

Agenda



County of Inyo Board of Supervisors

Board of Supervisors Room
County Administrative Center
224 North Edwards
Independence, California

All members of the public are encouraged to participate in the discussion of any items on the Agenda. Anyone wishing to speak, please obtain a card from the Board Clerk and indicate each item you would like to discuss. Return the completed card to the Board Clerk before the Board considers the item (s) upon which you wish to speak. You will be allowed to speak about each item before the Board takes action on it.

Any member of the public may also make comments during the scheduled "Public Comment" period on this agenda concerning any subject related to the Board of Supervisors or County Government. No card needs to be submitted in order to speak during the "Public Comment" period.

Public Notices: (1) In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact the Clerk of the Board at (760) 878-0373. (28 CFR 35.102-35.104 ADA Title II). Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting. Should you because of a disability require appropriate alternative formatting of this agenda, please notify the Clerk of the Board 72 hours prior to the meeting to enable the County to make the agenda available in a reasonable alternative format. (Government Code Section 54954.2). (2) If a writing, that is a public record relating to an agenda item for an open session of a regular meeting of the Board of Supervisors, is distributed less than 72 hours prior to the meeting, the writing shall be available for public inspection at the Office of the Clerk of the Board of Supervisors, 224 N. Edwards, Independence, California and is available per Government Code § 54957.5(b)(1).

Note: Historically the Board does break for lunch; the timing of a lunch break is made at the discretion of the Chairperson and at the Board's convenience.

December 5, 2017

8:30 a.m. 1. PUBLIC COMMENT

CLOSED SESSION

- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** – Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code §54956.9 (one case).

OPEN SESSION (With the exception of timed items, all open-session items may be considered at any time and in any order during the meeting in the Board's discretion.)

10:00 a.m. PLEDGE OF ALLEGIANCE

- 3. REPORT ON CLOSED SESSION**
- 4. PUBLIC COMMENT**
- 5. COUNTY DEPARTMENT REPORTS** (Reports limited to two minutes)

CONSENT AGENDA (Approval recommended by the County Administrator)

COUNTY ADMINISTRATOR

- 6. Advertising County Resources** – Request Board authorize final payments from the 2016-17 Advertising County Resources Budget of: \$1,250 to the Carson and Colorado Railway, Inc. for the Silver Spike Celebration; and \$500 to the Bishop Chamber of Commerce and Visitors Bureau for the Familiarization Tours for Frontline Hospitality Providers.
- 7. Parks & Recreation** – Request Board authorize a purchase order to Western Nevada Supply in Bishop, CA in the amount of \$4,476 for the purchase of an Ez Flo 25-gallon high-capacity fertilizer injector.

PUBLIC WORKS

- 8. Request Board:** A) award the bid for the Inyo County Jail HVAC Replacement Project to Dean's Plumbing and Heating, Inc. of Bishop in the amount of \$44,706; B) approve the construction contract with Dean's Plumbing and Heating, Inc. and authorize the Chairperson to sign, contingent upon all appropriate signatures being obtained; and C) authorize the Public Works Director to execute all other Project Contract documents, including Contract Change Orders, to the extent permitted by Public Contract Code Section 20142 and other applicable laws.

9. Request Board: A) declare Corrections Technology Group (CTG) of Beaumont, CA a sole-source provider for the scope of the Jail Detention Door Repair and Preventative Maintenance Project; B) award the bid for the project to CTG of Beaumont, CA in the amount of \$50,767; C) approve the independent contractor contract with CTG and authorize the Chairperson to sign; and D) authorize the Public Works Director to execute all other Project Contract documents, including Contract Change Orders, to the extent permitted by Public Contract Code Section 20142 and other applicable laws.

DEPARTMENTAL (To be considered at the Board's convenience)

10. **PLANNING** – Request Board approve and authorize the Chairperson to sign a Letter of “Public Convenience or Necessity” for an Alcoholic Beverage License Application for the Diamond Hills Speakeasy in Tecopa, CA.
11. **HEALTH & HUMAN SERVICES – Social Services** – Request Board find that, consistent with the adopted Authorized Review Policy: A) the availability of funding for two (2) full-time Integrated Case Workers exists in a non-General Fund budget, as certified by the Health and Human Services Director and concurred with by the County Administrator and Auditor-Controller; B) where internal candidates may meet the qualifications for the position, the position could possibly be filled by an internal recruitment, but an external recruitment would be more appropriate to ensure qualified applicants apply; C) approve the hiring of two (2) full-time Integrated Case Worker I's at Range 60 (\$3,541 - \$4,301); and D) if an internal candidate is hired into either Case Worker position within the same program during the open recruitment, authorize HHS to backfill the resulting vacancy.
12. **SHERIFF** – Request Board approve the hiring of one (1) female Correctional Officer at Step E, based on her level of training and expertise.
13. **COUNTY ADMINISTRATOR – Recycling and Waste Management** – Request Board approve the job description for the Integrated Waste Management Program Superintendent and find that, consistent with the adopted Authorized Position Review Policy: A) the availability of funding for the requested position exists in the Fiscal Year 2017-2018 Recycling and Waste Management Program Budget, as certified by the County Administrator and concurred with by the Auditor-Controller; B) where internal candidates meet the qualifications for the position, the vacancy could possibly be filled through an internal recruitment, but an external recruitment would be more appropriate to ensure qualified applicants apply; and C) authorize hiring one (1) Integrated Waste Management Program Superintendent at Range 78 (\$5,410 - \$6,574).
14. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the “Here It Comes Emergency” that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County.
15. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the “Rocky Road Emergency” that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February.
16. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation to continue the local emergency known as the “Land of EVEN Less Water Emergency” that was proclaimed as a result of extreme drought conditions that existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop.
17. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the “Gully Washer Emergency” that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013.
18. **COUNTY ADMINISTRATOR – Emergency Services** – Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the “Death Valley Down But Not Out Emergency” that was proclaimed as a result of flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015.

19. **CLERK OF THE BOARD** – Request Board approve the minutes of the regular Board of Supervisors meeting of November 7, 2017.

TIMED ITEMS (Items will not be considered before scheduled time but may be considered any time after the scheduled time)

- 11 a.m. 20. **CAO/COUNTY COUNSEL/PLANNING/PUBLIC WORKS/AG COMMISSIONER** – Request Board: A) receive presentation regarding updates to the proposed draft ordinances for regulating commercial cannabis activities that could occur in Inyo County, including Zoning, Nuisance Abatement, and Commercial Cannabis Business License ordinances; and B) provide input and, potentially, direct staff to begin the formal ordinance adoption process.

Note: The agenda items listed below may be considered by the Board at any time during the meeting in the Board's discretion, including before scheduled timed items.

COMMENT (Portion of the Agenda when the Board takes comment from the public and County staff)

21. **PUBLIC COMMENT**

CORRESPONDENCE – ACTION

22. **Big Pine Community Services District** – Request Board approve the re-scheduling of Big Pine Community Services District Governing Board Elections from odd-numbered years to even-numbered years in accordance with Elections Code 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and approve the consolidation of the District's Governing Body Elections with the Statewide General Election pursuant to Elections Code 10404.
23. **Darwin Community Services District** – Request Board approve the re-scheduling of Darwin Community Services District Governing Board Elections from odd-numbered years to even-numbered years in accordance with Elections Code 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and approve the consolidation of the District's Governing Body Elections with the Statewide General Election pursuant to Elections Code 10404.

CORRESPONDENCE – INFORMATIONAL

24. **Inyo County Treasurer-Tax Collector** – 2016-2017 Annual Transient Occupancy Tax report and Historic Collections report.
25. **Department of Alcoholic Beverage Control** – Application for Person-to-Person Transfer of On-Sale Beer and Wine License from Kathy Anne Huffman to Pagenkopp Ventures, Inc., located 11 miles west of Big Pine, CA.
26. **Department of Alcoholic Beverage Control** – Application for On-Sale General Liquor License for Bona Fide Eating Place by Andre Nersesian/Country Kitchen at 181 S. Main St., Big Pine, CA.

BOARD MEMBER AND STAFF REPORTS



AGENDA REQUEST FORM
 BOARD OF SUPERVISORS
 COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 6

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Jon Klusmire, Museum Services Administrator

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Final County of Inyo Community Project Sponsorship Grant Payments to the Carson and Colorado Railway, Inc. and the Bishop Chamber of Commerce for successfully completing a 2017 Community Project Sponsorship Projects.

DEPARTMENTAL RECOMMENDATION: Request your Board approve final payments from the 2016-17 Advertising County Resources Budget, 011400, to the Carson and Colorado, Railway Inc. for \$1,250 for the Silver Spike Celebration (Object Code 5511), and the Bishop Chamber of Commerce and Visitor's Bureau for \$500 for the Familiarization Tours for Frontline Hospitality Providers Project (Object Code 5511).

SUMMARY DISCUSSION: Carson and Colorado Railway Inc., was awarded a FY 2016-17 Competitive County of Inyo Community Project Sponsorship Grant in the amount of \$2,500 to help sponsor the Silver Spike Celebration, marking the move of the Slim Princess #18 locomotive to the Larry Peckham Engine House at the Eastern California Museum. After contracts were finalized, 50 percent the grant funds were disbursed to the Carson and Colorado, Railway, Inc. The event organizers have provided staff with sufficient documentation of acceptable expenses for reimbursement for a final payment of \$1,250. The group also provided evidence that Inyo County was prominently mentioned as a sponsor of the event in ads and other promotional material.

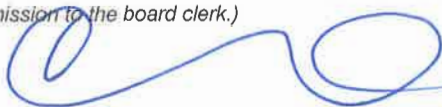
The Bishop Chamber of Commerce and Visitor's Bureau was awarded a FY 2016-17 Competitive County of Inyo Community Project Sponsorship Grant in the amount of \$1,000 to help sponsor the Familiarization Tours for Frontline Hospitality Providers Project. After contracts were finalized, 50 percent the grant funds were disbursed to the Bishop Chamber. Fifteen people participated in the full day program to visit local attractions and learn of the region's history, geology and plants and animals. The event organizers have provided staff with sufficient documentation of acceptable expenses for reimbursement for a final payment of \$500. The group also provided evidence that Inyo County was prominently mentioned as a sponsor of the event in ads and other promotional material.

ALTERNATIVES: The Board could deny the requests.

OTHER AGENCY INVOLVEMENT: County Administrator's Office, Auditor/Controller.

FINANCING: The Community Project Sponsorship Program is part of the Advertising County Resources budget and is financed from the General Fund. Funds for these grants were initially included in the FY 2016-17 ACR budget, and since the contracts run for the 2017 calendar year, these final payments were encumbered and have been budgeted in the FY 2017-18 Advertising County Resources Budget (011400) in the various Object Codes noted in the Departmental Recommendation.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>  Approved: _____ Date <u>11/22/17</u>

PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____
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DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)
(The Original plus 20 copies of this document are required)

[Handwritten Signature] for Rick Benson Date: 11-21-17



P.O. BOX 194, INDEPENDENCE, CA 93526

CarsonColorado.com carsoncolorado18@yahoo.com

Jon Klusmire

Museum Services Administrator

Eastern California Museum

155 N. Grant St. P.O. Box 206

Independence, CA 93526

September 7, 2017

RE: Receipts for Silver Spike Event: \$4,151.00

Dear Jon,

We wish to thank you and all those involved for awarding Carson & Colorado Railway a \$2500 grant. The money was used to host our Silver Spike Event on July 3, 2017. Attached are copies of receipts for the expenses we incurred.

We had approximately 500 attendees who were thrilled to see Locomotive #18 steaming across the train yard and hear its bell ring and the whistle blow. We gave rides in the locomotive cab and folks loved watching the locomotive at work. It was nostalgic for many who had family members that had worked on the historic line in the Owens Valley and at Kearsarge Station here in Independence.

We served 425 barbequed tri-tip dinners. Everyone loved the music by Idle Hands Blue Grass Band.

The entire community came together to experience seeing the locomotive come to life again. We had many out-of-town visitors that day as well. Everyone had a great time.

Thanks for all you did to help us make this event fun and memorable.

Best regards,

Dave Mull, President

Carson & Colorado Railway, Inc.



P.O. BOX 194, INDEPENDENCE, CA 93526

CarsonColorado.com carsoncolorado18@yahoo.com

Silver Spike Expenses

Printing	12.93
Food	1262.93
Fuel	957.50
Fuel	91.69
Fuel	100.00
Food	324.14
Band	600.00
Ads	250.00
Fuel	643.50



BISHOP AREA CHAMBER OF COMMERCE & VISITORS BUREAU

Inyo County Administration
Attn: Jon Klusmire
P.O. Box 206
Independence, CA 93526

November 21, 2017

Dear Mr. Klusmire and Inyo County Board of Supervisors,

Please consider this letter our formal request for final reimbursement of CPSP Grant Funds related to the 2017 Fam Tours for Frontline Hospitality Providers. This project was designed to create more knowledgeable and enthusiastic hosts to assist visitors to our region.

Fifteen people participated in the full day program including hotel front desk agents, restaurant employees, visitor center hosts and one representative from Mule Days.

Tour participants visited Owens Valley Radio Observatory, Keough's Hot Springs, Paiute-Shoshone Cultural Center, Laws Railroad Museum, Buttermilk Recreation Area, Round Valley, Pine Creek Crags, Owens River Gorge and Pleasant Valley Reservoir.

The journey between tour stops was narrated so attendees learned about area geology, history, flora and fauna of the region. Our staff also led discussions about best practices in customer service and shared strategies to best engage visitors.

Bishop Area Chamber of Commerce & Visitors Bureau appreciates Inyo County's past and continued support. We are certain this project will have benefit for many years to come.

Total expense for the event was \$1,162.85. The approved Inyo County grant award was \$1,000 and we have already received \$500. We are requesting the balance of \$500 at this time. As always, thank you for your continuing support!

Sincerely,

A handwritten signature in cursive script that reads "Tawni".

Tawni Thomson
Executive Director
Bishop Area Chamber of Commerce & Visitors Bureau



**COUNTY OF INYO
COMMUNITY PROJECT SPONSORSHIP PROGRAM
REIMBURSEMENT REQUEST FORM**

Mail Reimbursement Request To:
County of Inyo
Community Project Sponsorship Program
P. O. Drawer N
Independence, CA 93526

Total Requested \$ 500.00
Mid Project Request
(list relevant invoices)
Final Payment Request
(if yes, complete all sections
below)

Grant Recipient Name Bishop Chamber of Commerce

Project Name Inyo County Fam Tours for Frontline Hospitality Providers

EXPENDITURES (LIST ONLY THOSE FOR WHICH INVOICES ARE ATTACHED)			
INVOICE DATE	VENDOR NAME	DESCRIPTION OF SERVICES RENDERED	INVOICE AMOUNT
11/1/17	Joe Pollini	Mileage reimbursement for tour development	\$ 57.33
11/7/17	Smart & Final	Snacks/Supplies for tour participants	\$ 57.03
11/7/17	Erick Schat's Bakkerly	Lunch/Snacks for tour participants	\$ 100.24
11/16/17	Staff Expense	See Attached	\$ 948.25

Invoice Total \$ 1,162.85
Total Reimbursement requested (if different) \$ 500.00

CHECK LIST FOR FINAL REIMBURSEMENT

Sample of Promotional Materials Identifying Inyo County as a Sponsor of the Activity Date Project/Event Completed 11/8/17

Final Report to the Board of Supervisors
Oral Report Report of Eligible Staff Costs
Written Report

Documentation of All Eligible Expenses

I certify that all expenditures associated with this reimbursement request are consistent with the grant agreement between the Grant Recipient named above and the County of Inyo

[Signature] Executive Director 11/21/17
Signature of Representative Title Date



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

7

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Parks and Recreation

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Authorization to issue a purchase order to Western Nevada Supply.

DEPARTMENTAL RECOMMENDATION:

Authorize the issuance of a purchase order to Western Nevada Supply in the amount of \$4,476.00 from the Parks and Recreation Budget 076900, for the purchase of an Ez Flo 25 gallon high capacity fertilizer injector.

SUMMARY DISCUSSION:

Inyo County Parks and Recreation recently purchased a fertilizer injector for the Millpond Recreational Area which has resulted in a noticeable improvement to the grounds. This additional equipment will be primarily utilized at Diaz Lake but will also be used at other county parks to feed fertilizer to turf and trees through the irrigation system. If approved, this purchase order will be in addition to the existing \$10,000 blanket purchase order in place for irrigation supplies.

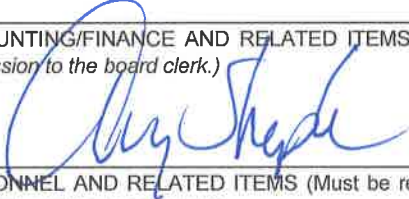
ALTERNATIVES:

Your Board could choose not to authorize the issuance of this purchase order, which would make it difficult to maintain healthy grass and trees at county parks.

OTHER AGENCY INVOLVEMENT: Auditor/Controller

FINANCING: Included in the Parks and Recreation budget for the 2017/2018 fiscal year budget, Budget 076900, Object Code 5232.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: <u> N/A </u> Date <u> </u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>  Approved: <u> YES </u> Date <u> 11/10/17 </u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: <u> N/A </u> Date <u> </u>

DEPARTMENT HEAD SIGNATURE:  Date: 11/21/17
(Not to be signed until all approvals are received)



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

- Consent Departmental Correspondence Action Public Hearing
- Schedule time for Closed Session Informational

For Clerk's Use Only:
AGENDA NUMBER
8

FROM: Public Works Department

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Award the bid and approve the construction contract for the Inyo County Jail HVAC Replacement (Project) to Deans Plumbing and Heating Inc. of Bishop, California.

DEPARTMENTAL RECOMMENDATIONS: Request your Board:

- A. Award the bid for the Project to Deans Plumbing and Heating Inc. of Bishop, California in the amount of \$44,706.00;
- B. Approve the construction contract with Deans Plumbing and Heating Inc. and authorize the Director of Public Works to sign;
- C. Authorize the Public Works Director to execute all other Project Contract documents, including Contract Change Orders to the extent permitted by Public Contract Code Section 20142 and other applicable laws, contingent upon obtaining appropriate signatures.

CAO RECOMMENDATION:

SUMMARY DISCUSSION: At the October 17th, 2017 meeting of the Board of Supervisors, your Board approved plans and specifications for the Project, and authorized the Public Works Director to advertise the project for bids. This project is part of the 17/18 Deferred Maintenance Budget.

The scope of work for the Project consists of the removal and disposal of five (5) existing roof mounted HVAC units and the procurement and installation of five (5) new roof mounted HVAC units at the existing Inyo County Jail Building, Independence, California. The work also includes all required electrical connections and installation of all other associated work, for a finished and completely operational building HVAC system. Owner, Inyo County, to supply Control Technician. On November 1st, 2017 bids were opened for the Project. Three (3) companies submitted the following bids representing the total price:


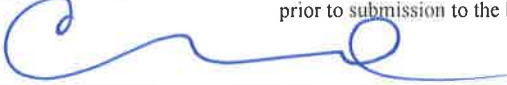
Jon Dooley Heating and Cooling, Inc., Bakersfield, CA	\$70,277.98
Bishop Heating and Air Conditioning, Inc., Bishop, CA	\$45,051.60
Deans Plumbing and Heating, Inc., Bishop, CA	\$44,706.00

All bids were reviewed by County Counsel. Deans Plumbing and Heating, Inc. was found to be the lowest responsible responsive bidder to the Project bid proposal requirements.

ALTERNATIVES: Your Board could choose not to award the bid and construction contract for the Project. This is not recommended because the bid is well within the current budget and Deans Plumbing and Heating, Inc. is approved by the manufacture as an installer of the specified product and has previously installed HVAC on the Inyo County Jail.

OTHER AGENCY INVOLVEMENT: The Auditor's Office to make payments to the contractor after the contract is awarded; Office of the County Counsel for review and approve of bids and contract documents.

FINANCING: The Project is part of the 2017/2018 Deferred Maintenance List. There is \$60,300 budgeted for this Project. The construction costs will be paid through budget unit 011501, Deferred Maintenance, object code 5650, in the amount of \$44,706.00. There is an additional anticipated cost of less than \$5,000 for a Control Technician that will be paid through a separate contract.

APPROVALS	
COUNTY COUNSEL: 	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by County Counsel prior to submission to the board clerk.) Approved: <u>YES</u> Date <u>11/3/17</u>
AUDITOR/CONTROLLER 	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor/controller prior to submission to the board clerk.) Approved: <u>yes</u> Date <u>11/21/2017</u>
PERSONNEL DIRECTOR	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:  Date: 11/21/17
(Not to be signed until all approvals are received)

**CONTRACT
BY AND BETWEEN
THE COUNTY OF INYO
and**

Deans Plumbing and Heating, Inc., **CONTRACTOR**

for the

INYO COUNTY JAIL HVAC REPLACEMENT **PROJECT**

THIS CONTRACT is awarded by the COUNTY OF INYO to CONTRACTOR on and made and entered into effective, November 21, 2017, by and between the COUNTY OF INYO, a political subdivision of the State of California, (hereinafter referred to as "COUNTY"), and Deans Plumbing and Heating, Inc. (hereinafter referred to as "CONTRACTOR"), for the construction or removal of Inyo Jail HVAC Replacement PROJECT (hereinafter referred to as "PROJECT"), which parties agree, for and in consideration of the mutual promises, as follows:

1. SERVICES TO BE PERFORMED. CONTRACTOR shall furnish, at his/her own expense, all labor, materials, methods, processes, implements, tools, machinery, equipment, transportation, permits, services, utilities, and all other items, and related functions and otherwise shall perform all work necessary or appurtenant to construct the Project in accordance with the Special Provisions listed on Exhibit "A" within the Time for Completion set forth, as well as in all other in the Contract Documents, for:

Title: Inyo County Jail HVAC Replacement **PROJECT**

2. TIME OF COMPLETION. Project work shall begin within 10 calendar days after receipt of the Notice to Proceed (NTP) (or on the start of work date identified in the NTP) and shall continue until all requested services are completed. Said services shall be completed no later than the Time of Completion as noted in the Project's Special Provisions. Procedures for any extension of time shall be complied with as noted in the Project's Special Provisions.

3. PAYMENT/CONSIDERATION. For the performance of all such work, COUNTY shall pay to CONTRACTOR for said work the total amount of: Forty-Four Thousand Seven Hundred Six and no cents dollars (\$44,706.00), adjusted by such increases or decreases as authorized in accordance with the Contract Documents, and payable at such times and upon such conditions as otherwise set forth in the Contract Documents.

4. ALL PROVISIONS SET FORTH HEREIN. CONTRACTOR and COUNTY agree that this Contract shall include and consist of:

- a. All of the provisions set forth expressly herein;
- b. The Bid Proposal Form, the Faithful Performance Bond, and the Labor and Materials Payment Bond, all of which are incorporated herein and made a part hereof by this reference; and

Inyo Co. Jail HVAC Replacement Project

Construction Contract and Attachments – No. 147

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c. All of the other Contract Documents, as described in **Section 5-1.02, "Definitions,"** of the Standard Specifications of the Inyo County Public Works Department, dated October, 2015, all of which are incorporated herein and made a part of this Contract by this reference, including without limitation, the Bid Package, the Standard Specifications of the Inyo County Public Works Department, dated October, 2015, and the Special Provisions concerning this Project including the Appendices, the Plans, any and all amendments or changes to any of the above-listed documents, including, without limitation, contract change orders, and any and all documents incorporated by reference into any of the above-listed documents.

5. STANDARD OF PERFORMANCE. Contractor represents that he/she is qualified and licensed to perform the work to be done as required in this Contract. County relies upon the representations of Contractor regarding professional and/or trade training, licensing, and ability to perform the services as a material inducement to enter into this Contract. Acceptance of work by the County does not operate to release Contractor from any responsibility to perform work to professional and/or trade standards. Contractor shall provide properly skilled professional and technical personnel to perform all services under this Contract. Contractor shall perform all services required by this Contract in a manner and according to the standards observed by a competent practitioner of the profession. All work products of whatsoever nature delivered to the County shall be prepared in a manner conforming to the standards of quality normally observed by a person practicing in Contractor's profession and/or trade.

6. INDEPENDENT CONTRACTOR. Nothing contained herein or any document executed in connection herewith, shall be construed to create an employer-employee, partnership or joint venture relationship between County and Contractor, nor to allow County to exercise discretion or control over the manner in which Contractor performs the work or services that are the subject matter of this Contract; provided, however, the work or services to be provided by Contractor shall be provided in a manner consistent with reaching the County's objectives in entering this Contract.

Contractor is an independent contractor, not an employee of County or any of its subsidiaries or affiliates. Contractor will not represent him/herself to be nor hold her/himself out as an employee of County. Contractor acknowledges that s/he shall not have the right or entitlement in or to any of the pension, retirement or other benefit programs now or hereafter available to County's employees. The consideration set forth in Paragraph 3 shall be the sole consideration due Contractor for the services rendered hereunder. It is understood that County will not withhold any amounts for payment of taxes from the Contractor's compensation hereunder. Any and all sums due under any applicable state, federal or municipal law or union or professional and/or trade guild regulations shall be Contractor's sole responsibility. Contractor shall indemnify and hold County harmless from any and all damages, claims and expenses arising out of or resulting from any claims asserted by any third party, including but not limited to a taxing authority, as a result of or in connection with payments due it from Contractor's compensation.

7. ASSIGNMENT AND SUBCONTRACTING. The parties recognize that a substantial inducement to County for entering into this Contract is the professional reputation, experience and competence of Contractor. Assignments of any and/or all rights, duties or obligations of the Contractor under this Contract will be permitted only with the express consent

of the County. Contractor shall not subcontract any portion of the work to be performed under this Contract without the written authorization of the County. If County consents to such subcontract, Contractor shall be fully responsible to County for all acts or omissions of the subcontractor. Nothing in this Contract shall create any contractual relationship between County and subcontractor, nor shall it create any obligation on the part of the County to pay any monies due to any such subcontractor, unless otherwise required by law.

8. CLAIMS RESOLUTION. Pursuant to **Section 9204 of the Public Contract Code**, any and all claims submitted by Contractor to County will follow the provisions as set forth in the Project's Special Provisions.

9. POLITICAL REFORM ACT. Contractor is not a designated employee within the meaning of the Political Reform Act because Contractor:

- a. Will conduct research and arrive at conclusions with respect to his/her rendition of information, advice, recommendation or counsel independent of the control and direction of the County or of any County official, other than normal Contract monitoring; and
- b. Possesses no authority with respect to any County decision beyond rendition of information, advice, recommendation or counsel [FPPC Reg. 18700(a)(2)].

10. COMPLIANCE WITH ALL LAWS.

Performance Standards: Contractor shall use the standard of care in its profession and/or trade to comply with all applicable federal, state and local laws, codes, ordinances and regulations that relate to the work or services to be provided pursuant to this Contract.

a. Safety Training:

i. Contractor shall provide such safety and other training as needed to assure work will be performed in a safe and healthful manner "in a language" that is understandable to employees receiving the training. The training shall in all respects be in compliance with CAL OSHA; and

ii. Contractor working with employees shall maintain a written Injury and Illness Prevention (IIP) Program, a copy of which must be maintained at each worksite or at a central worksite identified for the employees, if the Contractor has non-fixed worksites; and

iii. Contractor using subcontractors with the approval of the County to perform the work which is the subject of this Contract shall require each subcontractor working with employees to comply with the requirements of this section.

b. Child, Family and Spousal Support reporting Obligations:

i. Contractor shall comply with the state and federal child, family and spousal support reporting requirements and with all lawfully served wage and earnings assignment orders or notices of assignment relating to child, family and spousal support obligations.

c. Nondiscrimination:

i. Contractor shall not discriminate in employment practices or in the delivery of services on the basis of membership in a protected class which includes any class recognized by law and not limited to race, color, religion, sex (gender), sexual orientation, marital status, national origin (Including language use restrictions), ancestry, disability (mental and physical, including HIV and Aids), medical Conditions (cancer/genetic characteristics), age (40 and above) and request for family care leave.

ii. Contractor represents that it is in compliance with federal and state laws prohibiting discrimination in employment and agrees to stay in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. sections 12101, et. seq.), Age Discrimination in Employment Act of 1975 (42 U.S.C. 5101, et. seq.), Title VII (42 U.S.C. 2000, et. seq.), the California Fair Employment Housing Act (California Government Code sections 12900, et. seq.) and regulations and guidelines issued pursuant thereto.

11. **LICENSES.** Contractor represents and warrants to County that it has all licenses, permits, qualifications, insurance and approvals of whatsoever nature which are legally required of Contractor to practice its trade and/or profession. Contractor represents and warrants to County that Contractor shall, at its sole cost and expense, keep in effect or obtain at all times during the term of this Contract, any licenses, permits, insurance and approvals which are legally required of Contractor to practice its and/or profession.

12. **PREVAILING WAGE.** Pursuant to **Section 1720 et seq. of the Labor Code**, Contractor agrees to comply with the Department of Industrial Relations regulations, to which this Contract is subject, the prevailing wage per diem rates in Inyo County have been determined by the Director of the State Department of Industrial Relations. These wage rates appear in the Department publication entitled "General Prevailing Wage Rates," in effect at the time the project is advertised. Future effective wage rates, which have been predetermined and are on file with the State Department of Industrial Relations are referenced but not printed in said publication. Such rates of wages are also on file with the State Department of Industrial Relations and the offices of the Public Works Department of the County of Inyo and are available to any interested party upon request. Contractor agrees to submit certified payroll to County and comply with the Department of Industrial Relations regulations in submitting the certified payroll.

13. **CONTROLLING LAW VENUE.** This Contract is made in the County of Inyo, State of California. The parties specifically agree to submit to the jurisdiction of the Superior Court of California for the County of Inyo.

