



Corporate Office 2328 4th Street, Santa Rosa CA 95401 (415) 524-7553

February 22nd 2019

City Council of Santa Rosa
100 Santa Rosa Avenue
Santa Rosa, CA 95404

Please let this letter reflect that I represent a payroll and labor management business here in Sonoma County. We only do business with legal and compliant locally permitted and state licensed cannabis businesses. We are prepared to work with the ownership of Phenotopia to provide them with labor management with unions and services that they require. I know members of the Phenotopia leadership team, and I respect how they have always been leaders in the local industry and advocates for developing and following sound regulations.

I respectfully request that the Council of the City of Santa Rosa grant the appeal of Phenotopia and allow Phenotopia to move forward in the Conditional Use Permit process. Phenotopia is a very qualified applicant, as has been demonstrated, by their superior application, highly professional team, extensive community support and the ability to deliver on a robust community benefits plan.

As soon as they have their local permit and state license, we are prepared to step in and do business with Phenotopia.

Sincerely,

Linda Frisby
CEO
Labor Resource Management Inc.

Cc: client file

Manis, Dina

From: Lizette De Arkos <lizette@421.group>
Sent: Monday, February 25, 2019 12:26 PM
To: _CityCouncilListPublic
Cc: Craig Litwin
Subject: Additional Materials for City Council Meeting Tomorrow, February 26
Attachments: Phenotopia Strip Mall Report.pdf; 20190225 Phenotopia Letters of Support.pdf

Good afternoon,

Please find attached the following additional materials for the Council meeting tomorrow on behalf of Phenotopia (Agenda Item No. 14.2):

- Phenotopia Strip Mall Report
- Additional letters of support

Warmly,

Lizette De Arkos



Lizette De Arkos

PUBLIC AFFAIRS STRATEGIST

421 Group

c (415) 312-8038

o (707) 861-8421

lizette@421.group

Want to get ahead of the curve with the latest news and updates?

Sign up for our newsletter: 421.group/subscribe

FYI Our offices will be closed on Monday, May 27, for the Memorial Day holiday.

Cannabis Dispensaries in Stripmalls

A brief report prepared by Phenotopia (CUP18-057)

Introduction

Phenotopia, is the name of our cannabis dispensary proposed for 443 Dutton Avenue, Suite 11 in Santa Rosa (CUP 18-057). The proposed location for our cannabis dispensary is located within the Dutton Plaza stipmall, a diverse shopping center in the Roseland area.

There are already many dispensaries both in Santa Rosa and other Sonoma County jurisdictions that are located or approved to be located within stripmalls or commercial centers.

Included below are local cannabis dispensaries that fit into this category:

Approved Dispensaries in Santa Rosa

The Hook Dispensary - 817 Russell Avenue, Suite C, Santa Rosa (in Roseland)

JIVA - 1831 Guerneville Road, Suite A, Santa Rosa

Sonoma Patient Group - 2425 Cleveland Avenue #175, Santa Rosa

Dispensaries in other Sonoma County Jurisdictions

Sonoma Medicinal Herbs - 3403 Santa Rosa Avenue, Santa Rosa

Mercy Wellness - 7950 Redwood Drive #8, Cotati

Solful - 785 Gravenstein Hwy S, Sebastopol

Conclusion

Allowing Phenotopia to establish in the Dutton Plaza is not unprecedented. Dispensaries in stripmalls and commercial centers are very common, locally and throughout California. They bring customers to neighboring businesses, increase the safety of the area, and are relatively discrete.

Attachments: Pictures of each dispensary listed above

The Hook Dispensary

817 Russell Avenue, Suite C, Santa Rosa (in Roseland)



JIVA

1831 Guerneville Road, Santa Rosa



Sonoma Patient Group

2425 Cleveland Avenue #175, Santa Rosa



Sonoma Medicinal Herbs

3403 Santa Rosa Avenue, Santa Rosa



Mercy Wellness

7950 Redwood Drive #8, Cotati, CA



Solful

785 Gravenstein Highway S, Sebastopol, CA



2/21/19

Council of the City of Santa Rosa:

Please let this letter reflect that I represent a licensed cannabis business here in Sonoma County. We only do business with legal and compliant locally permitted and state licensed cannabis businesses. We are prepared to work with the owner of Phenotopia in order to supply them with the cannabis products and services that they require. I know members of the Phenotopia team, and respect how they have always been leaders in the local industry and advocates for developing and following sound regulations.

I respectfully request that the Council of the City of Santa Rosa grant the appeal of Phenotopia and allow Phenotopia to move forward in the Conditional Use Permit process. Phenotopia is clearly the more qualified applicant as has been demonstrated by their superior application, highly professional team, extensive community support and ability to deliver on a robust community benefits plan.

As soon as they have their local permit and state license, we are prepared to do business with Phenotopia.

Sincerely,

A handwritten signature in black ink that reads "Rachel Smith". The script is cursive and fluid, with the first name "Rachel" and last name "Smith" clearly distinguishable.

Rachel Smith

Vice President

Master Bango dba Bango Distribution



Corporate Office 2328 4th Street, Santa Rosa CA 95401 (415) 524-7553

2/22/2019

To Whom It May Concern:

Please let this letter reflect that I represent Payroll & Labor Management business here in Sonoma County. We only do business with legal and compliant locally permitted and state licensed cannabis businesses. We are prepared to work with the owner of Phenotopia in order to supply them with labor management with unions and services that they require. I know members of the Phenotopia team, and respect how they have always been leaders in the local industry and advocates for developing and following sound regulations.

I respectfully request that the Council of the City of Santa Rosa grant the appeal of Phenotopia and allow Phenotopia to move forward in the Conditional Use Permit process. Phenotopia is clearly the more qualified applicant as has been demonstrated by their superior application, highly professional team, extensive community support and ability to deliver on a robust community benefits plan.

As soon as they have their local permit and state license, we are prepared to do business with Phenotopia.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linda Frisby', with a long, sweeping horizontal line extending to the right.

Linda Frisby
CEO
Labor Resource Management Inc.

Locations

California | New Jersey | Denver | Puerto Rico | Washington



2/25/2019

To Council of the City of Santa Rosa:

Please let this letter reflect that I represent a licensed cannabis business here in Sonoma County. We only do business with legal and compliant locally permitted and state licensed cannabis businesses. We are prepared to work with the owner of Phenotopia in order to supply them with the cannabis products and services that they require. I know members of the Phenotopia team, and respect how they have always been leaders in the local industry and advocates for developing and following sound regulations.

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As soon as they have their local permit and state license, we are prepared to do business with Phenotopia.

Sincerely,

Chris Hayes
CEO
Justice Grown California

Dutton Plaza Parking Report

A parking analysis prepared by Phenotopia (CUP 18-057)

Introduction

Phenotopia, is the name of our cannabis dispensary proposed for 443 Dutton Avenue, Suite 11 in Santa Rosa (CUP 18-057). The proposed location for our cannabis dispensary is located within the Dutton Plaza stipmall, a diverse shopping center in the Roseland area.

We conducted a parking study commencing on Sunday, February 17, 2019, in which over the course of seven consecutive days photos of the parking lot were captured by a licensed and insured drone pilot. The parking lot is divided into four zones (front, left, right, and rear). Photos of each zone were captured at 900 hours (9 am), 1200 hours (12 pm), and 1800 hours (6 pm) in order to analyze the parking availability at different times of the day throughout the course of a week.

After conducting this study it is clear that the parking lot at 443 Dutton Avenue has more than sufficient parking. On average over the course of the seven day study there were 78 parking spots available. We found that the minimum parking spot availability was on Saturday evening (6 pm) with 43 spots available, and the maximum amount of spots available was on Tuesday morning (9 am) with 99 spots available.

Please see the photos, figures, and additional information below:

Total Spaces by zone: Total: 153

Front: 118

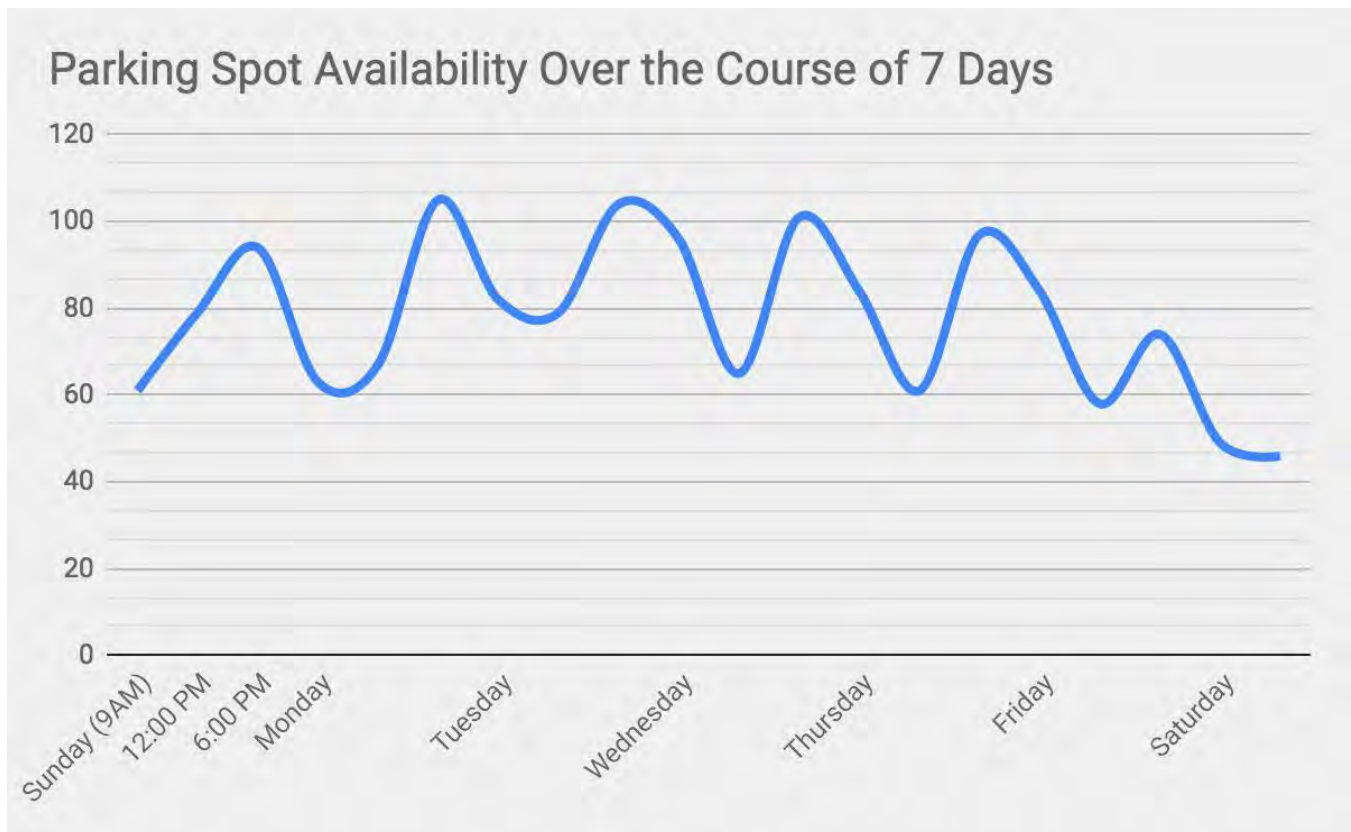
Right: 11

Left: 7

Rear: 17

Parking Spot Availability by day and time

Dates	900 (9AM)	1200 (12PM)	1800 (6PM)	Day Average
Sunday (2/17/2019)	100	61	79	80
Monday (2/18/2019)	94	63	67	74
Tuesday (2/19/2019)	105	82	79	88
Wednesday (2/20/2019)	104	96	65	88
Thursday (2/21/2019)	101	84	61	82
Friday (2/22/2019)	97	84	58	79
Saturday (2/23/2019)	74	49	46	56
AVERAGES	96	74	65	78



Drone Photographs

Photos taken by North Bay Aerial View, (707) 696-3104, r.white@northbayaerialview.com

Sunday, February 17, 2019

9 AM

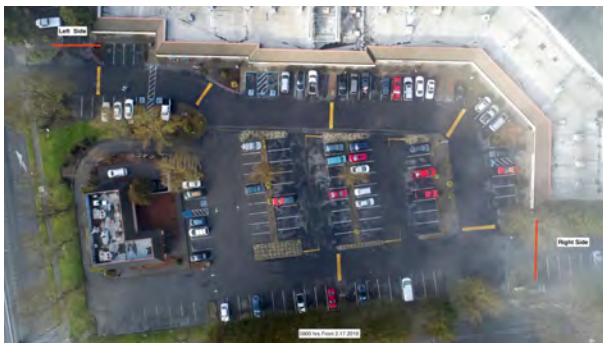
Left Side



Right Side



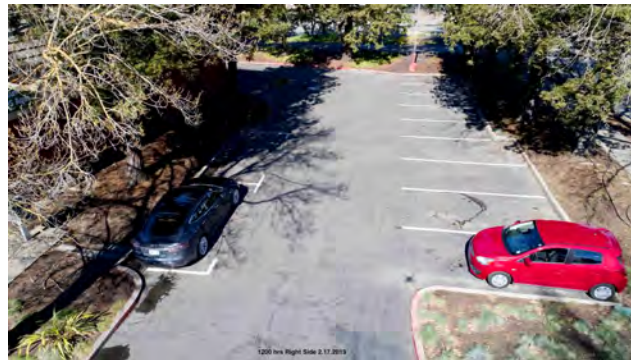
Front



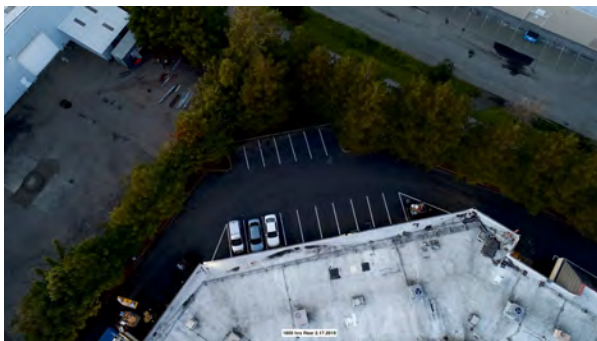
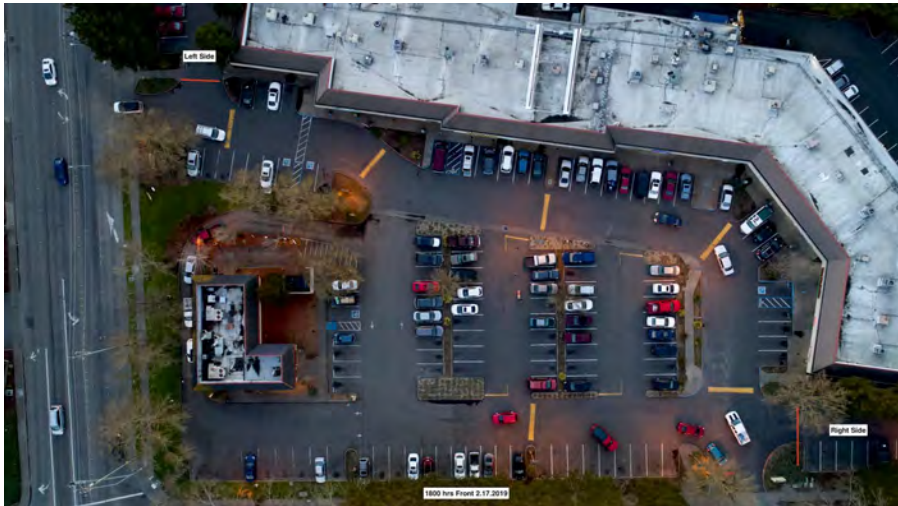
Rear



12 PM



6 PM



Monday, February 18, 2019

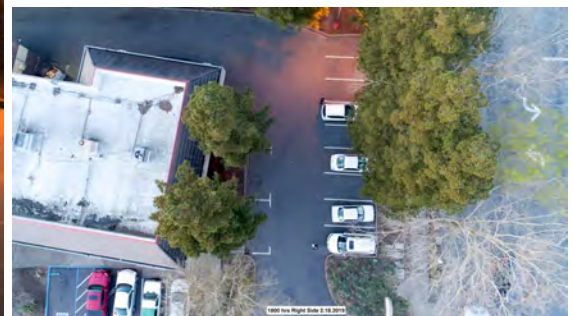
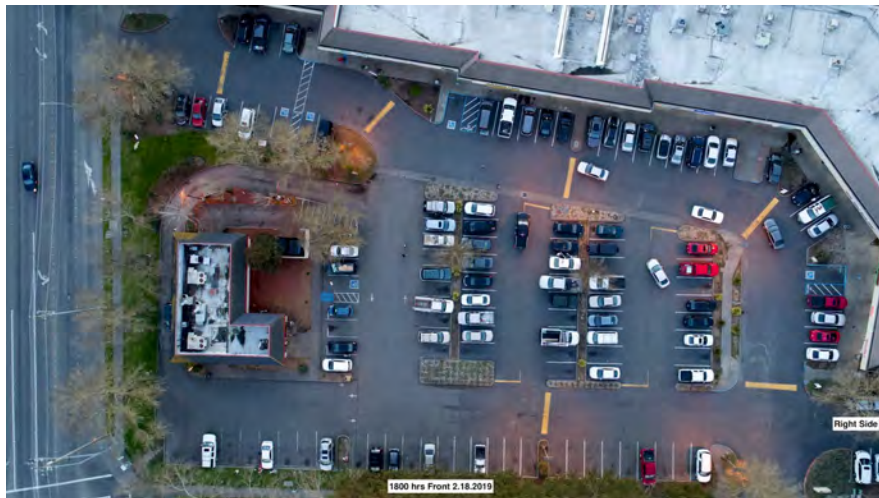
9 AM



