

OCEANSIDE_{CA}

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Planning Division
 300 North Coast Highway
 Oceanside, CA 92054
 Tel (760) 435-3000 Fax (760) 967-3922
 OCEANSIDE CITY CLERK

APPEAL OF ADMINISTRATIVE ACTION

APPEALS MUST BE FILED TO THE CITY CLERK'S OFFICE WITHIN 10 CALENDAR DAYS OF THE APPROVAL AND ADOPTION DATE

PROJECT/ACTION BEING APPEALED			
PROJECT NAME TAT Oceanside LLC Application for Cannabis Retail License		APPROVAL AND ADOPTION DATE Denial dated July 7, 2026	
FORM OF APPEAL			
APPEAL FEE - \$1,838	☒ PETITION	☐ (PLEASE SEE BELOW FOR EXPLANATION/SIGN OFF)	
LETTER INCLUDING A STATEMENT SPECIFICALLY IDENTIFYING THE PORTION(S) OF THE DECISION BEING APPEALED AND THE BASIS FOR THE APPEAL IS ATTACHED ☒			
PERSON FILING APPEAL			
NAME Lauren Fontein		Daytime Telephone: 213-700-6858	
ADDRESS 4040 Vineland Ave. #204	CITY Studio City	STATE CA	ZIP 91604
APPEALED BY APPLICANT ☒ (COMPANY/REP)	INTERESTED PARTY ☐	PROPERTY OWNER ☐ WITHIN NOTICE AREA	
SIGNATURE 		DATE 7/13/26	
CONTACT PERSON (IF DIFFERENT FROM PERSON FILING APPEAL)			
NAME			
ADDRESS		CITY	STATE ZIP
Daytime Telephone	Fax Number	Email Address	
Section 4604: To appeal by petition for a waiver of the appeal fee, the appeal must be accompanied by the signatures of 50% of the property owners within the noticed area or 25 signatures of the property owners or tenants within the noticed area, whichever is less. I hereby certify that this appeal is being submitted in accordance with the Zoning Ordinance and meets the criteria specified in Section 4604 for an appeal by petition. Signature: _____ Date: _____ NOTE: All petitions must contain <u>original</u> signatures, along with the printed name and address of each signer.			

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JUL 13 2026

OCEANSIDE CITY CLERK

TAT Oceanside LLC
Lauren Fontein
4040 Vineland Ave. #204
Studio City, CA 91604

July 10, 2026

City of Oceanside Cannabis Program
Attn: Dane Thompson, Planning Division
City Clerk's Office
300 North Coast Highway
Oceanside, CA 92054

RE: FORMAL ADMINISTRATIVE APPEAL of Phase 3 Cannabis Retail License Denial
Dated July 7, 2026 - TAT Oceanside LLC

Dear Mr. Thompson and the Oceanside Cannabis Program Team,

Please accept this correspondence, along with the attached Appeal of Administrative Action form and the required filing fee, as the formal administrative appeal by TAT Oceanside LLC ("TAT") regarding the Phase 3 scoring decision issued via email on July 7, 2026 and attached hereto as Exhibit A.

Notice of Automatic Stay & Demand to Suspend Lottery

Because this formal appeal has been filed within the 10-day window governed by Article 46 of the Oceanside Zoning Ordinance and standard municipal appeal procedures, the July 7 administrative decision is now legally stayed. Consequently, the City must immediately suspend the Phase 3 tie-breaker lottery currently scheduled for Thursday, July 16, 2026, until this administrative appeal is fully heard and resolved by the Planning Commission or City Council. Proceeding with the lottery while an active administrative appeal is pending violates municipal due process.

Grounds for Appeal

TAT is appealing the July 7 decision based on arbitrary procedural errors, factual inaccuracies regarding disclosure timelines, and the retroactive manipulation of the scoring panel, which inherently prejudiced TAT's application and materially impacted the final outcome of the Phase 3 rankings. The specific grounds are as follows:

1. Arbitrary and Retroactive Score Manipulation

In the email sent to TAT on July 1, 2026, attached hereto as Exhibit B, the City stated that the Police Chief's scores were removed from the Phase 3 rankings retroactively "in an abundance of caution" despite the City explicitly acknowledging that they do not believe an actual conflict of

interest existed. In a highly sensitive ranked-choice voting system utilizing a micro-panel of only five judges, removing an entire ballot retroactively shifts the mathematical weight of the remaining scores and artificially alters the entire point spread.

The removal of the Police Chief's ballot directly compromised the mathematical integrity of the evaluation and materially altered the final outcome. Furthermore, a blanket removal of one panelist's scores based on an indirect familial relationship is inequitable, given that multiple other cannabis retail applicants maintain various direct or indirect professional, political, or personal relationships with other members of the city's Phase 3 scoring panel.

2. Factual Inaccuracy Regarding the Disclosure Timeline

The City's justification for removing the Police Chief's rankings relies on the assertion that "The City did not become aware of the owner-employee relationship until the interview occurred." This statement is demonstrably false. Our company operated with complete transparency and explicitly disclosed all owners and their backgrounds in our comprehensive written application submitted to the City in November 2025. TAT's written application included detailed biographical information on our local owner, Jessica Roy, including her involvement in support of the Oceanside Police Officers' Association "[s]upporting law enforcement initiatives alongside *her husband, Joe, who serves as Vice President*" (emphasis added - TAT Application Review Criteria Response p. 42).