14. **WRITTEN NOTIFICATION.** Any notice, demand, request, consent, approval or communication that either party desires or is required to give to the other party shall be in writing and either served personally or sent prepaid, first class mail. Any such notice, demand, et cetera, shall be addressed to the other party at the address set forth herein below. Either party may change its address by notifying the other party of the change of address. Notice shall be deemed communicated within 48 hours from the time of mailing if mailed as provided in this section.

If to County: County of Inyo
Public Works Department
Attn: Ashley Helms
168 N. Edwards
PO Drawer Q
Independence, CA 93526

If to Contractor: Deans Plumbing and Heating,
Inc.
192 East Line St
Bishop, CA 93514

15. **AMENDMENTS.** This Contract may be modified or amended only by a written document executed by both Contractor and County and approved as to form by Inyo County Counsel.

16. **WAIVER.** No failure on the part of either party to exercise any right or remedy hereunder shall operate as a waiver of any other right or remedy that party may have hereunder.

17. **TERMINATION.** This Contract may be terminated for the reasons stated below:
a. Immediately for cause, if either party fails to perform its responsibilities under this Contract in a timely and professional manner and to the satisfaction of the other party or violates any of the terms or provisions of this Contract. If termination for cause is given by either party to the other and it is later determined that the other party was not in default or default was excusable, then the notice of termination shall be deemed to have been given without cause pursuant to paragraph "b" of this section; or
b. By either party without cause upon fifteen (15) days' written notice of termination. Upon termination, Contractor shall be entitled to compensation for services performed up to the effective date of termination; or
c. By County upon oral notice from the Board of Supervisors based on funding ending or being materially decreased during the term of this Contract.

18. **TIME IS OF THE ESSENCE.** Time is of the essence for every provision in this Contract.

19. **SEVERABILITY.** If any provision of this Contract is held to be invalid, void or unenforceable, the remainder of the provision and/or provisions shall remain in full force and effect and shall not be affected, impaired or invalidated.

20. **CONTRACT SUBJECT TO APPROVAL BY BOARD OF SUPERVISORS.** It is understood and agreed by the parties that this Contract is subject to the review and approval by the Inyo County Board of Supervisors upon Notice and Public Hearing. In the event that the Board of Supervisors declines to enter into or approve said Contract, it is hereby agreed to that there is, in fact, no binding agreement, either written or oral, between the parties herein.

21. **ATTACHMENTS.** All attachments referred to are incorporated herein and made a part of this Contract.

22. **EXECUTION.** This Contract may be executed in several counterparts, each of which shall constitute one and the same instrument and shall become binding upon the parties. In approving this Contract, it shall not be necessary to produce or account for more than one such counterpart.

23. **ENTIRE AGREEMENT.** This Contract, including the Contract Documents and all other documents which are incorporated herein by reference, constitutes the complete and exclusive agreement between the County and Contractor. All prior written and oral communications, including correspondence, drafts, memoranda, and representations, are superseded in total by this Contract.

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IN WITNESS WHEREOF, COUNTY and CONTRACTOR have each caused this Contract to be executed on its behalf by its duly authorized representative, effective as of the day and year first above written.

COUNTY

CONTRACTOR

COUNTY OF INYO

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Dated: _____


Dated: _____

APPROVED AS TO FORM AND LEGALITY:



County Counsel

APPROVED AS TO ACCOUNTING FORM:



County Auditor

APPROVED AS TO INSURANCE REQUIREMENTS:



County Risk Manager

Inyo Co. Jail HVAC Replacement

Project
Construction Contract and Attachments – No. 147

Page 6 of 12

07262017

ATTACHMENT 1

Inyo Co. Jail HVAC Replacement PROJECT

FAITHFUL PERFORMANCE BOND
(100% OF CONTRACT AMOUNT)

KNOW ALL MEN BY THESE PRESENTS: That Deans Plumbing and Heating, Inc.
(Name of Contractor) as Principal, hereinafter "Contractor,"
and (Name of Corporate Surety)

as Corporate Surety, hereinafter called Surety, are held and firmly bound unto the County of Inyo
as Obligee, hereinafter called County, in the amount of
Forty Four Thousand Seven Hundred Six and no cents dollars (\$44,706.00), for the
payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators,
successors and assignees, jointly and severally, firmly by these presents.

WHEREAS, Contractor has, by written Contract, dated November 21, 2017,
entered into an Contract with the County for the Construction of the Inyo County Jail HVAC
Replacement PROJECT (hereinafter referred to as "Project"), to be constructed in
accordance with the terms and conditions set forth in the Contract for the Project, which contract
is by reference incorporated herein and is hereinafter referred to as the "Contract."

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION is such that, if Contractor
shall promptly and faithfully perform said Contract, then this obligation shall be null and void;
otherwise it shall remain in full force and effect.

The Surety hereby waives notice of any alteration or extension of time made by the County.

Whenever Contractor shall be, and is declared by County to be, in default under the Contract, the
County having performed Owner's obligations thereunder, the Surety may promptly remedy the
default, or shall promptly either:

- 1. Complete the Contract in accordance with its terms and conditions; or,
2. Obtain a Bid or Bids for completing the Contract in accordance with its terms and
conditions, and upon determination by Surety of the lowest responsible Bidder, or if
the County elects, upon determination by the County and the Surety jointly of the
lowest responsible Bidder, arrange for a Contract between such Bidder and County,
and make available as work progresses (even though there should be a default or a
succession of defaults under the Contract or contracts of completion arranged under
this paragraph) sufficient funds to pay the cost of completion less the balance of the
Contract price; but not exceeding, including other costs and damages for which the
Surety may be liable hereunder, the amount set forth in the first paragraph hereof. The

term "balance of the Contract price", as used in this paragraph, shall mean the total amount payable by County to Contractor under the Contract and any amendments thereto, less the amount properly paid by County to Contractor.

Any suit under this Bond must be instituted before the expiration of two (2) years from the date on which final payment under the Contract falls due, or the date on which any warranty or guarantee period expires, whichever is later.

No right of action shall accrue on this Bond to or for the use of any person or corporation other than the County named herein.

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Signed and sealed this _____ day of _____, 20 _____.

(Name of Corporate Surety)

By: _____
(Signature)

(SEAL)

(Title of Authorized Person)

(Address for Notices to be Sent)

(Name of Contractor)

By: _____
(Signature)

(SEAL)

(Title of Authorized Person)

(Address for Notices to be Sent)

NOTE: THE SIGNATURES OF THE CONTRACTOR AND THE SURETY MUST EACH BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC (OR OTHER OFFICER AUTHORIZED UNDER CALIFORNIA LAW) AND THE ACKNOWLEDGMENTS MUST BE ATTACHED TO THIS BOND.

The Faithful Performance Bond must be executed by a corporate surety on this form. No substitutions will be accepted. If an attorney-in-fact signs for the surety, an acknowledged statement from the surety appointing and empowering the attorney-in-fact to execute such bonds in such amounts on behalf of the surety must accompany the Faithful Performance Bond.

ADDRESS OF COUNTY FOR NOTICES TO BE SENT:

County of Inyo
224 North Edwards Street, P.O. Box N
Independence, California 93526

labor was done or performed, or materials were furnished by such claimant, may sue on this Bond for the benefit of such claimant, prosecute the suit to final judgment for such sum or sums as may be justly due claimant, and have execution thereon. The County shall not be liable for the payment of any costs or expenses of any such suit.

3. No suit or action shall be commenced hereunder by any claimant:

- a) Unless claimant, other than one having a direct contract with the Contractor, shall have given written notice to any two of the following: the Contractor, the County, or the Surety above named, within ninety (90) calendar days after such claimant did or performed the last of the work or labor, or furnished the last of the material for which said claim is made, stating with substantial accuracy the amount claimed and the name of the party to whom the materials were furnished, or for whom the work or labor was done or performed. Such notice shall be served by mailing the same by registered mail or certified mail, postage prepaid, in any envelope addressed to the Contractor, County, or Surety, at the address below, or at any place where an office is regularly maintained for the transaction of their business. Such notice may also be served in the state in which the aforesaid project is located, save that such service need not be made by a public officer.
- b) After the expiration of one (1) year following the date on which County accepted the work done under the Contract. However, if any limitation embodied in this Bond is prohibited by any law controlling the construction hereof, such limitation shall be deemed to be amended so as to be equal to the minimum period of limitation permitted by such law.
- c) Other than in a State Court of competent jurisdiction in and for the County or other political subdivision of the state in which the Project, or any part thereof, is situated, and not elsewhere.

4. The amount of this Bond shall be reduced by and to the extent of any payment or payments made in good faith hereunder, inclusive of the payment by Surety of mechanics' liens which may be filed or recorded against said Project, whether or not claim for the amount of such lien be presented under and against this Bond.

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Signed and sealed this _____ day of _____, 20 ____.

(Name of Contractor)

By: _____
(Signature)

(SEAL)

(Title of Authorized Person)

(Address for Notices to be Sent)

(Name of Corporate Surety)

By: _____
(Signature)

(SEAL)

(Title of Authorized Person)

(Address for Notices to be Sent)

NOTE:

THE SIGNATURES OF THE CONTRACTOR AND THE SURETY MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC (OR OTHER OFFICER AUTHORIZED UNDER CALIFORNIA LAW).

The Labor and Materials Payment Bond must be executed by a corporate surety on this form. No substitutions will be accepted. If an attorney-in-fact signs for the surety, an acknowledged statement from the surety appointing and empowering the attorney-in-fact to execute such bonds in such amounts on behalf of the surety, must accompany the Labor and Materials Payment Bond.

ADDRESS OF COUNTY FOR NOTICES TO BE SENT TO:

**County of Inyo
224 N. Edwards, P.O. Box N
Independence, California 93526**



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

9

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Public Works

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Sole Source Declaration, award the bid and approve the contract for the Jail Detention Door Repair and Preventative Maintenance Project (Project)

DEPARTMENTAL RECOMMENDATION:

Request that the Board:

- A. Declare Corrections Technology Group (CTG) a sole source provider for the scope of the Project.
- B. Award the bid for the Project to CTG. of Beaumont, California in the amount of \$50,767.00;
- C. Approve the Independent Contractor Contract with CTG and authorize the Public Works Director to sign;
- D. Authorize the Public Works Director to execute all other Project Contract documents, including Contract Change Orders to the extent permitted by Public Contract Code Section 20142 and other applicable laws, contingent upon obtaining appropriate signatures.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

The Jail Detention Door Repair and Preventative Maintenance Project is included in the 2017-18 Approved Deferred Maintenance List. The work includes a preventative maintenance routine on 50 detention sliding doors, 41 motorized locks on detention swinging doors, and 23 manual locks on detention swinging doors. It will also include replacement of all hinges on 63 swinging doors, and repair of several swinging and sliding door components. The detention doors have not been adequately serviced since they were installed in 1992; also, non-detention grade hinges were originally installed on the swinging doors. These two factors have led to door sag and failure, causing the security system to experience frequent false alarms. This maintenance work will fix the cause of these alarms, and add another twenty years to the service life of the detention doors.

The Public Works Department (Department) was informed by Detention Device Systems, the manufacturer of the detention sliding door systems, that there are two companies certified to service their systems. Of these two companies, only one is able and willing to perform the work at this time. CTG has submitted a quote for \$50,767, and is able to complete the work as soon as a contract is awarded. The other company, Forderer Cornice Works has informed the Department that they are currently too busy to consider the work. Since there is only one company approved by the manufacturer who can accomplish the work in a timely manner, the Department requests CTG be declared a sole source provider, and be awarded the bid for this project.

ALTERNATIVES:

The Board could choose not to approve the contract with CTG, and instruct the Department to advertise the project for competitive bids. This is not recommended because it will delay the work, prolonging the false alarm safety concern, and likely result in the same single acceptable bid.




OTHER AGENCY INVOLVEMENT:

County Counsel for review of the contract documents and this agenda item, and the Auditor for the payment of all invoices.

FINANCING:

This project is funded in the Deferred Maintenance Budget 011501, object code 5191 Maintenance of Structures.

APPROVALS

COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.)
	Approved: <u>YES</u> Date <u>11/3/17</u>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)
	Approved: <u>yes</u> Date <u>11/7/17</u>
PERSONNEL DIRECTOR	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)
	Approved: <u>yes</u> Date <u>11/8/17</u>

DEPARTMENT HEAD SIGNATURE:  Date: 11/16/17
(Not to be signed until all approvals are received)

AGREEMENT BETWEEN COUNTY OF INYO
AND Corrections Technology Group, LLC
FOR THE PROVISION OF Detention Door Maintenance and Repair SERVICES

INTRODUCTION

WHEREAS, the County of Inyo (hereinafter referred to as "County") has the need for the Detention Door Maintenance and Repair services of Corrections Technology Group, LLC of Beaumont, CA hereinafter referred to as "Contractor"), and in consideration of the mutual promises, covenants, terms, and conditions hereinafter contained, the parties hereby agree as follows:

TERMS AND CONDITIONS

1. SCOPE OF WORK.

The Contractor shall furnish to the County, those services and work set forth in Attachment A, attached hereto and by reference incorporated herein.

Services and work provided by the Contractor at the County's request under this Agreement will be performed in a manner consistent with the requirements and standards established by applicable federal, state, and County laws, ordinances, regulations, and resolutions. Such laws, ordinances, regulations, and resolutions include, but are not limited to, those which are referred to in this Agreement.

2. TERM.

The term of this Agreement shall be from November 21, 2017 to May 31, 2018 unless sooner terminated as provided below.

3. CONSIDERATION.

A. Compensation. County shall pay to Contractor the sum total of fifty thousand, seven hundred and sixty seven Dollars and zero cents (\$50,767.00) for performance of all of the services and completion of all of the work described in Attachment A.

B. Travel and Per Diem. Contractor will not be paid or reimbursed for travel expenses or per diem which Contractor incurs in providing services and work under this Agreement.

C. No Additional Consideration. Except as expressly provided in this Agreement, Contractor shall not be entitled to, nor receive, from County, any additional consideration, compensation, salary, wages, or other type of remuneration for services rendered under this Agreement. Specifically, Contractor shall not be entitled, by virtue of this Agreement, to consideration in the form of overtime, health insurance benefits, retirement benefits, disability retirement benefits, sick leave, vacation time, paid holidays, or other paid leaves of absence of any type or kind whatsoever.

D. Limit Upon Amount Payable Under Agreement. The total sum of all payments made by the County to Contractor for all services and work to be performed under this Agreement shall not exceed fifty thousand, seven hundred and sixty seven Dollars (hereinafter referred to as "contract limit"). County expressly reserves the right to deny any payment or reimbursement requested by Contractor for services or work performed which is in excess of the contract limit.

E. Billing and Payment. Contractor shall submit to the County, upon completion of all services and work set forth in Attachment A, an itemized statement of all services and work performed by Contractor pursuant to this Agreement. This statement will identify the date on which the services were performed and describe the nature of the services and work which was performed on each day. Upon receipt of the statement by the fifth (5th) day of the month, County shall make payment to Contractor on the last day of the month.

F. Federal and State Taxes.

(1) Except as provided in subparagraph (2) below, County will not withhold any federal or state income taxes or social security from any payments made by County to Contractor under the terms and conditions of this Agreement.

(2) County will withhold California State income taxes from payments made under this Agreement to non-California resident independent contractors when it is anticipated that total annual payments to Contractor under this Agreement will exceed one thousand four hundred ninety-nine dollars (\$1,499.00).

(3) Except as set forth above, County has no obligation to withhold any taxes or payments from sums paid by County to Contractor under this Agreement. Payment of all taxes and other assessments on such sums is the sole responsibility of Contractor. County has no responsibility or liability for payment of Contractor's taxes or assessments.

(4) The total amounts paid by County to Contractor, and taxes withheld from payments to non-California residents, if any, will be reported annually to the Internal Revenue Service and the California State Franchise Tax Board. To facilitate this reporting, Contractor shall complete and submit to the County an Internal Revenue Service (IRS) Form W-9 upon executing this Agreement.

4. WORK SCHEDULE.

Contractor's obligation is to perform, in a timely manner, those services and work identified in Attachment A. It is understood by Contractor that the performance of these services and work will require a varied schedule. Contractor will arrange his/her own schedule, but will coordinate with County to ensure that all services and work requested by County under this Agreement will be performed within the time frame set forth by County.

5. REQUIRED LICENSES, CERTIFICATES, AND PERMITS.

A. Any licenses, certificates, or permits required by the federal, state, county, or municipal governments for contractor to provide the services and work described in Attachment A must be procured by Contractor and be valid at the time Contractor enters into this Agreement or as otherwise may be required. Further, during the term of this Agreement, Contractor must maintain such licenses, certificates, and permits in full force and effect. Licenses, certificates, and permits may include, but are not limited to, driver's licenses, professional licenses or certificates, and business licenses. Such licenses, certificates, and permits will be procured and maintained in force by Contractor at no expense to the County. Contractor will provide County, upon execution of this Agreement, with evidence of current and valid licenses, certificates and permits which are required to perform the services identified in Attachment A. Where there is a dispute between Contractor and County as to what licenses, certificates, and permits are required to perform the services identified in Attachment A, County reserves the right to make such determinations for purposes of this Agreement.

B. Contractor warrants that it is not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in covered transactions by any federal department or agency. Contractor also warrants that it is not suspended or debarred from receiving federal funds as listed in the List of Parties Excluded from Federal Procurement or Non-procurement Programs issued by the General Services Administration available at: <http://www.sam.gov>.

6. OFFICE SPACE, SUPPLIES, EQUIPMENT, ETC.

Contractor shall provide such office space, supplies, equipment, vehicles, reference materials, and telephone service as is necessary for Contractor to provide the services identified in Attachment A to this Agreement. County is not obligated to reimburse or pay Contractor, for any expense or cost incurred by Contractor in procuring or maintaining such items. Responsibility for the costs and expenses incurred by Contractor in providing and maintaining such items is the sole responsibility and obligation of Contractor.

7. COUNTY PROPERTY.

A. Personal Property of County. Any personal property such as, but not limited to, protective or safety devices, badges, identification cards, keys, etc. provided to Contractor by County pursuant to this Agreement are, and at the termination of this Agreement remain, the sole and exclusive property of County. Contractor will use reasonable care to protect, safeguard and maintain such items while they are in Contractor's possession. Contractor will be financially responsible for any loss or damage to such items, partial or total, which is the result of Contractor's negligence.

B. Products of Contractor's Work and Services. Any and all compositions, publications, plans, designs, specifications, blueprints, maps, formulas, processes, photographs, slides, video tapes, computer programs, computer disks, computer tapes, memory chips, soundtracks, audio recordings, films, audio-visual presentations, exhibits, reports, studies, works of art, inventions, patents, trademarks, copyrights, or intellectual properties of any kind which are created, produced, assembled, compiled by, or are the result, product, or manifestation of, Contractor's services or work under this Agreement are, and at the termination of this Agreement remain, the sole and exclusive property of the County. At the termination of the Agreement, Contractor will convey possession and title to all such properties to County.

8. WORKERS' COMPENSATION.

Contractor shall provide Statutory California Worker's Compensation coverage and Employer's Liability coverage for not less than \$1,000,000 per occurrence for all employees engaged in services or operations under this Agreement. The County of Inyo, its agents, officers and employees shall be named as additional insured or a waiver of subrogation shall be provided.

9. INSURANCE.

For the duration of this Agreement Contractor shall procure and maintain insurance of the scope and amount specified in Attachment B and with the provisions specified in that attachment.

10. STATUS OF CONTRACTOR.

All acts of Contractor, its agents, officers, and employees, relating to the performance of this Agreement, shall be performed as independent contractors, and not as agents, officers, or employees of County. Contractor, by virtue of this Agreement, has no authority to bind or incur any obligation on behalf of County. Except as expressly provided in Attachment A, Contractor has no authority or responsibility to exercise any rights or power vested in the County. No agent, officer, or employee of the County is to be considered an employee of Contractor. It is understood by both Contractor and County that this Agreement shall not under any circumstances be construed or considered to create an employer-employee relationship or a joint venture. As an independent contractor:

A. Contractor shall determine the method, details, and means of performing the work and services to be provided by Contractor under this Agreement.

B. Contractor shall be responsible to County only for the requirements and results specified in this Agreement, and except as expressly provided in this Agreement, shall not be subjected to County's control with respect to the physical action or activities of Contractor in fulfillment of this Agreement.

C. Contractor, its agents, officers, and employees are, and at all times during the term of this Agreement shall, represent and conduct themselves as independent contractors, and not as employees of County.

11. DEFENSE AND INDEMNIFICATION.

Contractor shall defend, indemnify, and hold harmless County, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, resulting from, or in connection with, the performance of this Agreement by Contractor, or Contractor's agents, officers, or employees. Contractor's obligation to defend, indemnify, and hold the County, its agents, officers, and employees harmless applies to any actual or alleged personal injury, death, or damage or destruction to tangible or intangible property, including the loss of use. Contractor's obligation under this paragraph extends to any claim, damage, loss, liability, expense, or other costs which is caused in whole or in part by any act or omission of the Contractor, its agents, employees, supplier, or any one directly or indirectly employed by any of them, or anyone for whose acts or omissions any of them may be liable.

Contractor's obligation to defend, indemnify, and hold the County, its agents, officers, and employees harmless under the provisions of this paragraph is not limited to, or restricted by, any requirement in this Agreement for Contractor to procure and maintain a policy of insurance.

To the extent permitted by law, County shall defend, indemnify, and hold harmless Contractor, its agents, officers, and employees from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney's fees, arising out of, or resulting from, the active negligence, or wrongful acts of County, its officers, or employees.

12. RECORDS AND AUDIT.

A. Records. Contractor shall prepare and maintain all records required by the various provisions of this Agreement, federal, state, and municipal law, ordinances, regulations, and directions. Contractor shall maintain these records for a minimum of four (4) years from the termination or completion of this Agreement. Contractor may fulfill its obligation to maintain records as required by this paragraph by substitute photographs, microphotographs, or other authentic reproduction of such records.

B. Inspections and Audits. Any authorized representative of County shall have access to any books, documents, papers, records, including, but not limited to, financial records of Contractor, which County determines to be pertinent to this Agreement, for the purposes of making audit, evaluation, examination, excerpts, and transcripts during the period such records are to be maintained by Contractor. Further, County has the right, at all reasonable times, to audit, inspect, or otherwise evaluate the work performed or being performed under this Agreement.

13. NONDISCRIMINATION.

During the performance of this Agreement, Contractor, its agents, officers, and employees shall not unlawfully discriminate in violation of any federal, state, or local law, against any employee, or applicant for employment, or person receiving services under this Agreement, because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age, or sex. Contractor and its agents, officers, and employees shall comply with the provisions of the Fair Employment and Housing Act (Government Code section 12900, et seq.), and the applicable regulations promulgated thereunder in the California Code of Regulations. Contractor shall also abide by the Federal Civil Rights Act of 1964 (P.L. 88-352) and all amendments thereto, and all administrative rules and regulations issued pursuant to said act.

14. ASSIGNMENT.

This is an agreement for the services of Contractor. County has relied upon the skills, knowledge, experience, and training of Contractor as an inducement to enter into this Agreement. Contractor shall not

assign or subcontract this Agreement, or any part of it, without the express written consent of County. Further, Contractor shall not assign any monies due or to become due under this Agreement without the prior written consent of County.

15. DEFAULT.

If the Contractor abandons the work, or fails to proceed with the work and services requested by County in a timely manner, or fails in any way as required to conduct the work and services as required by County, County may declare the Contractor in default and terminate this Agreement upon five (5) days written notice to Contractor. Upon such termination by default, County will pay to Contractor all amounts owing to Contractor for services and work satisfactorily performed to the date of termination.

16. WAIVER OF DEFAULT.

Waiver of any default by either party to this Agreement shall not be deemed to be waiver of any subsequent default. Waiver or breach of any provision of this Agreement shall not be deemed to be a waiver of any other or subsequent breach, and shall not be construed to be a modification of the terms of this Agreement unless this Agreement is modified as provided in paragraph twenty-two (22) below.

17. CONFIDENTIALITY.

Contractor further agrees to comply with the various provisions of the federal, state, and county laws, regulations, and ordinances providing that information and records kept, maintained, or accessible by Contractor in the course of providing services and work under this Agreement, shall be privileged, restricted, or confidential. Contractor agrees to keep confidential all such information and records. Disclosure of such confidential, privileged, or protected information shall be made by Contractor only with the express written consent of the County. Any disclosure of confidential information by Contractor without the County's written consent is solely and exclusively the legal responsibility of Contractor in all respects.

Notwithstanding anything in the Agreement to the contrary, names of persons receiving public social services are confidential and are to be protected from unauthorized disclosure in accordance with Title 45, Code of Federal Regulations Section 205.50, the Health Insurance Portability and Accountability Act of 1996, and Sections 10850 and 14100.2 of the Welfare and Institutions Code, and regulations adopted pursuant thereto. For the purpose of this Agreement, all information, records, and data elements pertaining to beneficiaries shall be protected by the provider from unauthorized disclosure.

18. CONFLICTS.

Contractor agrees that it has no interest, and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of the work and services under this Agreement.

19. POST AGREEMENT COVENANT.

Contractor agrees not to use any confidential, protected, or privileged information which is gained from the County in the course of providing services and work under this Agreement, for any personal benefit, gain, or enhancement. Further, Contractor agrees for a period of two years after the termination of this Agreement, not to seek or accept any employment with any entity, association, corporation, or person who, during the term of this Agreement, has had an adverse or conflicting interest with the County, or who has been an adverse party in litigation with the County, and concerning such, Contractor by virtue of this Agreement has gained access to the County's confidential, privileged, protected, or proprietary information.

20. SEVERABILITY.

If any portion of this Agreement or application thereof to any person or circumstance shall be declared invalid by a court of competent jurisdiction, or if it is found in contravention of any federal, state, or county statute, ordinance, or regulation, the remaining provisions of this Agreement, or the application

thereof, shall not be invalidated thereby, and shall remain in full force and effect to the extent that the provisions of this Agreement are severable.

21. FUNDING LIMITATION.

The ability of County to enter this Agreement is based upon available funding from various sources. In the event that such funding fails, is reduced, or is modified, from one or more sources, County has the option to cancel, reduce, or modify this Agreement, or any of its terms within ten (10) days of its notifying Contractor of the cancellation, reduction, or modification of available funding. Any reduction or modification of this Agreement made pursuant to this provision must comply with the requirements of paragraph twenty-two (22) (Amendment).

22. AMENDMENT.

This Agreement may be modified, amended, changed, added to, or subtracted from, by the mutual consent of the parties hereto, if such amendment or change is in written form and executed with the same formalities as this Agreement, and attached to the original Agreement to maintain continuity.

23. NOTICE.

Any notice, communication, amendments, additions, or deletions to this Agreement, including change of address of either party during the terms of this Agreement, which Contractor or County shall be required, or may desire, to make, shall be in writing and may be personally served, or sent by prepaid first class mail to, the respective parties as follows:

County of Inyo	
Public Works	Department
PO Drawer Q	Address
Independence, CA	City and State

Contractor:

Corrections Technology Group	Name
6455 W Harbor Dr.	Address
Coeur d'Alene, ID	City and State

24. ENTIRE AGREEMENT.

This Agreement contains the entire agreement of the parties, and no representations, inducements, promises, or agreements otherwise between the parties not embodied herein or incorporated herein by reference, shall be of any force or effect. Further, no term or provision hereof may be changed, waived, discharged, or terminated, unless the same be in writing executed by the parties hereto.

#

AGREEMENT BETWEEN COUNTY OF INYO
AND Corrections Technology Group
FOR THE PROVISION OF Detention Door Maintenance and Repair SERVICES

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS
DAY _____

COUNTY OF INYO

CONTRACTOR

By: _____

By: Robert A. Ellis

Type or Print Name

Robert A. Ellis
Type or Print Name

Dated: _____

Dated: November 9, 2017

APPROVED AS TO FORM AND LEGALITY:

Jerry Walker
County Counsel

APPROVED AS TO ACCOUNTING FORM:

Cheryl Shepherd
County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS

by K. Beach
Personnel Services

APPROVED AS TO INSURANCE REQUIREMENTS:

M. Burton
County Risk Manager

AGREEMENT BETWEEN COUNTY OF INYO
AND Corrections Technology Group
FOR THE PROVISION OF Detention Door Maintenance and Repair **SERVICES**

IN WITNESS THEREOF, THE PARTIES HERETO HAVE SET THEIR HANDS AND SEALS THIS
____ DAY _____, _____.

COUNTY OF INYO

CONTRACTOR

By: _____

By: _____

Type or Print Name

Type or Print Name

Dated: _____

Dated: _____

APPROVED AS TO FORM AND LEGALITY:

Jerry Walker
County Counsel

APPROVED AS TO ACCOUNTING FORM:

Chris Shepherd
County Auditor

APPROVED AS TO PERSONNEL REQUIREMENTS:

by K. Meach
Personnel Services

APPROVED AS TO INSURANCE REQUIREMENTS:

M. Barker
County Risk Manager

ATTACHMENT A

**AGREEMENT BETWEEN COUNTY OF INYO
AND Corrections Technology Group
FOR THE PROVISION OF Detention Door Maintenance and Repair **SERVICES****

TERM:

FROM: November 21, 2017 **TO:** May 31, 2018

SCOPE OF WORK:

See attached quote and scope of work from Corrections Technology Group, lump sum shall include all costs associated with the scope.



330 E. 3rd Street, Suite A
Beaumont, CA 92223
Phone: 951-845-3501

DATE: October 31, 2017

PROJECT: Inyo County Jail – Detention doors and lock repairs and Preventative Maintenance (PM)

PROPOSAL: SSW076: Under this proposal, Corrections Technology Group (CTG) shall perform the repairs detailed in the CTG Detention Doors inspection report dated May 16, 2017. In addition, CTG shall open and perform PM routines on 50 sliding doors, 41 motorized locks on detention swing doors, and 23 manual locks on detention swing doors. Finally, the hinges shall be replaced on all 63 swing doors with new detention-grade hinges.