12PM

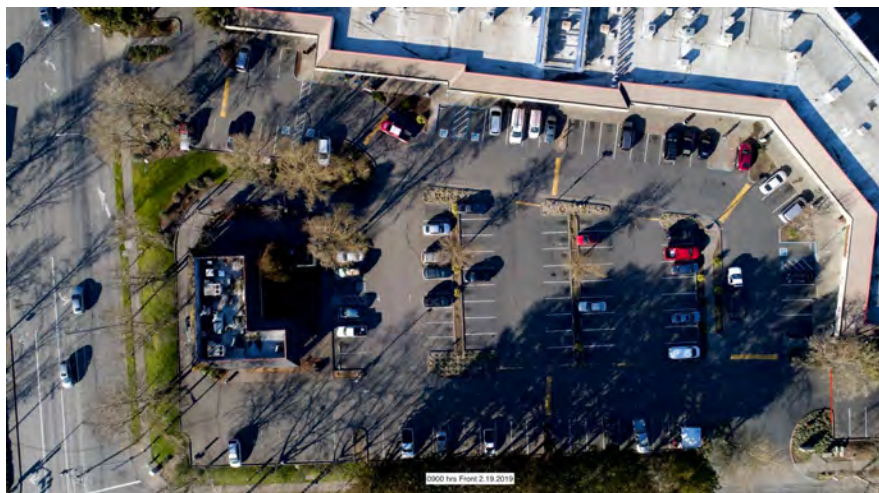


6 PM

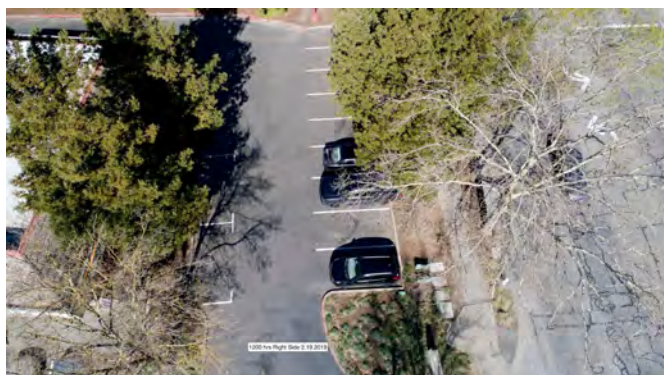
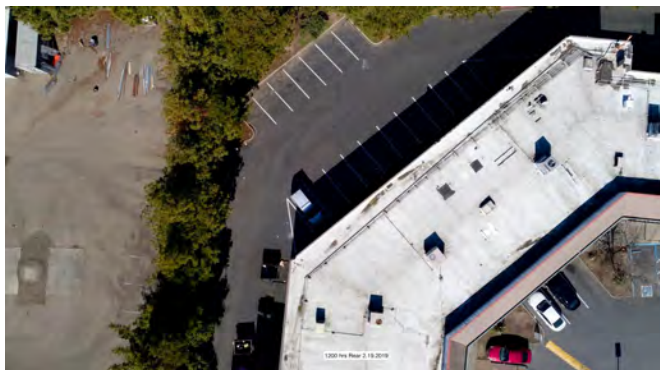


Tuesday, February 19, 2019

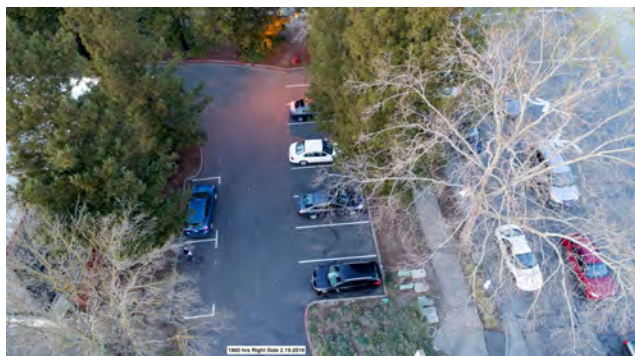
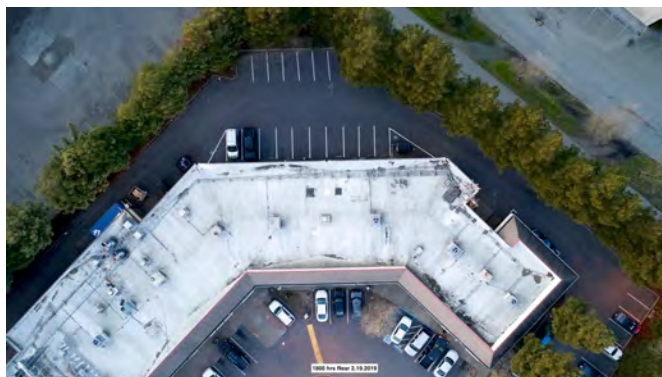
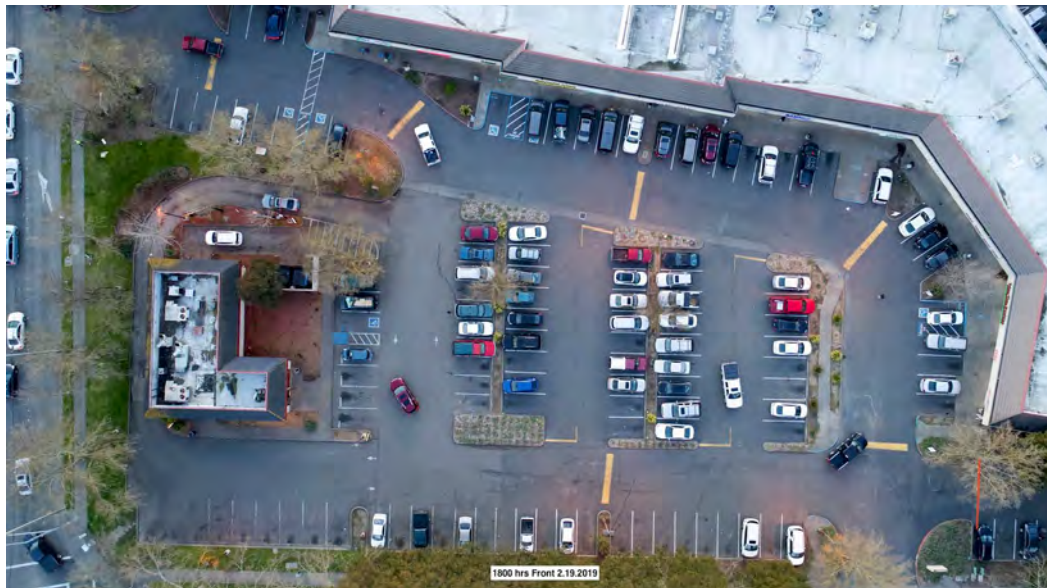
9 AM



12 PM

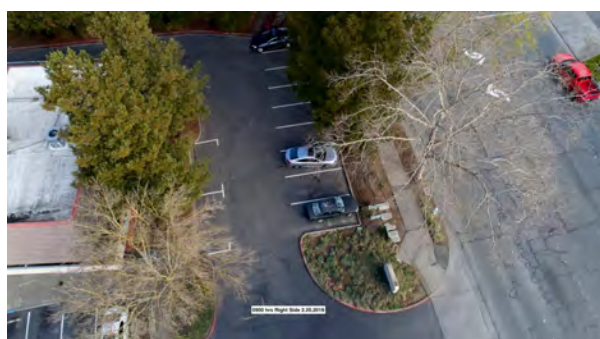
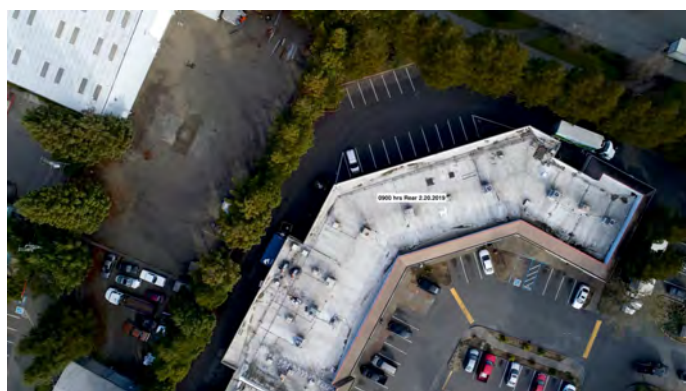
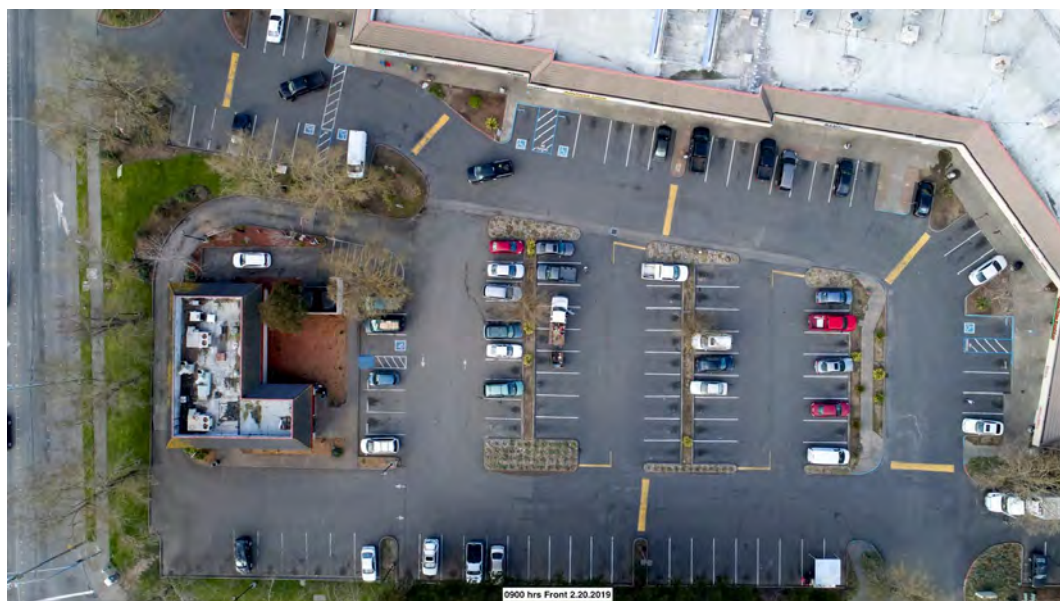


6 PM



Wednesday, February 20, 2019

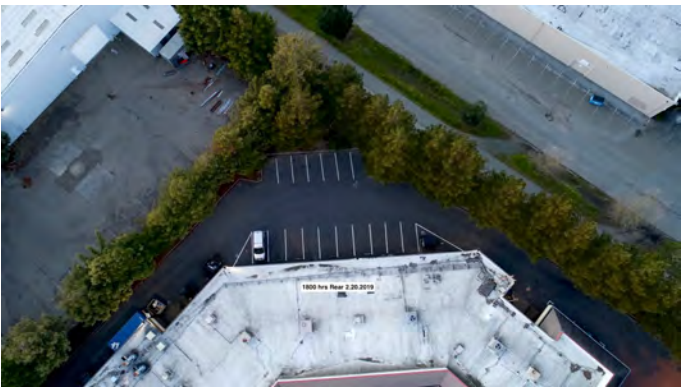
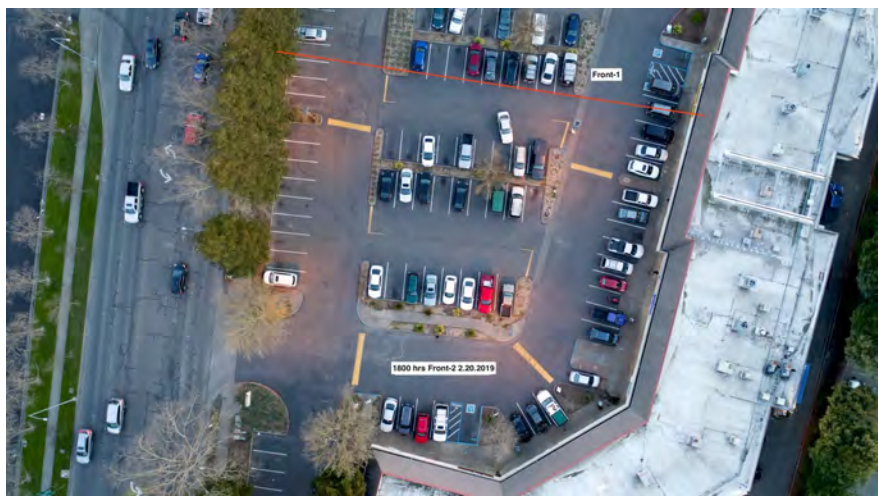
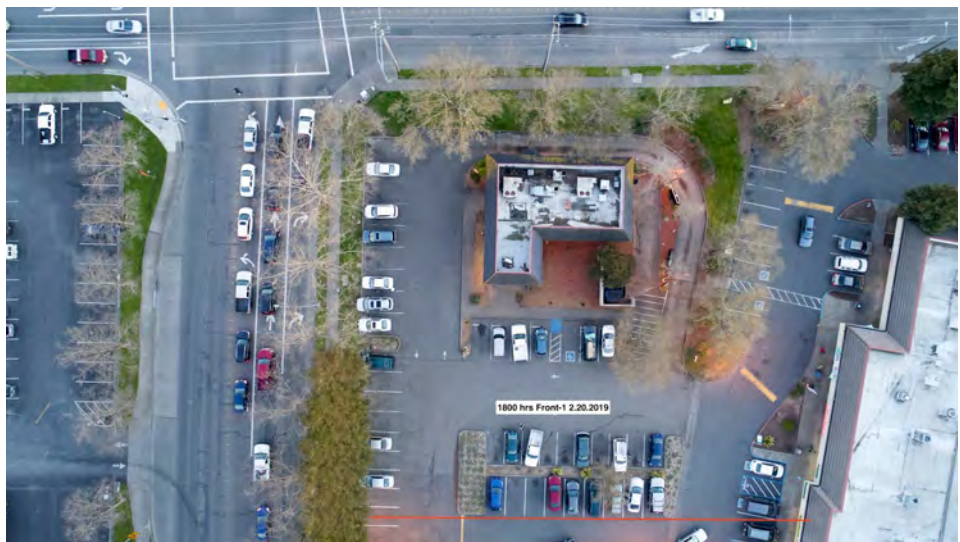
9 AM



12 PM

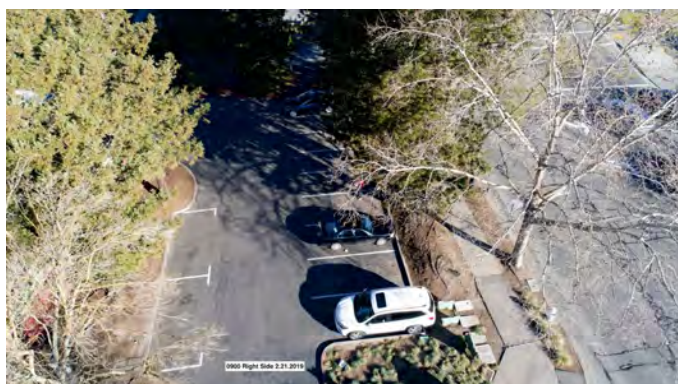
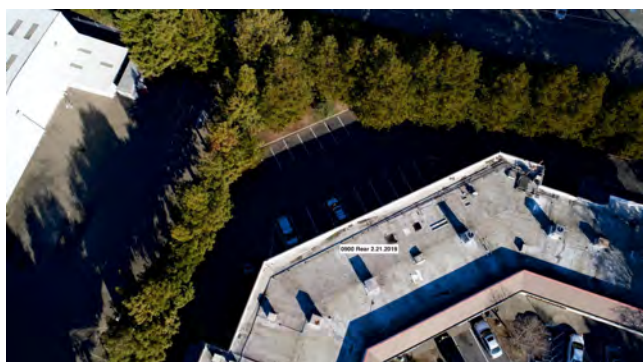
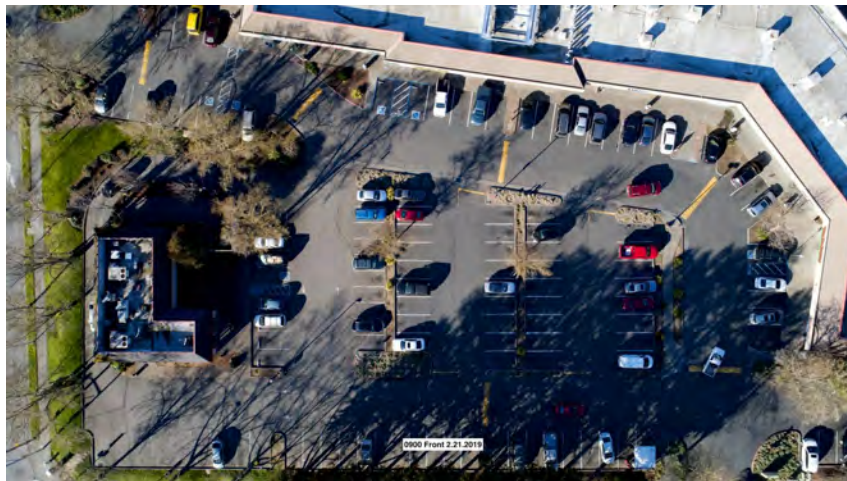


