and suppliers are aware of all storm water pollution prevention measures and their implementation requirements.

b. The applicant shall ensure that concrete/gunite supply trucks or concrete/plaster and finishing operations discharge washout water into a designated cleanout area, designed to prevent pollutants from entering the storm water and/or sanitary sewer system.

c. The applicant shall be ensure that discharge restrictions shall also apply to the operation of general construction machinery including masonry cutting equipment, and the washing of tools, brushes, containers, etc.
These operations shall not be performed in the street, gutter, or where pollutants can enter the storm water system. Failure to comply with the approved construction requirements will result in the issuance of correction notices, citations, or project stop work orders.

d. The applicant shall minimize the removal of natural vegetation or ground cover from the site in order to minimize the potential for erosion and sedimentation problems. All cut and fill slopes shall be stabilized as soon as possible after completion of grading. No site grading shall commence unless approved erosion control measures are in place.

e. The applicant shall install filter materials (sand bags, filter fabric, straw wattle, etc.) at the storm drain inlet nearest the downstream side of the project site prior to:

1. Start of the rainy season (October 1st);
2. Site dewatering activities;
3. Street washing activities; and
4. Saw cutting asphalt or concrete

Filter materials shall be maintained and/or replaced as necessary to ensure effectiveness and prevent street flooding. Filtered particles shall be disposed of in an appropriate manner based upon constituents.

f. The applicant shall gather all construction debris on a regular basis and place in a dumpster or other container, which is emptied or removed at a minimum on a weekly basis. When appropriate, tarps shall be used on the ground to collect falling debris, paint over-spray, etc. that could contribute to storm water pollution.

g. The applicant shall ensure that trash enclosures and/or recycling containers, paved outdoor storage, staging, or lay down areas shall be designed and constructed to prevent pollutants from entering storm drain system.

h. The applicant shall ensure the availability of a contained and covered area on the site for the storage of bags of cement, paints, flammables, oils, fertilizers, pesticides or any other materials used on the project site that have the potential of becoming a pollutant and/or being discharged to the storm drain system.

i. The applicant shall ensure that dirt, gravel, debris and green waste shall be removed from the sidewalk, street pavement, and storm drains adjoining the project site. These areas shall be broom swept on a daily basis. Caked on mud or dirt shall be scraped before sweeping. During wet weather, the applicant should avoid excavation and other activities that lead to pollutants entering storm water such as driving vehicles on unpaved areas, etc.

j. The applicant shall ensure that outdoor washing or pressure washing shall be managed to prevent pollutants from getting into storm water and/or into the storm drain system.

k. The applicant shall ensure that On-site storm drain inlets shall be labeled “No Dumping - Drains to Bay” using a stencil approved by the Public Works
Department

I. The applicant shall maintain a program of dust control, to the satisfaction of the Public Works Director, to prevent air pollution as well as discomfort or damage to adjacent properties. The dust control program shall include the following Best Management Practices recommended by the Bay Area Air Quality Management District:
1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 5 mph.
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by California airborne toxic control measure Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.
8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations

Finance:

General

63. Applicant shall follow all financial reporting and remittance guidelines as determined by the Finance Director or designee.

City Manager’s Office:

General

64. Applicant has voluntarily agreed to fund, and shall fund, programs identified in the Eden Campus Project Community Benefits Overall Plan (CBP), GOE Union City
Hold, Co. dba Garden of Eden, ECH, Co. EMH, Co. EDH, Co. submitted with its application. At a minimum a representative of the Eden shall meet with a representative of the City Manager once a year to identify City funding priorities for the upcoming year and to review programs funded in the prior year.

During the **Post-Permit, Pre-Operations** period, the applicant shall:

A) Contribute a minimum of $3,000 to the City to fund one Union City Police Officer to take the two courses (a) Advanced Roadside Impaired Driving Enforcement ("ARIDE") and (b) Drug Recognition Expert ("DRE"); and
B) Fund no less than $5,000 towards CAREavan program.

During **Year One of Operation** the Applicant shall:

A) Contribute a minimum of $6,000 to the City to fund two Union City Police Officers to take the two courses (a) ARIDE and (b) DRE; and
B) Fund no less than $9,000 toward the priority CBP program(s) identified by the City.

During **Year Two of Operation** the Applicant shall:

A) Contribute a minimum of $6,000 to the City to fund two Union City Police Officers to take the two courses (a) ARIDE and (b) DRE; and
B) Fund no less than $24,000 toward the priority CBP program(s) identified by the City.

During **Year Three of Operation** the Applicant shall:

A) Contribute a minimum of $6,000 to the City to fund two Union City Police Officers to take the two courses (a) ARIDE and (b) DRE; and
B) Fund no less than $24,000 toward the priority CBP program(s) identified by the City.

During **Year Four of Operation** and subsequent years of operation, the Applicant shall:

A) Contribute a minimum of $6,000 to the City to fund two Union City Police Officers to take the two courses (a) ARIDE and (b) DRE; and
B) Fund no less than $24,000 toward the priority CBP program(s) identified by the City. Contributions under item B) shall increase in subsequent years as applicant revenues increase.