NET PRICE: \$50,767, including sales tax on materials.

- REMARKS:**
- 1) This proposal includes detention hinges, cleaning supplies, lubricants, an LCN detention door closer, and other parts as detailed in the door report.
 - 2) Prices Indicated includes labor, travel, vehicle, per diem, and one-year warranty on parts.

The Terms and Conditions of Sales shown on the reverse are a part hereof.

NET 30 DAYS

PROPOSAL ACCEPTED

BY: _____

TITLE: _____

CORRECTIONS TECHNOLOGY GROUP LLC

SUBMITTED BY:

Bob Ellis
General Manager, CTG

**TERMS AND CONDITIONS OF SALE
(CONTRACT SALES)**

1. **REMITTANCES** All invoices shall be due and payable upon receipt in United States currency, free of exchange, collection, or any other charges, or as otherwise agreed upon and set forth in writing by CORRECTIONS TECHNOLOGY GROUP. (hereinafter called "Seller"). The Customer, if so requested agrees to furnish Seller with all information including financial statements, necessary to make a proper credit appraisal. Refusal to supply such information may cause this proposal to be withdrawn. Terms of payment originally granted are subject to the approval of continued credit status. Prices are subject to correction for error.
2. **PROPOSALS** Proposals are based upon straight-time labor. Any request by the Customer for overtime work shall be considered an extra. This Proposal expires 30 days after its date, subject to the provisions of the first sentence of the paragraph below entitled "Acceptance of Terms".
3. **PROGRESS PAYMENTS** Seller reserves the right to invoice Customer monthly as the work progresses for all materials delivered to the job site or to an off-site facility and for all work performed on-site and off-site. Engineering, drafting and other mobilization costs incurred prior to installation shall be included in Seller's initial invoice and be equal to fifteen percent (15%) of the contract price. Invoices are due upon receipt by Customer. If the Customer becomes overdue in any progress payment, Seller shall be entitled to suspend work, shall be entitled to interest at the annual rate of 18% or the maximum permitted by the State of California and also to avail itself of any other legal remedies. Seller shall also be entitled to interest on all amounts retained by Customer from progress payments or otherwise Customer agrees that he will pay and/or reimburse Seller for any and all reasonable attorney's fees which are incurred by Seller in the collection of amounts due and payable hereunder.
4. **CANCELLATION AND SUSPENSION** Any contract resulting from this proposal is subject to cancellation or instructions to suspend work by the Customer only upon agreement to pay Seller adjustment charge.
5. **TAXES** The amount of any future sales, use, occupancy, excise, or other tax, federal, state, or local which Seller hereafter shall be obligated legally to pay, either on its own behalf or on behalf of the Customer or otherwise, with respect to the material covered by this proposal shall be added to such prices and paid by the Customer.
6. **LOSS DAMAGE OR DELAY** Seller shall not be liable for any loss, damage, or delay occasioned by any cause beyond Seller's control, including but not limited to governmental actions or orders, embargoes, strikes, differences with workmen, fires, floods, accidents, or transportation delays. IN NO EVENT SHALL SELLER BE LIABLE FOR ANY CONSEQUENTIAL OR SPECIAL DAMAGES.
7. **WARRANTY** Seller warrants that the equipment manufactured and services furnished by it and covered by this proposal are free from defects in material and workmanship under normal use and service and without charge, equipment to be so defective in material or workmanship will be repaired or replaced, if written notice of failure is received by Seller within one (1) year after date of installation, provided said equipment has been operated in accordance with Seller's instructions and provided such defects are not due to abuse, fire or decomposition by chemical or galvanic action. THIS EXPRESS WARRANTY IS IN LIEU OF AND EXCLUDES ALL OTHER WARRANTIES, GUARANTEES, OR REPRESENTATIONS, EXPRESS OR IMPLIED. THERE ARE NOT IMPLIED WARRANTIES OR MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE. Seller assumes no responsibility of repairs made on Seller's equipment unless done by Seller's authorized personnel, or by written authority from Seller. Seller makes no guarantee with respect to material not manufactured by it.
8. **PURCHASER'S REMEDIES** The Customer's remedies with respect to equipment found to be defective in material or workmanship shall be limited exclusively to the right of repair or replacement of such defective equipment. IN NO EVENT SHALL SELLER BE LIABLE FOR CLAIMS (BASED UPON BREACH OR IMPLIED WARRANTY) FOR ANY OTHER DAMAGES, WHETHER DIRECT, IMMEDIATE, FORESEEABLE, CONSEQUENTIAL, OR SPECIAL OR FOR ANY EXPENSES INCURRED BY REASON OF THE USE OR MISUSE OF EQUIPMENT WHICH DOES OR DOES NOT CONFORM TO THE TERMS AND CONDITIONS OF ANY CONTRACT RESULTING FROM THIS PROPOSAL.
9. **PATENT INFRINGEMENT** Seller will hold its Customer and the Owner harmless from infringement of any United States patent covering equipment of its manufacture. This, of necessity, is limited to the equipment per se and cannot be extended to applications of such equipment in a system, except in writing by an officer of Seller. The Customer and Owner shall advise Seller immediately in the event any claims of infringement are brought to their attention.
10. **GOVERNING LAW** Any contract resulting from this proposal shall be governed by, construed, and enforced in accordance with the laws of the State of California.
11. **CERTIFICATION** The person whose signature appears on the fact side hereof hereby certifies that, to his best knowledge and belief, the annexed bid is not the result of any agreement, arrangement or understanding between the Seller and any other manufacturer or Seller of security systems and that the prices, terms or conditions thereof have not been communicated by or on behalf of the Seller to any such person and will not be communicated to any such person prior to the official opening of said bid.
12. **ACCEPTANCE OF TERMS** This proposal shall become a binding contract between the Customer and Seller when accepted in writing by the Customer and when subsequently approved in writing hereon by CORRECTIONS TECHNOLOGY GROUP. or by our written acceptance of your purchase order by CORRECTIONS TECHNOLOGY GROUP. Such acceptance shall be with the mutual understanding that the terms and conditions of this proposal are a part thereof with the same effect as though signed by both parties named herein and shall prevail over any inconsistent provision of said order.

No waiver, alteration, or modification of the terms and conditions on this and the face side hereof shall be binding unless in writing and signed by and authorized representative of CORRECTIONS TECHNOLOGY GROUP.



CTG
EXCELLENCE IN SERVICE

May 16, 2017

County of Inyo – Sheriff's Department Jail

Att: Chris Cox

Re: SSW076: Report on Detention Doors and Locking Systems

Dear Chris:

On April 18th and 19th, 2017, Mike Link, Locking Systems Specialist for Corrections Technology Group (CTG), performed an evaluation of the existing doors and locking systems located at the Inyo County Jail Facility located in Independence, CA. Mike, in working with your staff, was able to get a look at all of the doors and generated this report as a result.

Overall, the doors and locks were in good condition, with a few notable exceptions. All of the locks and sliders desperately need preventative maintenance, and it was observed that all of the hinges on the detention doors were worn out and need replacement.

Door 4A – A Pod (Swing door): The lock was loose in the frame, and the back cover of the lock was loose on the body of the lock. Mike pulled the lock, tightened up everything, and re-installed it.

Bottom Tower Door: The door was not locking, due to the door sagging from inferior commercial grade hinges. Mike installed new detention-grade hinges, supplied by the staff, and drilled and tapped larger screws, and re-installed door.

P1A Outside Door (Swing door): Door slams every time when closing. The LCN door closer has a leak at the Latch speed valve, and can't be adjusted. Needs to be replaced.

Slider Door inside Booking b P1A Door: The gear box on the motor is low on oil, and has a slight leak. Needs more oil added.

Door 2B: The lock was loose in the frame, and the back cover of the lock was loose on the body of the lock. Mike pulled the lock, tightened up everything, and re-installed it.

Door 8A: The lock was loose in the frame, and the back cover of the lock was loose on the body of the lock. Mike pulled the lock, tightened up everything, and re-installed it.

Slider E7: The lockbar is rubbing on top of the door guide, making a grating sound. Needs to be cut loose and re-adjusted.

E Entry Slider: The slider motor is rocking from side to side. Needs a new "old style" motor holddown strap. Mike was able to tweak and adjust to operate properly for now.

Hall Door: The lock was loose in the frame, and the back cover of the lock was loose on the body of the lock. Mike pulled the lock, tightened up everything, and re-installed it.

The above-mentioned doors and sliders need the repairs as detailed, plus, as mentioned before, all of the detention swing door hinges need to be replaced, along with a full Preventative Maintenance routine performed in accordance with manufacturer's recommendations on both the locks and the sliders. This proposal also includes the manual, non-motorized locks. A proposal is attached to address these repairs, and we would recommend that the repairs and PM be done soon, in order to prevent disruptions to Facility operations, and to prolong the life of your hardware. Thank you very much for your consideration, and please don't hesitate to call if you should require further information.
Sincerely,

Robert (Bob) A. Ellis
General Manger,
Corrections Technology Group

ATTACHMENT B

**AGREEMENT BETWEEN COUNTY OF INYO
AND Corrections Technology Group
FOR THE PROVISION OF Detention Door Maintenance and Repair SERVICES**

TERM:

FROM: November 21, 2017 **TO:** May 31, 2018

SEE ATTACHED INSURANCE PROVISIONS

Specifications 1
Insurance Requirements for Most Contracts
(Not for Professional Services or Construction Contracts)

Contractor shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor, his agents, representatives, employees or subcontractors.

MINIMUM SCOPE AND LIMIT OF INSURANCE

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office (ISO) Form CG 00 01 12 07 covering CGL on an "occurrence" basis, including products-completed operations, personal & advertising injury, with limits no less than **\$1,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. **Automobile Liability:** ISO Form Number CA 00 01 covering any auto (Code 1), or if Contractor has no owned autos, hired, (Code 8) and non-owned autos (Code 9), with limit no less than **\$500,000** per accident for bodily injury and property damage.
3. **Workers' Compensation:** as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than **\$1,000,000** per accident for bodily injury or disease.

If the contractor maintains higher limits than the minimums shown above, the Entity requires and shall be entitled to coverage for the higher limits maintained by the contractor.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

Additional Insured Status

The Entity, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operations. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance at least as broad as ISO Form CG 20 10 11 85 or if not available, through the addition of both CG 20 10 and CG 20 37 if a later edition is used).

Primary Coverage

For any claims related to this contract, the Contractor's insurance coverage shall be primary insurance as respects the Entity, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the Entity, its officers, officials, employees, or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

Notice of Cancellation

Each insurance policy required above shall provide that coverage shall not be canceled, except with notice to the Entity.

Waiver of Subrogation

Contractor hereby grants to Entity a waiver of any right to subrogation which any insurer of said Contractor may acquire against the Entity by virtue of the payment of any loss under such insurance. Contractor agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation, but this provision applies regardless of whether or not the Entity has received a waiver of subrogation endorsement from the insurer.

Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to and approved by the Entity. The Entity may require the Contractor to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the Entity.

Verification of Coverage

Contractor shall furnish the Entity with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the Entity before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The Entity reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Special Risks or Circumstances

Entity reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

10

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Inyo County Planning Department

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Letter of 'Public Convenience or Necessity' for an Alcoholic Beverage License Application for the Diamond Hills Speakeasy in Tecopa.

RECOMMENDATION: Request the Board of Supervisors approve and authorize the Chairperson to sign a Letter of 'Public Convenience or Necessity' (Attachment 1) for an Alcoholic Beverage License Application for the Diamond Hills Speakeasy in Tecopa, California.

SUMMARY DISCUSSION: Mr. Jon Zellhoefer has submitted an application to the California State Department of Alcoholic Beverage Control (ABC) for a Type 48 On-sale General for Public Premises, to open the Diamond Hills Speakeasy in Tecopa (Attachment 2). The ABC, through the California Business and Professions Code #23958 (Attachment 3), is required to deny an application if its issuance would result in, or add to, an undue concentration of licenses. The governing body of a City or County, the Board of Supervisors, may determine within 90-days of the application that either the public convenience or necessity would be served by the issuance of the alcoholic beverage license.

The on-sale alcoholic beverages at the Diamond Hills Speakeasy would not result in an undue concentration of alcoholic beverage license in Tecopa. This is evidenced by the fact that there is no comparable bar in this unincorporated community. The nearest bar is located in another unincorporated community, Shoshone, approximately 12 miles to the north. The concentration of licenses is based by the State on a ratio of people to licenses in the Census Tract the establishment is located, to the ratio of people to licenses in the County. Since the County's rural nature finds the population dispersed, the ratios are not as meaningful as if the County were more urban with higher population densities. Census Tract 8, in which Tecopa is located, covers all of Inyo County south and east of Lone Pine including the resorts of Panamint Springs, Stove Pipe Wells, Furnace Creek and Shoshone.

By approving the letter of 'Public Convenience or Necessity,' and authorizing the Chairperson to sign, the Board will establish that the on-sale of alcoholic beverages at the Diamond Hills Speakeasy does serve the public convenience.

ALTERNATIVES: Do not approve the letter of 'Public Convenience or Necessity' and authorize the Chairperson to sign: if the Board chooses not to approve and authorize the Chair to sign, per the Business and Professions Code 23958.4(b)(2) the ABC can still issue the license following a public hearing, if the applicant persuades the ABC that the issuance of the license will serve the public's convenience or necessity.

OTHER AGENCY INVOLVEMENT: State of California Department of Alcoholic Beverage Control.

FINANCING: No direct impact.

APPROVALS	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i>

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)



Date: 11/20/17

Attachment – Grant Application Guide Excerpts

December 5, 2017

Department of Alcoholic Beverage Control
Bakersfield District Office
4800 Stockdale Highway, Suite 213
Bakersfield, CA 93309

Department of Alcoholic Beverage Control:

It has been brought to our attention that Mr. Jon Zellhoefer has submitted an application for an alcoholic beverage license for the Diamond Hills Speakeasy cocktail lounge in Tecopa, California. We understand that the ratio of beverage licenses to the people in Census Tract 8, with the addition of this license, will exceed the ratio of licenses to people in the County. Census Tract 8 covers a large land area (approximately 6,900 miles) that includes several tourist destinations with resorts that sell alcoholic beverages and are located far from Tecopa.

The Diamond Hills Speakeasy is an important business opportunity for the rural, unincorporated, town of Tecopa. We strongly urge you to approve Mr. Zellhoefer's alcoholic beverage license application so that he can open this business. By approving this Letter of 'Public Convenience or Necessity' and authorizing the Chairperson to sign, we establish that the on-sale of alcoholic beverages at the Diamond Hills Speakeasy does serve the public convenience.

The Inyo County Board of Supervisors would like to thank the Department of Alcoholic Beverage Control for the opportunity to support Mr. Zellhoefer's application and encourage you to approve it.

Sincerely,

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

Bakersfield District Office
4800 Stockdale Highway, Ste. 213
Bakersfield, CA 93309
☎ (661) 395-2731 Phone Number
☎ (661) 322-5929 Fax Number



Public Convenience or Necessity to be determined by local governing body

Date: October 25, 2017

Applicant(s): Jon Zellhoefer

Dear Applicant(s):

Due to legislation passed in 1994, effective as of January 1st, 1995, per section 23958.4 of the Business and Professions Code, "the Department shall deny an application if issuance (of a license) would result in or add to an undue concentration of licenses." In part per this Section, exceptions can be made "if the local governing body of the area in which the applicant premises are located determines that public convenience or necessity would be served by the issuance."

The "local governing body" is the City Council or County Board of Supervisors. They may delegate such determination to another Department, such as Planning or City Manager's Office, but such delegation must be in writing or passed by a resolution. Also, the determination itself must be in writing from the properly delegated authority to the Department. The Department will not accept a verbal determination of public convenience or necessity.

Because your application has been filed after January 1st, 1995, you must contact whatever local governing body which has jurisdiction over the area in which the applied-for premises is located and obtain a determination of public convenience or necessity.

Your application will not be submitted for review to our Department Headquarters until written documentation has been received from the appropriate governing body finding such determination. If you have any questions, please feel free to contact this office at the telephone number listed above.

Sincerely,

BAKERSFIELD A.B.C. DISTRICT OFFICE

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

Priority 2017

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control
 4800 STOCKDALE HWY
 STE 213
 BAKERSFIELD, CA 93309
 (661) 395-2731

File Number: **585877**
 Receipt Number: **2463646**
 Geographical Code: **1400**
 Copies Mailed Date: **October 25, 2017**
 Issued Date:

DISTRICT SERVING LOCATION: **BAKERSFIELD**
 First Owner: **ZELLHOEFER, JON WILLIAM**
 Name of Business: **DIAMOND HILLS SPEAKEASY**
 Location of Business: **59 OLD SPANISH TRAIL BLDG 1 STE E
 TECOPA, CA 92389**

County: **INYO**
 Is Premise inside city limits? **No** Census Tract **0008.00**

Mailing Address:
 (If different from premises address) **PO BOX 34
 TECOPA, CA 92389**

Type of license(s): **48**

Transferor's license/name: _____ Dropping Partner: Yes ___ No *****

<u>License Type</u>	<u>Transaction Type</u>	<u>Fee Type</u>	<u>Master</u>	<u>Dup</u>	<u>Date</u>	<u>Fee</u>
48 - On-Sale General Public	ORIGINAL FEES	NA	Y	0	09/18/17	\$13,800.00
48 - On-Sale General Public	ANNUAL FEE	P0	Y	0	10/25/17	\$572.00
Total						\$14,372.00

Have you ever been convicted of a felony? **No**

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of INYO Date: September 18, 2017

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

See 211 Signature Page

ZELLHOEFER, JON WILLIAM



BUSINESS AND PROFESSIONS CODE - BPC

DIVISION 9. ALCOHOLIC BEVERAGES [23000 - 25762] (*Division 9 added by Stats. 1953, Ch. 152.*)

CHAPTER 6. Issuance and Transfer of Licenses [23950 - 24082] (*Chapter 6 added by Stats. 1953, Ch. 152.*)

ARTICLE 1. Applications for Licenses [23950 - 23962] (*Article 1 added by Stats. 1953, Ch. 152.*)

23958.4. (a) For purposes of Section 23958, “undue concentration” means the case in which the applicant premises for an original or premises-to-premises transfer of any retail license are located in an area where any of the following conditions exist:

(1) The applicant premises are located in a crime reporting district that has a 20 percent greater number of reported crimes, as defined in subdivision (c), than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency.

(2) As to on-sale retail license applications, the ratio of on-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of on-sale retail licenses to population in the county in which the applicant premises are located.

(3) As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.

(b) Notwithstanding Section 23958, the department may issue a license as follows:

(1) With respect to a nonretail license, a retail on-sale bona fide eating place license, a retail license issued for a hotel, motel, or other lodging establishment, as defined in subdivision (b) of Section 25503.16, a retail license issued in conjunction with a beer manufacturer’s license, or a winegrower’s license, if the applicant shows that public convenience or necessity would be served by the issuance.

(2) With respect to any other license, if the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. The 90-day period shall commence upon receipt by the local governing body of (A) notification by the department of an application for licensure, or (B) a completed application according to local requirements, if any, whichever is later.

If the local governing body, or its designated subordinate officer or body, does not make a determination within the 90-day period, then the department may issue a license if the applicant shows the department that public convenience or necessity would be served by the issuance. In making its determination, the department shall not attribute any weight to the failure of the local governing body, or its designated subordinate officer or body, to make a determination regarding public convenience or necessity within the 90-day period.

(c) For purposes of this section, the following definitions shall apply:

(1) “Reporting districts” means geographical areas within the boundaries of a single governmental entity (city or the unincorporated area of a county) that are identified by the local law enforcement agency in the compilation and maintenance of statistical information on reported crimes and arrests.

(2) "Reported crimes" means the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.

(3) "Population within the census tract or census division" means the population as determined by the most recent United States decennial or special census. The population determination shall not operate to prevent an applicant from establishing that an increase of resident population has occurred within the census tract or census division.

(4) "Population in the county" shall be determined by the annual population estimate for California counties published by the Population Research Unit of the Department of Finance.

(5) "Retail licenses" shall include the following:

(A) Off-sale retail licenses: Type 20 (off-sale beer and wine) and Type 21 (off-sale general).

(B) On-sale retail licenses: All retail on-sale licenses, except Type 43 (on-sale beer and wine for train), Type 44 (on-sale beer and wine for fishing party boat), Type 45 (on-sale beer and wine for boat), Type 46 (on-sale beer and wine for airplane), Type 53 (on-sale general for train and sleeping car), Type 54 (on-sale general for boat), Type 55 (on-sale general for airplane), Type 56 (on-sale general for vessels of more than 1,000 tons burden), and Type 62 (on-sale general bona fide public eating place intermittent dockside license for vessels of more than 15,000 tons displacement).

(6) A "premises-to-premises transfer" refers to each license being separate and distinct, and transferable upon approval of the department.

(d) For purposes of this section, the number of retail licenses in the county shall be established by the department on an annual basis.

(e) The enactment of this section shall not affect any existing rights of any holder of a retail license issued before April 29, 1992, whose premises were destroyed or rendered unusable as a result of the civil disturbances occurring in Los Angeles from April 29 to May 2, 1992, to reopen and operate those licensed premises.

(f) This section shall not apply if the premises have been licensed and operated with the same type license within 90 days of the application.

(Amended by Stats. 2013, Ch. 76, Sec. 6. Effective January 1, 2014.)



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 11

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: HEALTH & HUMAN SERVICES – Social Services

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Request to hire two full-time Integrated Case Workers (ICW) I in the HHS Social Services Employment and Eligibility division.

DEPARTMENTAL RECOMMENDATION:

Request your Board find that, consistent with the adopted Authorized Position Review Policy:

- A) The availability of funding for the requested positions exist in a non-General Fund budget, as certified by the Health and Human Services Director and concurred with by the County Administrator, and Auditor-Controller; and
- B) Where internal candidates meet the qualifications for the positions, the vacancy could possibly be filled through an internal recruitment; however, an external recruitment would be more appropriate to ensure qualified applicants apply; and
- C) Approve the hiring of two Integrated Case Worker I at Range 60 (\$3,541 - \$4,301); and
- D) If an internal candidate is hired into either Integrated Case Worker I position within the same program, authorize HHS to backfill the resulting vacancy.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

An Integrated Case Worker (ICW) I in our Employment and Eligibility Division recently accepted a career ladder promotion to an ICW II position within the division, resulting in one vacancy. The Department also received notification that an employee in the ICW I position will be retiring as of 12/1/2017, resulting in another vacancy. The ICW position remains critical to the functioning of the division, which processes a high volume of client applications, determining eligibility and authorizing services for a wide range of programs. Employment and Eligibility staff not only provide consultation and eligibility determinations for residents who may be eligible for other forms of health insurance provided by the California Health Exchange, they also assist consumers impacted by changes in Medi-Cal, to access needed food and financial aid resources. ICWs are responsible for determining clients' initial and continued eligibility for MediCal benefits, Cal Fresh benefits, County Medical Services Program (CMSP) coverage, General Assistance, and CalWORKs. Maintaining our current staffing level will help the entire division maintain accurate and timely client records and continue to provide a high quality of employment and eligibility services.

The Department is respectfully requesting authorization to hire, two Integrated Case Workers I in the HHS Social Services' Employment and Eligibility program; additionally, as there may be internal candidates within the same program, the Department is also respectfully requesting that if an internal candidate is offered the ICW I position, the Department be authorized to fill the resulting vacancy.

ALTERNATIVES:


The Board could choose to not allow HHS to fill these vacancies, which would likely result in overtime requirements for the current ICWs and supervisory staff, the possibility of increased error rates and audit exceptions as well as limit the availability of one on one services available to clients.

OTHER AGENCY INVOLVEMENT:

None

FINANCING:

Federal, State and Social Services Realignment. These position are budgeted 100% in Social Services (055800) in the Salaries and Benefits object codes. No County General funds.

<u>APPROVALS</u>	
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the Auditor/Controller prior to submission to the Board Clerk.)</i>  Approved: <u>yes</u> Date: <u>11/14/2017</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the Director of Personnel Services prior to submission to the Board Clerk.)</i> <u>by K Reade</u> Approved: <u>yes</u> Date: <u>11/14/17</u>

DEPARTMENT HEAD SIGNATURE: M Mason Date: 11/17/17
(Not to be signed until all approvals are received)



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk Use Only

AGENDA NUMBER

12

Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Sheriff's Department

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Request to fill (1) one Certificated Correctional Officer position at the E step.

DEPARTMENTAL RECOMMENDATION:

1) Approve the hiring of one female Correctional Officer, at step E based on her level of training and expertise.

CAO RECOMMENDATION:

SUMMARY DISCUSSION:

The Sheriff's Office is currently in the process of hiring Kelsea Galvin as a correctional officer. Ms. Galvin is a certificated correctional officer and defensive tactics instructor, who was previously employed with us and has several years' experience with our department. The Sheriff's Office requests the board authorize the hiring of this applicant up to an E step. The hiring of this Correctional Officer position will fall within the Sheriff's current authorized strength.

ALTERNATIVES:

Deny authorizing E step for the certificated Correctional Officer position.

OTHER AGENCY INVOLVEMENT:

Personnel Department
Auditor's office

FINANCING:

The Correctional Officer positions are currently budgeted in the Board approved 2017-2018 Jail General budget (022900).

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)  Approved: <u>yes</u> Date <u>11/30/17</u>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)  Approved: <input checked="" type="checkbox"/> Date <u>11/30/17</u>

DEPARTMENT HEAD SIGNATURE:
(Not to be signed until all approvals are received)  Date: 11/30/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only: AGENDA NUMBER 13
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- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Recycling and Waste Management

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Authorize Personnel to recruit and fill a vacant Integrated Waste Management Program Superintendent position.

DEPARTMENTAL RECOMMENDATION:

1. Request Board approve the newly modified the job description for the Integrated Waste Management Program Superintendent (Range 78, \$5,410-\$6,574).
2. Request your Board find that consistent with the adopted Authorized Position Review Policy, (a) the availability of funding for the requested position is in the Fiscal Year 2017/2018 Budget in the Recycling and Waste Management Program Budget, as certified by the County Administrator and concurred with by the Auditor-Controller; (b) an open recruitment is appropriate to ensure the greatest pool of qualified candidates apply for the position; (c) authorize hiring one (1) Integrated Waste Management Program Superintendent

SUMMARY DISCUSSION:

The Integrated Waste Management Program Superintendent resigned in October to pursue other opportunities. This position is critical in the operation of the County's waste management and recycling program. Therefore it is requested that your Board authorize filling the position.

Simultaneously, staff is recommending your Board approve the job description as attached. The current job description emphasized the engineering aspects of the position. However, experience is shown that the job entails significant field and administrative work not requiring an engineering background. It is intended that the revised job description will more accurately describe the job and by doing so attract candidates whose personal goals and experiences are closely in line with the actual duties. Although there is less emphasis on the engineering aspects many of those duties can be accomplished by utilizing outside expertise without major impacts to the budget.

Funds for this position are available within the Recycling and Waste Management Program Budget.

ALTERNATIVES:

Your Board could choose not to authorize filling the vacant position; however, this is not recommended, as the position is critical to the operation of the department. If the job description is not approved as revised recruitment could take place however we may not necessarily attract candidates with the proper skills or experience.

OTHER AGENCY INVOLVEMENT:

Personnel

FINANCING:

Funding for this position is included in the FY 2017-2018 Solid Waste Budget.

<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS (Must be reviewed and approved by county counsel prior to submission to the board clerk.) Approved: _____ Date _____
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS (Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.) Approved: <input checked="" type="checkbox"/> Date 11/20/17
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS (Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.) Approved: <input checked="" type="checkbox"/> Date 11/21/17

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Michael J. Brennan

Date: 11/27/17

INYO COUNTY
PERSONNEL SERVICES
P. O. Box 249
INDEPENDENCE, CA 93526



(760) 878-0377
FAX (760) 878-0465

AN EQUAL OPPORTUNITY EMPLOYER
(WOMEN, MINORITIES, AND DISABLED ARE ENCOURAGED TO APPLY)

ANNOUNCES AN OPEN RECRUITMENT FOR:

INTEGRATED WASTE MANAGEMENT PROGRAM SUPERINTENDENT
Application Deadline: OPEN UNTIL FILLED

DEPARTMENT: Recycling and Waste Management
LOCATION: Countywide
SALARY: Range 78 \$5410 \$5675 \$5963 \$6261 \$6574**

****BENEFITS:** CalPERS Retirement System: Existing ("Classic") CalPERS members as of January 1, 2013, (2% at 55) – Inyo County pays employee contribution for current CalPERS members; new CalPERS members hired after January 1, 2013 (2% at 62) will be required to pay at least 50% of normal cost. Medical Plan – Inyo County pays a portion of employee and dependent monthly premium on PERS medical plans; 100% of employee and dependent monthly premium paid for dental and vision; \$20,000 term life insurance policy on employee. Vacation – 10 days per year during the first three years; 15 days per year after three years; 1 additional day for each year of service after ten years to a maximum of 25 days per year. Sick leave – 15 days per year. Flex (personal days) – 5 days per fiscal year. Paid holidays – 11 per year.

DEFINITION: Under the general supervision of the department head, plan, coordinate and direct all aspects of the integrated solid waste/recycling programs and services for Inyo County; ensure County compliance with all related laws and regulations; administer related grants and contracts including waste hauling and recycling permits and franchise agreements; plan and administer public education programs; supervise and evaluate the work of landfill and transfer station employees; oversee and assist with professional solid waste and landfill engineering services; and perform related duties and responsibilities as required.

ESSENTIAL JOB DUTIES: Directs and coordinates the operation of County solid waste facilities. Plans, coordinates and directs comprehensive solid waste programs and services for Inyo County including those provided for by the regional agency joint powers agreement with the City of Bishop.

Develops, coordinates and implements all aspects and components of the Inyo County Solid Waste Management Plan and related planning documents and agreements.