6 PM

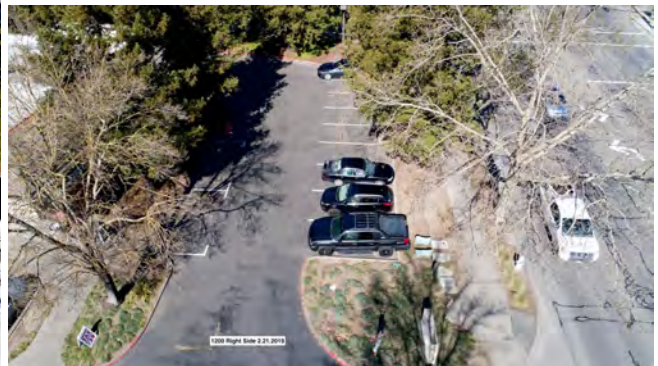


Thursday, February 21, 2019

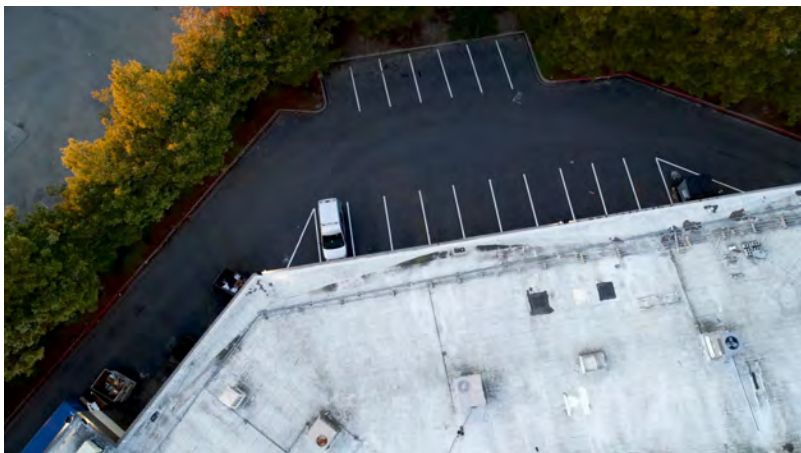
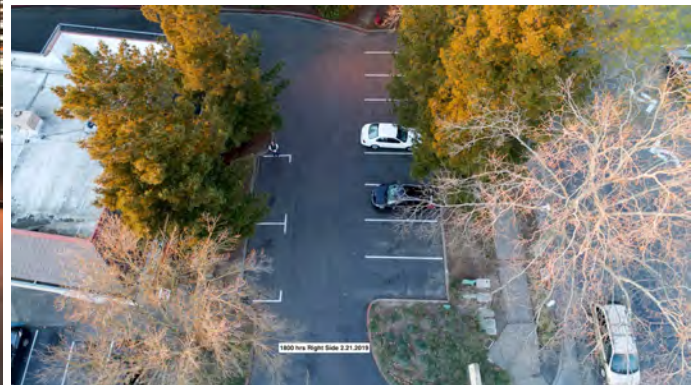
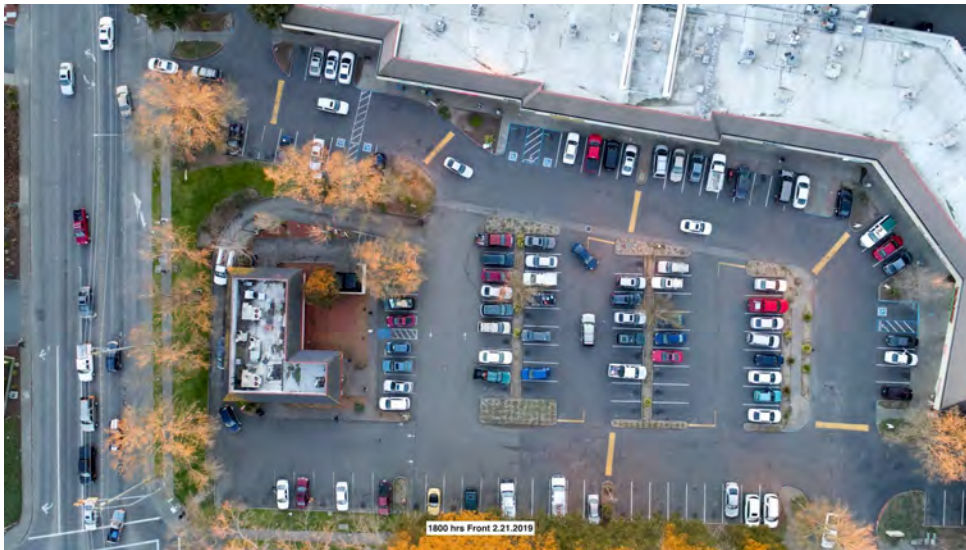
9 AM



12 PM

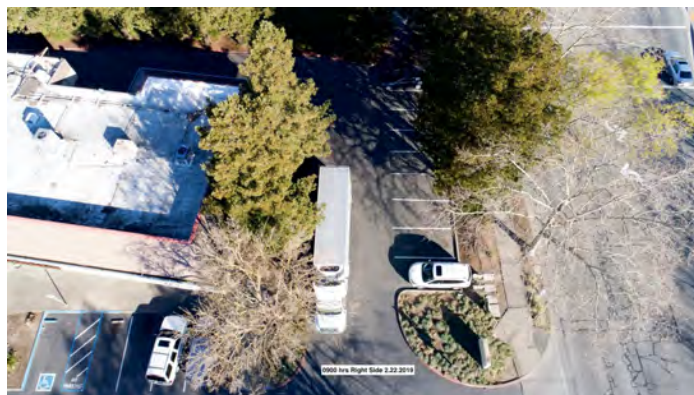
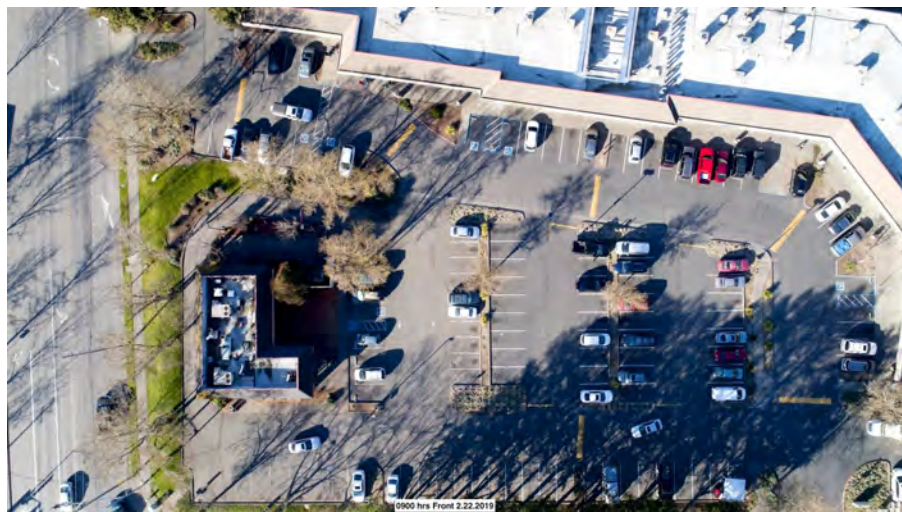


6 PM

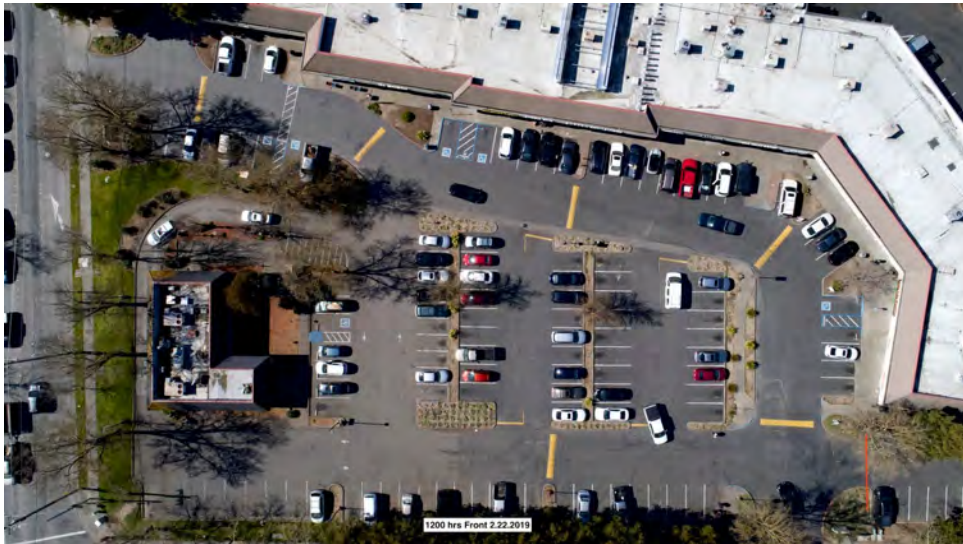


Friday, February 22, 2019

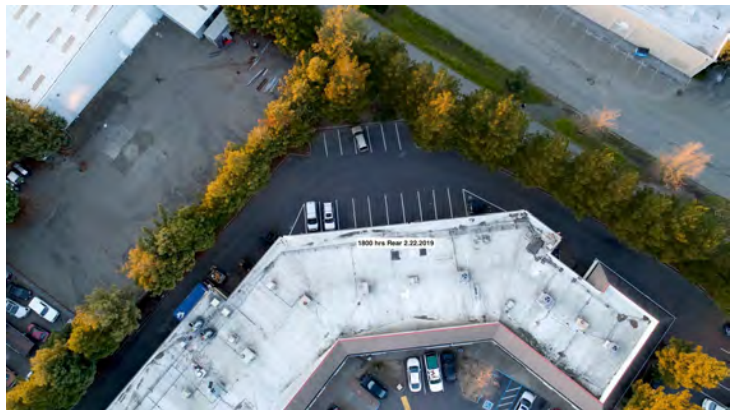
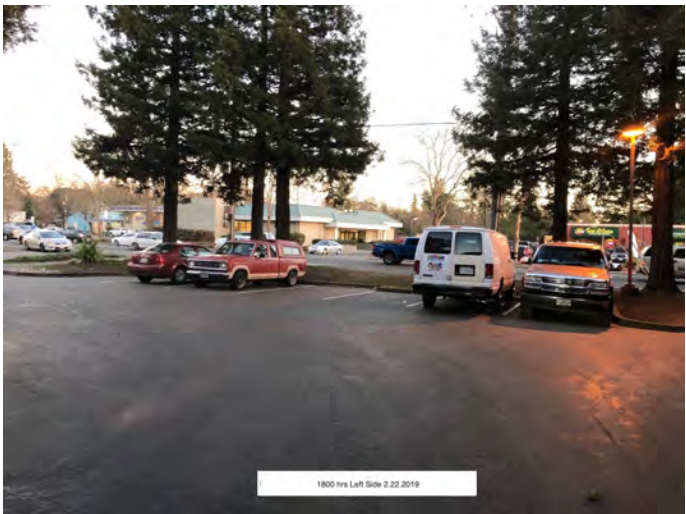
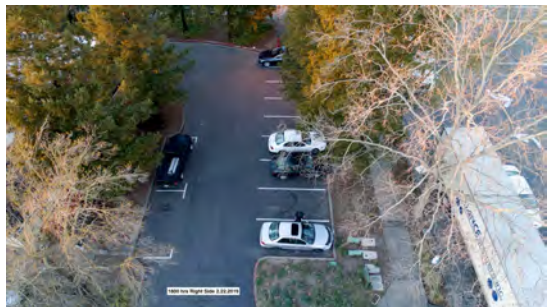
9 AM



12 PM

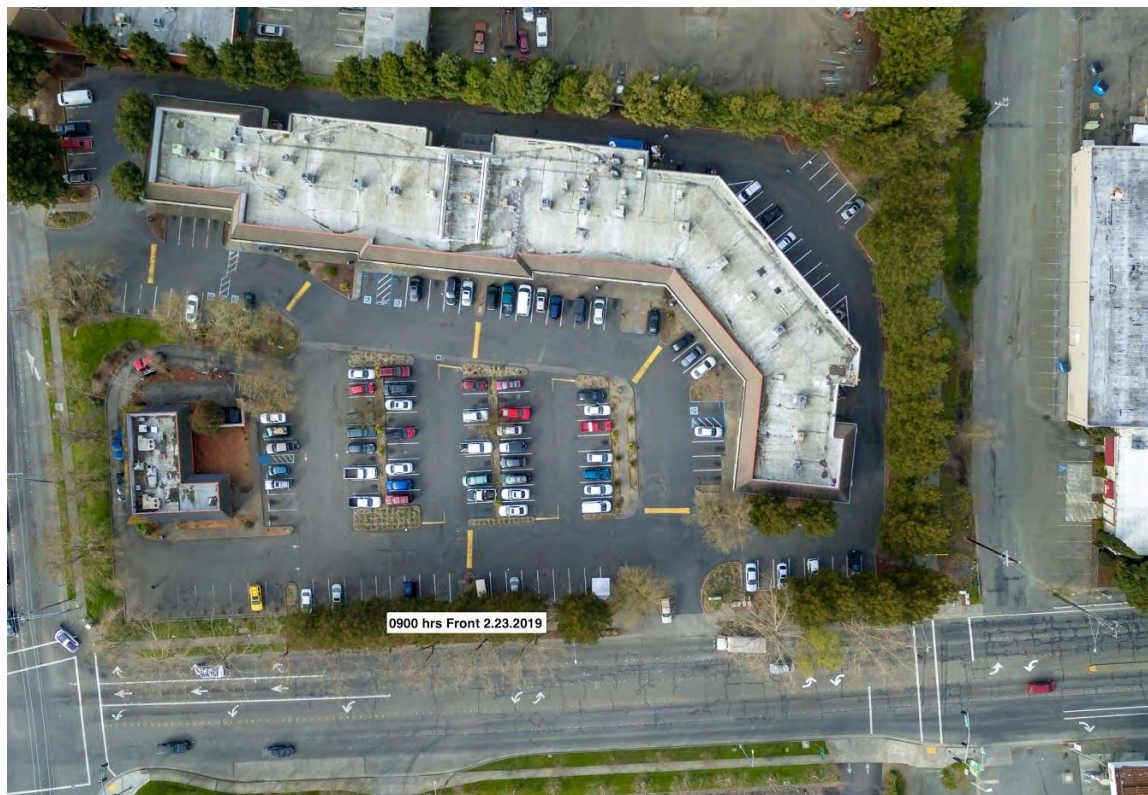


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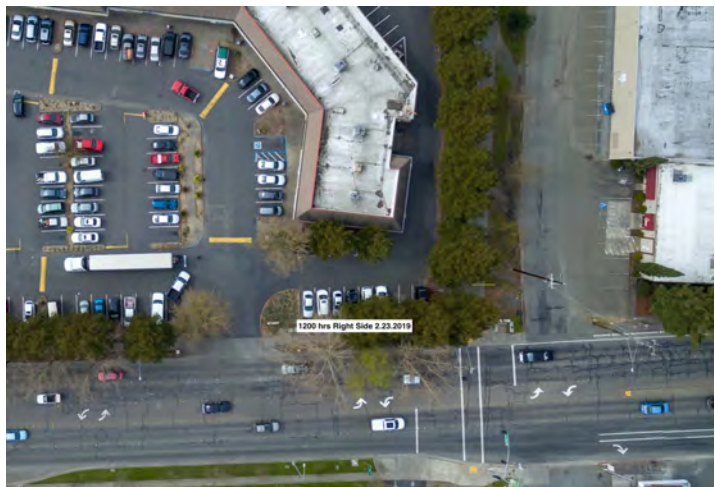
Saturday, February 23, 2019