The City had uninterrupted access to this information for over seven months prior to the Phase 3 interviews. Penalizing our application by altering the judging panel at the final hour—based on information we disclosed at the very beginning of the process—is arbitrary and capricious.

3. Inequitable Application of Conflict Standards

A blanket removal of one panelist's scores based on an indirect familial relationship is entirely inequitable, given that multiple other applicants maintain various direct or indirect professional, political, or personal relationships with other members of the City's scoring panel. Selectively applying this standard to alter the mathematical outcome of the evaluation violates the merit-based framework of the cannabis licensing ordinance.

Requested Relief and Next Steps

We have submitted a formal Public Records Act (PRA) request to the City to obtain documents related to the City's cannabis licensing process, including (1) A detailed scoring breakdown of Phase 2 scores for all cannabis retail license applicants (scores of written application materials provided pursuant to the application criteria provided on Appendix A to the Application Guidelines); (2) A detailed scoring breakdown of Phase 3 interview scores/rankings of all interview panelists for all cannabis retail license applicants that participated in the Phase 3 interview process; (3) Phase 3 interview ranking scores of the Chief of Police; and (4) All communications between the City Manager's Office, City Attorney, any city department, any city employee, and/or Oceanside Police Department regarding the City's decision to eliminate the Chief of Police's Phase 3 rankings when determining the final application results. Please note

that TAT expressly reserves the right to amend, supplement, or introduce additional claims and grounds for this appeal upon the receipt and review of those materials.

As part of this appeal, we demand that the City produce the untampered Phase 3 mathematical ranking tabulations to the appellate body, proving whether TAT's application would have placed in the top two positions had the Police Chief's original, untampered Phase 3 ballot been counted.

We respectfully request written confirmation that the July 16, 2026 lottery has been suspended pending the resolution of this appeal, as well as notice of the date and time this matter will be scheduled for a hearing. You may reach me directly at (213) 700-6858 and Lauren@theartisttree.com.

Sincerely,

A handwritten signature in black ink, appearing to be 'LA' followed by a stylized flourish.

Lauren Fontein
TAT Oceanside LLC

EXHIBIT A



Lauren Fontein <lauren@theartisttree.com>

Cannabis Licensing Interview Update - Phase 3 - TAT

Cannabis Line <cannabis@oceansideca.org>
To: Lauren Fontein <lauren@theartisttree.com>

Tue, Jul 7, 2026 at 3:48 PM

Dear Applicant,

The City of Oceanside has finalized the Phase 3 interview scores for the storefront retail cannabis licensing process. Based on the final rankings, The Artist Tree did not place within the top two positions and, therefore, will not be selected for a cannabis storefront retail local license.

The City appreciates the time, effort, and resources your team dedicated to the application process and thanks you for your interest in participating in the City's storefront retail cannabis licensing program.

The City of Oceanside wishes you success in your future endeavors.

Sincerely,

**Cannabis Program****City of Oceanside**

Planning Division

300 North Coast Highway

Oceanside, CA 92054

Phone: (760) 435-3544

cannabis@oceansideca.org

*All voicemail to and e-mail to and from the City of
Oceanside may be considered public information and
may be disclosed upon request.*

From: Cannabis Line
Sent: Wednesday, July 1, 2026 1:16 PM
To: 'Lauren Fontein' <lauren@theartisttree.com>
Subject: Cannabis Licensing Interview Update - Phase 3 - TAT

EXHIBIT B



Lauren Fontein <lauren@theartisttree.com>

Cannabis Licensing Interview Update - Phase 3 - TAT

8 messages

Cannabis Line <cannabis@oceansideca.org>
To: Lauren Fontein <lauren@theartisttree.com>

Wed, Jul 1, 2026 at 1:16 PM

Dear Applicant:

This update relates to the pending Phase III scoring process for the Oceanside Storefront Retail Cannabis Licensing Program.

During the panel interview process, it was learned that a current Oceanside Police Department employee has a familial relationship with a member of the ownership group of one of the applicants. This employee has no role in the City's storefront cannabis licensing process; however, the Chief of Police does. The City did not become aware of the owner-employee relationship until the interview occurred, and the City does not believe there is any actual conflict of interest involving the Chief of Police. However, in an abundance of caution and to avoid any potential conflict of interest concerns, the City has opted to remove the Chief of Police's ranking from all interviews. Because the panel scoring was based on blind ranked-choice voting (meaning the panel members did not collectively discuss and rate the applicants), we believe this is a fair and reasonable way to address any perceived conflict of interest.

The City Clerk has now tabulated the final Phase III interview scores. All applicants will be notified shortly of the outcome, and the result will be posted on the City's website. Please be aware that the City has identified a tie for second place in the voting results. Because only two licenses are available and the City's published guidelines do not address how a tie in Phase III scoring will be handled, the City intends to use a blind lottery to select the winning second-place applicant. The City Clerk will conduct the lottery publicly in the Oceanside City Council Chambers. Applicants will be notified of the date and time once confirmed.

Thank you all for participating in this process. The City appreciates the time, effort, and knowledge that all brought to this new opportunity. Please reach out to Dane Thompson at dthompson@oceansideca.org if you have any questions.

**Cannabis Program****City of Oceanside**

Planning Division

300 North Coast Highway

Oceanside, CA 92054

Phone: (760) 435-3544

cannabis@oceansideca.org

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