Interprets and ensures the division's compliance with all applicable laws and regulations, County and department policies and procedures, and standards of quality and safety.

Reviews and makes recommendations to improve the effectiveness and efficiency of Recycling and Waste Management Division programs and services; conducts frequent site visits to solid waste facilities; makes recommendations for improvement and problem resolution as appropriate.

Assures environmental monitoring systems are maintained and monitored, including systems for methane gas recovery, water monitoring and air quality testing.

Administers facility leases.

Prepares technical monitoring reports for submittal to the State/ Federal regulatory agencies and facility lessors.

Evaluates and recommends implementation of new solid waste legislation, regulations and technology.

Develops and administers the Recycling and Waste Management Division's annual budget.

Develops Requests for Proposals and manages resulting contracts.

11/17

Identifies, applies for and administers grants for project or program funding; prepares related reports.

Selects, trains, supervises, and evaluates the performance of landfill and transfer station employees; recommends and implements disciplinary and termination processes as necessary.

Secures and monitors the work of various contractors as needed; ensures contractors comply with contracts and all applicable policies, procedures, regulations, and standards.

May collect and submit samples of water, leachate and gas for laboratory analysis.

Monitors and enforces permitted refuse collection and hauling contract.

May negotiate, prepare and administer solid waste and recycling collection permits and franchise agreements.

Coordinates activities in response to directives from the California Waste Management Board and Water Board.

Plans and administers public education programs; prepares and presents materials to civic / community groups, schools, church groups, etc., that are designed to educate the public about litter control, recycling, illegal dumping, energy recovery and resource recovery; plans and executes special events and activities for the public.

Coordinates the involvement of local service groups in litter clean-up and abatement programs.

Prepares quarterly and annual reports as required by or of the County and various other government / regulatory agencies; prepares and presents reports before the Board of Supervisors and other groups as required.

Coordinates division activities with those of other divisions, departments and agencies as appropriate.

Receives and responds to inquiries, requests for assistance, concerns and complaints regarding Recycling and Waste Management Division programs, projects and personnel.

Performs general administrative / clerical work as required, including preparing reports and correspondence, entering and retrieving computer data, copying and filing documents, answering the telephone, sending and receiving faxes, etc.

EMPLOYMENT STANDARDS **MINIMUM QUALIFICATIONS**

Any combination of education and experience that demonstrates the ability to excel in the fulfillment of these job requirements. Typical ways in which the demonstration of experience and education may be satisfied include but are not limited to:

Experience: Three years of administrative and California compliance enforcement experience in the fields of waste management, environmental health, engineering or biology. Experience in federal waste management regulation compliance is desirable.

Education: Graduation from an accredited college or university with a Bachelor's degree in business or public administration, engineering, environmental studies or a related field.

Substitution: Additional qualifying experience may be substituted for the college education on a year-for-year basis.

Knowledge of:

Pertinent federal, state and local laws, regulations, codes and ordinances. County and department policies and procedures.

Organizational and management practices as applied to the analysis and evaluation of programs, policies and operational needs.

Principles of supervision, training and performance evaluation.

Governmental budget development and administration.

Principles of grant and contract administration.

Acceptable practices effective in reducing waste, recovering resources, and producing revenue from solid waste recovery of energy.

Landfill practices, including compaction, gas/water monitoring, cover requirements, vermin control.

Standard business practices in the solid waste industry, including hauling and disposal.

Modern office practices and technology, including the use of computers for word processing, presentations, records management and spreadsheet preparation.

Record-keeping and report preparation procedures.

English usage, spelling, grammar and punctuation.

Safe work practices.

Ability to:

Understand, interpret and apply pertinent federal, state and local laws, rules, regulations, codes and ordinances, and County policies and procedures.

Develop and administer a comprehensive solid waste program for Inyo County.

Prepare and conduct public education programs pertaining to litter control, composting, energy recovery and resource recovery.

Exercise sound, independent judgment.

Analyze problems, identify alternative solutions, determine consequences of proposed actions and implement recommendations in support of goals.

Select, train, supervise and evaluate the work of subordinate staff.

Prepare and manage a budget.

Administer grants and contracts.

Prepare clear and concise technical, analytical and administrative reports.

Perform required mathematical computations with accuracy.

Use computers effectively for word processing and records management.

Communicate clearly and concisely, both orally and in writing.

Represent the Division and the County effectively in meetings with others and make presentations to various groups.

Establish and maintain effective working relationships with those contacted in the course of work.

Meet the physical requirements necessary to safely and effectively perform assigned duties.

Additional Requirements: Possession of a valid California driver's license. Under certain circumstance, the Personnel Director may accept a valid driver's license from another state if applicant acknowledges his/her intent to acquire a California driver's license within three months by signing an acknowledgement form.

TYPICAL WORKING CONDITIONS Work is performed in an office and field environment. Incumbent drives on surface streets, traverses uneven terrain on foot, and may be exposed to traffic hazards, machinery hazards, adverse weather conditions, temperature and noise extremes, wetness, humidity, heights, fumes, dusts, air contaminants, odors, solvents, grease/oil, toxic or caustic chemicals, skin irritants.

TYPICAL PHYSICAL REQUIREMENTS Requires the mobility to work in an office and field environment. Requires the ability to sit at desk for long periods of time and intermittently walk, stand, climb, balance, stoop, kneel, crouch, crawl and reach while performing office duties and/or field work; operate motor vehicles; lift and/or move up to 25 pounds frequently and up to 50 pounds occasionally; use hands to finger, handle, feel or operate objects, tools and controls. Must be able to maintain effective audiovisual discrimination and perception needed for making observations, communicating with others, reading and writing, and operating office and field equipment. Must be able to use a telephone to communicate

verbally and a keyboard to communicate through written means, to review information and enter/retrieve data, to see and read characters on a computer screen.

Core Competencies:

The core competencies listed below and the ability to immediately demonstrate these competencies consistent with the position's level in the department and the specific work assignment:

- **Intensity:** Goes after the goal with passion; is results oriented, and gets the job done. *Key Concepts:* Risk-taker; results-oriented; and initiative driver.
- **Ethical Behavior:** Does what is right regardless of temptations and pressures to do otherwise; upholds the public's trust; and conducts self-according to a set of principles. *Key Concepts:* Respect; trust; responsible; fair; and caring.
- **Influence:** Affects successful outcomes for the organization through the use of masterful leadership, collaboration, and a keen understanding of the organization, its goals, and the interests of all parties. *Key Concepts:* Engaged; collaborative; strategic orientation; situational awareness; organizationally savvy; inspirational; energizing-empowering; team orientation; and change agent.
- **Commitment:** Successfully builds relationships with and promotes involvement of diverse groups; considers the needs of diverse clients when developing policies and procedures related to service; works closely with diverse groups to identify and deliver services that meet their needs and the strategic objectives of the program; establishes customer service as the single purpose to which all resources are dedicated; focuses on delivering the best services possible to the public; focuses on customer needs; and is committed to public service. *Key Concepts:* Public servant; and customer service.
- **Interpersonal Skills:** Possesses and uses versatile communication styles and approaches; understands the underlying psychology of why people act as they do and changes approach to affect positive outcomes; builds rapport throughout the organization; and develops human potential. *Key Concepts:* Staff development; communication; listening; delegation; recognition; and buy-in.
- **Resiliency:** Is adaptable; takes direct action; leads by example; exhibits tenacity. This leader is ready, flexible, self-reliant, and has a reputation for finding opportunities in difficult situations. *Key Concepts:* Action-orientation; adaptability; flexibility; agility; tenacity; survivability; courage; confidence; and intuition.
- **Craftsmanship:** Rejects the "good enough for government work" attitude; takes ownership of work done and results accomplished; takes pride in delivering quality services to customers; seeks out opportunities to develop new and creative solutions and programs; imagines possibilities; defines a vision, and works to bring vision into reality. *Key Concepts:* Innovative; imaginative; inventive; pride-in-work; accountability; self-development; and self-starter.

SELECTION: Selection procedures will be determined by the number and qualifications of applicants and may include a qualification screening, written examination, and oral examination.

APPLICATION: This recruitment will remain open until position has been filled. Applications must be received at the Inyo County Personnel Department, P.O. Box 249, Independence, CA 93526. Must apply on Inyo County application form. A cover letter and/or resume will be accepted in addition to the application form but will not serve as a substitute for a completed application. **It is not acceptable to complete the application with statements like "See/Refer to Resume" or "See Attached".** Incomplete applications will not be processed.

This class specification lists the major duties and requirements of the job and is not all inclusive. Incumbents may be expected to perform job-related duties other than those contained in this document.

The County of Inyo has work sites located throughout the Owens Valley (Independence, Bishop, Lone Pine, Big Pine, and Olancho) and the Death Valley area (Death Valley, Tecopa, and Shoshone). Positions are assigned to a work site based upon the needs of the County. Positions may be temporarily or permanently reassigned to another work site as deemed necessary by the Department Head and/or County Administration. **All positions are considered Countywide positions**, and employees are expected to report to all Inyo County work locations as needed to complete assigned work.

REASONABLE ACCOMMODATION FOR INDIVIDUALS WITH QUALIFYING DISABILITIES: Inyo County will make reasonable efforts in the examination process on a case-by-case basis to accommodate persons with disabilities. If you have special needs, please contact (760) 878-0377 prior to the examination process.

CITIZENSHIP/IMMIGRATION STATUS: Inyo County employs only U.S. citizens and lawfully authorized non-citizens in accordance with the Immigration Reform and Control Act of 1986.



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

14

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING: December 5, 2017

SUBJECT: Continuation of declaration of existence of local emergency

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Here It Comes Emergency" that was proclaimed in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County.

SUMMARY DISCUSSION:

During your March 28, 2017 Board of Supervisors meeting your Board took action to approve Resolution 2017-15 proclaiming the existence of a local emergency, which has been named the Here It Comes Emergency, in anticipation of run-off conditions from near-record snowpack posing extreme peril to the safety of property and persons in Inyo County and which are likely beyond the control of the services, personnel, equipment and facilities of the County of Inyo. During your June 27, 2017 meeting, your Board took action to amend Resolution 2017-15 to recognize that the County has moved from the Preparedness stage to the Response stage, and to include new damages and impacts that have occurred in the operational area.

In light of the massive amount of runoff that is occurring due to the unprecedented snowpack, the recommendation is that the emergency be continued on a biweekly basis and that Resolution 2017-15 be updated as necessary, until further evaluation of conditions are completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

(The Original plus 20 copies of this document are required)

Date: 11/22/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

15

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING: December 5, 2017

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation regarding continuation of the local emergency known as the "Rocky Road Emergency" that was proclaimed as the result of flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County caused by an atmospheric river weather phenomena that began January 3, 2017 and continued throughout February.

SUMMARY DISCUSSION:

During your February 7, 2017 Board of Supervisors meeting your Board took action to approve Resolution 2017-04 declaring a local emergency, which has been named The Rocky Road Emergency, and was the result of an atmospheric river weather phenomena that began January 3, 2017 and caused flooding, mud, and rock landslides and deep snow drifts over portions of Inyo County. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a biweekly basis. On March 7, 2017, your Board amended Resolution 2017-04 to further extend the continuation of the emergency and also add language to include additional damages that occurred in the latter half of January and into February.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

(The Original plus 20 copies of this document are required)

Date: 11/22/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 16

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator
By: Kelley Williams, Assistant to the CAO

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Discussion on Discontinuation or Modification of Land of EVEN Less Water Local Emergency Proclamation

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation to continue the local emergency known as the "Land of EVEN Less Water Emergency," that was proclaimed as a result of extreme drought conditions that existed until recently in the County, while considering how to address the ongoing hydrologic issues in West Bishop.

SUMMARY DISCUSSION:

On January 17, 2014, Governor Brown proclaimed a State of Emergency and directed state officials to take all necessary actions to prepare for the forthcoming water shortfalls and drought conditions, due to the driest year in recorded state history. During your January 28, 2014 meeting your Board took action to concurrently approve Resolution 2014-09 proclaiming a local emergency, named the "Land of EVEN Less Water Emergency," a result of the severe and extreme drought conditions that existed in Inyo County. On June 28, 2016, your Board amended Resolution 2014-09 to include language to address the high groundwater saturation problems that were occurring in the West Bishop area due to the fluctuation in hydrologic conditions.

On April 7, 2017, due to the unprecedented water conservation and plentiful winter rain and snow, Governor Brown ended the drought state of emergency in most of California, while maintaining water reporting requirements and prohibitions on wasteful practices. Executive Order B-40-17 lifts the drought emergency except in areas where emergency drinking water projects will continue to help address diminished groundwater supplies. Executive Order B-40-17 also builds on actions taken in Executive Order B-37-16, which remains in effect, to continue to make water conservation a way of life in California.

As discussed at your Board meeting of April 18, 2017, due to the changed circumstances and conditions relating to this state and local emergency, it is recommended that the local emergency known as "The Land of Even Less Water" be modified – rather than discontinued outright – so that considerations can still be in place to address the ongoing hydrologic issues in West Bishop. At that meeting, your Board voted to continue the emergency for the time being, until staff can present a modified version to take into account the West Bishop situation. Staff is recommending the Board take the same action today.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Date: 11/22/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

17

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING: December 5, 2017

SUBJECT: Continuation of declaration of local emergency

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, known as the "Gully Washer Emergency," that resulted in flooding in the central, south and southeastern portion of Inyo County during the month of July, 2013.

SUMMARY DISCUSSION:

During your August 6, 2013 Board of Supervisors meeting your Board took action to declare a local emergency, which has been named The Gully Washer Emergency, which was a result of flooding in the central, southern and southeastern portion of Inyo County during the month of July. Since the circumstances and conditions relating to this emergency persist, your Board directed that the continuation of the declaration be considered on a biweekly basis. The recommendation is that the emergency be continued until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

(The Original plus 20 copies of this document are required)

Date: 11/22/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

18

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin D. Carunchio, County Administrator

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Continuation of proclamation of local emergency

DEPARTMENTAL RECOMMENDATION:

Request Board discuss and consider staff's recommendation regarding continuation of the local emergency, known as the "Death Valley Down But Not Out Emergency," that was proclaimed as a result flooding in the central, south and southeastern portion of Inyo County during the month of October, 2015.

SUMMARY DISCUSSION:

During your October 27, 2015 Board of Supervisors meeting your Board took action to proclaim a local emergency, which has been named the Death Valley Down But Not Out Emergency that is a result of flooding in the central, south and southeastern portion of Inyo County. Since the circumstances and conditions relating to this emergency persist, the recommendation is that the emergency be continued on a biweekly basis, until the further evaluation of the damage is completed and staff makes the recommendation to end the emergency.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS

COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

(The Original plus 20 copies of this document are required)



Date:

11/22/17



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 19

- Consent
 Departmental
 Correspondence Action
 Public Hearing
 Scheduled Time for
 Closed Session
 Informational

FROM: Kevin Carunchio, Clerk of the Board, County Administrator
BY: Darcy Ellis, Assistant Clerk of the Board

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Approval of Board of Supervisors meeting minutes

DEPARTMENTAL RECOMMENDATION: Request Board approve the minutes of the regular Board of Supervisors meeting of November 7, 2017.

SUMMARY DISCUSSION: The Board is required to keep minutes of its proceedings. Once the Board has approved the minutes as requested, the minutes will be made available to the public via the County's webpage, www.inyocounty.us.

ALTERNATIVES: N/A

OTHER AGENCY INVOLVEMENT: N/A

FINANCING: N/A

APPROVALS	
COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:
 (Not to be signed until all approvals are received) _____ Date: 11/29/17
 (The Original plus 20 copies of this document are required)



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER

20

- Consent Departmental Correspondence Action Public Hearing
 X Scheduled Time for 11 a.m. Closed Session Informational

FROM: County Administrator/County Counsel/Planning/Public Works/Agricultural Commissioner

FOR THE BOARD MEETING OF: December 5, 2017

SUBJECT: Updated Draft Proposed Commercial Cannabis Regulations

DEPARTMENTAL RECOMMENDATION:

Recommend your Board:

- (1) Receive presentation regarding updates to the proposed draft ordinances for regulating commercial cannabis activities that could occur in Inyo County, including Zoning, Nuisance Abatement, and Commercial Cannabis Business License ordinances; and
- (2) Provide input; and potentially, direct staff to begin the formal ordinance adoption process.

SUMMARY DISCUSSION:

As directed by your Board, staff held four public workshops to introduce and discuss the draft commercial cannabis ordinances and big picture policy issues presented at the November 7, 2017, Board of Supervisors meeting. The public workshops were well attended, and staff was able to collect numerous and insightful comments. Updates have been made to the drafts based on the public's comments as well as comments from your Board during the November 7th presentation.

Title 18 Zoning

The primary questions posed at the public meetings, with regard to land use regulations, related to the County allowing for commercial cannabis activities in residential zones via conditional use permits, and they applicable setbacks and buffers. A majority of people attending the meetings, with the exception of those at the Tecopa workshop, thought that the County should not allow for cannabis cultivation in any residential zones.

Staff also asked about commercial cannabis cultivation in the Rural Residential zone specifically. Again, with the exception of Tecopa, most of the people attending the workshops expressed a general discomfort with the potential impacts of commercial cannabis cultivation in residential neighborhoods and indicated that it should only be considered on large lots – over 10-acres, and with larger setbacks than the proposed 100-ft from a neighboring residence to mitigate for odor, lighting, and visual resources.

Changes to the Draft (Title 18 Ordinance - Attachment 1)

Residential Zones

The draft ordinance changing Title 18 to allow certain commercial cannabis activities has been updated to only allow for commercial cannabis cultivation on Rural Residential zoned parcels that are greater than 12-acres and

with a 300-ft setback. Twelve acres was selected as the minimum viable parcel size for cultivation as that can accommodate the 300-ft setback and still allow for cultivations with canopies of 10,000-sqft (approximately 15,000-sqft is left on a 12-acre parcel after the 300-ft setback is deducted). Your Board could also consider requiring all cultivation on or near residentially zoned parcels to be conducted indoors and to provide proper odor, lighting, and visual resource controls; this possibility was also well-received at the workshops, however, some residents – particularly in the Olancho area, expressed concerns about the impacts that large structures may have on their viewsheds. Your Board could leave this indoor/outdoor consideration to the Planning Commission as part of the CUP process.

Open Space Zone

The 300-foot setback requirement for commercial cannabis cultivation has also been added to the Open Space zone. Also updated in the proposal for the Open Space zone is allowing for processing and limited manufacturing (with non-volatile solvents) and microbusinesses. Currently, the Open Space zone allows these activities as a Conditional Use:

“Agriculturally oriented services, including those uses of land devoted to the provision of buying, selling, processing, storing, packaging and otherwise directly serving functions associated with the production of local agricultural products, and including the operation, storage and maintenance of equipment and implements, and motor vehicles and trailers primarily used to transport local agricultural products and livestock. Manufacturing other than the primary cleaning, sorting, packaging or conversion of local agricultural products is prohibited;”

This definition fits the activities suggested by interested business people at the meetings and, if applied to commercial cannabis activities, would allow for the manufacturing of local product on parcels in the Open Space zone.

Industrial Zones

Cultivation is proposed to be conditionally allowed in the industrial zones as agriculture is presently an allowed use in these zones. However, based on public concerns, again related to odor, light, and visual resources, it is staff’s recommendation that any cultivation in the industrial zones be required to be conducted indoors with appropriate mitigations to potential impacts from odor, light, and visual resources. This is similar to the “indoor-only” cultivation provision included in the draft ordinance presented on November 7th with respect to the Laws area.

Buffers and Noticing Requirements

The Draft still includes the proposed 600-ft and 1,000-ft buffers around parks and libraries (with the exception of Laws where cultivation activities would be required to be conducted indoors), in addition to the State’s required buffers around schools, daycares, and youth centers, as public comment regarding them was positive.

The Draft also still includes the use of Conditional Use Permits to regulate all commercial cannabis land uses as the majority of people who attended the recent public workshops, the Board workshop, and the workshops during the spring, expressed agreement with the use of the Conditional Use Permit process to regulated land-use related to all commercial cannabis activities.

Also still included is the enhanced noticing requirement for Conditional Use Permit hearings regarding commercial cannabis activities to include properties within 1,000 feet of the proposed project. This is an additional 700-feet to the standard 300-foot noticing area for other CUPs.

Design Guidelines

Although not currently proposed as part of Title 18, your Board may want to consider charging the Planning Commission with developing, adopting, and applying design guidelines for structures associated with commercial cannabis activities. During the community meetings, some comments and concerns were received along the lines of “what do these things look like?” The development of Design Guidelines would be an appropriate way to convey County and community expectations to applicants and help address these concerns in advance of the CUP process.

Title 18 – Zoning [Expedited] Nuisance Abatement Ordinance (Attachment 2)

No changes to the Draft Expedited Nuisance Abatement Ordinance are proposed at this time as the majority of public comments taken at the workshops indicated that most people were in favor of the draft ordinance. Some comments suggesting extending the expedited process to all commercial cannabis activities occurring in violation of County requirements, however, others expressed concerns about shortening due process timelines for non-cultivation violations without the same avoidance-concerns at issue.

Title 5 - Business Licenses and Regulations (Attachment 3)

The primary questions posed at the public meetings regarding a system of business licensing addressed the limits on the number of licenses that should be allowed, the draft proposed scoring criteria, and the duration of time that the licenses should be allowed to be renewed without requiring reapplication.

There was much discussion about the number of and the proposed duration of licenses. Both discussions were very important to the people who attended the workshops to advocate for industry/business interests. Residents seemed to appreciate the use of limiting the numbers of licenses through a competitive process, and the use of Scoring Evaluation Criteria to create community benefits (e.g., contributions to schools and community-based organizations) and public safety impacts (e.g., agreements with local fire departments and the Sheriff).

Many comments, including those made during your Board’s November 7th meeting, noted that the State license, and even the County’s proposed business license ordinance required annual renewals so, in effect, as proposed the licenses are already a “year-to-year proposition.” However, some people who advocated for no limit on the number of permits expressed a desire for a requirement that an applicant must achieve a minimum application score in order to receive a license as a means of ensuring licenses are issued only to quality businesses with strong community/public benefit plans. Based on these comments, changes to the draft ordinance allowing for certain commercial cannabis business activities have been included.

Renewal Process

Instead of language limiting the number of times a business license can be annually renewed to seven years, the proposed ordinance now provides that, as part of the annual renewal process, the Board of Supervisors may:

1. Amend the general conditions on Commercial Cannabis Business Licenses to impose additional general conditions based on relevant information brought to the County’s attention in the preceding twelve months.

2. Amend specific Commercial Cannabis Business Licenses to apply additional specific conditions to individual permits based on relevant information brought to the County's attention in the preceding twelve months.
3. Choose to reduce the numbers of Type(s) of Commercial Cannabis Business Licenses available in a specific Zone described in Section 5.40.070 below following the County's Ordinance amendment process. If the numbers of a Type of Commercial Cannabis Business License are reduced in a Zone, all existing licensees must re-apply for a Commercial Cannabis License.

These changes still provide the County with the "jumping off point" staff strongly recommends as necessary to modify license conditions and, just as importantly, ensures future Boards retain the ability to reduce the numbers of permits for different classes of cannabis business activities in different zones.

However, as an alternative to this new proposal, the previously proposed renewal cap method is updated based on suggestions from the public workshops and the County's consultant, to tier the renewal caps for various periods based on the types of businesses. (Attachment 4 – Alternative Renewal Cap Recommendations.) Under the updated proposal the number of times a license can be renewed, by license types is:

- Cultivation Licenses: 10 times
- Type 6 Manufacturing Level 1: 20 times
- Type 7 Manufacturing Level 2: 20 times
- Type 8 Testing Laboratory: 20 times
- Type 10 Retailer: 5 times
- Type 11 Distributor: 20 times
- Type 12 Microbusiness: The least maximum number of times allowed for any given commercial cannabis activity undertaken in the microbusiness.

License Limitations

Limiting the number of licenses that will be allowed by type and geography has been altered somewhat with regard to the boundaries of the proposed zones to be used to identify the number of licenses that will be available for each class of commercial cannabis activity. The Draft has maintained the method of generally following Supervisorial District boundaries, but District 5 is being divided into seven subzones due to its size and distances between communities; and, there is a deviation in the District 1 and 2 boundaries to include the Early Pond area into zone comprised of District 1. No firm ideas came forth at the workshops suggesting the numbers of licenses that should be allowed. Recently released emergency State regulations also may call for expanding the license types available (and establishing limits thereon) in the final ordinance.

The descriptions for each license limitation area are described as follows (Attachment 5 Maps and Tables of Potentially Available Parcels):

Zone 1 shall be comprised of the First Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance and the unincorporated Inyo County portion of the Second Supervisorial District encompassing Tu Su Lane on the north, Early Pond on the south and See Vee Lane on the east, as that supervisorial district existed at the time of enactment of this Ordinance.

Zone 2 shall be comprised of the Second Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, excluding the unincorporated Inyo County portion of the Second Supervisorial District encompassing Tu Su Lane on the north, Early Pond on the south and See Vee Lane on the east, which shall be assigned to Zone 1 above.

Zone 3 shall be comprised of the Third Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance.

Zone 4 shall be comprised of the Fourth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance.

Zone 5A shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the Fourth Supervisorial District; on the east, from Owenyo Lone Pine Road and Dolomite Loop Road to Highway 136 between Owenyo Lone Pine Road and Highway 395 and Highway 395 south to the intersection of Cottonwood Creek Road; on the south, westward from Cottonwood Creek Road, along Cottonwood Creek, to Horseshoe Meadows Rd. to the end of Horseshoe Meadows Road and due west approximately 2.6-miles to the County line.

Zone 5B shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the southern boundary of Zone 5A extending to 2.5-miles due east of the junction of Cottonwood Creek Road and Highway 395; on the east, from 2.5-miles due east of the junction of Cottonwood Creek Road and Highway 395 and extending south, along a line 2.5-miles east and parallel to Highway 395, to the northern boundary of Zone 5C approximately 2.5 miles from Highway 395; on the south, westward from the northern boundary of Zone 5C approximately 2.5 miles from Highway 395 to the County line; and, on the west the County line to the southern boundary of Zone 5A.

Zone 5C shall be comprised of the area Within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the southern boundary of Zone 5B and extended into Zone 5D south boundary approximately 5-miles; on the east, the western boundary of the China Lake Naval Weapons Station; on the south, the County line; and, on the west, the County line to the boundary of Zone 5B.

Zone 5D shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, by the intersection of Owenyo Lone Pine Road and the boundary of the Fourth Supervisorial District eastward along the boundary of the Fourth Supervisorial District to the western boundary of Death Valley National Park; on the east, southward along the western boundary of Death Valley National Park to its intersection with Old Toll Road south to Ophir Road, and continuing south on Ophir Road to the northern boundary of the China Lake Naval Weapons Station; on the south, the northern boundary of the China Lake Naval Weapons Station extending due west to the northeast corner of Zone C and extending 5-miles west along the northern boundary of Zone C to a point 2.5-mile east of Highway 395; and, on the west, 2.5-miles east of Highway 395 and extending north, along a line 2.5-miles east and parallel to Highway 395 until a point 2.5-miles due west of the junction of Cottonwood Creek Road and Highway 395; and north following Highway 395 to the junction of Highway 395 and Highway 136 and following Highway 136 east to Dolomite Loop Rd, and following Dolomite Loop Rd. north to Owenyo Lone Pine Rd. and following Owenyo Lone Pine Rd to the southern boundary of District 4 at a point 2.5-miles east of Highway 395.

Zone 5E shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north and the east, the western boundary of Death Valley National Park; on the south, the County line; and, on the west the eastern boundary of the China Lake naval Weapons Station extending north along Ophir Road and Old Ophir Road until the intersection with the boundary of Death Valley National Park.

Zone 5F shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the northern boundary of Death Valley National Park; on the east, the Nevada State line south to the northern crest of the Nopah mountain range and south along the crest of the Nopah mountain range to the County line; on the south, the County line; and, on the west, the western boundary of Death Valley National Park.

Zone 5G shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north and east, the intersection of northern crest of the Nopah mountain range and the Nevada State line south along the State line to the Inyo County line; on the south along the County line; and, on the west, the northern crest of the Nopah mountain range northward to the intersection with the Nevada State line.

For further clarity, staff proposes maps of each of each of these Zones be included in the final ordinance.

License Application Criteria

Changes have been made to the draft proposed Scoring Evaluation Criteria to provide clarity based on public comments including to proposed 5.40.090 (E)(1):

- (d) “Proposed measures to mitigate potential negative impacts to the community including but not limited to odor control and community safety considerations” has been changed to: ‘Proposed measures to mitigate potential negative impacts to the community including but not limited to police and fire community safety considerations.’”
- (f) “Residency consideration, including: operator residing within the County and commitment to hiring employees residing in unincorporated Inyo County at 200% above the Federal Poverty Level for a family of two” has been changed to: “Residency consideration, including: operator residing within the County, hiring preferences for residents of unincorporated Inyo County; and wages proposed to be paid to employees.”
- (g) “Community Benefit Plan, including identification of a designated community liaison” has been changed to “Community Benefit Plan, including identification of projects that will benefit local schools, community organizations and events.”

Remember, these are evaluation criteria and NOT prerequisites or requirements. The criteria, however, will ensure that any applicant receiving a license considers community and public benefits as part of their license application.

To respond to suggestions that applicants must achieve a minimum score to be granted a license, changes to 5.40.090 regarding situations where the maximum number of licenses have not been applied for, under 5.40.090 (H), states: “An application for a Commercial Cannabis Business License must achieve a score of at least 80% of the total possible points on the final Application Scoring Approval Evaluation approved by the Board of Supervisors in order to be awarded a Commercial Cannabis Business License.”