9 AM

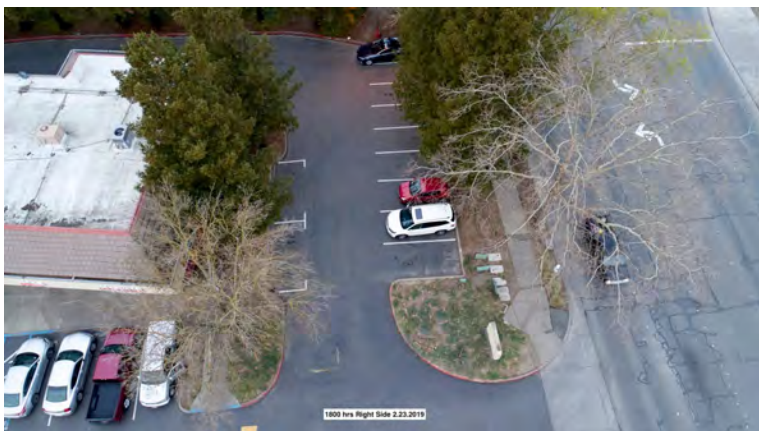
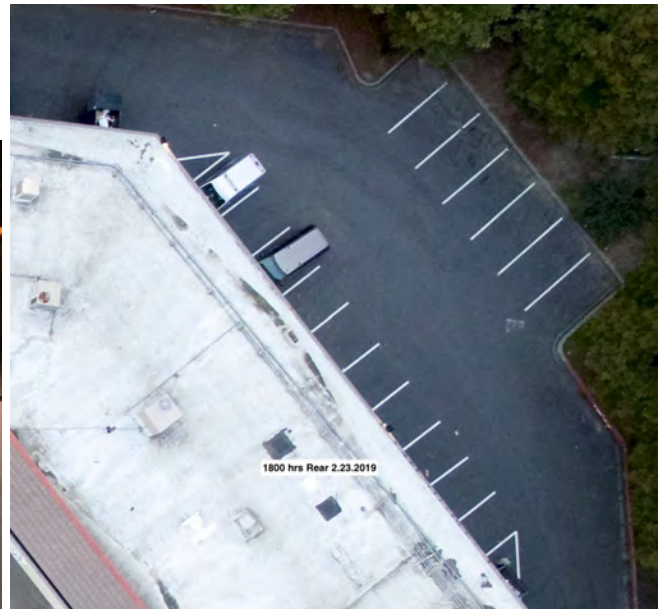
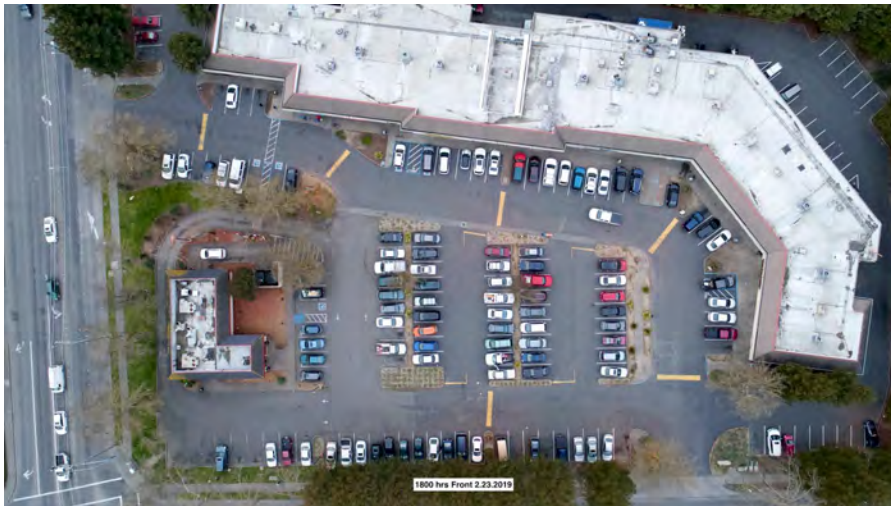


(clear views of all 4 zones in the front photo of February 23, at 9am)

12 PM



6 PM





RECEIVED
FEB 25 2019
CITY OF SANTA ROSA
CITY CLERK'S OFFICE

City of Santa Rosa
City Council
100 Santa Rosa Avenue
Santa Rosa, CA 95404

Date: February 25, 2019

Re: Additional Materials in Support of Appeal (CUP 18-057)

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL:

On November 26, 2018, Phenotopia (the "Appellant") filed an appeal based on the Cannabis Policy Subcommittee's failure to choose Appellant to move forward with its commercial cannabis retail application. In furtherance of its appeal, Appellant hereby submits the following information and documentation as it relates to subsection three (3) of its appeal.

As noted in subsection three (3) of Appellant's appeal, the owner of Highway 420 (the entity chosen by the Cannabis Policy Subcommittee to move forward instead of Appellant) has a criminal background that may cause the Bureau of Cannabis Control to deny Highway 420's state license application if they were to proceed through permitting.

Specifically, it appears that Justin Gregory Miranda, one of the named owners of Highway 420, was arrested for (1) trafficking methamphetamine, (2) possession of methamphetamine, (3) possession of methamphetamine for sales, (4) possession of drug paraphernalia, and (5) transportation of methamphetamine via interstate commerce in the State of Nevada in 2001. (*See Citation and Probable Cause Statement attached hereto as Exhibit A*).

According to police reports, Mr. Miranda's vehicle was pulled over for expired registration. Upon contacting Mr. Miranda, the reporting officer noted that Mr. Miranda was visibly shaking and unwilling to make eye contact. When questioned by the officer, Mr. Miranda identified himself with a Nevada driver's license and stated that he had just traveled from Nevada to Santa Rosa, California to pick up his father's car and then pick up a friend (his passenger) from Stockton, California and travel back to Nevada. However, Mr. Miranda's passenger told officers that Mr. Miranda had come directly from Nevada to pick him up and that Mr. Miranda had never stopped in Santa Rosa, California.

Later, officers asked Mr. Miranda if he had any drugs or illegal items in his vehicle. Mr. Miranda replied that he did not. Upon searching Mr. Miranda's vehicle officers found a clear plastic bag on the floor near the passenger side seat with US currency inside, a loaded Sterling semiautomatic pistol hidden under a plastic rectangular holder that snapped into the console, and a clear plastic bag containing a white substance believed to be narcotics. Upon searching Mr. Miranda, officers located several small clear plastic baggies in his left front pocket. Field tests on the substance tested positive for Methamphetamine.

In 2002, Mr. Miranda was convicted of trafficking in a controlled substance and was sentenced to a suspended prison term of ten (10) to twenty-five (25) years, sixty (60) months of probation, DNA analysis testing and fees. (*See Judgement and Minutes attached hereto as Exhibit B*). During the pendency of his case, Mr. Miranda was held in contempt of court for lying to the court about having hired an attorney (*See Contempt*

Order attached as Exhibit C) and there is record of at least four violations of probation associated with his 2002 conviction.

Mr. Miranda violated his probation approximately two times in 2002. The first violation of probation involved him violating the terms of his interstate compact agreement by living with his father in the City of Santa Rosa, California, even though his probation required him to have no contact with his father. The second violation of probation was filed after Mr. Miranda left the State of Nevada without getting permission from the Court or his probation officer and visited his father in the City of Santa Rosa, California, once again in violation of his probation terms.

However, the second violation of probation came to the attention of the Nevada Court because while unlawfully in the City of Santa Rosa, Mr. Miranda was accused of kicking down his father's front door and forcefully removing items from his father's house (*See: the December 18, 2002 probation Violation Report attached hereto as Exhibit D*). The Report states that on December 12, 2002, the Superior Court of the State of California, County of Sonoma, issued a warrant for the arrest of Mr. Miranda on charges of Threatening a Crime with Intent to Terrorize and Vandalism. Although Mr. Miranda denied ever being in Santa Rosa when he was questioned by his probation officer, investigators from the Santa Rosa Police Department found three witnesses who were willing to testify that Mr. Miranda had been visiting his father in Santa Rosa on approximately November 1, 2002. Two of the witnesses knew Mr. Miranda from childhood and the third witness, who observed Mr. Miranda kick down his father's door, identified Mr. Miranda in a photographic lineup. However, the probation Violation Report also notes that in addition to his conduct in the City of Santa Rosa, Mr. Miranda also violated his probation by testing positive for cocaine.

Mr. Miranda's final violation of probation was heard by the Nevada Court on July 30, 2004 after Mr. Miranda was located in the Lake Tahoe area with a blood alcohol content ("BAC") of .279 even though his probation contained a no alcohol term. At the conclusion of his violation of probation hearing, Mr. Miranda was ordered to serve his ten (10) year suspended sentence in prison. (*See Corrected Order Revoking Probation attached hereto as Exhibit E*).

The information found within Mr. Miranda's record not only indicates that he has a history of trafficking narcotics across state lines and lying to law enforcement, but it also shows that he has a history of unlawfully entering the City of Santa Rosa and engaging in violent behavior. By completely failing to discuss Mr. Miranda's criminal history in the "Principals' Backgrounds" section of its application, Highway 420 failed to give the Cannabis Policy Subcommittee an accurate description of its owners. The application process is intended to give the City a detailed view of the individuals that may be running a business within it. Mr. Miranda's criminal history coupled with Highway 420's willful failure to accurately disclose it and the various other issues noted in Appellant's appeal not only show that Mr. Miranda has not been a Santa Rosa resident for his entire life, but also show that Highway 420 is not qualified to operate a commercial cannabis business in the City of Santa Rosa.

Rogoway Law Group,



Joe Rogoway, Managing Attorney

EXHIBIT A

Court Case # STATE OF NEVADA HIGHWAY PATROL
TRAFFIC/MISDEMEANOR COMPLAINT COURT B

STATE OF NEVADA ss. Complainant/Defendant
County of CLATSOP In the Justice Court of Reino

City of and Municipal Court of

☒ Traffic ☐ Parking ☐ Non-Traffic ☐ Radar ☐ School Zone ☐ Adult ☐ Arrest ☐ Posted Bldg ☐ Urban
☐ Juvenile ☐ Commercial ☐ Hazardous ☐ Rural

At Location: LR 60 TRAVELING ☐ N ☐ S ☐ E ☐ W

VIOLATION DATE 01-12-2001 Day Code 0247 TIME 0247 Boat/Sector 2001 Mile Post 110

Name (Last, First, Middle) Phone

Res. Address / City

DOB Sex RAC HGT WGT HAIR EYES STATE DLN Driver's License

Reg. Owners Name Address

THE UNDERSIGNED PEACE OFFICER OF THE STATE OF NEVADA HEREBY DECLARES UNDER THE PENALTY OF PERJURY THAT ON OR ABOUT THE DATE AND TIME AND AT THE LOCATION SPECIFIED HEREIN THE ABOVE NAMED DEFENDANT DID WILLFULLY AND UNLAWFULLY COMMIT THE FOLLOWING OFFENSE(S):

1. Violation NOC 01071137 ☐ NRS ☐ CFR ☐ County Code ☐ Municipal Code
TRAFFICKING METH 453.3385
To wit:

2. Violation NOC 01071137 ☐ NRS ☐ CFR ☐ County Code ☐ Municipal Code
PCS METH 453.336
To wit:

3. Violation NOC 01071137 ☐ NRS ☐ CFR ☐ County Code ☐ Municipal Code
PCS METH 453.337
To wit: FOR SALE

4. Violation NOC 01071137 ☐ NRS ☐ CFR ☐ County Code ☐ Municipal Code
PCS METH 453.337
To wit: FOR SALE

Officer/Complainant's PRINTED Name D. Miller Officer/Complainant's Signature D. Miller ID # 1287

Austin Justice Court PO Box 100 E. Main Street Austin, Nevada 89310 775-564-2330	Carson City Justice Court 835 E. Murrer Suite 2007 Carson City Nevada 89701 775-561-2121	Dayton Justice Court PO Box 490 225 Main St. Dayton Nevada 89403 775-249-6233	Fallon Justice Court 71 N. Main St. Suite C Fallon Nevada 89405 775-423-2345	Ferret Justice Court PO Box 497 565 E. Main Ferret Nevada 89409 775-575-3355	Hawthorne Justice Court PO Box 1669 160 "E" St. Hawthorne Nevada 89415 775-845-2850	Indio Justice Court 685 Tahoe Blvd. Suite 201 Indio Village Nevada 89411 775-832-4100	Lake Township Justice Court PO Box 8 Main & Central Lovelock Nevada 89419 775-273-2153	Minden Justice Court PO Box 218 1625 8th Street Minden Nevada 89423 775-782-9353
Reno Justice Court PO Box 30033 1 South Sierra St. Reno Nevada 89525 775-375-6003	Sparks Justice Court PO Box 265 Schott Nevada 89427 775-773-2241	Smith Valley Justice Court PO Box 111 42 Day Lane Smith Valley Nevada 89430 775-465-2113	Sparks Justice Court 630 Greenbrae Sparks Nevada 89431 775-352-3000	Tahoe Justice Court PO Box 7169 1175 Hwy 50 Tahoe Nevada 89449 775-565-7200	Verd Justice Court PO Box 740 740 2nd Street Verd Nevada 89437 775-345-0170	Vegval City Justice Court PO Box 674 So. "B" St. Virginia City Nevada 89449 775-817-0052	Wadsworth Justice Court PO Box 68 Main Street Wadsworth Nevada 89412 775-575-4535	Yerington Justice Court 30 North Way Yerington Nevada 89547 775-463-6639

Court Address

You are hereby ordered to appear on day of 20 at am/pm

Without admitting having committed each of the above infractions/offenses(s), I hereby promise to respond as directed on this notice and waive my right to be taken immediately before a magistrate.

Defendant's Signature X Booked ☐ Interpreter Needed Language

Failure to comply with this complaint or future dates relating to this complaint will constitute a separate offense.

Total Bail Amount

R071048

EXHIBIT A

Court Case # _____ STATE OF NEVADA-HIGHWAY PATROL COURT B
TRAFFIC/MISDEMEANOR VIOLATION/COMPLAINT

STATE OF NEVADA ss. Complaint/Affidavit
County of Clark In the Justice Court of Reno Accident # _____

City of and Municipal Court of _____

☒ Traffic ☐ Parking ☐ Non-Traffic ☐ Radar ☐ School Zone ☐ Adult ☐ Arrest ☐ Posted Bail ☒ Urban
☐ Severely ☐ Commercial ☐ Hazardous ☐ Arrest ☐ Check # _____ ☐ Rural

At Location: 7272 W. McLELLAN TRAVELING ☒ N ☐ S ☐ E ☐ W
VIOLATION DATE 7-1-01 Day Code 04 TIME 0247 Board/Sector 2001 Mile Post 10

Name (Last, First, Middle) _____ Phone _____

Res. Address / City _____

DOB 11-02-74 RAC M HGT 511 WGT 160 HAIR B EYES B SKIN F ☒ Driver ☐ Other

OLN 1A Class 2

LIC 11-02-04 State NV VMA 2810 VST 410 Color(s) Green Vch Type 1

Reg. Owners name MIRANDA JUSTIN

Address 1215 SULLIVAN #705 SPARKS NV 89431

THE UNDERSIGNED PEACE OFFICER OF THE STATE OF NEVADA HEREBY DECLARES UNDER THE PENALTY OF PERJURY THAT ON OR ABOUT THE DATE AND TIME AND AT THE LOCATION SPECIFIED HEREIN THE ABOVE NAMED DEFENDANT DID WILLFULLY AND UNLAWFULLY COMMIT THE FOLLOWING OFFENSE(S):

1. Violation A. NOC 007101 ☒ NRS ☐ CFR ☐ County Code ☐ Municipal Code
Drive Drug 453.510
To wit: PARAPHARMACIA

2. Violation B. NOC 007101 ☒ NRS ☐ CFR ☐ County Code ☐ Municipal Code
TRAFIC INFERRATE 454.351
To wit: COMMERCIAL

3. Violation C. NOC 007101 ☒ NRS ☐ CFR ☐ County Code ☐ Municipal Code
To wit: _____

Bail Amount 500 Admin. Assess 105 Court Assess 10 Total 615

Bail Amount 500 Admin. Assess 105 Court Assess 10 Total 615

Bail Amount 500 Admin. Assess 105 Court Assess 10 Total 615

Officer/Complainant's PRINTED Name D. Miller Officer/Complainant's Signature [Signature] I.D. # 7-07

Autlin Justice Court PO Box 100 E. Main Street Austin, Nevada 83310 775-254-2380	Carson City Justice Court 885 E. Main Suite 2007 Carson City Nevada 89701 775-254-2380	Dayton Justice Court PO Box 490 225 Main St. Dayton Nevada 89423 775-423-2815	Fallon Justice Court 73 H. Main St. Suite C Fallon Nevada 89405 775-423-2815	Ferrel Justice Court PO Box 477 585 E. Main Ferrel Nevada 89428 775-373-3336	Hawthorne Justice Court PO Box 1550 160 "E" St. Hawthorne Nevada 89415 775-943-3550	Incline Justice Court 333 Tahoe Blvd. Suite 301 Incline Village Nevada 89451 775-232-4100	Like Township Justice Court PO Box 6 Main & Carson Lovelock Nevada 89419 775-273-2753	Madron Justice Court PO Box 218 1625 8th Street Madron Nevada 89423 775-782-9255
Reno Justice Court PO Box 3083 1 South Sierra St Reno Nevada 89502 775-325-6500	Schurz Justice Court PO Box 255 Schurz Nevada 89427 775-773-7241	Smith Valley Justice Court PO Box 141 42 Day Lane Smith Valley Nevada 89420 775-465-2913	Solons Justice Court 630 Greenbrae Sparks Nevada 89431 775-332-3000	Tahoe Justice Court PO Box 7169 1175 Hwy 50 Stoshov Nevada 89448 775-585-7200	Vernon Justice Court PO Box 749 743 2nd Street Vernon Nevada 89433 775-345-0173	Virginia City Justice Court PO Box 674 So. 11th St. Virginia City Nevada 89449 775-847-0962	Wadsworth Justice Court PO Box 68 Main Street Wadsworth Nevada 89442 775-575-4185	Yerington Justice Court 30 N. Main Way Yerington Nevada 89447 775-453-6639

Court _____ Address _____

You are hereby ordered to appear on _____ day of _____ 20 _____ at _____ am/pm

Without admitting having committed each of the above violation(s)/offense(s), I hereby promise to respond as directed by the police and waive my right to be taken into custody before a magistrate.

Defendant's Signature X [Signature] Interpreter Needed _____ Language English

Failure to comply with this complaint or future dates relating to this complaint will constitute a separate offense.

