

Jericho Moulder

From: Joseph Attiq <joseph@attiqlaw.com>
Sent: Wednesday, August 19, 2026 11:37 AM
To: City Council; City Clerk; Dane Thompson; Jonathan Borrego
Cc: Bret Peace
Subject: Agenda Item 16 - Letter from M and A Oceanside, Inc.
Attachments: March and Ash Ltr to City of Oceanside (8-19-26).pdf

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Dear Mayor Sanchez and Members of the City Council,

Attached is a letter from local storefront retail license holder M and A Oceanside, Inc., an affiliate of March and Ash, Inc., regarding Agenda Item 16.

Thank you for your time and consideration.

Best Regards,

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August 19, 2026

Honorable Mayor Sanchez and Members of the City Council
City of Oceanside
300 North Coast Highway
Oceanside, California 92054

Re: Agenda Item 16 - Opposition to Increasing Storefront Retail Cannabis License Cap from Four to Six; Support for Staff-Recommended Blind Lottery

Dear Mayor Sanchez and Members of the City Council:

This letter is sent on behalf of M and A Oceanside, Inc. (an affiliate of March and Ash, Inc.), a local storefront retail license holder, in opposition to the proposed resolution increasing the number of storefront retail cannabis licenses from four to six. We request that the Council affirm Staff's recommendation to resolve the three-way tie through a blind public lottery.

We refer you to the letter from Ms. Gina Austin in regard to the various land use, legal, and other concerns raised by fundamentally altering the land use and permitting structure for the Oceanside program.

The purpose of this separate letter is to provide our perspective on the behaviors of applicants as it relates to intentions, the shared interests of achieving a healthy retail cannabis industry in Oceanside that protects the community, producing good, and in our case, Union jobs, and generating expected tax and fee revenue for the municipality.

We have obtained licenses through various types of selection processes including both merit base selection and lottery selection. We have also lost in these processes. We recognize that the decision to allow or expand cannabis retail in a community is significant for a municipality and its communities.

The processes put in place by those municipalities balance the various stakeholder interests the City understands best. The selection process itself is difficult. From day 1, we have always approached these processes by promising municipalities that we will act as a good community partner first and foremost, *win or lose*. The resources we put into these processes are development costs that we know are at risk, no different from the other industries that seek to obtain permits from the City to conduct business. In our case, we are aware that the nature of our business comes with a unique set of concerns and risks, and heightened scrutiny.

A threshold question for the applicants requesting to expand from 4 to 6 permits to address their self-interest is simple. If they had secured the top position and a permit, would they advocate expanding from 4 to 6 permits at this juncture and without acknowledging how significantly that alters the City's program across land use, economic, and other contours?¹

More likely, given the track record of those involved in the advocacy to the City of Oceanside, they would lobby the City to keep the total number of permits as established in the process the City long set out and into which we all applied.

¹ The City may desire to obtain the positions of the same advocates in other cities where the "shoe is on the other foot" so to speak, which are readily available.



Losing with dignity should be a strong indicator of a party's true intentions and a signpost for future behavior when difficult decisions must be made. In this case, advocacy to change the program at the last minute is in the face of *potential* loss.

In July 2025, March and Ash finished outside the top band of applicants for a cannabis retail permit in the City of Santee. It was a stinging loss for me personally given that I was born and raised in East County San Diego, and I am raising my four children there. We have deep roots similar to our group's roots in Oceanside.

Applicants in Oceanside currently advocating to expand your program to 6 permits, as well as most other cannabis retail operators in California, were also applicants in Santee. Some won and some lost. Many who lost filed appeals and threatened litigation.

For March and Ash, we upheld our promise to be a good partner with the City of Santee irrespective of outcome. At a hearing in which other applicants sought to threaten, confuse, and alter the City's public process, we made good on that promise.

This is a link to that public hearing and our comments at the 3:32:16 mark: [City of Santee City Council Special Meeting - Phase IV Interviews for Cannabis Businesses 7-11-25.](#)²

Our public remarks in Santee, as an applicant who had lost:

"It's incredibly hard, so we know that. We wish you the best. You have my word March and Ash has never sued a city anywhere. If we can be of any assistance as a third party, please reach out, and best of luck to everyone else. Thank you."

As an attorney with deep experience in this space, and as a local retailer with a track record of fulfilling our promises to communities, labor, and industry, I would strongly encourage you to finish the process through a lottery for the last position. This is not only the fairest way to reconcile the tie, but also the most direct and advantageous for the City in regard to preserving the process put in place long ago and deflecting any further attempts to subvert that process.

We trust those who do not win in that lottery would treat the City of Oceanside and its staff with the same respect we put forward in our losses.

Respectfully submitted,



Breton Peace
March and Ash, Inc.
CEO

cc: Calen Rae, Regis Farr
Dane Thompson, Senior Planner

² <https://cityofsantee.cablecast.tv/internetchannel/show/2127?site=1&query=cannabis>