ALTERNATIVES:

Your Board can provide direction on any of the proposed updated ordinances in their entirety, or provide direction with respect to specific policy considerations within each ordinance. In addition to providing input and direction at today's meeting, your Board could direct staff to initiate the formal ordinance adoption process. This codification process will begin with a Planning Commission hearing and a recommendation to your Board for the proposed land use ordinance, and conclude with your Board considering approval of the draft ordinances based on community and stakeholder input.

Also, the Working Group is still soliciting input from County departments and local fire districts, and the final ordinances may be adjusted to reflect these comments, as well as respond to changes or other nuances in State regulations as noted above. Comments received from other County officials to date, including the Treasurer-Tax Collector, have been considered and incorporated in the draft ordinances being presented today.


OTHER AGENCY INVOLVEMENT:


County departments and other local and state agencies.


FINANCING:


Other than consulting costs and staff time, there is no additional cost associated with considering the proposed regulations. Funding for HdL's consulting services is encumbered in the budget. The Fiscal Year 2017-2018 Board Approved Budget does not contemplate or rely on any revenue, or provide additional staffing, associated with the possible permitting and operation of commercial cannabis businesses occurring in 2018. At this time, the County is focused on developing the best possible public policies to meet the needs and desires of the community with regard to cannabis activities.


<u>APPROVALS</u>	
COUNTY COUNSEL:	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> <div style="text-align: right; margin-right: 50px;">  Approved: <u>420</u> Date <u>11/30/17</u> </div>
AUDITOR/CONTROLLER:	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> <div style="text-align: right; margin-right: 50px;"> Approved: _____ Date _____ </div>
PERSONNEL DIRECTOR:	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> <div style="text-align: right; margin-right: 50px;"> Approved: _____ Date _____ </div>

DEPARTMENT HEAD SIGNATURE:  Date: 11/30/17
 (Not to be signed until all approvals are received)

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 (Not to be signed until all approvals are received)

Attachment 1
Title 18 Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF INYO, STATE OF CALIFORNIA, AMENDING SECTION 18.06.030, AND ADDING SECTIONS, 18.06.161, 18.06.162, 18.06.163, 18.06.181, 18.06.182, 18.12.040, 18.21.040, 18.44.030, 18.45.030, 18.48.030, 18.49.040, 18.56.040, 18.57.040, AND 18.78.360, ~~and 18.78.130~~ OF THE INYO COUNTY CODE.

The Board of Supervisors of the County of Inyo ordains as follows:

SECTION ONE. Purpose/Authority.

The purpose of this ordinance is to add and amend sections to the County Zoning Ordinance, set forth in Title 18 of the Inyo County Code, to allow for the orderly development of commercial cannabis activities, while protecting the health, safety and welfare of Inyo County citizens, in the Open Space, Rural Residential, Central Business, General Commercial and Retail, Highway Services and Tourist Commercial, Heavy Commercial, Light Industrial and General Industrial and Extractive Zones and to add standards guiding commercial cannabis activities to be consistent with both California law and the goals of the Inyo County General Plan ED-4 and AG-1.2. This ordinance is enacted pursuant to the authority given this Board of Supervisors by the California Planning and Zoning Law, set forth in Government Code 65000 et seq., which authorizes a county to enact ordinances governing the uses of land within its jurisdiction.

SECTION TWO. Section 18.06.30 of the Inyo County Code ~~Agriculture~~ is amended in its entirety to read as follows:

“18.06.030 Agriculture.

"Agriculture" means the tilling of soil, the raising of crops, horticulture, small livestock farming, dairying or animal husbandry, including all uses customarily incidental thereto but not including cannabis cultivation, slaughterhouses, fertilizer works, bone yards or plants for the reduction of animal matter or any other industrial or agricultural use which is determined by the Planning Commission to be similarly objectionable because of noise, odor, smoke, dust or fumes.”

SECTION THREE. ~~Chapter 18.06 of the The~~ Inyo County Code is amended to add section 18.06.161 as follows:

“18.06.161 Cannabis.

“Cannabis " means all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include (a) industrial hemp, as defined in Section 11018.5 of the California Health and Safety Code as may be amended; or (b) The weight of any other ingredient

combined with cannabis to prepare topical or oral administrations, food, drink, or other product.”

SECTION FOUR. ~~Chapter 18.06 of the~~The Inyo County Code is amended to add section 18.06.162 as follows:

“18.06.162 Cannabis Accessories.

“Cannabis accessories” means any equipment, products or materials of any kind which are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, smoking, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis or cannabis products into the human body.”

SECTION FIVE. ~~Chapter 18.06 of the~~The Inyo County Code is amended to add section 18.06.163 as follows:

“18.06.163 Cannabis Products.

“Cannabis products” means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.”

SECTION SIX. ~~Chapter 18.06 of t~~The Inyo County Code is amended to add section 18.06.181 as follows:

“18.06.181 Commercial Cannabis Activity.

“Commercial cannabis activity” means any commercial business activity relating to cannabis, including but not limited to cultivating, transporting, distributing, manufacturing, compounding, converting, processing, preparing, storing, packaging, delivering, and selling (wholesale and/or retail sales) of cannabis and any ancillary products and accessories in the unincorporated area of the County, whether or not carried on for gain or profit.”

SECTION SEVEN. ~~Chapter 18.06 of t~~The Inyo County Code is amended to add section 18.06.182 as follows:

“18.06.182 Commercial Cannabis Conditional Use Permit Classification.

Commercial cannabis conditional use permits potentially available under this Title 18 shall, at a minimum, be as follows:

- A. Cultivation Permit for commercial activity involving activity involving the planning, growing, harvesting, drying, curing, grading, or trimming of cannabis.
- B. Type 6, "Manufacturing Level 1," for sites that manufacture cannabis products using nonvolatile solvents, or no solvents.
- C. Type 7, Manufacturing Level 2, "for sites that manufacture cannabis products using volatile solvents.
- D. Type 8, Testing Laboratory.
- E. Type 10, "Retailer," for the retail sale and delivery of marijuana cannabis or marijuana cannabis products to customers.

- F. Type 11, "Distributor " for the distribution of marijuana cannabis and marijuana cannabis products.
- G. Type 12, "Microbusiness" for the cultivation of marijuana on an area less than 10,000 square feet and to act as a licensed distributor, Level 1 manufacturer, and/or retailer.”

SECTION EIGHT. Inyo County Code Section 18.12.040 ~~of the Inyo County Code~~ is amended to add ~~a new~~ subsections **N, O, and P** as follows:

“N. Commercial cannabis cultivation which shall be at least five feet separated from any side or rear lot line, shall not be conducted within the applicable front yard setback, and shall comply with otherwise applicable yard requirements.

“O. Non-volatile cannabis manufacturing pursuant to commercial cannabis license classification 6.

“P. Cannabis microbusinesses pursuant to pursuant to commercial cannabis license classification 12.”

SECTION NINE. Inyo County Code Section 18.21.040 ~~of the Inyo County Code~~ is amended to add ~~new~~ subsection **Hs** as follows:

~~“H. — Commercial cannabis cultivation less than or equal to 5,000 square feet inclusive, of total canopy size on one parcel. Such cultivation shall be separated by at least one hundred (100) feet from any dwelling unit existing on another parcel, and shall comply with otherwise applicable yard requirements;~~

~~I. — Commercial cannabis cultivation, on parcels equal to or greater than one (1) acre, less than 10,000 square feet, inclusive, of total canopy size on one parcel. Such cultivation shall be separated by at least one hundred (100) feet from any dwelling unit existing on another parcel, and shall comply with otherwise applicable yard requirements;~~

~~JH. Commercial cannabis cultivation, on parcels greater than twelve (12) acres, so long as the total canopy size, inclusive, is no greater than twenty five percent (25%) of the lot area. Such cultivation shall be at least three hundred (300) feet from all parcel lot lines.”~~

~~Commercial cannabis cultivation, on parcels greater than ten (10) acres, so long as the total canopy size, inclusive, is no greater than twenty five percent (25%) of the lot area. Such cultivation shall be separated by at least one hundred (100) feet from any dwelling unit existing on another parcel, and shall comply with otherwise applicable yard requirements.”~~

SECTION TEN. Inyo County Code Section 18.44.030 ~~of the Inyo County Code~~ is amended to add ~~new~~ subsections **H, I, and J** as follows:

“H. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;

I. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;

J. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12.”

SECTION ELEVEN. Inyo County Code Section 18.45.030 ~~of the Inyo County Code~~ is amended to add ~~new~~ subsections **K, L, and M** as follows:

- “K. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;
- L. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;
- M. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12.”

SECTION TWELVE. Inyo County Code Section 18.48.030 ~~of the Inyo County Code~~ is amended to add ~~new~~-subsections L, M, and N as follows:

- “L. Commercial cannabis retailer and delivery, pursuant to commercial cannabis license classification 10;
- M. Commercial cannabis distributor pursuant to commercial cannabis license classification 11;
- N. Commercial cannabis microbusiness pursuant to commercial cannabis license classification 12.”

SECTION THIRTEEN. Inyo County Code Section 18.49.040 ~~of the Inyo County Code~~ is amended to add ~~new~~-subsections K, L, M, and N as follows:

- “K. Non-volatile cannabis manufacturing pursuant to commercial cannabis license classification 6;
- L. Commercial cannabis transportation or distribution facilities pursuant to commercial cannabis license classification 11;
- M. Commercial cannabis testing facilities pursuant to commercial cannabis license classification 8;
- N. Cannabis microbusinesses pursuant to pursuant to commercial cannabis license classification 12.”

SECTION FOURTEEN. Inyo County Code Section 18.56.040 ~~of the Inyo County Code~~ is amended to add ~~new~~-subsections G, H, I, J, and K as follows:

- “G. Commercial cannabis cultivation up to 10,000 square feet inclusive, of total canopy size on one premise;
- H. Non-volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 6;
- I. Commercial cannabis transportation or distribution facilities pursuant to commercial cannabis license classification 11;
- J. Commercial cannabis testing facilities pursuant to commercial cannabis license classification 8;
- K. Cannabis microbusinesses pursuant to pursuant to commercial cannabis license classification 12.”

SECTION FIFTEEN. Inyo County Code Section 18.57.040 ~~of the Inyo County Code~~ is amended to add ~~new~~-subsections G, H, I, J, K, and L as follows:

- “G. Commercial cannabis cultivation;
- H. Non-volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 6;

- I. Volatile commercial cannabis manufacturing pursuant to commercial cannabis license classification 7;
- J. Commercial cannabis transportation or distribution facilities pursuant to commercial cannabis license classification 11;
- K. Commercial cannabis testing facilities pursuant to commercial cannabis license classification 8;
- L. Cannabis microbusinesses pursuant to pursuant to commercial cannabis license classification 12.”

SECTION SIXTEEN. Chapter 18.78 of the Inyo County Code is amended to add subsection 18.78.360 as follows:

“18.78.360 Commercial Cannabis.

A. Conditional use permits are required in all instances of land use involving commercial cannabis activities. Issuance of any conditional use permit for commercial cannabis activities shall be contingent upon the commercial cannabis activity being conducted in compliance with all applicable State and local laws, including but not limited to Inyo County Code Chapters 3.50 (taxes) and 5.40 (business license). The business license required by Chapter 5.40 shall be obtained prior to the planning commission holding a hearing on an application for a conditional use permit pursuant to this section.

B. Conditional use permits for commercial cannabis activities are potentially available as follows:

1. Cultivation - in the Open Space, Rural Residential, Heavy Industrial and Extractive, and Light Industrial zones;
2. Manufacturer Level 1 - in the Open Space, Heavy Commercial, Light Industrial and Heavy Industrial and Extractive zones;
3. Manufacturer Level 2 - in the General Industrial and Extractive zone;
4. Retailer - in the Central Business, General Commercial and Retail, Highway Service and Tourist Commercial; Distributor – in the Heavy Commercial, General Industrial and Extractive and Light Industrial zones; and,
5. Microbusiness – in the Open Space, Heavy Commercial, General Industrial and Extractive and Light Industrial zones so long as the authorized microbusiness does not otherwise expand the types of land uses within said zones.

C. Consistent with California Business and Professions Code section 26054(b), no commercial cannabis activities shall be conditionally permitted on a parcel within a 600-foot radius of a park or library in existence at the time the conditional use permit application is deemed complete by the Inyo County Planning Department. This section shall not include the area commonly known as “Laws”, provided that any cultivation in Laws shall be indoors and subject to odor mitigation requirements.

D. Consistent with California Health and Safety Code section 11362.3, no conditional use permit authorizing the smoking of cannabis or cannabis products shall be issued for a parcel within 1000 feet of a park or library while children are present at any such facility.

E. Additional conditions beyond the minimum standards may be required to mitigate potential impacts identified in the County’s consideration of an application for a conditional use permit for commercial cannabis activity, including, but not limited to, measures to eliminate unnatural light pollution and odors.

F. In addition to any requirements set forth in Inyo County Code Chapter 18.81, notice shall be provided to all properties located within 1,000-feet of the property the commercial cannabis activity is proposed on.”

SECTION SEVENTEEN.

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such a decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this ordinance would be subsequently declared invalid or unconstitutional.

SECTION EIGHTEEN. Effective date.

This Ordinance shall take effect and be in full force and effect thirty (30) days after its adoption. Before the expiration of fifteen (15) days from the adoption thereof, a summary of this Ordinance shall be published once in a newspaper of general circulation printed and published in the County of Inyo, State of California in accordance with Government Code Section 25124(b). The Clerk of the Board is hereby instructed and ordered to so publish a summary of this Ordinance together with the names of the Board voting for and against same.

PASSED AND ADOPTED this _____, by the following vote of the Inyo County Board of Supervisors:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Dan Totheroh, Vice Chairperson

ATTEST: Kevin Carrunchio
Clerk to the Board

By: _____
Darcy Ellis, Assistant

Attachment 2
Expedited Nuisance Abatement Ordinance

CHAPTER 18.82
EXPEDITED ABATEMENT PROCEDURE FOR NUISANCES CAUSED BY CANNABIS
CULTIVATION

- 18.82.010 - Findings, Purpose and Authority**
- 18.82.020 - Consistency with Title 22**
- 18.82.030 - Scope of Chapter**
- 18.82.040 - Summary Abatement**
- 18.82.050 - Standard Abatement**
- 18.82.060 - Administrative Order to Show Cause**
- 18.82.070 - Service of Notice and Order to Show Cause**
- 18.82.080 - Automatic Hearing Procedures**
- 18.82.090 - Enforcement**
- 18.82.100 - Liability for Costs**
- 18.82.110 - General Penalty**
- 18.82.120 - Severance**

18.82.010 - Findings, Purpose and Authority.

The Board of Supervisors of Inyo County finds that effective abatement of nuisances caused by cultivation of cannabis requires a more expedient set of procedures than those otherwise appropriate for other types of nuisances as laid out in Inyo County Code Title 22. This chapter is enacted pursuant to Government Code Sections 25843 and 53069.4 to address the unique circumstances related to abatement of nuisances caused by cannabis cultivation.

18.82.020 – Consistency with Title 22.

To the extent they are not inconsistent, this Chapter shall incorporate the provisions of Title 22.

18.82.030 - Scope of Chapter.

Any cannabis cultivation activity not in compliance with all applicable provisions of the Inyo County Code is hereby declared to be a nuisance. When such a public nuisance is declared the procedures in this Chapter may be applied.

18.82.040 - Summary Abatement.

After a public nuisance is declared, the nuisance may be summarily abated by any reasonable means and without notice or hearing when immediate action is necessary to preserve or protect the public health or safety.

18.82.050 - Standard Abatement.

Whenever the County Administrator finds that a public nuisance caused by cultivation of cannabis exists within the unincorporated area of Inyo County, he or she may utilize the abatement procedures provided by Title 22 of this Code.

18.82.060 - Administrative Order to Show Cause.

As an alternative to the uniform abatement procedures provided in Title 22, the County Administrator may instead utilize the provisions of this Chapter, starting with the issuance of a notice and administrative order to show cause. The notice and order to show cause shall:

- A. Identify the owner(s) of the property upon which the nuisance exists, as named in the records of the county assessor, and identify the occupant(s), if other than the owner(s), and if known or reasonably identifiable.
- B. Describe the location of such property by its commonly used street address, giving the name or number of the street, road or highway and the number, if any, of the property.
- C. Identify such property by reference to the assessor's parcel number.
- D. Contain a statement describing the unlawful conditions existing on the premises that caused the declaration of a public nuisance, and that also describes the actions required to abate it.
- E. Contain a statement that the owner or occupant is required to abate the unlawful conditions caused by cannabis cultivation within five (5) calendar days after the date that said notice was served.
- F. Notify the recipient(s) that, unless the owner or occupant abates the conditions, a hearing will be held before a hearing officer appointed in accordance with this Chapter to determine whether there is any good cause why these conditions should not be abated.
- G. Specify the date, time, and location of the hearing to be held before a hearing officer, or state that the date, time and location of the hearing will be specified in a subsequent notice.
- H. State that the owner or occupant will be given an opportunity at the hearing to present and elicit testimony and other evidence regarding whether the conditions existing on the property constitute a nuisance under this chapter, or whether there is any other good cause why those conditions should not be abated.
- I. Contain a statement that, unless the owner or occupant abates the conditions, or shows good cause before the Hearing Officer why the conditions should not be abated, the enforcing officer, his or her Department, or other authorized designee will cause to be done whatever work is necessary to abate the nuisance.
- J. State that the abatement costs, including administrative costs and any general penalties imposed pursuant to Chapter 1.20, may be made a special assessment added to the county assessment roll and become a lien on the real property, or be placed on the unsecured tax roll.

18.82.070 - Service of Notice and Order to Show Cause.

The notice and order to show cause shall be served on each Owner and on each Occupant, if known to the County Administrator, of the subject property, in the following manner:

- A. By posting a copy of the notice in a conspicuous place in front of or on the real property on which, or in front of which, the nuisance exists, or if the property has no frontage upon any street, highway, or road, then upon the portion of the property nearest to a street, highway, or road, or most likely to give actual notice to the owner and any person known by the County Administrator to be in possession of the property; and
- B. By either personal service, or by United States mail, first class or overnight, or by overnight courier service. If by mail or courier service, then postage shall be prepaid with a certificate of mailing requested, and shall be addressed to each Owner at the address shown on the last equalized assessment roll or last known address according to the County Assessor, and addressed to each Occupant known to the County Administrator at the street address of the subject property.
- C. Date of service shall be deemed to be the date of personal service, or five (5) days after delivery by United States first class mail, or one (1) day after overnight delivery by either the United States mail or courier service.
- D. If the notice and order are properly and timely served, the failure of any owner or occupant to receive such notice shall not affect the validity of the proceedings conducted herein.

18.82.080 - Automatic Hearing Procedures.

- A. In order to hear cases brought by the County Administrator under this Chapter, the Board of Supervisors authorizes the use of a Hearing Officer consistent with Inyo County Code section 22.12.050. The County Administrator shall coordinate with County Counsel, prior to the issuance of any notice and order to abate, to ensure that a Hearing Officer is appointed for the purpose of presiding at the administrative hearings provided for by this Chapter.
- B. The Hearing Officer shall hold an administrative hearing to determine whether the conditions existing on the property subject to the notice constitute a nuisance under this Chapter, or whether there is any other good cause why those conditions should not be abated. This hearing shall be held no less than five (5) calendar days after service of the notice and order to show cause.
- C. Parties may choose to be represented by an attorney; however, formal rules of evidence or procedure shall not apply. Any relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs. Nonetheless, any failure to make a timely objection to offered evidence constitutes a waiver of the objection. The Hearing Officer has discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will necessitate undue consumption of time.
- D. The hearing shall be conducted in the English language. The proponent of any testimony by a witness who does not proficiently speak the English language shall provide an interpreter who has been certified as an interpreter by either the State of California or the County of Inyo.
- E. The County Administrator shall first describe the acts or conditions constituting a nuisance. Thereafter, the Owner or Occupant of the property shall be given an opportunity at the hearing to present and elicit testimony and other evidence regarding whether the conditions

existing on the property constitute a nuisance under this Chapter, or whether there is any other good cause why those conditions should not be abated.

- F. In the event that the Owner or Occupant does not appear and present evidence at the hearing, the Hearing Officer may base their decision solely upon the evidence submitted by the Enforcement Officer. Failure of the Owner or Occupant to appear and present evidence at the hearing shall constitute a failure to exhaust administrative remedies.
- G. The Hearing Officer shall consider the evidence presented by the parties, and shall issue a written decision and order that either affirms, reverses, or modifies the determination contained in the administrative order to show cause issued by the Enforcement Officer, and may include findings relating to the existence or non-existence the alleged nuisance caused by cannabis cultivation, as well as findings concerning the propriety and means of abatement of the conditions set forth in the notice and order to show cause. If the notice and order to show cause has been combined with the administrative citation and penalties set forth in Inyo County Code Chapter 1.20, then the decision shall also include said matters. Such decision shall be served on the parties upon whom the notice and order to show cause was served and posted on the subject property at the same or at a similar place as utilized for the posting of the notice and order to show cause.

18.82.090 - Enforcement.

If the owner or occupant fails to abate any nuisance caused by the cultivation of cannabis within two (2) calendar days of the date of service of the decision of the Hearing Officer under this Chapter requiring such abatement, the County Administrator or other authorized designee may cause to be done whatever work is necessary to abate the nuisance. If necessary, the County Administrator may apply to a court of competent jurisdiction for a warrant authorizing entry upon the property for purposes of inspecting the property to determine if the nuisance remains and also for undertaking the work to abate the nuisance if the nuisance had not already been abated.

18.82.100 - Liability for Costs.

- A. In any enforcement action brought pursuant to this Chapter, each person who causes, permits, suffers, or maintains the nuisance caused by the cultivation of cannabis shall be liable for all costs incurred by the County, including, but not limited to, administrative costs, and any and all costs incurred to undertake, or to cause or compel any responsible party to undertake, any abatement action in compliance with the requirements of this chapter, whether those costs are incurred prior to, during, or following enactment of this chapter.
- B. The costs of abatement incurred as a result of enforcement pursuant to this Chapter may be recovered.

18.82.110 – General Penalty.

The general penalty set forth in Inyo County Code Chapter 1.20 may be imposed in conjunction with and pursuant to the procedures set forth in this Chapter.

18.82.120 - Severance.

The provisions of this Ordinance are separate and severable. If any provision of this Ordinance is for any reason held by a court to be unconstitutional or invalid, the Board declares that it would have passed this Ordinance irrespective of the invalidity of the provision held to be unconstitutional or invalid. Such unconstitutionality or invalidity shall therefore not affect the remaining provisions of this Ordinance, or the validity of its application to other persons or circumstances.

DRAFT

Attachment 3
Business Licenses and Regulations

Chapter 5.40

COMMERCIAL CANNABIS BUSINESS LICENSE

Sections:

5.40.010 - Purpose

5.40.020 - Definitions

5.40.030 – Applicability & Limitation

5.40.040 – Commercial Cannabis Business License required

5.40.050 - Separate license required for each place of business

5.40.060 - Time of procurement and term

5.40.070 - Limitation on number of licenses available

5.40.080 - Form of application

5.40.090 - License review and issuance process

5.40.100 - Required fee payments

5.40.110 - Reserved

5.40.120 - Reserved

5.40.130 - Licenses nontransferable

5.40.140 - Grounds for revocation

5.40.150 - Appeal

5.40.160 - Enforcement of chapter

5.40.170 - Penalty for violation

5.40.010 - Purpose.

The purpose of this Chapter is to regulate the cultivation, processing, manufacturing testing, sale, delivery, distribution and transportation of medicinal and adult-use cannabis and cannabis products in a responsible manner to protect the health, safety, and welfare of the residents of Inyo County and to enforce rules and regulations consistent with state law. It is the further purpose of intent of this Title to require all commercial cannabis operators to obtain and renew annually a license to operate within Inyo County. Nothing in this Title is intended to authorize the possession, use, or provision of cannabis for purposes that violate state or federal law. The provisions of this Title are in addition to any other permits, licenses and approvals which may be required to conduct business in the County, and are in addition to any permits, licenses and approvals required under state, county, or other law.

5.40.020 - Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings set forth below when used in this chapter:

"Applicant" means the individual, partnership, association, limited liability company, or corporation that has applied for, but not yet obtained a Commercial Cannabis Business License to operate and conduct a business for which a Commercial Cannabis Business License is required pursuant to the provisions of this chapter.

"Application" means a written request submitted to the County Commercial Cannabis Permit Office for any license required by this chapter.

"Business" means all activities engaged in or caused to be engaged within the unincorporated area of the County, and includes professions, trades, vocations, enterprises, establishments, occupations, and all and every kind of calling, any of which are conducted or carried on for the purpose of earning in whole or in part a profit or livelihood, whether or not a profit of livelihood actually is earned thereby, whether paid in money, goods, labor, or otherwise. A business shall also include a person as herein defined, but shall not include the services rendered by an employee to his or her employer. "Business" also means the soliciting of orders and the delivery of goods at either a fixed physical location and/or those that are operated on a mobile basis.

"Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant; its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" also means marijuana as defined by Section 11018 of the California Health and Safety Code and is not limited to medical cannabis.

"Cannabis product" means raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, an edible product, or a topical product. "Cannabis product" also means marijuana products as defined by Section 11018.1 of the California Health and Safety Code and is not limited to medical cannabis products.

"Canopy" means all areas occupied by any portion of a cannabis plant, inclusive of all vertical planes, whether contiguous or noncontiguous on any one site. The plant canopy does not need to be continuous on any premise in determining the total square footage.

"Commercial cannabis business" means any business activity relating to cannabis, including but not limited to cultivating, transporting, distributing, manufacturing, compounding, converting, processing, preparing, storing, packaging, delivering, and selling (wholesale and/or retail sales) of cannabis and any ancillary products and accessories in the unincorporated area of the County, whether or not carried on for gain or profit.

"Commercial cannabis business license" means the license issued pursuant to this chapter, which is required for all commercial cannabis business that is taxed pursuant to Inyo County Code Chapter 3.50 and California Revenue and Taxation Section 7284, and independent of any Conditional Use Permit that may be required to conduct a commercial cannabis business at a specific location.

"County Commercial Cannabis Permit Office" or "C3PO" means the Office of the Agricultural Commissioner of the County of Inyo, his or her deputies, or any other County officer charged with the administration of the provisions of this chapter unless otherwise designated by resolution of the Inyo County Board of Supervisors.

"Fixed place of business" means any establishment, store, office or central place for carrying on regular activities.

"Operator" means any person who is operating and conducting, or intends to operate and conduct, a commercial cannabis business for which a license is required pursuant to the provisions of this chapter.

"Premises" means the designated structure or structures and/or land specified in the application for a commercial cannabis business license that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis business will be or is conducted. A premises is not necessarily a parcel and one or more licenses may be required or issued per parcel.

"Person" means and includes an individual, partnership, corporation, limited liability company, firm, joint-venture, estate, trust, business trust, receiver, syndicate, association, cooperative or any other group or combination acting as a unit; when the terms used in this Section designate the principal, the same means and includes the clerk, agents, servants, representatives, and employees or such principals, it being the intent of this Chapter to license the business and not separate or individual acts or activities which constitute integral or related parts of the business except as otherwise provided in this Chapter.

5.40.030 – Applicability & Limitation.

This chapter applies in the unincorporated area of the County of Inyo. A Commercial Cannabis Business License granted pursuant to this chapter does not authorize any occupation or activity of any kind which is prohibited by any other County regulation, including zoning ordinances, or by any State statute, law, rule, order or regulation.

5.40.040 – Commercial Cannabis Business License required.

It is unlawful for any person to maintain, conduct, operate, or carry on within the unincorporated area of the County any commercial cannabis business, unless such person is issued a commercial cannabis business license pursuant to this chapter for such business, and such person is currently in compliance with all applicable state and local laws and regulations pertaining to the commercial cannabis business and the commercial cannabis activities, including the duty to obtain any required local land use approvals and state licenses.

5.40.050 - Separate license required for each class and place of business.

- A. A separate Commercial Cannabis Business License is required for each class of commercial cannabis land-use activity permitted by the County as set forth in Inyo County Code Section 18.06.182. Except for Type 8 licenses (testing laboratory) all license classes may be distinguished based on whether the business is for commercial adult-use cannabis activity ("A") or for commercial medicinal cannabis activity ("M").
- B. A separate Commercial Cannabis Business License shall be required for each premises where commercial cannabis activity is carried on, at, or out of, regardless of ownership.
- C. A licensee may conduct its commercial cannabis business only at the location and in the manner specified in the Commercial Cannabis Business License.

5.40.060 - Time of procurement and term.

- A. The Commercial Cannabis Business License required by this chapter shall be procured prior to the commencement of business or, if the business is in operation and a license possessed, shall be renewed annually and prior to the expiration of such license in order for the license to remain valid.
- B. Operators who fail to annually renew their Commercial Cannabis Business License prior to the anniversary date on which the license was issued will be required to submit a new application, obtain all appropriate approvals, and pay the application and license fees in addition to any previous penalties due.
- C. As part of the annual renewal process, the County, acting through the Board of Supervisors at a public hearing noticed at least 10-days in advance, may:
 - 1. Amend the general conditions on Commercial Cannabis Business Licenses to impose additional general conditions based on relevant information brought to the County's attention in the preceding twelve months. If appropriate in the County's sole discretion, the County may specify a time period within which the Operator must comply with such additional conditions.
 - 2. Amend a specific Commercial Cannabis Business Licenses to apply additional specific conditions based on relevant information brought to the County's attention in the preceding twelve months. If appropriate in the County's sole discretion, the County may specify a time period within which the Operator must comply with such additional conditions.
 - 3. Unless terminated pursuant to the terms of this chapter, the Commercial Cannabis Business License required by this chapter may only be annually renewed a maximum of 7 times. After that, the business must re-apply for a May choose to reduce the numbers of Type(s) of Commercial Cannabis Business Licenses available in a specific Zone described in Section 5.40.070 below following the County's Ordinance amendment process. If the numbers of a Type of Commercial Cannabis Business License are reduced in a Zone, all existing licensees must re-apply for a Commercial Cannabis License pursuant to section 5.40.090 below. If necessary and appropriate in the County's sole discretion, the County may grant a temporary extension to any affected existing license to prevent it from expiring during the application process specified by section 5.40.090.