R071049

EXHIBIT A

Court Case # **STATE OF NEVADA HIGHWAY PATROL** **COURT B**
TRAFFIC/MISDEMEANOR VIOLATION/COMPLAINT

STATE OF NEVADA ss. Complaint/Validated
 County of **CLATSOP** In the Justice Court of **RENO**
 City of and Municipal Court of _____

Al Location: ☒ Traffic ☐ Parking ☐ Non-Traffic ☐ Radar ☐ School Zone ☐ Adult ☐ Juvenile ☐ Arrest ☐ Posted Bail ☐ Commercial ☐ Marine ☐ Urban ☐ Rural ☐ Alcoholic ☐ Check # _____

VIOLATION DATE: **01-03-01** Day Code: **16351** TIME: **0247** TRAVELING: ☐ M ☐ S ☐ R ☐ W ☐ Bead/Section: **10121** Mile Post: **10**

Name (Last, First, Middle): **MIRANDA JYSELN CASH** Phone: _____
 Res. Address / City: **1215 SULLIVAN LN #708 SPARKS**

DOB: **01-01-78** SEX: **M** RAC: **W** HGT: **500** WGT: **120** EYE: **BRN** HAIR: **BRN** SKIN: **Fair** ☐ Driver ☐ Other

LIC: **11-ED-1A** State: **NV** YPR: **43** VMA: **SATU** VPT: **40** Color(s): **Grn** Veh Type: **1**

Reg. Owners Name: **D. Sarno**
 Address: _____

THE UNDERSIGNED PEACE OFFICER OF THE STATE OF NEVADA HEREBY DECLARES UNDER THE PENALTY OF PERJURY THAT ON OR ABOUT THE DATE AND TIME AND AT THE LOCATION SPECIFIED HEREIN THE ABOVE NAMED DEFENDANT DID WILLFULLY AND UNLAWFULLY COMMIT THE FOLLOWING OFFENSE(S):

1. Violation A: **NOC 100777** **TRAFFICKING** **453.3385**
 To wit: **METHAMPHETAMINE**

2. Violation B: **NOC 100777** **PCIS METH** **453.338**
 To wit: **METHAMPHETAMINE**

3. Violation C: **NOC 100777** **PCIS METH** **453.337**
 To wit: **FOR SALE**

Bail Amount: _____ Admin. Assess: _____ Court Assess: _____ Total: **2500**

Officer/Complainant's PRINTED Name: **D. Miller** Officer/Complainant's Signature: **D. Miller** ID: **287**

Justice Court PO Box 100 E. Main Street Austin, Nevada 89310 773-654-2380	Carson City Justice Court 885 E. Main St Suite 2007 Carson City Nevada 89401 773-654-2121	Dayton Justice Court PO Box 190 225 Main St Dayton Nevada 89403 775-245-6221	Fallon Justice Court 73 N. Main St Suite C Fallon Nevada 89406 775-423-2945	Fernley Justice Court PO Box 487 885 E. Main Suite C Fernley Nevada 89408 775-575-3339	Hayden Justice Court PO Box 1980 100 "E" St Hayden Nevada 89415 775-945-3659	Indio Justice Court 165 Tahoe Blvd. Suite 301 Indio Valley Nevada 89403 775-832-4100	Lake Township Justice Court PO Box 8 Main & Central Lowell Nevada 89418 775-873-2753	Meridian Justice Court PO Box 218 1625 8th Street Meridian Nevada 89403 775-732-9355
Reno Justice Court PO Box 33083 1 South Street Reno Nevada 89520 775-325-6503	Schurz Justice Court PO Box 355 Schurz Nevada 89427 775-773-2241	Smith Valley Justice Court PO Box 141 42 Day Lane Smith Valley Nevada 89420 775-455-2112	Sparks Justice Court 610 Greenbush Sparks Nevada 89431 775-351-3000	Tahoe Justice Court PO Box 7180 1175 Hwy 50 Suite 100 Tahoe Nevada 89443 775-585-7200	Vernon Justice Court PO Box 740 740 2nd Street Vernon Nevada 89433 775-345-0172	Virginia City Justice Court PO Box 674 Box "B" 64 Virginia City Nevada 89443 775-847-0202	Wendover Justice Court PO Box 63 Main Street Wendover Nevada 89442 775-453-4543	Yerington Justice Court 30 Nevada Way Yerington Nevada 89447 775-423-6639

You are hereby ordered to appear on _____ day of _____ 20____ at _____ am/pm

Without admitting having committed each of the above infractions/offense(s), I hereby promise to respond as directed on this notice and waive my right to be taken immediately before a magistrate.

Defendant's Signature: **X Brinked LOKSO** ☐ Interpreter Needed ☐ Language: **COURT**

Failure to comply with this complaint or future dates relating to this complaint will constitute a separate offense.

RO71050

ARREST REPORT AND
DECLARATION OF PROBABLE CAUSE

82101644

ORIGINAL

YES

ARRESTING AGENCY

WCS ☐ NHP ☒
 RPD ☐ PP ☐
 SPD ☐ UNR ☐

COURT OF JURISDICTION

RENO JUSTICE

CASE #

R071050-51

PHOTO #

PRINT CLEARLY

ARRESTEE'S (Last, First, Middle)
NAME

MIRANDA JUSTIN GREGORY

AKA/ALIAS

RESIDENCE (Street, City, State, Zip)
ADDRESS

1215 SULLIVAN LANE #20B SPARKS NV 89431

RACE

☐ White ☐ Indian
☐ Black ☐ Asian
☐ Unknown

SEX

☒ Male
☐ Female

ETHNICITY

☒ Hispanic
☐ Non-Hispanic
☐ Unknown

AGE

18

HT

6'00"

WT

200

HAIR

BRN

EYES

BRN

OCCUPATION &
BUS ADDRESS

IGT S. Meadows RENO

HOME PHONE

DRIV LIC -

DRIV-DIC

STATE

NV

ARRESTEE'S VEH

Stored

Left at Scene

Impounded

Filed to Oth Par

BUS PHONE

NEXT OF KIN

NANCY BOYCE

SCARS, MARKS, TATTOOS

UPPER LIP ARM - CROSS INITIALS DLB

RIP

CHEST

BIRD

ARREST DATE 01-03-01 TIME 0330

LOCATION

W. McCARRAN - I-80

OFFENSE DATE 01-03-01 TIME 0247

LOCATION

G.B. W. McCarran

NRS/ORD #	NOC	BAIL	WARRANT # & DATE	CHARGE	F-Felony, G-Gross Misd, M-Misd F-G-M
453.3385	00778	50,000		1 TRAFFICKING METH	F
453.336	00764	1,000		2 PCS METH	F
453.337	00770	2,500		3 PCS METH FINE SALES	F
453.566	00701	615		4 POSS. DRUG PARAPHERNALIA	M
454.351	02116	615		5 TRANSP. INTERSTATE COMM	M
				6	
				7	
				8	

ARRESTING OFFICER(S)

AND ID #

D. Miller 287

TRANSPORTING OFFICER(S)

AND ID #

PRIVATE PERSON MAKING

THE ARREST (Citizen Arrest)

REVIEWING SUPERVISOR

AND ID #

The undersigned, D. Miller, a police officer, of NHD, hereby declares under penalty of perjury, that the above-named defendant has been arrested on probable cause and is subject to detention for the above-listed offense(s). Either personally or upon information and belief this officer learned the following facts and circumstances which support the arrest and detention:

On the above date time and location I stopped the above vehicle for expired registration. I made contact with the driver (Justin Miranda) noticed nervousness and discrepancies between the driver and passengers (Mark Somera) story. Driver of the vehicle gave written consent to search the vehicle. During the consent search I located a .22 semi automatic pistol in the center console of the vehicle and a clear plastic bag, containing what I believed to be narcotics in the trunk area of the vehicle. A preliminary field test on the contents of the bag revealed a positive test for Methamphetamine. The bag and its contents weighed approximately 2.5 ounces. Trooper C. LaPrairie also located a small clear plastic bag containing US Currency, between the passenger seat and the rocker panel of the vehicle. Both the driver and passenger were placed under arrest for the above charges and transported to the Washoe County Jail where they were booked on the above charges. All evidence and currency was booked into the NHP evidence room.

RELS TO _____ DATE _____ BY _____
 DISSEMINATION IS RESTRICTED TO CRIMINAL JUSTICE AGENCIES ONLY. SECONDARY DISSEMINATION TO NON-CRIMINAL AGENCIES IS PROHIBITED.

WHEREFORE, Declarant requests that a finding be made by a magistrate that probable cause exists to hold said person for preliminary hearing (if charge is a felony or gross misdemeanor) or for trial (if charge is a misdemeanor).

Page _____ of _____ DECLARANT D. Miller I.D.# 287

REVIEWED FOR PROBABLE CAUSE (PC) 1-5-01 TIME 1:20 PM ED, MAGISTRATE
 PC FOUND ☒ PC NOT FOUND ☐

DEFENDANT ORDERED RELEASED, DATE _____, MAGISTRATE

CR01-0159B
STATE VS. JUSTIN GREGORY MIRANDA
District Court
Washoe County
03/27/2002 02:43 PM
1850

Code: 1850

ORIGINAL

FILED

3/27/02
RONALD A. LONGTIN, JR., ClerkBy C. Davidson
Deputy Clerk

IN THE SECOND JUDICIAL DISTRICT COURT
OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Case No. CR01-0159B

Plaintiff,

Dept. No. 9

vs.

Reporter: D. Davidson

JUSTIN GREGORY MIRANDA,

Defendant.

J U D G M E N T

The Defendant, Justin Gregory Miranda, having entered a plea of Guilty, and no sufficient cause being shown by Defendant as to why judgment should not be pronounced against him, the Court rendered judgment as follows:

That Justin Gregory Miranda is guilty of the crime of Trafficking in a Controlled Substance, a violation of NRS 453.3385(3), a felony, as charged in Count I of the Information, and that he be punished by imprisonment in the Nevada Department of Corrections for a maximum term of twenty-five (25) years with eligibility for parole beginning after ten (10) years has been served, with credit for thirteen (13) days time served; and by submission to a DNA Analysis Test for the purpose of determining genetic markers under the direction of the Division of Parole and Probation. It is further ordered that the prison sentence is suspended

////

////

1 and the Defendant is placed on probation for an indeterminate period of time not to exceed
2 sixty (60) months under all terms and conditions as stated by the Court.

3 It is further ordered that the Defendant pay the statutory Twenty-Five Dollar
4 (\$25.00) administrative assessment fee, a Sixty Dollar (\$60.00) chemical analysis fee, a One
5 Hundred Fifty Dollar (\$150.00) DNA testing fee and reimburse the County of Washoe the sum
6 of Five Hundred Dollars (\$500.00) for legal representation by the Washoe County Public
7 Defender's Office.

8 Dated this 27th day of March, 2002.

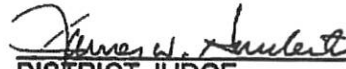
9
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12 DISTRICT JUDGE
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EXHIBIT B

**SECOND JUDICIAL DISTRICT COURT
COUNTY OF WASHOE**

Case History - CR01-0159B

DEPT. D9

HON. SCOTT N. FREEMAN

Report Date & Time

12/6/2018

7:56:18AM

Case Description: STATE VS. JUSTIN GREGORY MIRANDA (D9)			
Case ID:	CR01-0159B	Case Type:	CRIMINAL
		Initial Filing Date:	1/23/2001

Parties

PLTF	STATE OF NEVADA - STATE
DEFT	JUSTIN GREGORY MIRANDA - @73621
PNP	Div. of Parole & Probation - DPNP

Charges

Charge No.	Charge Code	Charge Date	Charge Description
1	F1050	1/25/2001	INF TRAFFICKING IN A CONTROLLED SUBSTANCE (3)

Plea Information

Charge No.	Plea Code	Plea Date	Plea Description
1	F1050	2/13/2002	PLED GUILTY

Sentences

Date	Charge No.	Charge Desc	Time Served	Sentence Text
3/27/2002	1	Nevada State Prison/Probation		NDOC 10-25 YEARS; SUSP; PROB N/E 60 MOS; DNA ANALYSIS TEST + FEES
3/5/2004	1	Probation Reinstated		DEFENDANT REINSTATED ON PROBATION WITH THE SPECIAL CONDITIONS THAT HE SERVE AN ADDITIONAL 4 MONTHS IN THE WASHOE COUNTY JAIL (NO AIU), THAT HE APPLY AND COMPLETE THE DRUG COURT PROGRAM IN DEPT. 7, THAT HE BE PLACED ON HOUSE ARREST THROUGH THE DIVISION OF PAROLE AND PROBATION FOR A MINIMUM OF 6 MONTHS, THAT THE DEFENDANT NOT DRIVE FOR AT LEAST ONE YEAR AFTER COMPLETION OF HIS JAIL SENTENCE.
1/29/2003	1	Probation Reinstated		DEFENDANT REINSTATED ON PROBATION WITH THE SPECIAL CONDITION THAT HE ENTER AND COMPLETE THE NORTHSTAR IN-PATIENT TREATMENT PROGRAM. DEFENDANT IS TO BE DIRECTLY TRANSPORTED INTO SAID PROGRAM BY IAP. AFTER DEFENDANT COMPLETES THE IN-PATIENT TREATMENT PROGRAM, HE IS TO BE PLACED ON HOUSE ARREST FOR A PERIOD OF 6 MONTHS. DEFENDANT IS ORDERED TO COMPLETE THE NORTHSTAR AFTER CARE PROGRAM AS WELL.
7/30/2004	1	Probation Revoked All Charges		

Release Information

Custody Status		
2/21/2001	CUSTODY - WCJ	DEFENDANT FOUND IN CONTEMPT OF COURT AND SENTENCED TO 1 DAY IN THE WASHOE COUNTY JAIL
2/21/2001	CUSTODY - WCJ	
1/3/2003	CUSTODY - WCJ	COURT ORDERED DEFT TO REMAIN IN CUSTODY UNTIL TRANSPORT DIRECTLY TO THE NORTH STAR INPATIENT TREATMENT PROGRAM UPON BED DATE AVAILABILITY - 01/03/03
1/3/2003	CUSTODY - WCJ	

Hearings

EXHIBIT B

Report Date & Time
12/6/2018
7:56:18AM

Case Description: STATE VS. JUSTIN GREGORY MIRANDA (D9)				
Case ID:	CR01-0159B	Case Type:	CRIMINAL	Initial Filing Date: 1/23/2001
Department	Event Description	Sched. Date & Time		Disposed Date
1 D9	ARRAIGNMENT	2/7/2001	08:30:00	2/7/2001
Event Extra Text:		Disposition: D455 2/7/2001		
Department	Event Description	Sched. Date & Time		Disposed Date
2 D9	ENTRY OF PLEA	2/14/2001	08:30:00	2/14/2001
Event Extra Text:		Disposition: D455 2/14/2001 COURT ORDERED PUBLIC DEFENDER RELIEVED AS COUNSEL OF RECORD DEFT HAS RETAINED WILLIAM ROUTSIS, ESQ., WHO DID NOT APPEAR TODAY; COURT ISSUED AN ORDER TO SHOW CAUSE TO MR. ROUTSIS TO BE HEARD ON 2/21/01 AT 8:30 AM		
Department	Event Description	Sched. Date & Time		Disposed Date
3 D9	ENTRY OF PLEA	2/21/2001	08:30:00	2/21/2001
Event Extra Text: AND ORDER TO SHOW CAUSE FOR WILLIAM ROUTSIS, ESQ.		Disposition: D450 2/21/2001 DEFENDANT FOUND IN CONTEMPT OF COURT AND SENTENCED TO 1 DAY IN WCJ.		
Department	Event Description	Sched. Date & Time		Disposed Date
4 D9	ENTRY OF PLEA	2/23/2001	08:30:00	2/23/2001
Event Extra Text: AND APPOINTMENT OF PUBLIC DEFENDER		Disposition: D455 2/23/2001 COURT ORDERED PUBLIC DEFENDER REAPPOINTED		
Department	Event Description	Sched. Date & Time		Disposed Date
5 D9	ENTRY OF PLEA	3/2/2001	08:30:00	3/2/2001
Event Extra Text:		Disposition: D725 3/2/2001 TO INFORMATION		
Department	Event Description	Sched. Date & Time		Disposed Date
6 D9	MOTION TO CONFIRM TRIAL	5/16/2001	08:30:00	5/16/2001
Event Extra Text:		Disposition: D355 5/16/2001 TRIAL DATE VACATED		
Department	Event Description	Sched. Date & Time		Disposed Date
7 D9	TRIAL - JURY	5/21/2001	08:30:00	5/16/2001
Event Extra Text:		Disposition: D845 5/16/2001		
Department	Event Description	Sched. Date & Time		Disposed Date
8 D9	PRE-TRIAL MOTIONS	6/6/2001	16:30:00	6/6/2001
Event Extra Text: AND MOTION TO SET TRIAL DATE		Disposition: D840 6/6/2001 MOTION TO SET TRIAL DATE GRANTED		

EXHIBIT B

Case Description: STATE VS. JUSTIN GREGORY MIRANDA (D9)				
Case ID:	CR01-0159B	Case Type:	CRIMINAL	Initial Filing Date: 1/23/2001
Department	Event Description	Sched. Date & Time		Disposed Date
9 D9	MOTION TO CONFIRM TRIAL	10/24/2001	08:30:00	10/24/2001
Event Extra Text:		Disposition: D445 10/24/2001 TRIAL DATE VACATED		
Department	Event Description	Sched. Date & Time		Disposed Date
10 D9	TRIAL - JURY	11/1/2001	08:30:00	10/24/2001
Event Extra Text: (2-3 DAYS)		Disposition: D845 10/24/2001		
Department	Event Description	Sched. Date & Time		Disposed Date
11 D9	STATUS HEARING	11/28/2001	08:30:00	11/28/2001
Event Extra Text:		Disposition: D455 11/28/2001		
Department	Event Description	Sched. Date & Time		Disposed Date
12 D9	STATUS HEARING	1/4/2002	08:30:00	1/4/2002
Event Extra Text:		Disposition: D455 1/4/2002		
Department	Event Description	Sched. Date & Time		Disposed Date
13 D9	STATUS HEARING	2/6/2002	08:30:00	2/6/2002
Event Extra Text:		Disposition: D455 2/6/2002		
Department	Event Description	Sched. Date & Time		Disposed Date
14 D9	STATUS HEARING	2/13/2002	08:30:00	2/13/2002
Event Extra Text:		Disposition: D655 2/13/2002 INFORMATION		
Department	Event Description	Sched. Date & Time		Disposed Date
15 D9	SENTENCING	3/27/2002	08:30:00	3/27/2002
Event Extra Text:		Disposition: D765 3/27/2002		
Department	Event Description	Sched. Date & Time		Disposed Date
16 D9	PROBATION REVIEW HEARING	9/6/2002	08:30:00	9/6/2002
Event Extra Text:		Disposition: D260 9/6/2002		

EXHIBIT B

Report Date & Time
12/6/2018
7:56:18AM

Case Description: STATE VS. JUSTIN GREGORY MIRANDA (D9)					
Case ID:	CR01-0159B	Case Type:	CRIMINAL	Initial Filing Date:	1/23/2001
Department		Event Description	Sched. Date & Time		Disposed Date
17	D9	MOTION -PROBATION REVOCATION	1/3/2003	08:30:00	1/3/2003
Event Extra Text:			Disposition: D455 1/3/2003		
Department		Event Description	Sched. Date & Time		Disposed Date
18	D9	MOTION -PROBATION REVOCATION	1/29/2003	08:30:00	1/29/2003
Event Extra Text:			Disposition: D735 1/29/2003 WITH THE SPECIAL CONDITION THAT THE DEFENDANT PARTICIPATE AND COMPLETE THE NORTHSTAR PROGRAM. AFTER COMPLETION OF SAID PROGRAM THE DEFENDANT IS TO BE PLACED ON HOUSE ARREST FOR A PERIOD OF 6 MONTHS.		
Department		Event Description	Sched. Date & Time		Disposed Date
19	D9	HEARING...	1/30/2003	08:30:00	1/29/2003
Event Extra Text: ANAYA HEARING			Disposition: D845 1/29/2003		
Department		Event Description	Sched. Date & Time		Disposed Date
20	D9	PROBATION REVIEW HEARING	4/2/2003	08:30:00	4/2/2003
Event Extra Text:			Disposition: D260 4/2/2003		
Department		Event Description	Sched. Date & Time		Disposed Date
21	D9	MOTION -PROBATION REVOCATION	3/5/2004	08:30:00	3/5/2004
Event Extra Text:			Disposition: D735 3/5/2004 DEFENDANT'S EXHIBIT 1 MARKED FOR IDENTIFICATION AND ORDERED ADMITTED		
Department		Event Description	Sched. Date & Time		Disposed Date
22	D9	MOTION -PROBATION REVOCATION	7/30/2004	08:30:00	7/30/2004
Event Extra Text:			Disposition: D730 7/30/2004 DEFENDANT'S EXHIBIT 1 MARKED FOR IDENTIFICATION ONLY		

Agency Cross Reference

Code	Agency Description	Case Reference I.D.
DA	District Attorney's Office	DA202687
NH	Nevada Highway Patrol	NHPR071048/071049071050
PC	PCN number	PCN82101644
RJ	Reno Justice's Court	RCR2001000126

Actions

Action Entry Date	Code	Code Description	Text
1/25/2001	1800	Information	
1/25/2001	MIN	***Minutes	

CRIMINAL PROGRESS SHEET

EXHIBIT B

Report Date & Time
12/6/2018
7:56:18AM

Case Description: STATE VS. JUSTIN GREGORY MIRANDA (D9)			
Case ID:	CR01-0159B	Case Type:	CRIMINAL
		Initial Filing Date:	1/23/2001
2/2/2001	3690	Preliminary Transcript	
2/6/2001	BAIL	**Bailbond Posted	
2/7/2001	MIN	***Minutes	
2/21/2001	3370	Order ...	AMENDED CONTEMPT ORDER
2/21/2001	3370	Order ...	CONTEMPT ORDER
2/21/2001	MIN	***Minutes	
2/23/2001	MIN	***Minutes	
3/2/2001	MIN	***Minutes	
3/12/2001	4185	Transcript	FEBRUARY 7, 2001 - ARRAIGNMENT
3/16/2001	4185	Transcript	FEBRUARY 14, 2001 MOTION TO SET TRIAL/ ENTRY OF PLEA
3/28/2001	2610	Notice ...	NOTICE OF EXPERT WITNESSES AND WITNESSES PURSUANT TO NRS 174.234
3/29/2001	4185	Transcript	FEBRUARY 23, 2001 ENTRY OF PLEA
3/29/2001	4185	Transcript	MARCH 2, 2001 ENTRY OF PLEA
3/29/2001	4185	Transcript	FEBRUARY 21, 2001 MOTION TO SET TRIAL/ ENTRY OF PLEA
5/4/2001	2245	Mtn in Limine	
5/16/2001	MIN	***Minutes	
5/16/2001	FIE	**Document Filed in Error	
6/5/2001	2650	Opposition to ...	DEF'S MOTION IN LIMINE AND SUPPLEMENT TO THE NOTICE OF EXPERT WITNESS CHAD HAWKINS
6/6/2001	1695	** Exhibit(s) ...	PRE-TRIAL MOTIONS EXHIBITS 1 AND 2
6/26/2001	2592	Notice of Witnesses	
7/2/2001	4185	Transcript	MAY 16, 2001 MOTION TO CONFIRM TRIAL
7/2/2001	4185	Transcript	JUNE 6, 2001 PRE-TRIAL MOTIONS
10/24/2001	MIN	***Minutes	
11/8/2001	4185	Transcript	OCTOBER 24, 2001 - MOTION TO CONFIRM TRIAL
11/28/2001	MIN	***Minutes	
12/24/2001	4185	Transcript	NOVEMBER 28, 2001 - STATUS HEARING
1/4/2002	MIN	***Minutes	
2/8/2002	4185	Transcript	JANUARY 4, 2002- STATUS HEARING
2/13/2002	MIN	***Minutes	
2/13/2002	1785	Guilty Plea Memo/Agreement	
3/4/2002	4185	Transcript	FEBRUARY 6, 2002 - STATUS HEARING
3/8/2002	4050	Stipulation ...	STIPULATION TO RELEASE PROPERTY
3/12/2002	4185	Transcript	FEBRUARY 13, 2002 - STATUS HEARING
3/20/2002	4500	PSI - Confidential	
3/27/2002	1850	Judgment of Conviction	
3/27/2002	EXON	**Cash Bail/Bond Exonerated	
4/8/2002	2670	Ord Admit Deft Prob w/Terms	
5/3/2002	4185	Transcript	MARCH 27, 2002 - SENTENCING
8/9/2002	1300	Bench Warrant Filed-Case Clsd	P & P

EXHIBIT B

Report Date & Time
12/6/2018
7:56:18AM

Case Description: STATE VS. JUSTIN GREGORY MIRANDA (D9)				
Case ID:	CR01-0159B	Case Type:	CRIMINAL	Initial Filing Date: 1/23/2001
8/29/2002	3370	Order ...	CANCELLING BENCH WARRANT (P & P)	
8/29/2002	1325	** Case Reopened		
8/29/2002	1250	Application for Setting	9/6/02	
9/6/2002	MIN	***Minutes		
9/16/2002	4185	Transcript	SEPTEMBER 6, 2002 - PROBATION REVIEW HEARING	
12/18/2002	3702	Probation Violation Report		
12/23/2002	1250	Application for Setting	1/3/03	
1/3/2003	MIN	***Minutes		
1/23/2003	1250	Application for Setting	1/29/03	
1/27/2003	4185	Transcript	JANUARY 3, 2003 - MOTION FOR REVOCATION OF PROBATION	
1/29/2003	3345	Ord Reinstate Probation		
1/29/2003	MIN	***Minutes		
2/7/2003	2670	Ord Admit Defl Prob w/Terms		
2/14/2003	4185	Transcript		
3/26/2003	3701	Probation Review Report		
4/2/2003	1695	** Exhibit(s) ...	EXHIBIT A MARKED AND ADMITTED	
4/2/2003	MIN	***Minutes		
4/28/2003	4185	Transcript	APRIL 2, 2003 - PROBATION REVIEW HEARING	
2/12/2004	3702	Probation Violation Report		
2/18/2004	1325	** Case Reopened		
2/18/2004	1250	Application for Setting	3-5-04 @08:30	
3/5/2004	1695	** Exhibit(s) ...	DEFENDANT'S EXHIBIT 1 MARKED AND ADMITTED	
3/5/2004	3345	Ord Reinstate Probation		
3/5/2004	MIN	***Minutes		
3/22/2004	2670	Ord Admit Defl Prob w/Terms	AMENDED 3-5-04	
3/26/2004	4185	Transcript	03/05/04 - MOTION FOR REVOCATION OF PROBATION	
5/11/2004	1930	Letters ...	FROM DEFENDANT	
7/13/2004	3702	Probation Violation Report		
7/14/2004	1250	Application for Setting	7-30-04 @08:30	
7/14/2004	1325	** Case Reopened		
7/30/2004	1695	** Exhibit(s) ...	DEFENDANT'S EXHIBIT 1 MARKED FOR IDENTIFICATION ONLY	
7/30/2004	3210	Ord Revoking Probation		
7/30/2004	MIN	***Minutes		
8/12/2004	1485	Corrected Judgment or Ord	ORDER REVOKING PROBATION TO REFLECT LESS CREDIT FOR TIME SERVED. DEFENDANT NOT ENT	
8/17/2004	4185	Transcript	07/30/04 - MOTION FOR REVOCATION OF PROBATION	
11/29/2004	PAYRC	**Payment Received	A Payment of -\$2.73 was made on receipt DCDC133113.	
8/12/2010	PAYRC	**Payment Received	A Payment of -\$235.00 was made on receipt DCDC283563.	

ORIGINAL

FILED

FEB 21 2001

AMY HARVEY, CLERK
By: *[Signature]*
DEPUTY

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

STATE OF NEVADA,

Case No. CR01-0159B

Plaintiff,

Dept. No. 9

vs.

Reporter: D. Davidson

JUSTIN GREGORY MIRANDA,

Defendant.

AMENDED CONTEMPT ORDER

An Entry of Plea hearing having been heard in the above entitled matter on February 21, 2001, at the hour of 8:30 a.m., and the Defendant, Justin Gregory Miranda, having been found in contempt for stating he had retained private counsel, when in fact he had not, good cause appearing, therefore,

IT IS HEREBY ORDERED that the Defendant, Justin Gregory Miranda, be punished by incarceration in the Washoe County Jail for a term of one (1) day with no credit for time served.

Dated this 21st day of February, 2001.

[Signature]
DISTRICT JUDGE

CR01-0159B
DC-0000087623-224
STATE VS. JUSTIN GREGORY MIRANDA
District Court
Washoe County
02/21/2001 08:33 AM
3370

EXHIBIT D

KENNY C. GUINN
Governor

DC-0950087623-262
STATE VS. JUSTIN GREGORY MIR 4 Pages
District Court 12/18/2002 09:02 AM
Washoe County
CR01-0159B

3702
JORDINE AVENUE
NEVADA 89502
(5) 688-1000

IMPOS BUILDING
BOHANNAN ROAD
S. NEVADA 89101
(2) 466-3001

E. INLAND STREET
NEVADA 89601
(5) 738-1088

119 E. LONG STREET
CARSON CITY, NEVADA 89701
(775) 687-5045



PAROLE AND PROBATION

1445 Hot Springs Road, Suite 104

Carson City, Nevada 89706

Telephone (775) 687-5040 Fax (775) 687-5402

www.ps.state.nv.us

RICHARD KIRKLAND
Director

R. WARREN LUTZOW
Chief

VIOLATION REPORT

December 18, 2002

**TO THE HONORABLE JAMES W. HARDESTY
SECOND JUDICIAL DISTRICT COURT
DEPARTMENT IX, RENO, NEVADA**

NAME: MIRANDA, JUSTIN GREGORY

FILE #: R02-0806

CC #: CR01-0159

SUPERVISION GRANT: 03/27/02

EXPIRATION: 03/27/07

**CRIME: TRAFFICKING IN A CONTROLLED SUBSTANCE LEVEL III
SENTENCE: 10-25 YEARS NEVADA STATE PRISON, SUSPENDED, PROBATION NOT TO
EXCEED 60 MONTHS; \$25 ADMINISTRATIVE ASSESSMENT FEE, \$60 CHEMICAL
ANALYSIS FEE, \$500 ATTORNEY FEE, \$50,000 FINE.**

I. VIOLATION:

Rule #8 - Laws and Conduct, Rule #9 - Out of State Travel, Rule #12 - Special Conditions #4 No contact with father: On November 4, 2002, the Division received a telephone call from the Santa Rosa, California Police Department. The Santa Rosa Police had received a complaint that Mr. Miranda had been in Santa Rosa, California the previous week staying at the home of his father. Mr. Miranda was reportedly at his father's home over the weekend trying to collect some of his wife's possessions. Mr. Miranda's father would not hand over the items and Mr. Miranda reportedly kicked down the front door of his father's house and removed at least one item from the house. The Santa Rosa Police asked that the Division interview Mr. Miranda and get his version of these events. Mr. Miranda had not asked for a Travel Permit to be out of the State of Nevada and did not receive permission from his supervising officer to have contact with his father.

PROBATION VIOLATION REPORT
MIRANDA, JUSTIN GREGORY
R02-0806; CR01-0159

PAGE 2

On November 5, 2002, Mr. Miranda was brought to the Parole and Probation offices, and asked if he had been visiting his father in California the previous weekend. Mr. Miranda adamantly denied visiting his father in California. He stated that his wife and grandmother had gone to California, but that he had stayed in Reno. Mr. Miranda's grandmother and wife were contacted, and both confirmed his version of events. As such, the Division decided not to pursue revocation proceedings and instead chose to await the outcome of the Santa Rosa Police Department investigation.

The investigative report was provided to the Division on November 10, 2002. According to the report, the Santa Rosa Police Department found three witnesses who were willing to testify that Mr. Miranda had been visiting his father in California on approximately November 1, 2002. Two of these witnesses knew Mr. Miranda from his childhood, and the third witness, who observed Mr. Miranda kick in the door of his father's house, identified Mr. Miranda in a photographic lineup.

The Santa Rosa Police Department submitted the same police report to the District Attorney's Office in Santa Rosa, California. On December 12, 2002, the Superior Court of the State of California, County of Sonoma, issued a warrant for the arrest of Mr. Miranda on charges of Threatening a Crime With Intent to Terrorize, and Vandalism, both misdemeanors. Bail was set at \$5,000. However, this warrant is not extraditable from the State of Nevada.

Rule #4 - Controlled Substances, Rule #12 - Special Condition #3 Random Urinalysis: Justin Miranda tested positive for the presence of cocaine on November 5, 2002. Mr. Miranda admitted that he had used cocaine approximately two days prior. At about 4:00 p.m., December 17, 2002, Mr. Miranda was taken into custody for Probation Violation. The Division attempted to obtain a urine specimen from Mr. Miranda at the time of arrest, however, he said that he could not provide a sample. The Division attempted to obtain samples again between 8:00 and 9:00 p.m., the evening of December 17, 2002, and again about 8:00 a.m., the morning of December 18, 2002. In each instance, Mr. Miranda stated that he was unable to provide a urine specimen.

Rule #12 - Special Conditions #2 Substance/Abuse Mental Health Evaluation and program as recommended: On October 2, 2002, Mr. Miranda obtained a substance abuse evaluation from North Valley's Counseling in Reno. The evaluation recommended Level I outpatient counseling with three hours of group counseling and one hour of individual counseling each month for a minimum of six months. At an office visit on December 6, 2002, Mr. Miranda stated that he started the recommended counseling at Basic Recovery Associates in Reno. However, the Division contacted Basic Recovery Associates on December 18, 2002, and learned that Mr. Miranda has not entered into their program.

PROBATION VIOLATION REPORT
MIRANDA, JUSTIN GREGORY
R02-0806; CR01-0159

PAGE 3

II. RESPONSE TO SUPERVISION:

Since being reinstated on September 6, 2002, Mr. Miranda has attempted to give the impression that he is following the rules of his probation. He obtained the required substance abuse evaluation in October, and reported to the Division that he had begun counseling at Basic Recovery Associates, when in fact he had not.

Despite evidence sufficient to convince a California Judge to issue a warrant for Mr. Miranda's arrest, Mr. Miranda continues to deny going to California or having contact with his father. Given the issuance of a warrant for Mr. Miranda's arrest and his continued use of controlled substances, the Division cannot consider him as being worthy of a grant of community supervision.

III. WHEREABOUTS AND AVAILABILITY:

A Hold was placed on December 17, 2002. The subject is in custody in the Washoe County Jail.


As of December 18, 2002, credit for time served is 14 days.

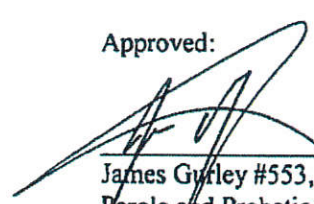
IV. RECOMMENDATION:

It is recommended that the subject's probation be revoked.