5.40.070 – Limitation on number of licenses available.

- A. The number of Commercial Cannabis Business Licenses available for each class of commercial cannabis activity, as set forth in Inyo County Code Section 18.06.182, shall be limited by zone as described below. supervisorial district as those supervisorial districts exist at the time of enactment of this Ordinance. Any amendment of this Ordinance further limiting the number of Commercial Cannabis Business Licenses available shall not result in the revocation of any Commercial Cannabis Business License existing and in good standing at the time of such a reduction. The number of available licenses shall be as set forth below, provided however that only one license-type per parcel shall count toward the applicable limit:

1. Zone 1 shall be comprised of ~~Within~~ the First Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance and the unincorporated Inyo County portion of the Second Supervisorial District encompassing Tu Su Lane on the north, Early Pond on the south and See Vee Lane on the east, as that supervisorial district existed at the time of enactment of this Ordinance. The Commercial Cannabis Business Licenses available in Zone 1 shall be as follows:

a. Cultivation Licenses:

1. **##** for all cultivation activities of 5,000 square feet or less; and
2. **####** for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: **####**

c. Type 7 Manufacturing Level 2: **####**

d. Type 8 Testing Laboratory: **####**

e. Type 10 Retailer: **###**

f. Type 11 Distributor: **###**

g. Type 12 Microbusiness: **###**

2. Zone 2 shall be comprised of ~~Within~~ the Second Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, excluding the unincorporated Inyo County portion of the Second Supervisorial District encompassing Tu Su Lane on the north, Early Pond on the south and See Vee Lane on the east, which shall be assigned to Zone 1 above. The Commercial Cannabis Business Licenses available in Zone 2 shall be as follows:

a. Cultivation Licenses:

1. **##** for all cultivation activities of 5,000 square feet or less; and
2. **####** for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: **####**

c. Type 7 Manufacturing Level 2: **####**

d. Type 8 Testing Laboratory: **####**

e. Type 10 Retailer: **###**

f. Type 11 Distributor: **###**

g. Type 12 Microbusiness: **###**

3. Zone 3 shall be comprised of the Third Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance. The Commercial Cannabis Business Licenses available in Zone 3 shall be ~~Within the Third Supervisorial District~~ as follows:

a. Cultivation Licenses:

1. **##** for all cultivation activities of 5,000 square feet or less; and
2. **####** for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: **####**

c. Type 7 Manufacturing Level 2: **####**

d. Type 8 Testing Laboratory: **####**

e. Type 10 Retailer: **###**

f. Type 11 Distributor: **###**

g. Type 12 Microbusiness: **###**

4. Zone 4 shall be comprised of the Fourth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance. The Commercial Cannabis Business Licenses available in Zone 4 shall be ~~Within the Fourth Supervisorial District~~ as follows:

a. Cultivation Licenses:

1. **##** for all cultivation activities of 5,000 square feet or less; and
2. **####** for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: **####**

c. Type 7 Manufacturing Level 2: **####**

d. Type 8 Testing Laboratory: **####**

e. Type 10 Retailer: **###**

f. Type 11 Distributor: **###**

g. Type 12 Microbusiness: **###**

5. 5A. Zone 5A shall be comprised of the area ~~W~~within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the Fourth Supervisorial District; on the east, from Owenyo Lone Pine Road and Dolomite Loop Road to Highway 136 between Owenyo Lone Pine Road and Highway 395 and Highway 395 south to the intersection of Cottonwood Creek Road; on the south, westward from Cottonwood Creek Road, along Cottonwood Creek, to Horseshoe Meadows Rd. to the end of Horseshoe Meadows Road and due west approximately 2.6-miles to ~~and continuing from Cottonwood Creek to the County line along the southern property line of the private Horseshoe Meadows' in holding; and, on the west to the County line.~~ The Commercial Cannabis Business Licenses available in Zone 5A shall be as follows:

a. Cultivation Licenses:

1. ## for all cultivation activities of 5,000 square feet or less; and
2. ##### for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: #####

c. Type 7 Manufacturing Level 2: #####

d. Type 8 Testing Laboratory: #####

e. Type 10 Retailer: ###

f. Type 11 Distributor: ###

g. Type 12 Microbusiness: ###

5B. Zone 5B shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the southern boundary of Zone 5A extending to 2.5-miles due east of the junction of Cottonwood Creek Road and Highway 395; on the east, from 2.5-miles due east of the junction of Cottonwood Creek Road and Highway 395 and extending south, along a line 2.5-miles east and parallel to Highway 395, to the northern boundary of the China Lake Naval Weapons Station northern boundary of Zone 5C approximately 2.5 miles from Highway 395; on the south, westward from the northern boundary of Zone 5C approximately 2.5 miles from Highway 395 the China Lake Naval Weapons Station to the County line; and, on the swest to the County line to the southern boundary of Zone 5A. The Commercial Cannabis Business Licenses available in Zone 5B shall be as follows:

a. Cultivation Licenses:

1. ## for all cultivation activities of 5,000 square feet or less; and
2. ##### for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: #####

c. Type 7 Manufacturing Level 2: #####

d. Type 8 Testing Laboratory: #####

e. Type 10 Retailer: ###

f. Type 11 Distributor: ###

g. Type 12 Microbusiness: ###

5C. Zone 5C shall be comprised of the area Within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the southern boundary of Zone 5B and extended into Zone 5D south boundary approximately 5-miles; on the east, the western boundary of the China Lake Naval Weapons Station; on the south, the County line; and, on the west, the County

line to the boundary of Zone 5B. The Commercial Cannabis Business Licenses available in Zone 5C shall be as follows:

a. Cultivation Licenses:

- 1.## for all cultivation activities of 5,000 square feet or less; and
2. ##### for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: #####

c. Type 7 Manufacturing Level 2: #####

d. Type 8 Testing Laboratory: #####

e. Type 10 Retailer: ###

f. Type 11 Distributor: ###

g. Type 12 Microbusiness: ###

5D.-Zone 5D shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, by the intersection of Owenyo Lone Pine Road and the boundary of the Fourth Supervisorial District eastward along the boundary of the Fourth Supervisorial District to the western boundary of Death Valley National Park; on the east, southward along the western boundary of Death Valley National Park to its intersection with Old Toll Road south to Ophir Road, and continuing south on Ophir Road to the northern boundary of the China Lake Naval Weapons Station; on the south, the northern boundary of the China Lake Naval Weapons Station extending due west to the northeast corner of Zone C and extending 5-miles west along the northern boundary of Zone C to a point 2.5-mile east of Highway 395; and, on the west, 2.5-miles east of Highway 395 and extending north, along a line 2.5-miles east and parallel to Highway 395 until a point 2.5-miles due west of the junction of Cottonwood Creek Road and Highway 395; and north following Highway 395 to the junction of Highway 395 and Highway 136 and following Highway 136 east to Dolomite Loop Rd, and following Dolomite Loop Rd. north to Owenyo Lone Pine Rd. and following Owenyo Lone Pine Rd to the southern boundary of District 4 at a point 2.5-miles east of Highway 395. The Commercial Cannabis Business Licenses available in Zone 5D shall be as follows:

~~Zone 5D shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, by the intersection of Owenyo Lone Pine Road and the boundary of the Fourth Supervisorial District eastward along the the boundary for the Fourth Supervisorial D to the western boundary of Death Valley National Park; on the east, southward along the western boundary of Death Valley National Park to its intersection with Old Ophir Road, and continuing south on Old Ophir Road and Ophir Road to the northern boundary of the China Lake Naval Weapons Station; on the south, the northern boundary of the China Lake Naval Weapons Station extending due west to a~~

point 2.5 miles east of Highway 395; and, on the west, 2.5 miles east of Highway 395 and aligned with the northern boundary of the China Lake Naval Weapons Station and extending north, along a line 2.5 miles east and parallel to Highway 395 until its intersection with the northern boundary of Zone 5B. The Commercial Cannabis Business Licenses available in Zone 5D shall be as follows:

a. Cultivation Licenses:

1. ## for all cultivation activities of 5,000 square feet or less; and
2. ##### for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: #####

c. Type 7 Manufacturing Level 2: #####

d. Type 8 Testing Laboratory: #####

e. Type 10 Retailer: ###

f. Type 11 Distributor: ###

g. Type 12 Microbusiness: ###

5E. Zone 5E shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north and the east, the western boundary of Death Valley National Park; on the south, the County line; and, on the west the eastern boundary of the China Lake naval Weapons Station extending north along Ophir Road and Old Ophir Road until the intersection with the boundary of Death Valley National Park. The Commercial Cannabis Business Licenses available in Zone 5E shall be as follows:

a. Cultivation Licenses:

- 1.## for all cultivation activities of 5,000 square feet or less; and
2. ##### for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: #####

c. Type 7 Manufacturing Level 2: #####

d. Type 8 Testing Laboratory: #####

e. Type 10 Retailer: ###

f. Type 11 Distributor: ###

g. Type 12 Microbusiness: ###

5F. Zone 5F shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north, the northern boundary of Death Valley National Park; on the east, the Nevada State line south to the northern crest of the Nopah mountain range and south along the crest of the Nopah mountain range to the County line; on the south, the

County line; and, on the west, the western boundary of Death Valley National Park. The Commercial Cannabis Business Licenses available in Zone 5F shall be as follows:

a. Cultivation Licenses:

- 1.## for all cultivation activities of 5,000 square feet or less; and
2. ##### for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: #####

c. Type 7 Manufacturing Level 2: #####

d. Type 8 Testing Laboratory: #####

e. Type 10 Retailer: ###

f. Type 11 Distributor: ###

g. Type 12 Microbusiness: ###

5G. Zone 5G shall be comprised of the area within the Fifth Supervisorial District, as that supervisorial district existed at the time of enactment of this Ordinance, bounded by: on the north and east, the intersection of northern crest of the Nopah mountain range and the Nevada State line south along the State line to the Inyo County line; on the south along the County line; and, on the west, the northern crest of the Nopah mountain range northward to the intersection with the Nevada State line. The Commercial Cannabis Business Licenses available in Zone 5G shall be as follows:

a. Cultivation Licenses:

- 1.## for all cultivation activities of 5,000 square feet or less; and
2. ##### for all cultivation activities greater than 5,000 square feet.

b. Type 6 Manufacturing Level 1: #####

c. Type 7 Manufacturing Level 2: #####

d. Type 8 Testing Laboratory: #####

e. Type 10 Retailer: ###

f. Type 11 Distributor: ###

g. Type 12 Microbusiness: ###

B. Issuance of Commercial Cannabis Business Licenses for commercial cannabis business activities subject to the provisions of this Chapter but not subject to the County's land use regulations or definitions set forth in Inyo County Code Section 18.06.182, may be considered on an individual basis unless limited by amendments to this Chapter.

5.40.080- Form of application.

- A. The C3PO shall create a standard application consistent with requirements of this section. The application shall become part of the record for any directly related hearing subsequently conducted to consider an application for a Conditional Use Permit required by Title 18 of this Code.
- B. The applicant for the Commercial Cannabis Business License required by this chapter shall be the operator of the business.
- C. Every application for a Commercial Cannabis Business License and/or renewal required by this chapter shall be signed by the applicant under penalty of perjury on a form required for such application and shall include, but is not limited to, the following information:
 - 1. The name and mailing address of the applicant and the names of all other persons having an ownership interest in the applicant applying for a license. If the applicant is not a natural person: the entity's address for its principal place of business and the name and mailing address of an officer who is duly authorized to accept the service of legal process;
 - 2. Contact information for the operator, including telephone number, e-mail address, and mailing address where the operator can be reached at any time if an emergency or code compliance issue arises;
 - 3. The name under which the operator will be doing business;
 - 4. The exact nature of the commercial cannabis business;
 - 5. The exact location of the commercial cannabis business including the Assessor's Parcel Number(s) and street address or the route or territory to be covered if no fixed place of business;
 - 6. The name and address of the owner of the property where the commercial cannabis business is located;
 - 7. The name and address of the lessor and/or lessees, if different from the owner of the property where the commercial cannabis business is located, if the location of the business is based on a lease or option to lease the location;
 - 8. A copy of all applicable permits or licenses required by the State of California. If required licenses or permits have not been issued by the State of California pending issuance of a Commercial Cannabis Business License required by this chapter, a copy of the draft or actual application(s) for all permits or licenses required by the State of California.
 - 9. Such other information as the C3PO may request in order to evaluate and process the application for a business license.

5.40.090– License review and issuance process

- A. It is the intent of the County to consider applications for Commercial Cannabis Business Licenses required by this chapter pursuant to a competitive process.
- B. All applications for a Commercial Cannabis Business License shall be filed with the C3PO ~~concurrently~~ after with payment of any required fees established by Resolution of the Board.

C. Whenever there exists an available Commercial Cannabis Business License(s), but no sooner than January 1, 2018, the C3PO shall issue a notice of available Commercial Cannabis Business License(s) and a request for applications therefor. Said notice shall specify how applications shall be submitted, the deadline for submitting applications, and the scoring criteria utilized for ranking the applications. The C3PO shall allow at least 60 days for applications to be submitted after issuance of the notice of availability.

D. Initial Application Evaluation.

1. The C3PO shall conduct an initial review of all Applications and reject any Application that meets any of the following criteria:

- a. The Application is incomplete.
- b. The required fees have not been paid.
- c. The applicant has knowingly made a false statement of material fact or has knowingly omitted a material fact from the Application.
- d. The proposed commercial cannabis business at the proposed location is not allowed as a conditional use or is otherwise prohibited by any state or local law or regulation.
- e. Any person who is listed in the Application as required by this chapter has been convicted of a felony within the past three (3) years. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere.
- f. Any person who is listed in the Application as required by this chapter is delinquent in the payment of any applicable County taxes or fees.
- g. Any person who is listed in the Application as required by this chapter is then in violation of any County Code.

2. First Rejection.

- a. If the C3PO rejects an Application, the Office shall specify in writing the reasons for the decision and, except for an Application that was previously rejected for any of the same reason(s), notify the applicant that the decision shall become final unless the applicant files an amended application within fourteen (14) days of the date the C3PO mailed notice of the rejection notice. Only one amended application shall be allowed per review period

3. Second Rejection.

- a. If the C3PO rejects an Application for a second time for any of the same reasons forming the basis of a prior rejection, the notice of rejection shall specify in writing the reasons for the decision and the right of the applicant to file an appeal pursuant to section 5.40.150.

4. Upon close of the initial review period, all Applications that are not rejected shall proceed to the Application Scoring Evaluation.

E. Application Scoring Evaluation.

1. The C3PO shall develop detailed objective review criteria for evaluation of competing Applications, which shall be scored on a point system or equivalent quantitative evaluation scale tied to each set of review criteria (“Review Criteria”). At a minimum, said Review Criteria shall include but may not be limited to the following considerations or combinations thereof:
 - a. Adequacy of the security plan taking into consideration the Sheriff’s evaluation of said plan;
 - b. Adequacy of the operating plan;
 - c. Appropriateness of site location;
 - d. Proposed measures to mitigate potential negative impacts to the community including but not limited to ~~odor control and police and fire~~ community safety considerations;
 - e. Environmental considerations including water sources;
 - f. Residency considerations, including: operator residing within the County; hiring preferences for residents of unincorporated Inyo County; and, wages proposed to be paid to employees residing in unincorporated Inyo County at 200% above the Federal Poverty Level for a family of two;
 - g. Community Benefit Plan, including but not limited to identification of a designated community liaison, and identified support for school-related and community-based organizations; and,
 - h. Any prior or existing operation of a commercial cannabis business subject to this chapter, with those conducted in good standing to receive a ten percent increase in total score and those not conducted in good standing to receive a ten percent decrease in total score.
 2. The C3PO may conduct the Application Scoring Evaluation through a committee of County staff representing appropriate departments, other local agencies, and/or through use of a third party consultant.
 3. After Applications are scored, the C3PO shall provide the results of Application Scoring Evaluation to the Board of Supervisors for its consideration along with any recommendations for which Application(s) to approve, and the reasons therefor.
- F. The Board of Supervisors’ consideration of applications for a Commercial Cannabis Business License, and any approval of such license will occur at a public hearing for which a public notice had been published 14-days in advance.
- G. The Board of Supervisors shall have the authority to determine, in its sole discretion, the competing applications that will be approved for a Commercial Cannabis Business License. In making its decision, the Board may adjust the results of the Application Scoring Evaluation. The decision of the Board of Supervisors is final and not subject to further administrative appeal.

~~G.H. When the number of applications for a specific Type of Commercial Cannabis Business License with a specific Zone is less than the number licenses available for that specific class of commercial cannabis activity in that specific Zone, or when there is no limit on a Type or Types of Commercial Cannabis Business Licenses in a Zone, aAn application for a Commercial Cannabis Business License must achieve a score of at least 7580% of the total possible points on the final Application Scoring Approval Evaluation approved by the Board of Supervisors in order to be awarded a Commercial Cannabis Business License.~~

H.I. Upon the Board of Supervisors approving issuance of a Commercial Cannabis Business License, the C3PO shall provide the license to the applicant with 30 days of any conditions that may apply being met, and will be responsible for administering and enforcing the license terms and conditions. The Commercial Cannabis Business License shall be in the form prescribed by the Commercial Cannabis Business Permit Office and must contain, at a minimum, the licensee's name, the business name, the license classification, the location of the business operation, and the commencement and expiration dates of the license.

J. Commercial Cannabis Business Licenses shall be conditionally issued contingent on applicant obtaining all applicable permits and licenses required by the County and/or State of California, and presenting same to the C3PO, within six (6) months of issuance of a Commercial Cannabis Business Licenses. Commercial Cannabis Business Licenses shall be void if the applicable State license(s) or permit(s), or local land use approvals, are not presented to the C3PO within six (6) months unless the C3PO agrees, in writing, to extend to deadline for obtaining and submitting the State permit(s) or license(s) for a period not to exceed an additional six (6) months. Any additional extension shall require the approval of the Board of Supervisors.

~~I.K. Commercial Cannabis Business Licenses shall be conditionally issued contingent on the applicant remaining current on payment of all County fees and taxes, and compliance with all County regulations.~~

J.L. Every licensee having a fixed place of business shall display the valid license in a conspicuous place in such place of business. Every licensee not having a fixed place of business shall carry such license on their person at all times during any actions related to the conduct of carrying on the licensed commercial cannabis business activity, and shall exhibit it, whenever requested, to any person.

5.40.100 - Required fee payments.

- A. Each Licensee shall pay an annual license fee, in such amount as adopted by the Board of Supervisors by Resolution, for the administration of the Commercial Cannabis Business License chapter, including monitoring and enforcing compliance with terms of the license.
- B. The Board of Supervisors may enact fees as may be necessary to recover the County's costs of inspection, enforcement, and corrective actions in relation to the Commercial Cannabis Business License.

5.40.110 – Reserved.

5.40.120 – Reserved.

5.40.130 - Licenses nontransferable.

Absent approval of the Board of Supervisors, no license granted under the provisions of this Chapter shall be transferable or removable to another location, operator, person, or entity. For purposes of this section, a transfer shall include, but is not limited to, the change in corporate control of a Licensee as set forth in the California Revenue and Taxation Code Division 1 Part 0.5 Chapter 2, as may be amended.

5.40.140 - Grounds for revocation.

- A. Any of the following shall be grounds for revocation of a Commercial Cannabis Business License:
1. Violation of any conditions of the license;
 2. Violation of any provisions of this chapter or other applicable County regulations;
 3. Failure to pay ~~business property fees or taxes or business license taxes~~, including those imposed by Chapter 3.50, or fines or penalties associated with said business when due and payable;
 4. Failure to obtain any other license or permit required by State law or County regulation to conduct the business, or such other required licenses or permits have been suspended or revoked.
- B. Notwithstanding any provision in the Inyo County Code to the contrary, if the C3PO intends to revoke a Commercial Cannabis Business License, the C3PO or any other County officer charged with the administration of the provisions of this Chapter shall specify in writing the reasons for the decision and notify the applicant that the decision shall become final unless the applicant seeks an appeal pursuant to Section 5.40.150 of this chapter within ten (10) calendar days of the date of service of the written decision of the C3PO or any other County officer charged with the administration of the provisions of this chapter. The notice shall specify whether the revocation is immediately imposed for public health or safety reasons or shall be effective following the hearing. The notice of the decision shall be served or mailed to the applicant at the address indicated on the application.
- C. No person may secure any Commercial Cannabis Business License if that person has had any license issued under this Chapter revoked within the preceding six months.

5.40.150 - Appeal.

- A. Any applicant aggrieved by any decision of the C3PO with respect to any second rejection of an application for a second time shall, within five (5) days of the date the rejection notice was mailed, make application in writing to the County Administrative Officer, or designee, for a hearing on the decision.

- B. Any applicant aggrieved by any decision of the C3PO with respect to the revocation a Commercial Cannabis Business License shall, within ten (10) days, make application in writing to the County Administrative Officer, or designee, for a hearing on the decision before the Board of Supervisors.
- C. If application for a hearing is not made within the time prescribed, the rejection, revocation, or other decision or shall become a final action that is not subject to any further administrative remedy.
- C. If such application is made within the prescribed time period, the County Administrative Officer, or designee, shall give no fewer than five days written notice to the applicant to show cause at a hearing at a time and place fixed in the notice why the decision should not be upheld.
- D. At the hearing, the applicant may appear and offer evidence why such decision should be vacated. Within sixty (60) days after the hearing, the County Administrative Officer, or designee, shall determine if the decision shall be upheld and shall thereafter give written notice to the applicant. The decision of the County Administrative Officer, or designee, shall be final and not subject to further administrative appeal.

5.40.160 - Enforcement of Chapter.

- A. It shall be the duty of the C3PO to collect the permit fees, issue the permits approved by the Board of Supervisors, and perform the duties required by this chapter. The C3PO or any other County officer charged with the administration of the provisions of this chapter may adopt such rules and regulations consistent with the purpose, intent, and express terms of this chapter deemed necessary to supplement or clarify such provisions or aid in their enforcement. To that end representatives of the C3PO, or any other County officer charged with the administration of the provisions of this chapter shall be permitted to enter, free of charge during normal business hours, any such place of business required to be licensed under this chapter, for the purpose of inspection or to demand the display of any permit required hereby.
- B. Any permit fees, fines or penalties required to be paid by any commercial cannabis business under the provisions of this chapter shall be deemed a debt owed by the business to the County. Any business owing money to the County under the provisions of this chapter shall be liable to an action brought in the name of the County of Inyo for the recovery of such amount. .

5.40.170 - Penalty for violation.

- A. Notwithstanding any other applicable penalty, criminal penalties shall continue to apply to an unlicensed person engaging in commercial cannabis activity in violation of this chapter.
- B. Any condition caused or allowed to exist in violation of any of the provisions of this chapter shall be deemed a public nuisance and shall, at the discretion of the Commercial Cannabis Business Permit Office or any other County officer charged with the administration of the provisions of this Chapter, be subject to an administrative action pursuant to 1.20 of the Inyo County Code and/or any other applicable law.

Attachment 4
Alternative Renewal Cap Recommendations

ALTERNATIVE RENEWAL CAP RECOMMENDATION

5.40.060 - Time of procurement and term.

A. The Commercial Cannabis Business License required by this chapter shall be procured prior to the commencement of business or, if the business is in operation and a license possessed, shall be renewed annually and prior to the expiration of such license in order for the license to remain valid.

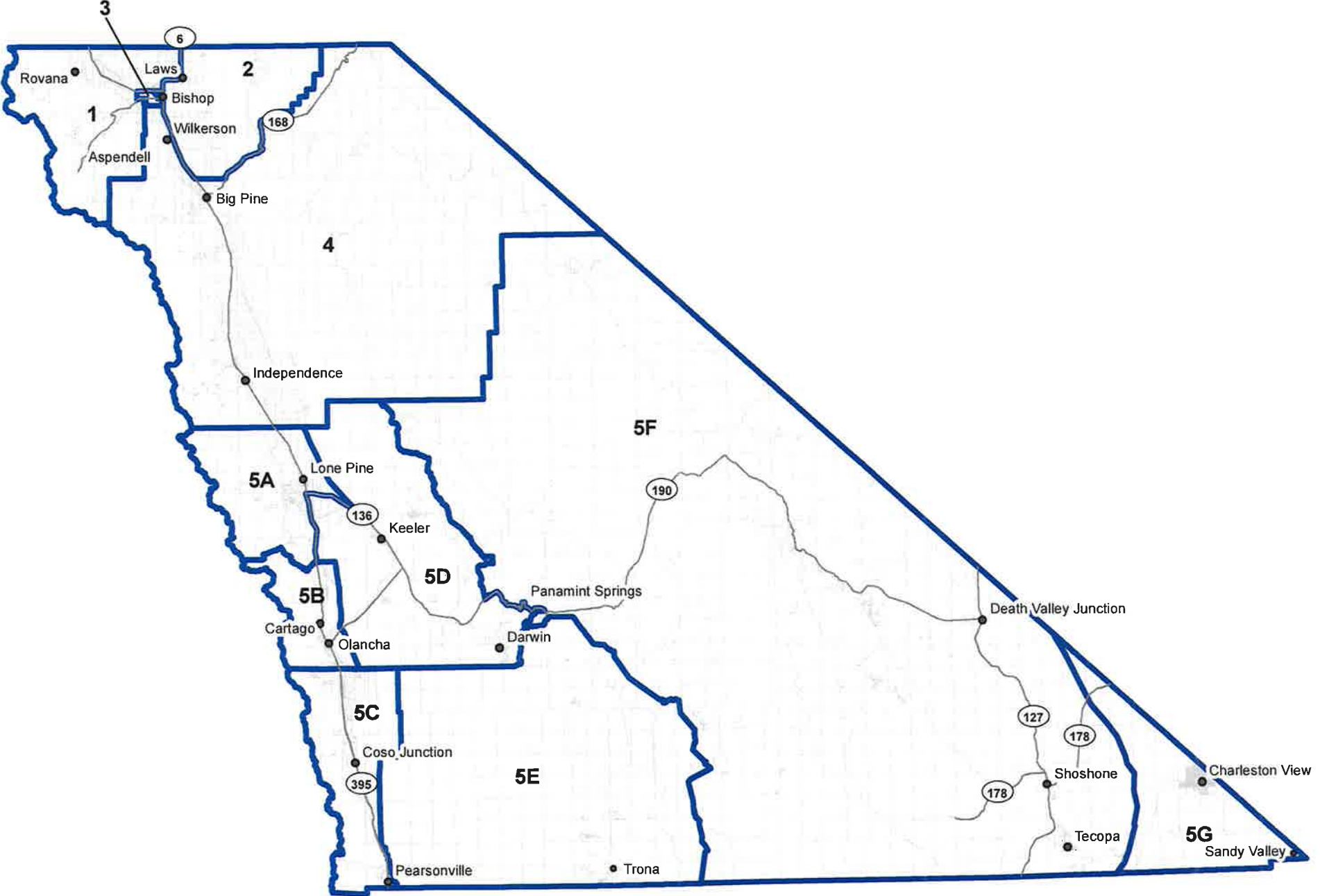
B. Operators who fail to annually renew their Commercial Cannabis Business License prior to the anniversary date on which the license was issued will be required to submit a new application, obtain all appropriate approvals, and pay the application and license fees in addition to any previous penalties due.

C. Unless terminated pursuant to the terms of this chapter, the Commercial Cannabis Business License required by this chapter may only be annually renewed a maximum of the number of times. After that, the business must re-apply for a Commercial Cannabis Business License pursuant to section 5.40.090 below.