Respectfully submitted,

Approved:


Shane M. Lees #844,
Parole and Probation Officer II
District II, Reno, Nevada


James Gurley #553,
Parole and Probation Supervisor
District II, Reno, Nevada

cc: District Attorney
Public Defender

SL/kt

FILE NAME: N:\VR FOLDER\1000120715_2_VR

STATE OF NEVADA
DEPARTMENT OF MOTOR VEHICLES AND PUBLIC SAFETY
DIVISION OF PAROLE AND PROBATION

NOTICE OF PRELIMINARY INQUIRY HEARING

You Justin G. Miranda Name Justin G. Miranda Number R02-0806 PDC/NSP

are advised that an informal Preliminary Inquiry Hearing pertaining to the following alleged violation(s) of your Parole/ Probation condition(s) shall be conducted to determine if you shall be held to answer said allegation(s) before the Court/ Board at a formal Revocation Hearing:

Rule No.	Alleged Violation
4	Controlled Substances
8	License + Contact
9	Out-of-State Travel
12 sc#4	No contact with Father
12 sc#3	Random Urinalysis
12 sc#2	Subst Abuse Eval and Program

Your Preliminary Inquiry Hearing is scheduled for Dec 27, 2002 Date 2:00 PM Time
Washoe Co Jail Location

At this Hearing, you have these due process rights: to speak in your own behalf; retain counsel, present letters, documents, or persons who can present relevant information, and; question any person giving adverse information against you, unless in the opinion of the hearing officer the individual would be subjected to risk of harm by disclosure of his/her identity.

You may waive this Preliminary Inquiry Hearing if you desire. Should you waive, your action shall in no way be considered an admission of guilt.

Please initial the appropriate response:

_____ I desire to have a Preliminary Inquiry Hearing at the date, time, and location indicated above.

_____ I will retain _____ Name _____ Address _____ to represent me.

_____ I wish to present the following witness(es) at my own expense:

_____ Name _____ Address _____	_____ Name _____ Address _____
_____ Name _____ Address _____	_____ Name _____ Address _____
_____ Name _____ Address _____	_____ Name _____ Address _____

dm I waive my right to a Preliminary Inquiry Hearing and request to present my case directly to the Court/Board.

dm I have received a copy of the alleged violation(s) of Parole/Probation, and this, my Notice of Rights.

<u>Justin G. Miranda</u> Signature of Client	Number <u>12-20-02</u> Date
<u>Justin G. Miranda</u> Signature of Witness	Position <u>PO II</u> Date <u>12-20-02</u>

ORIGINAL (White)—Court/Board
WHITE—Complaint/Extra
YELLOW—Defendant
BLUE—Central
PINK—District

ORIGINAL

CODE NO. 1485

FILED

8-12-04
RONALD A. LONGTIN, JR., ClerkBy S. Sattler
Deputy Clerk

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

* * *

THE STATE OF NEVADA,

Plaintiff,

Case No. CR01-0159B

vs.

Dept. No. 9

JUSTIN GREGORY MIRANDA,

Reporter: D. Davidson

Defendant.

CORRECTED ORDER REVOKING PROBATION

The Defendant, Justin Gregory Miranda, having previously been convicted of the crime of Trafficking in a Controlled Substance, a violation of NRS 453.3385 (3), a felony, and having been previously on probation,

IT IS HEREBY ORDERED that the probation is revoked and he shall serve the term to which he was originally sentenced.

IT IS FURTHER ORDERED that the Defendant shall be given credit for one hundred fourteen (114) days time served commencing at the beginning of his term.

DATED this 12th day of August, 2004
Nunc pro tunc to July 30, 2004.

James W. Hardesty
JAMES W. HARDESTY
DISTRICT JUDGE

CR01-0159B
STATE VS. JUSTIN GREGORY MIRANDA
District Court
Washoe County
DC-09500087623-227
Page 1
08/12/2004 09:42 AM
1485
v. 1.000

Manis, Dina

From: Nick Caston <nick@goldenstategr.com>
Sent: Tuesday, February 26, 2019 6:08 AM
To: _CityCouncilListPublic; Manis, Dina
Subject: CA PTA Position Paper re: "marijuana" providers near schools

Dear Santa Rosa City Council Members -

I received a number of requests for a copy of the California PTA position statement on setbacks from schools. This document was adopted by the CAPTA in 2010 and reaffirmed in 2014 prior to the initial state legislation in 2015 which led to the current iteration of state regulations.

Of note is the last paragraph where the CAPTA calls for local regulations that put dispensaries further than 600' from a school. While there is no evidence of any increase in negative impacts in the vicinity of licensed cannabis companies and these companies can be operated in a similar manner to other uses allowed within 600', it is important to recognize the current state and city policy is consistent with and originates from a robust policy debate over many years which fully embraced this position from a recognized leader representing education interests at the state level.

Please let me know if you have any questions. Here is the link:

<http://toolkit.capta.org/advocacy/position-statements/regulation-of-medical-marijuana-providers-near-schools/>

Cheers,

--

Nick W. Caston
President and Chief Strategic Officer
nick@GoldenStateGR.com
(707) 291-3470 Cell
(916) 449-9580 Office

Patti Cook
Executive Assistant
patti@goldenstategr.com

Manis, Dina

From: Nick Caston <nick@goldenstategr.com>
Sent: Tuesday, February 26, 2019 6:54 AM
To: _CityCouncilListPublic; Manis, Dina
Subject: 14.2 Applicant Comments
Attachments: HWY 420 Presentation.pptx; Highway_Response Letter 111218.pdf; Trip Generation Study for the Highway Investment Holdings Cannabis Retail Project.DRAFT.pdf

Dear Councilmembers -

For item 14.2 my presentation on behalf of Applicant A, Highway Investments, will be focused on responding to any issues brought up by the appellant and to outline the superior nature of Applicant A's proposal. While I will not be presenting a prepared presentation to enable response to the issues raised, I do want to provide you with the slide presentation provided to the sub-committee. I will be referring to slide 4 during our response time.

Also attached is a letter submitted to the sub-committee concerning the scoring and staff's original recommendation. While we do recognize that Applicant B is a Napa native who now lives in Santa Rosa, the broader point concerning Applicant A's direct North Bay retail experience compared to Applicant B's southern California supply chain experience stands. Additionally, attached is the independent traffic analysis for Applicant A showing the project will not have a significant impact as it advances to the land-use phase. This letter was a part of the information presented to the sub-committee. I am not aware of a comparable report for Applicant B.

Of additional note, Applicant B, the appellant, has presented innuendo and accusation about Applicant A operating out of compliance. This is simply untrue. Applicant A ceased operating as a collective as required by state law and has had no cannabis operations during this time. Highway was an existing business with existing customers who has continued to pay for advertising placement on Weed Maps and produce non-cannabis activities to keep its customers engaged during closure. As you can imagine, customer loyalty is an important part of any businesses success. Additionally, it has come to our attention that Mr. Miranda's past conviction for a drug related crime is being used to challenge his eligibility for a license. As you have heard from others, this is also untrue in large part because of the incident being from when he was 18 years old in 2001 and he has had no issues with law enforcement since. Please read this news article from when Proposition 64 was on the ballot. Mr. Miranda was exactly the type of entrepreneur contemplated in the passage of the ballot measure and this 100% Latino owned business should not be discriminated against base on this argument: (<https://www.pressdemocrat.com/news/6183142-181/gavin-newsom-prop-64-proponent>)

I look forward to discussing these and any other issues of interest to the council tonight. I believe that you will hear quite clearly that Applicant A is the preferred choice both as an operator and, as this is ultimately a land-use decision, a location for the Roseland community.

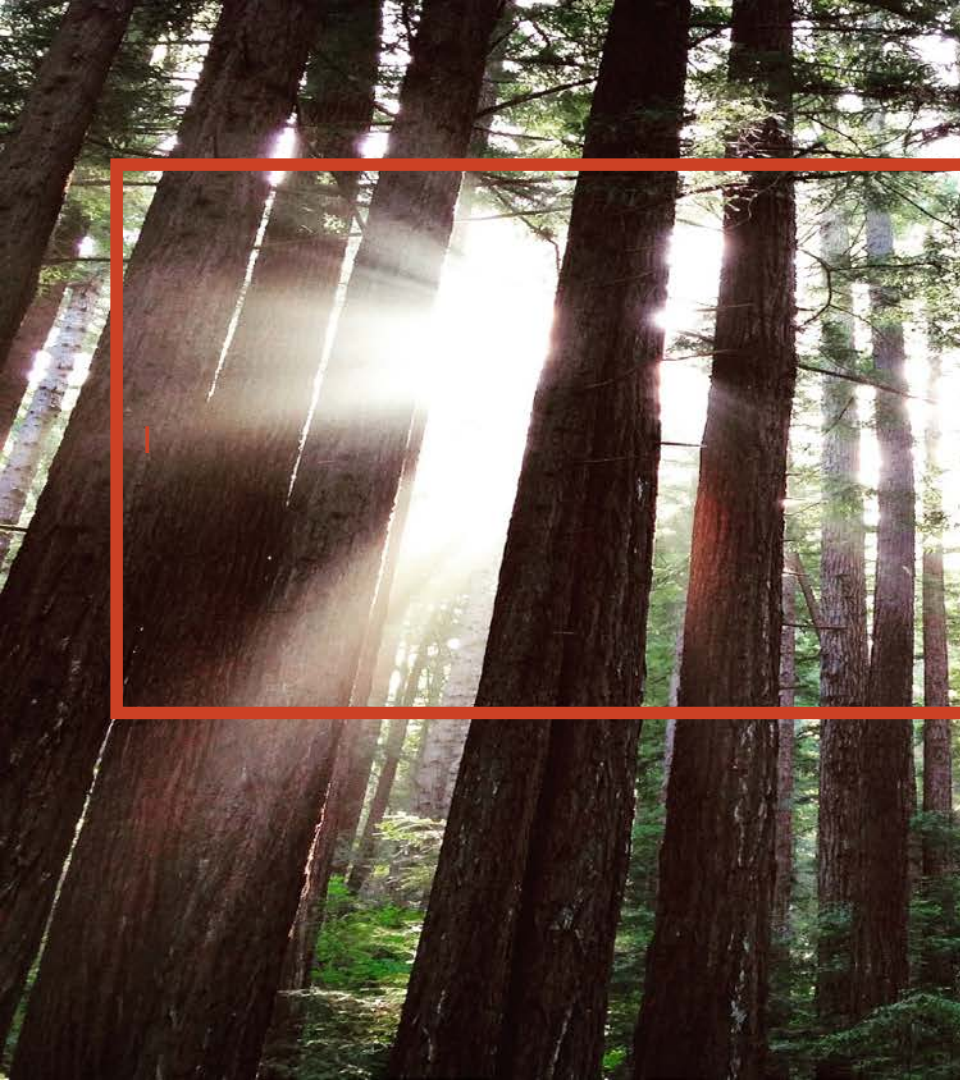
Sincerely,

--

Nick W. Caston
President and Chief Strategic Officer
nick@GoldenStateGR.com
(707) 291-3470 Cell
(916) 449-9580 Office

Patti Cook

Executive Assistant
patti@goldenstategr.com



MEET THE TEAM



Justin Miranda

Established Highway Investment Holdings to provide dependable, high - quality medical cannabis at truly affordable prices for collective members.



William Garcia

Immigrated to the U.S. at 10 years old. He hopes to use this business to create his family legacy, build stronger ties to the local community, and continue to put down roots in Santa Rosa.



Karen Roche

Business Planning Consultant

Principal Consultant and Founder of Roche 20| 20, designing solutions that scale process, profits and purpose



Julie Mercer Ingram, Attorney

Legal Team: Kind Law
Co-council: Bob Nichols, Senior Attorney of Kind Law

Managing Attorney of Kind Law, which is dedicated to supporting the legal cannabis industry in California



Compliance

Nick Caston Chief Strategic Officer and President: Local Compliance and Advocacy

Dr. Jennifer Price, Chief of Operations and Director of State Compliance: State Compliance and Advocacy

CUSTOMER FOCUS

More than 50 patient recommendation letters

"Highway 420 specifically wanted to keep their business in the Roseland district because they share an immense connection with the community and businesses within the community. "

-Terry Garrett

"From the quality of their products to the quality of their people they are far above the curve"

- Paul Goldstein

"I have never had anything but great experience and service"

- Edith Chavarria, Santa Rosa

"Highway 420 is the most professional, compassionate, and honest business that I have encountered in the cannabis industry...In my opinion denying Highway 420 a permit would be doing a disservice to Santa Rosa."

- Richard Guzman, Santa Rosa

"They are the future of Sonoma County!"

- Sebastian Silva

COMPETITOR COMPARISON

	Highway		Phenotopia		Policy
North Bay Retail Experience on Staff	YES	Owner has years of cannabis retail experience	NO	No experience on staff	Site Management GP-EV-B
Local Supply Chain Connections	YES	Letters of support and stated connections to local operators	NO	Connections in Southern California	Neighborhood Enhancement GP-EV-B-4
Superior Facility	YES	Facility in excellent condition with no exterior improvements needed and minor interior improvements needed for occupancy	NO	Needs substantial improvements on interior and exterior of building	Neighborhood Compatibility GP-EV-C-1
Bilingual Customer Service Staff	YES	Currently has bilingual staff and will continue to hire local bilingual staff	NO	Not proposed	Neighborhood Compatibility GP-EV-A-5
Onsite Consumption/Safe Access	YES	Ample space for safe access	NO	Not proposed	Neighborhood Compatibility GP-EV-A-1
Realistic Performance Timeline	YES	Six months or less	NO	Proposes February 2019, not realistic	Site Management GP-EV-B-7
Delivery Proposed/More Access	YES	Additional access for neighbors	NO	Not proposed	Neighborhood Compatibility GP-EV-A-5
Community Benefit Program Onsite	YES	Onsite space for workforce development and community benefit programs	NO	Only "communication" with nonprofits stated	Neighborhood Enhancement GP-EV-B-6
Specific Local Hiring Plan	YES	Workforce training onsite will produce local hiring, outreach to community to find local staff	NO	Craigslist and consultants, no community based plans	Neighborhood Enhancement GP-EV-B-6

WE ARE READY TO GO!

Clear and Effective Entrance • Superior Parking • Local Established North Bay Cannabis Retailer





November 9, 2018

City of Santa Rosa
100 Santa Rosa Avenue
Santa Rosa, CA 95404

RE: Retail Application Review for 470 Sebastopol Road

To Whom It May Concern:

On November 8, 2018, the City released the results of a merit based review the Highway Retail Outlet (Highway) proposal at 470 Sebastopol Road and a competitive project submitted by Phenotopia at 443 Dutton Avenue. The results of the merit based review are based on inaccuracies and fail to objectively compare the projects. As discussed below, Highway's proposal is the far superior option.

A. Inaccuracies in Phenotopia's Application

The City's merit score of Phenotopia's project is based on inaccurate and misleading information.

1. Phenotopia Has No Retail Experience in North Bay Area

First, the criteria for "experience in operating a cannabis retail business in the North Bay area" was not satisfied by Phenotopia's proposal. The project narrative cites the experience of Johnny Nolen as having retail experience in the North Bay. However, this is highly misleading. Mr. Nolen is not an employee or principal of Phenotopia. In fact, Mr. Nolan is a Principal and COO of 421 Group, the permitting consultants. Mr. Nolen's bio in the submitted application is the same as the 421 Group website. The only actual employee or owner of Phenotopia is Padraic Fahey, who is a resident of Napa County with no North Bay retail experience stated. One would expect that had City staff identify this misleading information, and only considered the actual staff and ownership team, the score and comparative analysis would have been substantially different. Ultimately, Phenotopia has not presented any North Bay retail experience as part of their operations, other than their permitting consultants.

In comparison, Highway's owner has years of North Bay cannabis retail delivery service experience under the collective model. This is demonstrated by the many loyal customers and licensed operators who want to see this local business become compliant under the new commercial cannabis model.

2. Inaccurate Performance Timeline

Second, the “performance timeline from land use approval to plan check and construction to opening” cannot be satisfied as proposed by Phenotopia. In the project narrative, Phenotopia states, “Taking into account the variability of the planning process based on the likelihood of competing dispensaries with the retail concentration buffer, we are targeting a February 28, 2019 opening for the Phenotopia dispensary.” This timeline is virtually impossible and demonstrates a complete lack of understanding of the pathway to occupancy in Santa Rosa. Furthermore, Phenotopia’s timeline demonstrates a lack of understanding about state licensing and compliance. After January 1, 2018, the state will no longer issue or extend temporary licenses. There is no way for either local occupancy or state licensing to occur within the proposed timeframe.

Conversely, Highway presented a realist timeline of six months to obtain occupancy. In fact, Highway’s timeframe is conservative as the proposed facility requires no exterior and very little interior improvements. The exterior of the building needs no improvements and the interior is ready to occupy after building permits and inspections with few improvements. Highway’s performance timeline is more realistic due to the superiority of their facility.

3. Inaccurate Parking Information

Third, the “ease of parking” criteria cannot be assessed as it is based on inaccurate information included in Phenotopia’s application. On page five of the application, Phenotopia states that they have 136 customer parking spaces available. This is incredibly misleading, as the entire commercial property shares those spaces with 18 other stores and a fast-food restaurant. The application also states that 17 additional spaces are available behind the building for staff parking. Again, this is inaccurate as those spaces are for the entire 18 tenants to share. Phenotopia’s application fails to state how many spaces are available for their facility under the terms of their lease agreement, nor does this application state how much of a traffic impact the increased customers will create. The other existing tenants and the neighborhood will not benefit from by Phenotopia’s increased traffic and lack of onsite parking.

On November 9, 2018 at approximately 10:30 AM, the below photos were taken of the available parking at the proposed location. As demonstrated, Phenotopia’s facility does not have available parking for the proposed use. Staff was misled by the number of parking spots disclosed and was not justified in the resulting score for this criteria.

Unlike Phenotopia, Highway has ample parking with 22 dedicated parking spots for the facility, including one ADA space. Additionally, Highway provided a trip generation review by W Trans that found the proposed retail project would create less trips and a “less-than-significant” impact on traffic operation. Phenotopia included no such trip generation study.



4. Vague and Misleading Community Benefit

Fourth, the “community benefits e.g. employment opportunities, community programs and contributions” were based on Phenotopia’s inaccurate and misleading assertions. Phenotopia’s application proports to be “in communication” with a local nonprofit, which is not concrete enough to justify the score. Additionally, Phenotopia’s application again misled staff on the role of the actual applicant verses the hired permitting consultant. On page 40, Phenotopia’s project narrative lists the qualifications of a Community Liaison, who is actually a staff member of 421 Group, the permitting consultant, not an employee of Phenotopia. In the Staff’s merit based chart, the community liaison is characterized as a “business partner” of Phenotopia. A consultant should not be considered part of the applicant’s operation nor should a consultant be considered a business partner.

Additionally, Phenotopia proposes to hire locally by posting on Craigslist and by working with 421 Group. Throughout their application, Phenotopia relies on the services of a consultant 421 Group rather than provide concrete examples of how Phenotopia as an applicant merits their given score.

In contrast, Highway has proposed a dedicated space within their facility for training and workforce development. As noted by Terry Garrett in his letter of support for the Highway project, the training program will “assist with the “Roseland Redevelopment Plan” which looks to revitalize the corridor running along Sebastopol Road through “...economic development...and commercial revitalization.” Mr. Garrett further noted that, “Highway 420 specifically wanted to keep their business in the Roseland district because they share an immense connection with the community and businesses within the community.” This is of note because Highway has an existing track record of hiring staff from Roseland and will continue to hire staff that are Spanish speaking, a commitment not expressed by Phenotopia. This is actual community outreach based on the merits of the candidate, not exclusive reliance on permitting consultants.

B. Highway is the Superior Project

We urge the City to not be fooled by flashy graphic design and misleading statements, the merits of the proposal should be what is evaluated. Reliance on consultants to improve a merit score and including tables and graphs with non-germane information should not sway this decision. When examining the two proposals, Highway is objectively the superior project. The focus should be on the facts.

	Highway		Phenotopia	
North Bay Retail Experience on Staff	YES	Owner has years of cannabis retail experience	NO	No experience in owners or staff
Local Supply Chain Connections	YES	Letters of support and stated connections to local operators	NO	Connections in Southern California
Superior Facility	YES	Facility in excellent condition with no exterior and only minor interior improvements needed for occupancy	NO	Needs substantial improvements on interior and exterior of building
Bilingual Customer Service Staff	YES	Currently has bilingual staff and will continue to hire local bilingual staff	NO	Not proposed
Onsite Consumption/Safe Access	YES	Ample space for safe access	NO	Not proposed
Realistic Performance Timeline	YES	Six months or less	NO	Proposes February 2019, no realistic
Delivery Proposed/More Access	YES	Additional access for South West Santa Rosa	NO	Not proposed
Community Benefit Program Onsite	YES	Onsite space for workforce development and community benefit programs	NO	Only “communication” with nonprofits stated
Specific Local Hiring Plan	YES	Workforce training onsite will produce local hiring, outreach to community to find local staff	NO	Craigslist and consultants, no community-based plans

An objective examination of the two proposals also illuminates that Highway's proposal is far more aligned with the General Plan. For example, General Plan Section EV-B-4 includes: "Develop specific strategies to increase business-to-business commerce within Santa Rosa." Phenotopia states in their application under 'Strategic Partnerships' section: "We are evaluating partnerships and licensing agreements that will allow us exclusive technologies, products, and distribution rights throughout the state." This is not a plan to increase business-to-business in Santa Rosa. In Comparison, Highway has submitted several letters of support from local, licensed cannabis operators. With years of experience as a local cannabis collective, Highway has developed important business relationships with Santa Rosa and Sonoma County based businesses.

Additionally, Highway's facility needs no exterior improvements. The building exterior and interior are in excellent condition. The landscaping is mature and well maintained. The parking lot is well paved and has no cracks or impediments. The sidewalk and paved entry are in excellent condition. The entrance facility is easy to view and well lit. The interior was previously a retail space and will easily re-tenant as a cannabis retail facility. With minor tenant improvements, Highway's facility is ready to occupy. However, Highway received low scores for not detailing unnecessary improvements. This apparent implicit bias against a superior facility in favor of more expensive upgrades appears to be directly disadvantaging local existing business in favor of those from outside of Sonoma County. While all businesses should have an opportunity to succeed in Santa Rosa, when deciding who the "preferred" applicant is in this process, the General Plan and implementation of the Roseland Redevelopment Plan plus the comments and goals of the sub-committee clearly favor keeping the local business with support from neighbors and a connection to the community.

Why would an applicant need to discuss improvements that are not necessary? Highway submitted photos that demonstrated the superior condition of their building and landscaping. Those photos are included below. In comparing the two projects, staff made a grave error in scoring Phenotopia's speculative promised improvements higher than Highway's existing superior facility.





As demonstrated by this letter and the over 50 letters of support for Highway's project, the superiority is clear. We urge the City of Santa Rosa to reexamine the evaluation of these projects, take an objective look at the details of the application and the actual community support.

Please let me know if you have any questions about this letter. Thank you for your attention to this matter.

Sincerely,

Julie Mercer-Ingram



May 4, 2018

Mr. Justin Miranda
Highway Investment Holdings
1409 Buchanan Street
Novato, CA 94947

Trip Generation Study for the Highway Investment Holdings Cannabis Retail Project

Dear Mr. Miranda;

W-Trans has completed a focused analysis that addresses the potential change in trip generation associated with the proposed change in land use for 470 Sebastopol Road in the City of Santa Rosa.

Project Description

The proposed project would include repurposing an existing vacant commercial suite of 2,963 square feet to a cannabis dispensary. The dispensary would share the approximately 4,356 square-foot building with an existing salon and retail store. As proposed, the project would include approximately 744 square feet of retail space, 1,169 square feet of space for storage and security uses, and 1,050 square feet of office and administrative space. The retail operation would be open to the public between the hours of 9:00 a.m. and 9:00 p.m. seven days a week.

Trip Generation

The anticipated trip generation for the proposed dispensary was estimated using standard rates for a new land use published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 10th Edition called "Marijuana Dispensary" (LU #882). The trip generation for the square footage of the building not dedicated to retail was estimated using standard rates for "General Light Industrial" (LU #110) as it was determined to be most representative of the storage, security, and office space collectively. Based on application of these land uses, the proposed project would be expected to result in 199 daily trips on average, including 10 trips during the a.m. peak hour and 17 trips during the p.m. peak hour.

For comparative purposes, and to evaluate potential planning impacts, the anticipated trip generation for the permitted use of the site was estimated. The *Santa Rosa General Plan 2035* land use for the site is General Commercial, which could represent a variety of uses ranging from general office space to retail so trips associated with the permitted use were estimated by averaging standard ITE rates for "General Office Building" (LU #710) and "Shopping Center" (LU #820). Based on application of these land uses, the site is permitted for an estimated 70 daily trips on average with three trips during the morning peak hour and seven trips during the evening peak hour. As is the case with all standard trip generation rates, trips generated by all aspects of the use are included, so while the independent variable is square footage, trips associated with employees, deliveries, customers, and visitors are reflected in the rate and resulting trip estimates. The trip generations for both permitted and proposed conditions are shown in Table 1.

Table 1 – Trip Generation Summary

Land Use	Units	Daily		AM Peak Hour				PM Peak Hour			
		Rate	Trips	Rate	Trips	In	Out	Rate	Trips	In	Out
Permitted											
General Office Building	2.963 ksf	9.74	29	1.16	3	3	0	1.15	3	1	2
Shopping Center	2.963 ksf	37.75	112	0.94	3	2	1	3.81	11	5	6
Average of Permitted Uses		23.75	70	1.05	3	2	1	2.48	7	2	5
Proposed											
Marijuana Dispensary	0.744 ksf	252.70	188	10.44	8	4	4	21.83	16	8	8
General Light Industrial	2.219 ksf	4.96	11	0.70	2	1	1	0.63	1	0	1
Total Proposed			199		10	5	5		17	8	9
Net Difference from Permitted Use			129		7	3	4		10	6	4

Note: ksf = 1,000 square feet

Because the proposed project would be expected to generate fewer than 50 trips during either peak hour, per the City's *Standard Guidance for the Preparation of Traffic Impact Analysis*, an operational analysis is not required.

Conclusions

The proposed project is expected to generate an average of 199 trips on a daily basis, including 10 trips during the morning peak hour and 17 trips during the evening peak hour. If developed under its full potential for general commercial uses at the current size, the space would be expected to generate seven fewer trips during the a.m. peak hour and between six and 14 fewer trips during the p.m. peak hour, compared to the proposed use. Based on the minimal number of new peak hour trips expected to be generated by the proposed project, it is reasonable to conclude that the change in land use would have a *less-than-significant* impact on traffic operation.

We hope this information is adequate to address the potential change in trip generation associated with the proposed land use modification. Please contact us if you have any further questions. Thank you for giving us the opportunity to provide these services.

Sincerely,

Cameron Nye, EIT
Assistant Engineer

Dalene J. Whitlock, PE, PTOE
Principal

DJW/cn/SRO469.L1

Manis, Dina

From: Marcos Suarez <marcosjsuarez@gmail.com>
Sent: Tuesday, February 26, 2019 8:09 AM
To: _CityCouncilListPublic; Manis, Dina
Subject: Letter of support for Highway 420 (Prop 64)
Attachments: Prop 64 - City of Santa Rosa - Support Letter For Highway 420 - 2019 February 25.pdf

Good morning Mayor Schwedhelm and city council members,

Please find attached a letter of support for local Latino-owned Highway 420.

Thank you for your service to the city and its residents.

Sincerely,

--

Marcos J. Suarez
(707)291-8605



February 25, 2019

Mayor & City Council Members
CITY OF SANTA ROSA
100 Santa Rosa Avenue
Santa Rosa, CA 95404

RE: HIGHWAY 420 – LETTER OF SUPPORT FOR RETAIL OPERATION

Dear Mayor & Council Members:

In the extremely reasonable interest of fairness and equity, the California Urban Partnership (CUP) urges you to support Highway 420 and its owner, Justin Miranda. As an economic development collaboration formed to empower communities of color across the state through public policy solutions, the CUP has concluded that Highway 420 presents the City of Santa Rosa with a timely and sound opportunity to develop an industry that is truly equitable and intentional about advancing social justice. Along with recognizing the importance of having bilingual business owners and staff in a majority Spanish-speaking community, the Highway 420 business plan is geared not only to internal success, but to growth via a comprehensive job training program aimed at locals. The Highway 420 retail operation is a Latino-run business powered by locals, in a community that is heavily Latin-American.

California's decriminalization of marijuana was only the first step to ending generations of structural discrimination, promoted immensely by the "War on Drugs." Recent statistics provided by the Bureau of Justice cite that roughly 80% of nonviolent Drug Offense convictions in Federal Prisons, and nearly 60% in State Prisons, are either Black or Latino. Although recently signed legislation (AB 1793) aims to overturn these nonviolent convictions, communities such as Roseland are still facing the massive economic and cultural impact of the incarceration. The City of Santa Rosa has a responsibility to address these losses and trauma meted upon children, families and neighborhoods, and to take steps to help Latino owned businesses grow and prosper. The unfortunate reality is that, while a Person of Color's likelihood of receiving a prison sentence for cannabis-related charges is more than double that of a White individual, we continue to see White moguls rise in the cannabis industry. The simple answer to "why" has everything to do with opportunity, fiscal means and local approval. Equity Programs were born from this disparity.

With his exceptional work ethic, local support, and dedication to this project, I am certain that Justin Miranda will continue to excel as a business owner and leader for Roseland citizens. I have heard incredible things about his ability to engage neighbors, instilling in them a vigor often lost on communities that feel forgotten. Approving Highway 420 will extend beyond Miranda, as his efforts have already united so many to his cause. By supporting Highway 420 you are supporting economic growth for local minorities, promoting vocational development and showing local residents that they can be heard. Thank you for considering this request and moving EQUITY forward.

Sincerely,

A handwritten signature in blue ink, reading 'Malaki Seku-Amen'.

Malaki Seku-Amen
President & CEO

Manis, Dina

From: Nick Caston <nick@goldenstategr.com>
Sent: Tuesday, February 26, 2019 10:07 AM
To: _CityCouncilListPublic; Manis, Dina
Subject: Response to Additional Material for Item 14.2 in Opposition to Appeal
Attachments: BoardofPardonsNV.pdf

Dear Council members -

It has come to my attention that Rogaway Law Group submitted a letter on February 25th, 2019 providing a select amount of information regarding Mr. Miranda's past history from the State of Nevada for issues arising when he was roughly between 18 and 22 years old. While I won't repeat the information provided to you by others concerning the disproportionate rate of convictions against People of Color during the War on Drugs or the use of this type of distant history to create a climate ripe for excluding People of Color from the legal cannabis industry, I do want to complete the record for your full information. Left out of Rogaway Law Groups information is the Commutation issued by the Nevada Board of Pardon's in 2010 to Mr. Miranda. The certificate of commutation is attached.

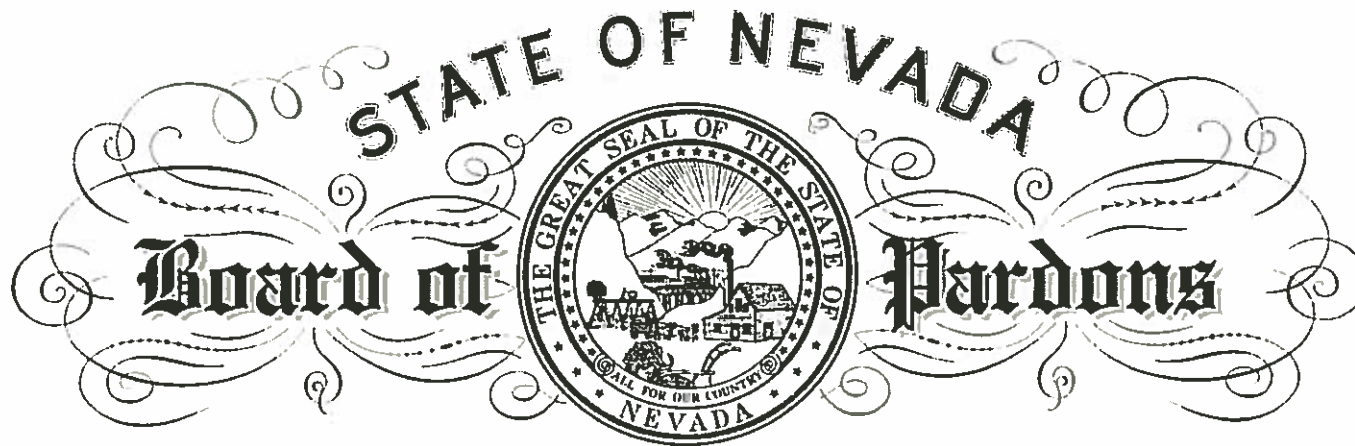
Since these mishaps from Mr. Miranda's youth, he has grown into an entrepreneur and is deserving of the right to re-open his retail operation. Please let me know if you have any additional questions prior to this evening.

Sincerely,

--

Nick W. Caston
President and Chief Strategic Officer
nick@GoldenStateGR.com
(707) 291-3470 Cell
(707) 595-7004, ext. 701
(888) 465-3360 Toll-Free

Patti Cook
Executive Assistant
patti@goldenstategr.com



Order Commuting Sentence

Pursuant to the authority of the Nevada Constitution and the Nevada Revised Statutes Section 213.010 to Section 213.100, vested in the Nevada Board of Pardons, the following ORDER is issued:

APPLICANT Justin Gregory Miranda NDOC #82297, on or about July 30, 2004 was sentenced in case CR01-0159B by the Honorable James W. Hardesty, Judge of the Second Judicial District Court, in and for the County of Washoe, State of Nevada, to imprisonment in the Nevada Department of Corrections for the crime of Trafficking in a Controlled Substance to a maximum term of 25 years with eligibility for parole beginning after 10 years has been served; and having served a portion of the sentence imposed and applied to this Board for a commutation of sentence;

IT IS HEREBY ORDERED, that effective this date, the sentence imposed in case CR01-0159B for Trafficking in a Controlled Substance is commuted to allow for immediate parole eligibility.

IN TESTIMONY WHEREOF, We have severally signed and caused these presents to be attested with the Great Seal of the State of Nevada. Done at Carson City, Nevada, this 27th day of April 2010 A.D.


.....
Jim Gibbons, Governor of Nevada


.....
Catherine Cortez Masto, Attorney General


.....
Ronald D. Parraguirre, Chief Justice of the Supreme Court







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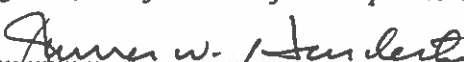
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Jim Gibbons, Governor of Nevada


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Catherine Cortez-Masto, Attorney General


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Ronald D. Parraguirre, Chief Justice of the Supreme Court


.....
James W. Hardesty