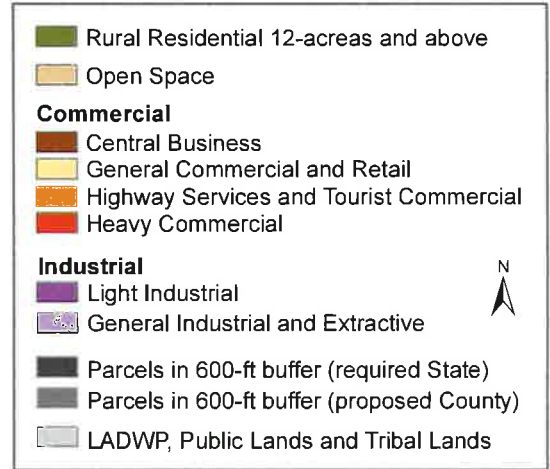
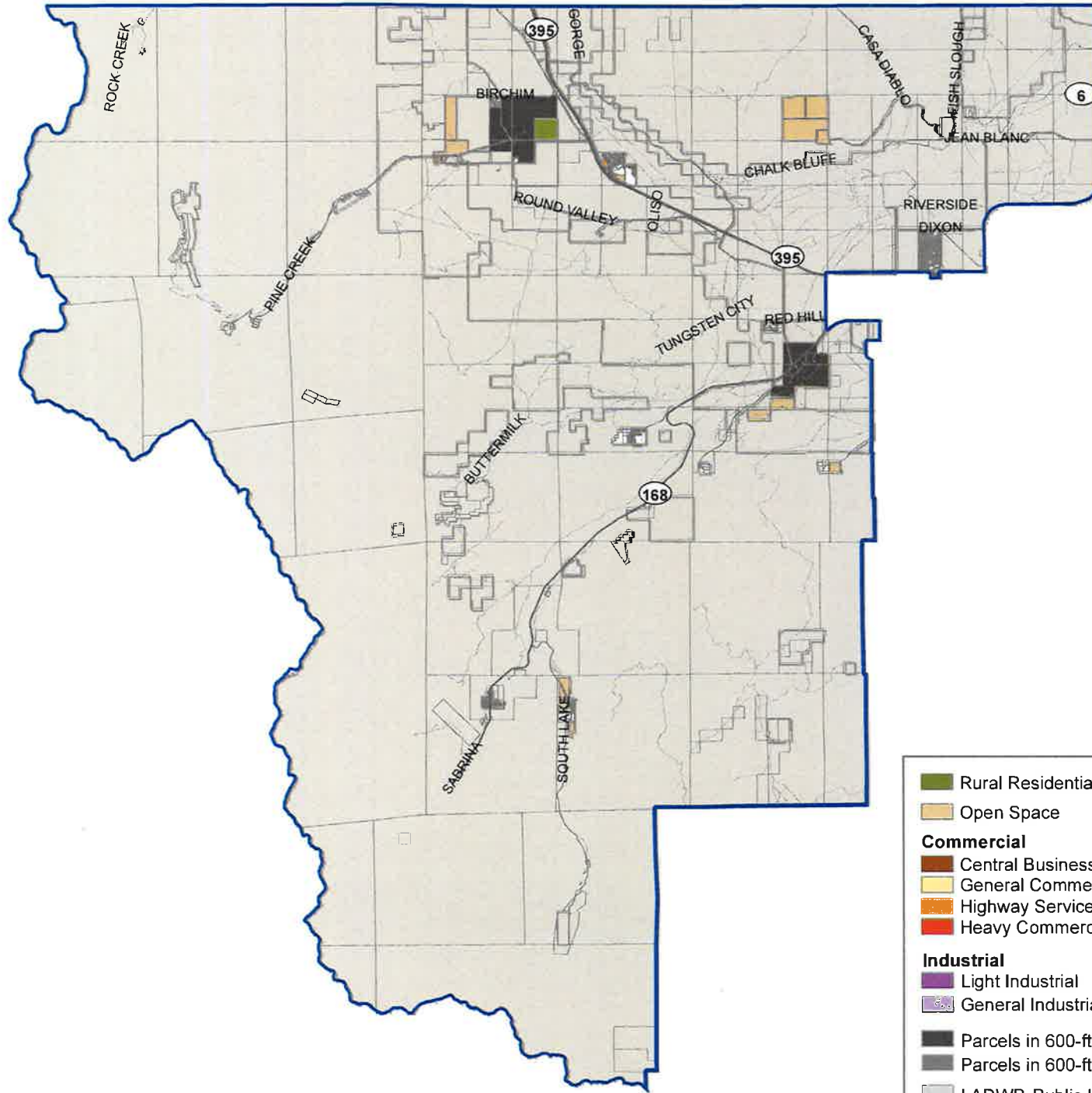
1. Cultivation Licenses: 10 times
2. Type 6 Manufacturing Level 1: 20 times
3. Type 7 Manufacturing Level 2: 20 times
4. Type 8 Testing Laboratory: 20 times
5. Type 10 Retailer: 5 times
6. Type 11 Distributor: 20 times
7. Type 12 Microbusiness: The least maximum number of times allowed for any given commercial cannabis activity undertaken in the microbusiness.

Attachment 5
Maps and Tables of Potentially Available Parcels

Licensing Zones



Zone 1



Zone 1

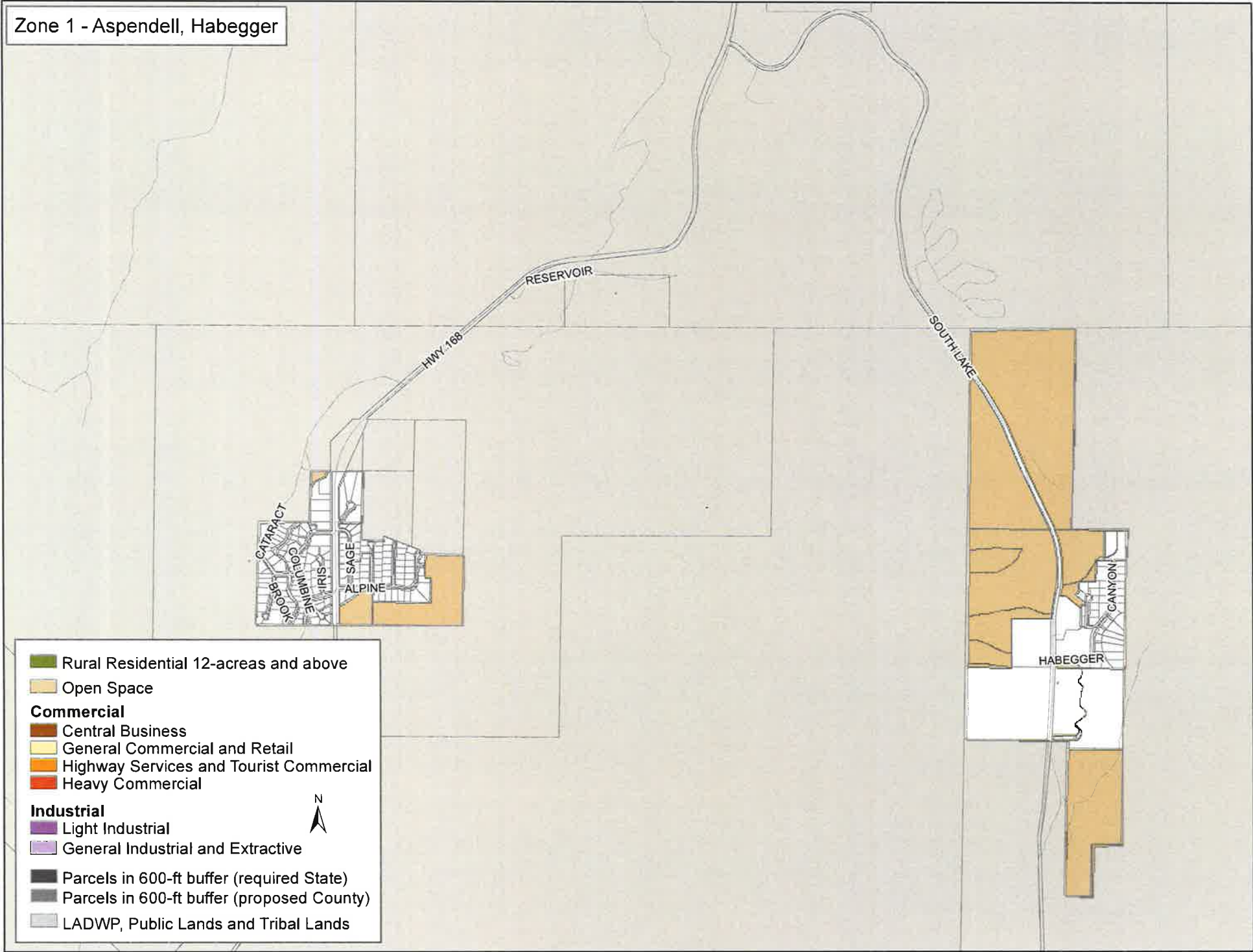
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	1	x	x	x	x	x	x	x
	less than 10,000sq.ft	1	x	x	x	x	x	3	x
	25% of total parcel or less	1	x	x	x	x	x	x	x
	All cultivation types	x	21	x	3	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	2	3	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	2	3	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	10	36	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	10	36	2	3	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	10	36	2	3	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 1 - Aspendell, Habegger



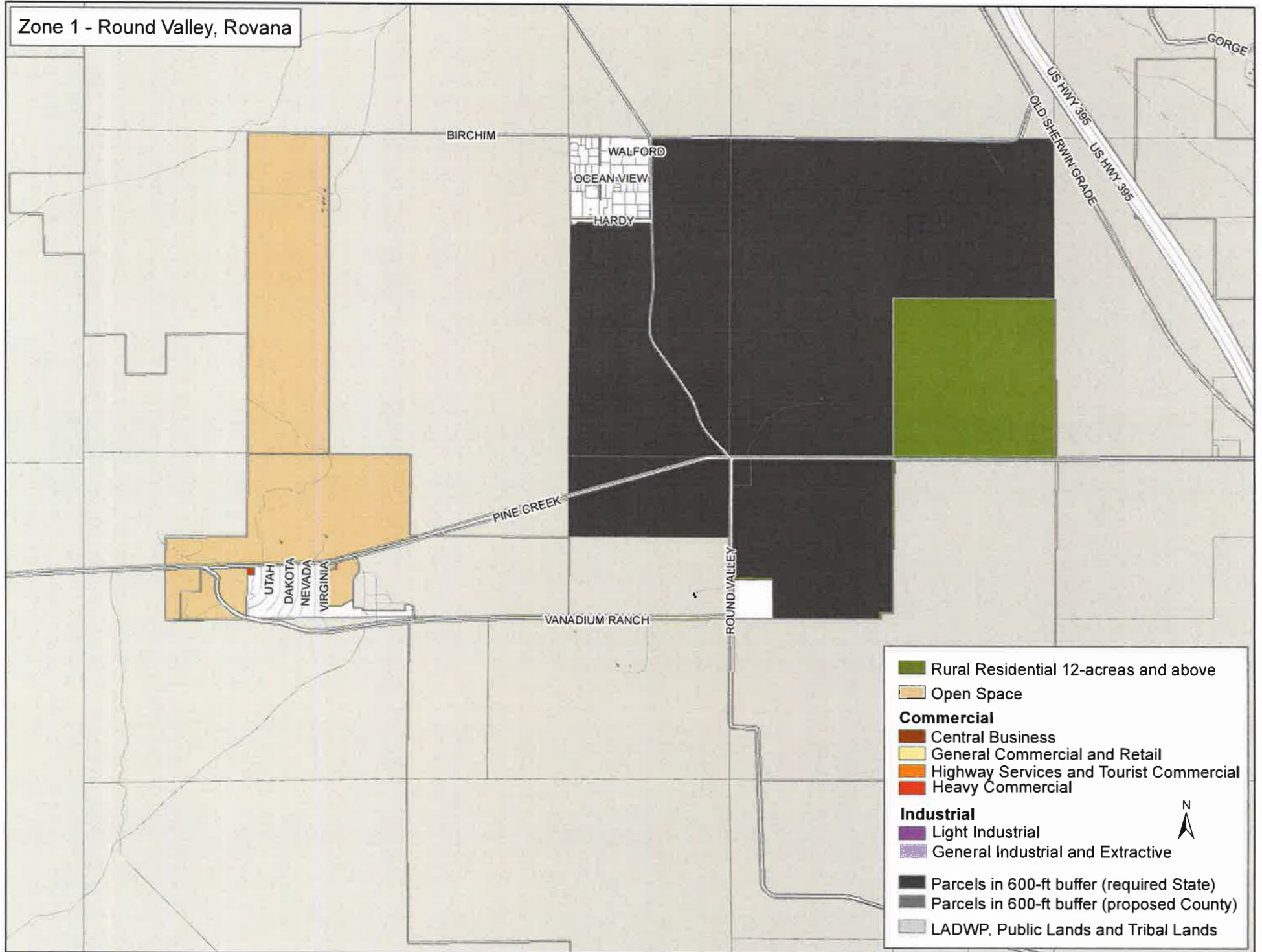
Zone 1 – Aspendell, Habegggers
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	7	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	x	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	x	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 1 - Round Valley, Rovana



- Rural Residential 12-acres and above
- Open Space
- Commercial**
- Central Business
- General Commercial and Retail
- Highway Services and Tourist Commercial
- Heavy Commercial
- Industrial**
- Light Industrial
- General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 1 – Round Valley, Rovana
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	1	x	x	x	x	x	x	x
	less than 10,000sq.ft	1	x	x	x	x	x	x	x
	25% of total parcel or less	1	x	x	x	x	x	x	x
	All cultivation types	x	4	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	1	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	1	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	x	1	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	x	1	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 1 - Mustang Mesa



- Rural Residential 12-acres and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands

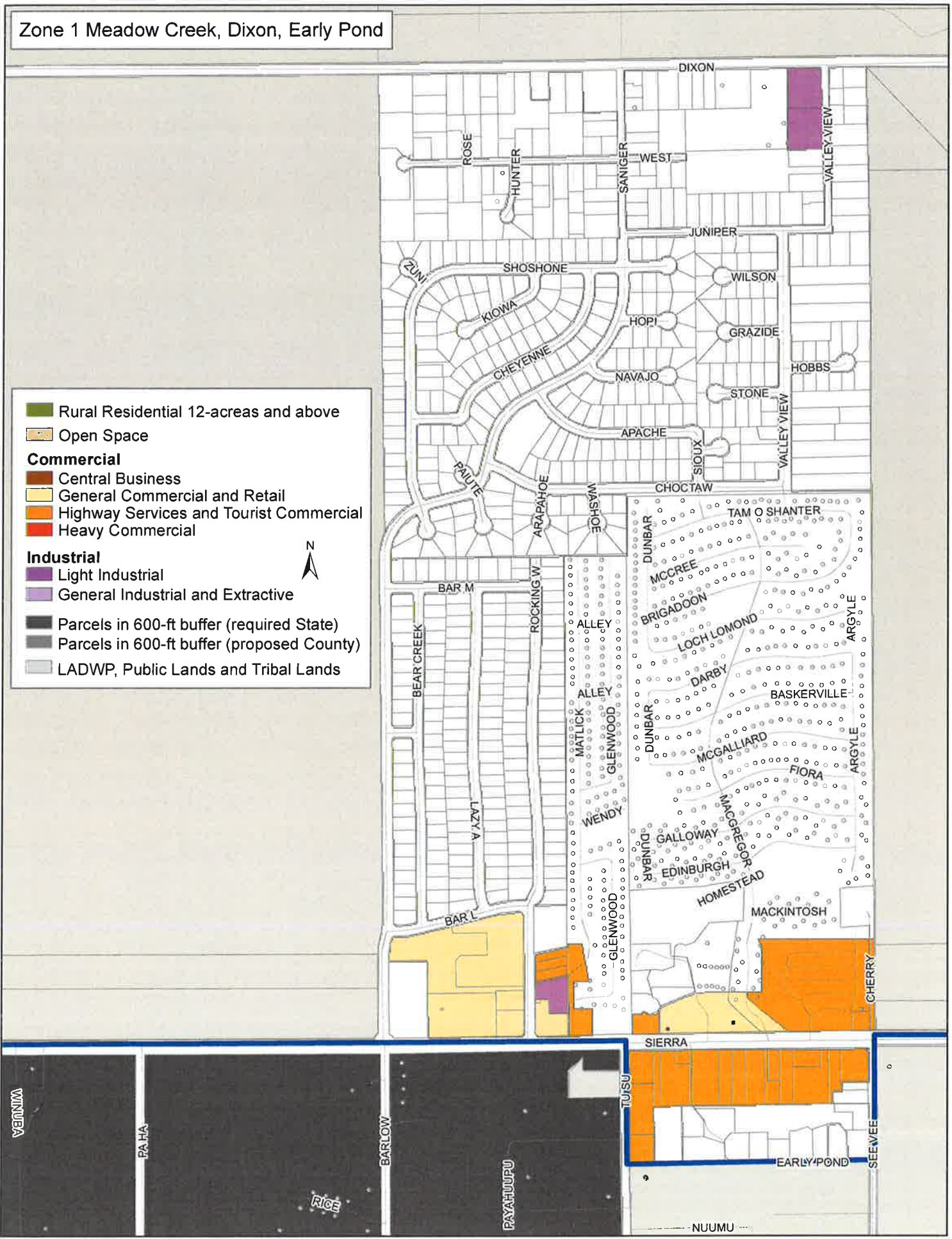
Zone 1 – Mustang Mesa
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	1	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	1	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	1	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	12	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	12	1	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	12	1	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 1 Meadow Creek, Dixon, Early Pond



- Rural Residential 12-acres and above
- Open Space
- Commercial**
- Central Business
- General Commercial and Retail
- Highway Services and Tourist Commercial
- Heavy Commercial
- Industrial**
- Light Industrial
- General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



WINUEA

PAHA

BARLOW

PAYAHUUPU

RICE

NUUMU

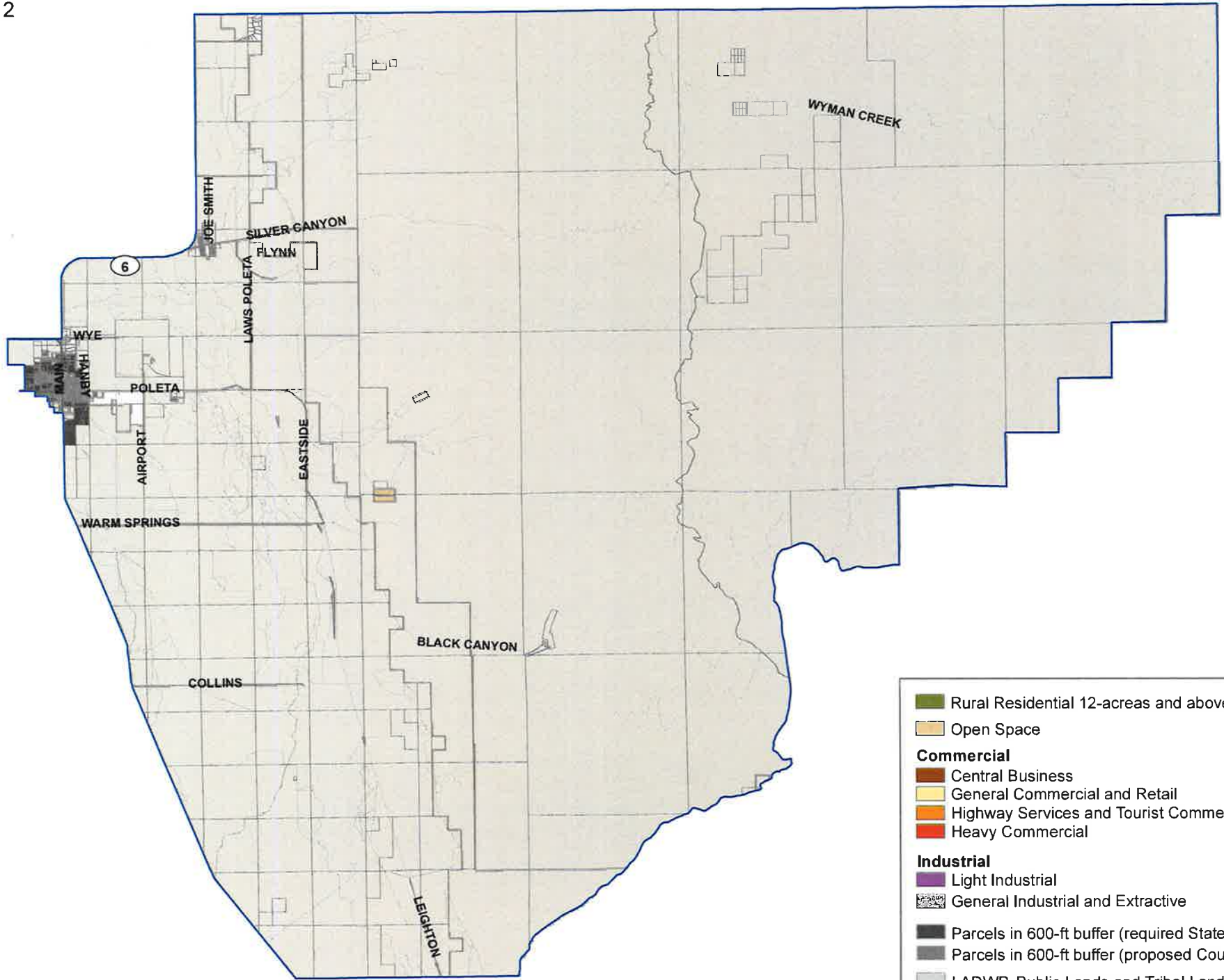
DIXON
 ROSE
 HUNTER
 SANIGER
 WEST
 JUNIPER
 VALLEY-VIEW
 ZUNI
 SHOSHONE
 KIOWA
 HOPI
 WILSON
 GRAZIDE
 CHEYENNE
 NAVAJO
 STONE
 HOBBS
 APACHE
 SIOUX
 VALLEY VIEW
 PAUTE
 ARAPAHOE
 WASHOE
 CHOCTAW
 BAR M
 ROCKING W
 DUNBAR
 MCCREE
 TAM O SHANTER
 BRIGADOON
 LOCH LOMOND
 ARGYLE
 DARBY
 BASKERVILLE
 MATLICK
 ALLEY
 ALLEY
 GLENWOOD
 WENDY
 MCGALLIARD
 FIORA
 GALLOWAY
 MCGREGOR
 EDINBURGH
 HOMESTEAD
 DUNBAR
 ARGYLE
 GLENWOOD
 BEAR CREEK
 LAZY A
 BAR L
 GLENWOOD
 MACKINTOSH
 CHERRY
 SIERRA
 TUISU
 EARLY POND
 SEEVEE
 WINUEA
 PAHA
 BARLOW
 PAYAHUUPU
 RICE
 NUUMU

Zone 1 – Meadow Creek, Dixon, Early Pond
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	X	X	X	X	X	X	X	X
	less than 10,000sq.ft	X	X	X	X	X	X	3	X
	25% of total parcel or less	X	X	X	X	X	X	X	X
	All cultivation types	X	X	X	X	X	X	X	X
Manufacturing - (Type 6)	Using non-volatile solvents	X	X	X	X	X	X	3	X
Manufacturing - (Type 7)	Using volatile solvents	X	X	X	X	X	X	X	X
Testing - (Type 8)	Laboratories	X	X	X	X	X	X	3	X
Retailer - (Type 10)	Sales and delivery of projects	X	X	X	10	24	X	X	X
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	X	X	X	10	24	X	3	X
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	X	X	X	10	24	X	3	X
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Zone 2



- Rural Residential 12-acres and above
- Open Space
- Commercial**
- Central Business
- General Commercial and Retail
- Highway Services and Tourist Commercial
- Heavy Commercial
- Industrial**
- Light Industrial
- General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands

N

Zone 2

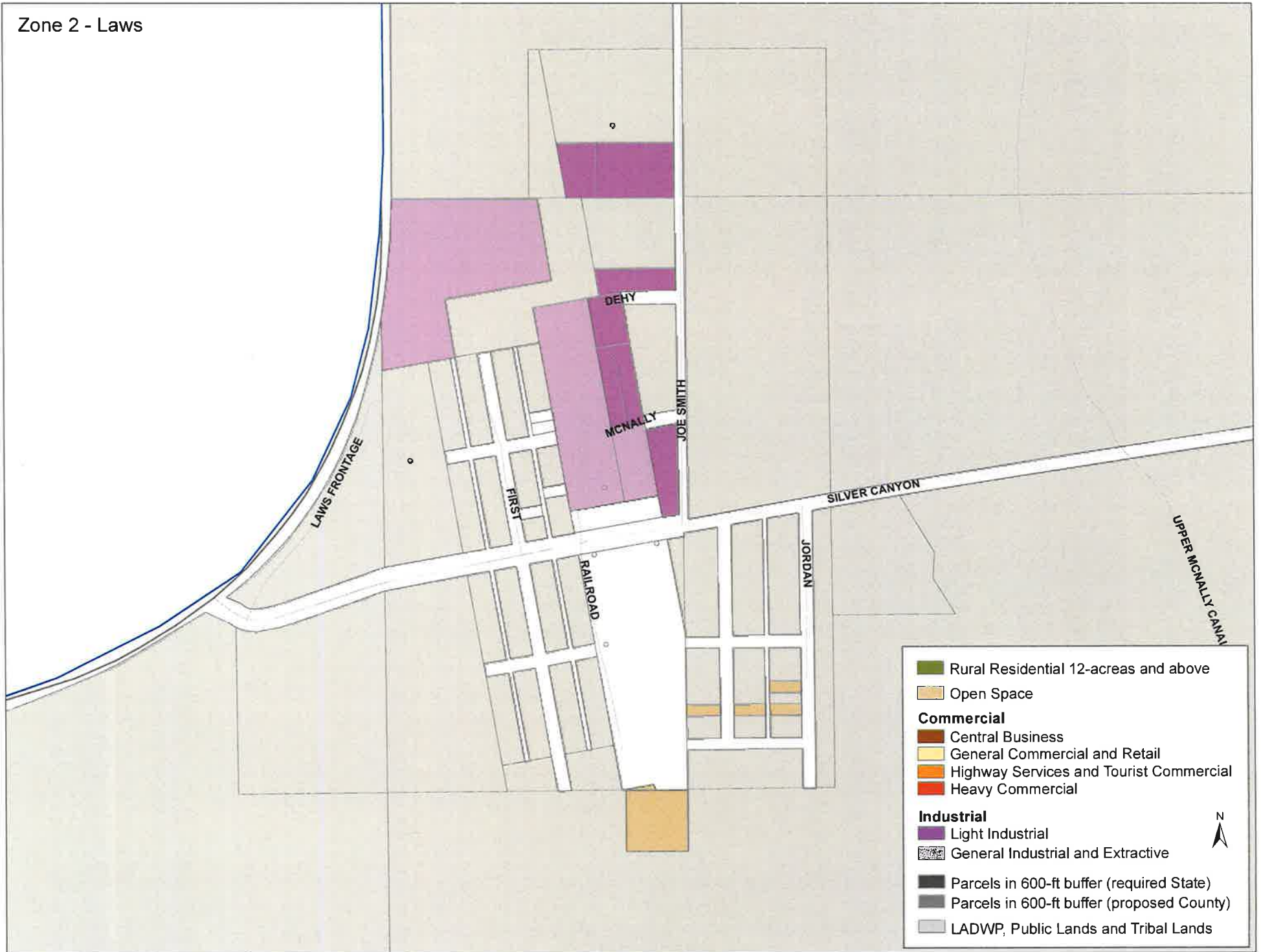
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	7	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	7	x	x	x	x	x	3
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	3
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	7	3
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	7	3
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	x	x	7	3
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	x	x	7	3
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 2 - Laws



Zone 2 - Laws

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	7	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	5	x	x	x	x	x	3
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	3
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	7	3
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	7	3
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	x	x	7	3
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	x	x	7	3
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

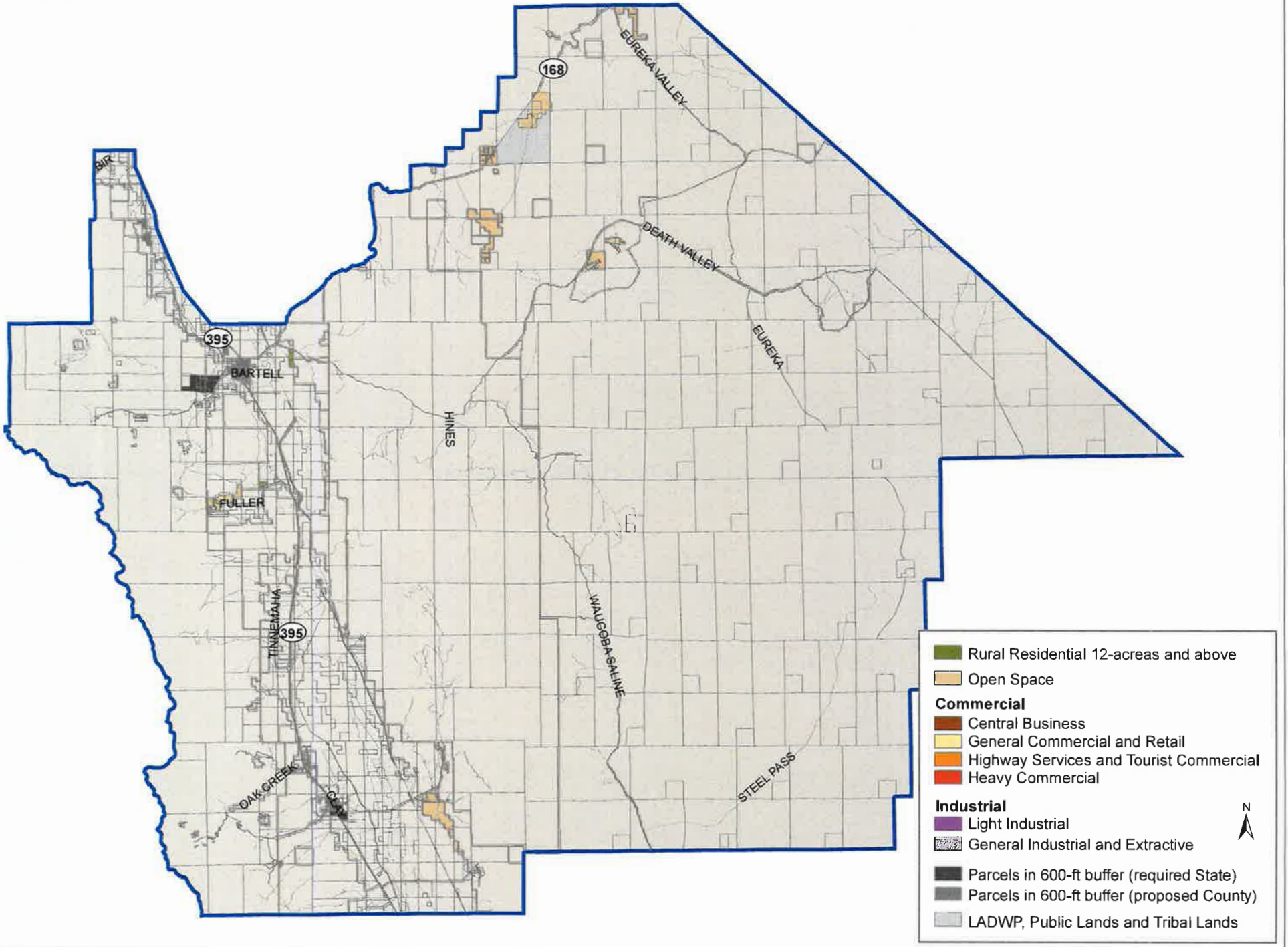
Zone 3

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	x	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	1	2	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	1	2	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	1	2	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Zone 4



Zone 4

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

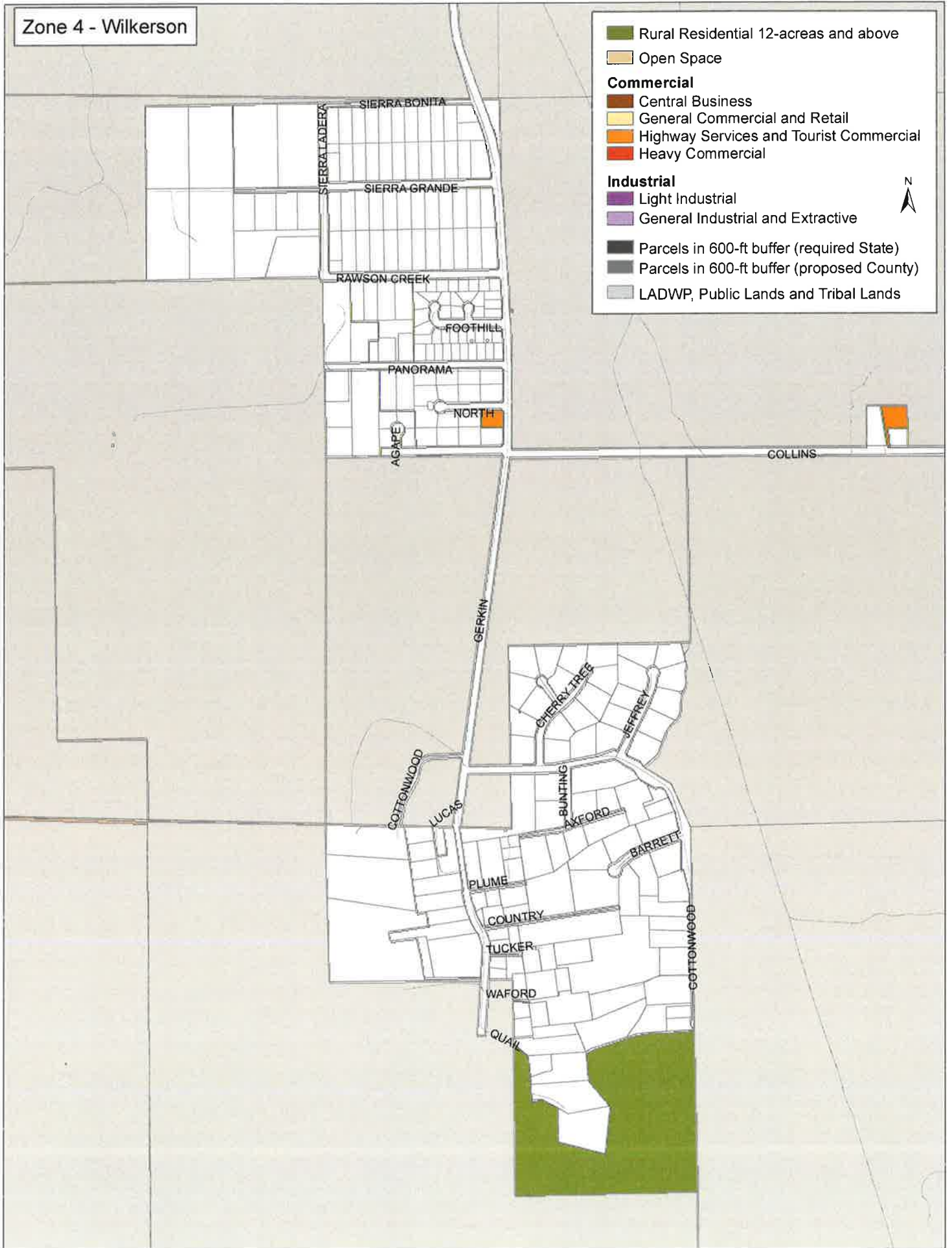
Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	1	x	x	x	x	x	x	x
	less than 10,000sq.ft	1	x	x	x	x	x	x	x
	25% of total parcel or less	1	x	x	x	x	x	x	x
	All cultivation types	x	62	x	x	x		x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	1	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	1	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	25	x	2	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	25	x	2	1	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	25	x	2	1	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 4 - Wilkerson

- Rural Residential 12-acres and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 4 - Wilkerson

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	1	x	x	x	x	x	x	x
	less than 10,000sq.ft	1	x	x	x	x	x	x	x
	25% of total parcel or less	1	x	x	x	x	x	x	x
	All cultivation types	x	x	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	2	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	2	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	2	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Zone 4 - Big Pine



- Rural Residential 12-acres and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



MAIN

Zone 4 – Big Pine

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	x	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	1	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	1	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	14	x	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	14	x	x	1	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	14	x	x	1	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Zone 4 - Independence

- Rural Residential 12-acres and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



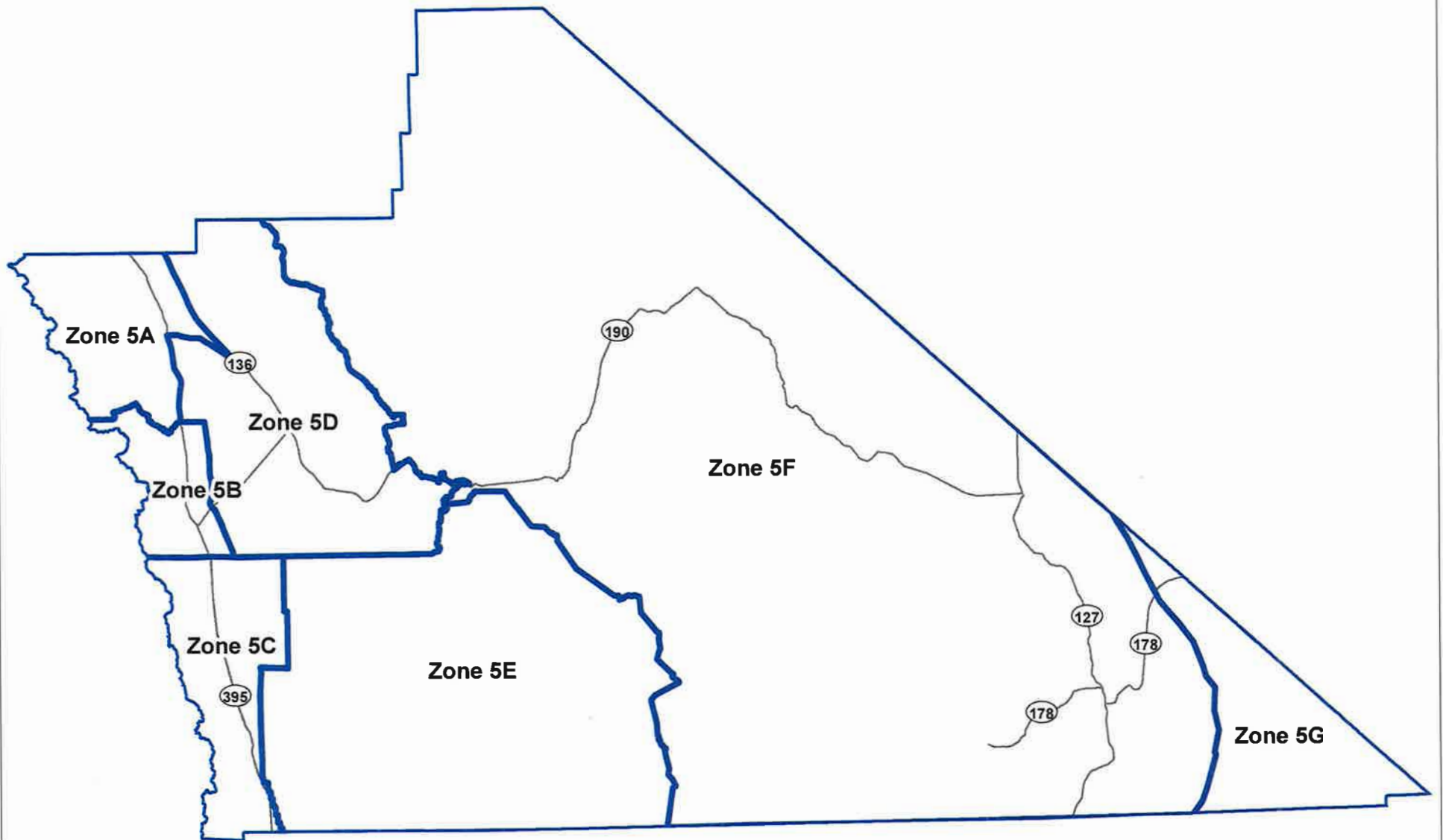
Zone 4 - Independence

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

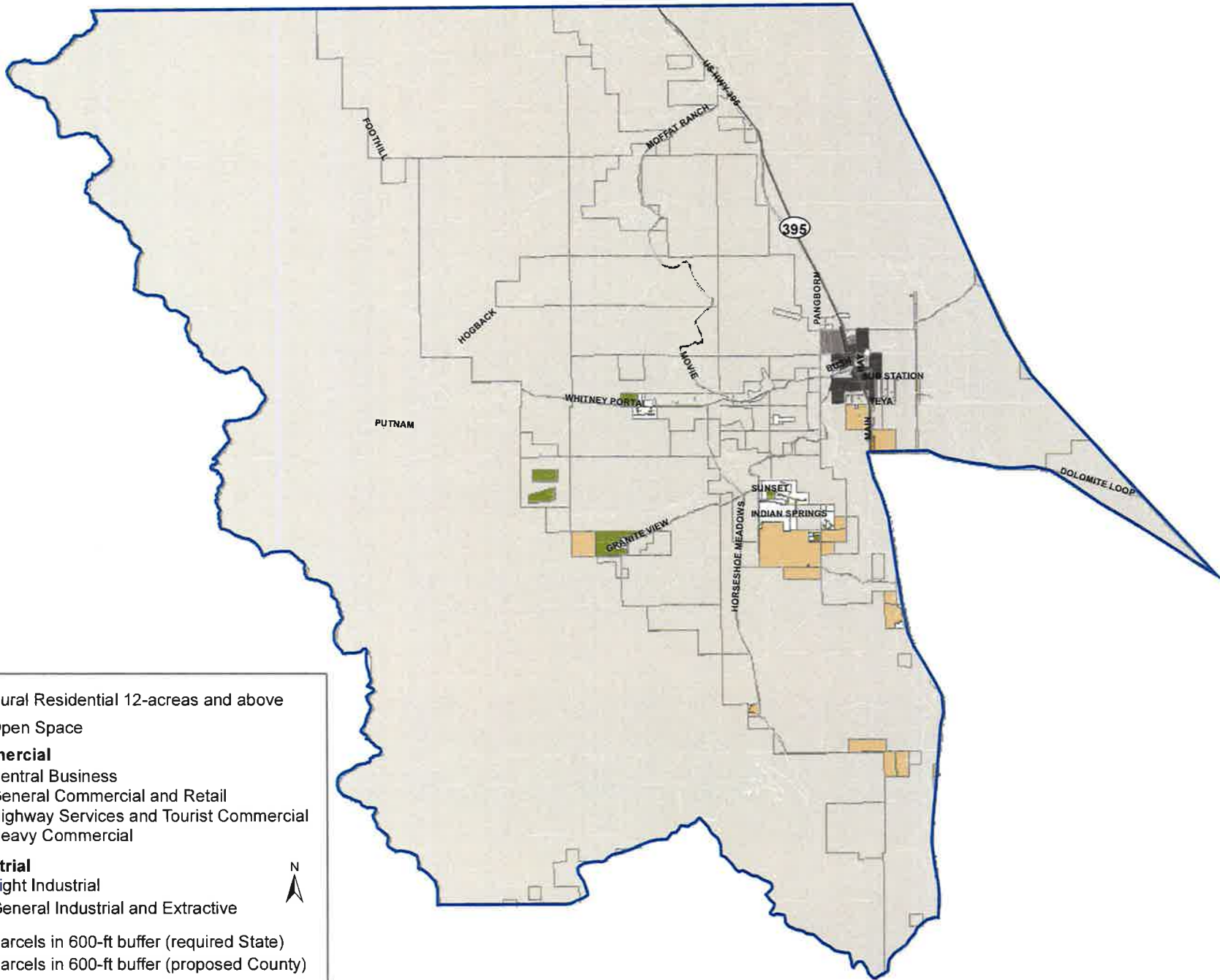
Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	x	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	11	x	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	11	x	x	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	11	x	x	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Zones 5A-5G




Zone 5A



- Rural Residential 12-acres and above
- Open Space
- Commercial**
- Central Business
- General Commercial and Retail
- Highway Services and Tourist Commercial
- Heavy Commercial
- Industrial**
- Light Industrial
- General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands

N



Zone 5A

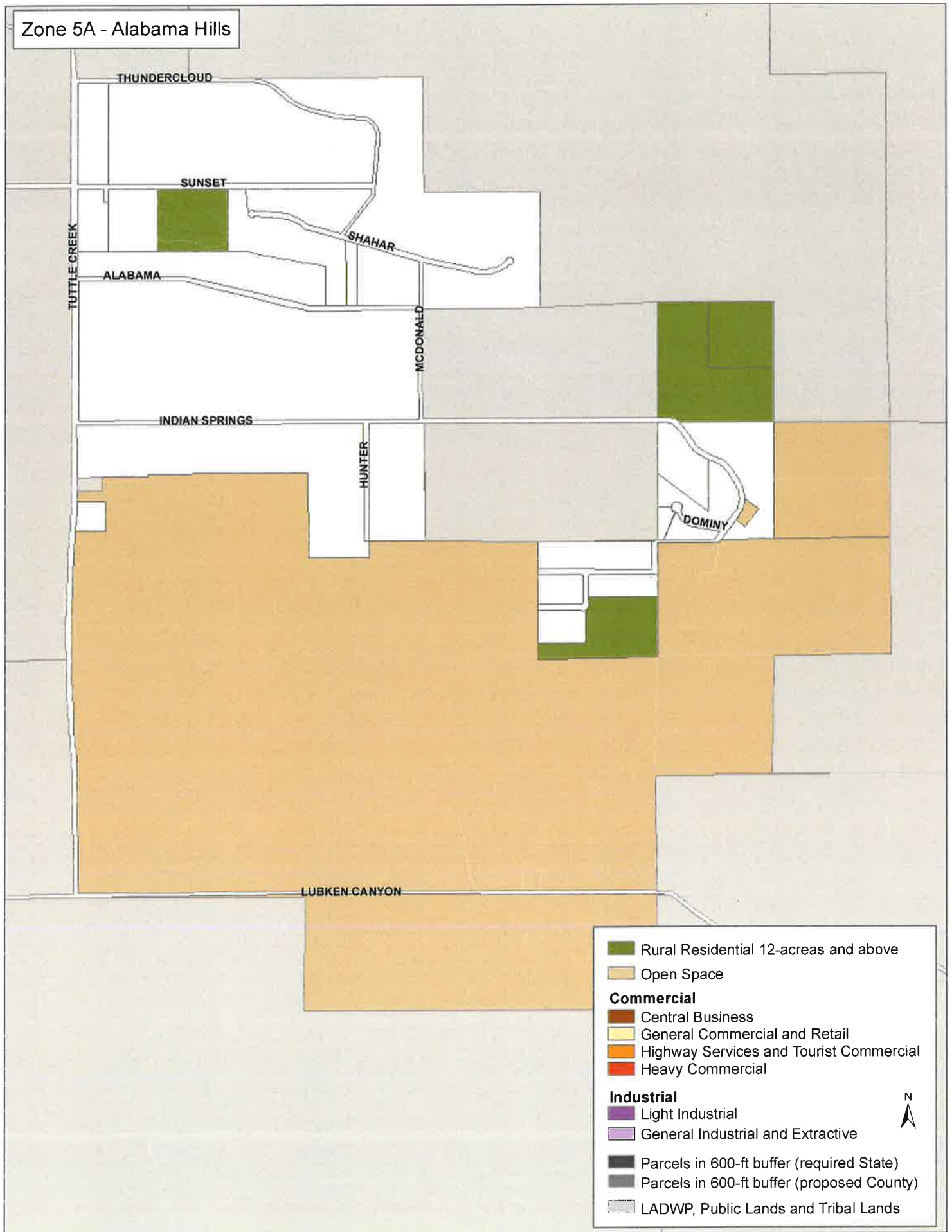
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	7	x	x	x	x	x	x	x
	less than 10,000sq.ft	7	x	x	x	x	x	x	x
	25% of total parcel or less	7	x	x	x	x	x	x	x
	All cultivation types	x	20	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	1	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	1	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	15	1	6	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	15	1	6	1	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	15	1	6	1	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5A - Alabama Hills



- Rural Residential 12-acres and above
- Open Space
- Commercial**
- Central Business
- General Commercial and Retail
- Highway Services and Tourist Commercial
- Heavy Commercial
- Industrial**
- Light Industrial
- General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



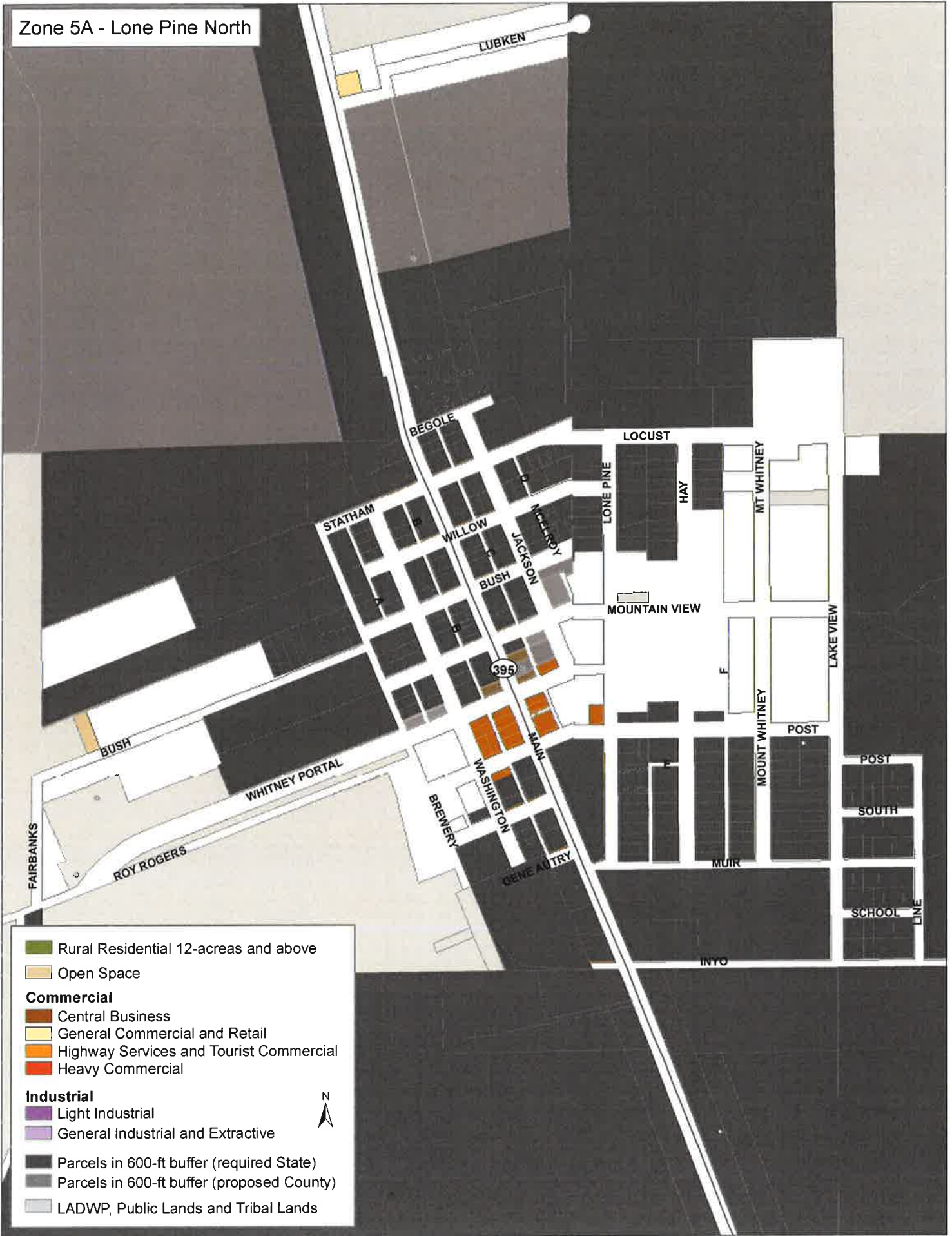
Zone 5A – Alabama Hills
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	3	x	x	x	x	x	x	x
	less than 10,000sq.ft	3	x	x	x	x	x	x	x
	25% of total parcel or less	3	x	x	x	x	x	x	x
	All cultivation types	x	7	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	x	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	x	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5A - Lone Pine North



- Rural Residential 12-acres and above
- Open Space
- Commercial**
- Central Business
- General Commercial and Retail
- Highway Services and Tourist Commercial
- Heavy Commercial
- Industrial**
- Light Industrial
- General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 5A – Lone Pine North
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations


Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	1	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	15	1	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	15	1	x	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	15	1	x	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									


KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.


Zone 5A - Lone Pine South





 Rural Residential 12-acres and above


 Open Space

Commercial


 Central Business

 General Commercial and Retail


 Highway Services and Tourist Commercial


 Heavy Commercial

Industrial

 Light Industrial

 General Industrial and Extractive

 Parcels in 600-ft buffer (required State)

 Parcels in 600-ft buffer (proposed County)

 LADWP, Public Lands and Tribal Lands



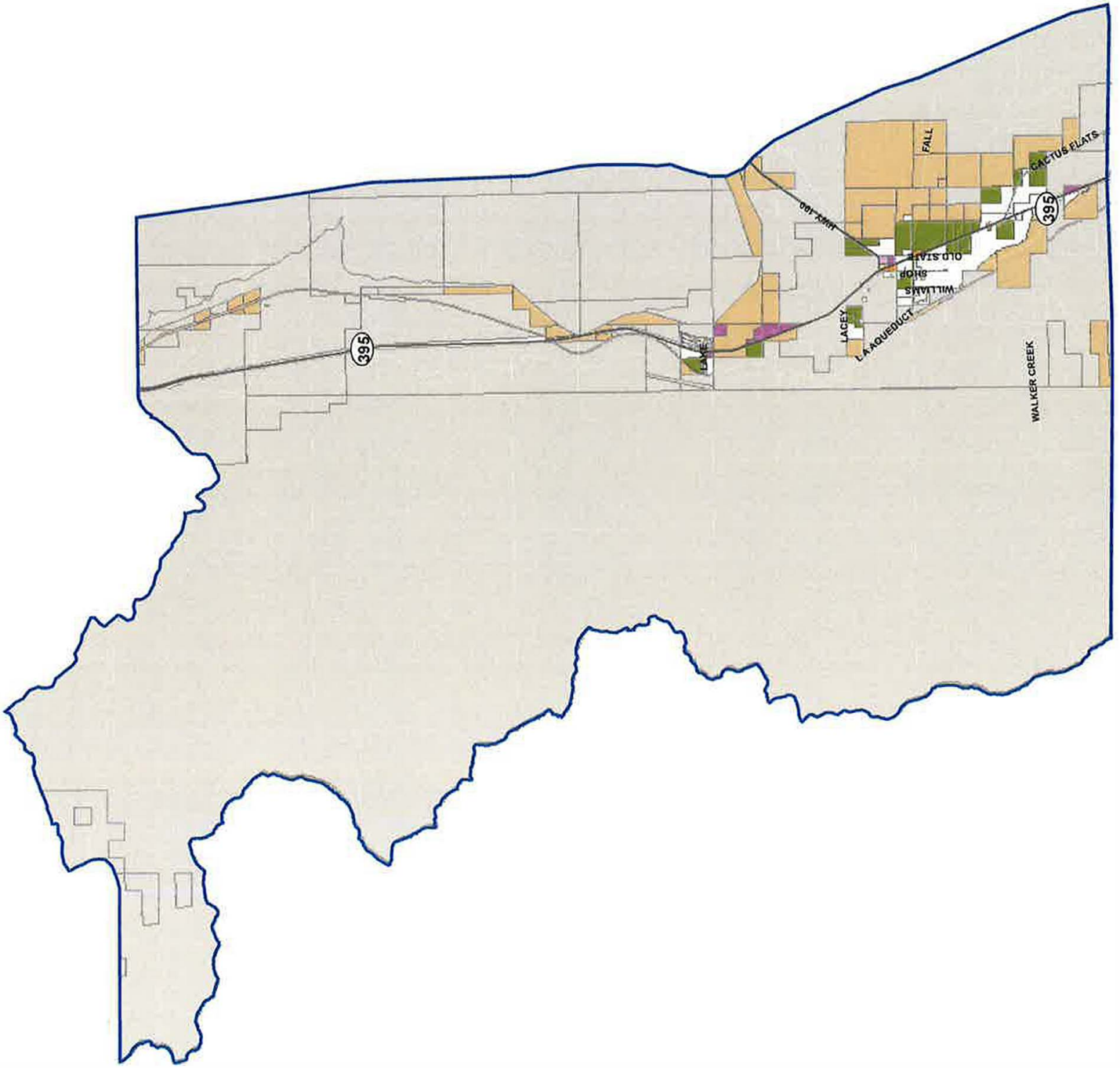
Zone 5A – Lone Pine South
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	1	x	x	x	x	x	x	x
	less than 10,000sq.ft	1	x	x	x	x	x	x	x
	25% of total parcel or less	1	x	x	x	x	x	x	x
	All cultivation types	x	2	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	1	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	1	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	6	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	6	1	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	6	1	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5B



Zone 5B

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

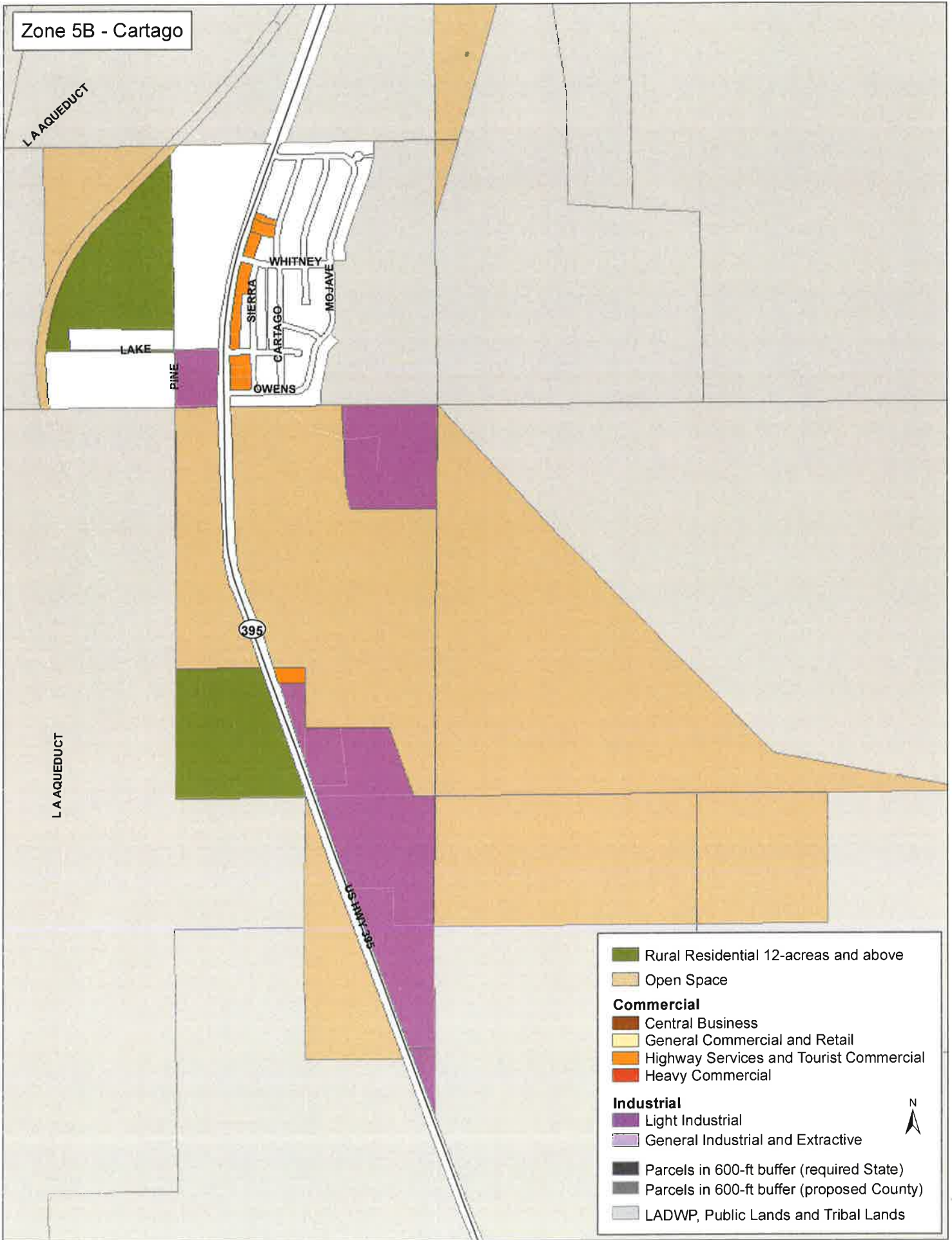
Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	23	x	x	x	x	x	x	x
	less than 10,000sq.ft	23	x	x	x	x	x	10	2
	25% of total parcel or less	23	x	x	x	x	x	x	x
	All cultivation types	x	45	x	x	x	x	x	2
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	1	10	2
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	2
Testing - (Type 8)	Laboratories	x	x	x	x	x	1	10	2
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	25	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	25	1	10	2
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	25	1	10	2

*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5B - Cartago



- Rural Residential 12-acres and above
- Open Space
- Commercial**
- Central Business
- General Commercial and Retail
- Highway Services and Tourist Commercial
- Heavy Commercial
- Industrial**
- Light Industrial
- General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands

N

Zone 5B – Cartago

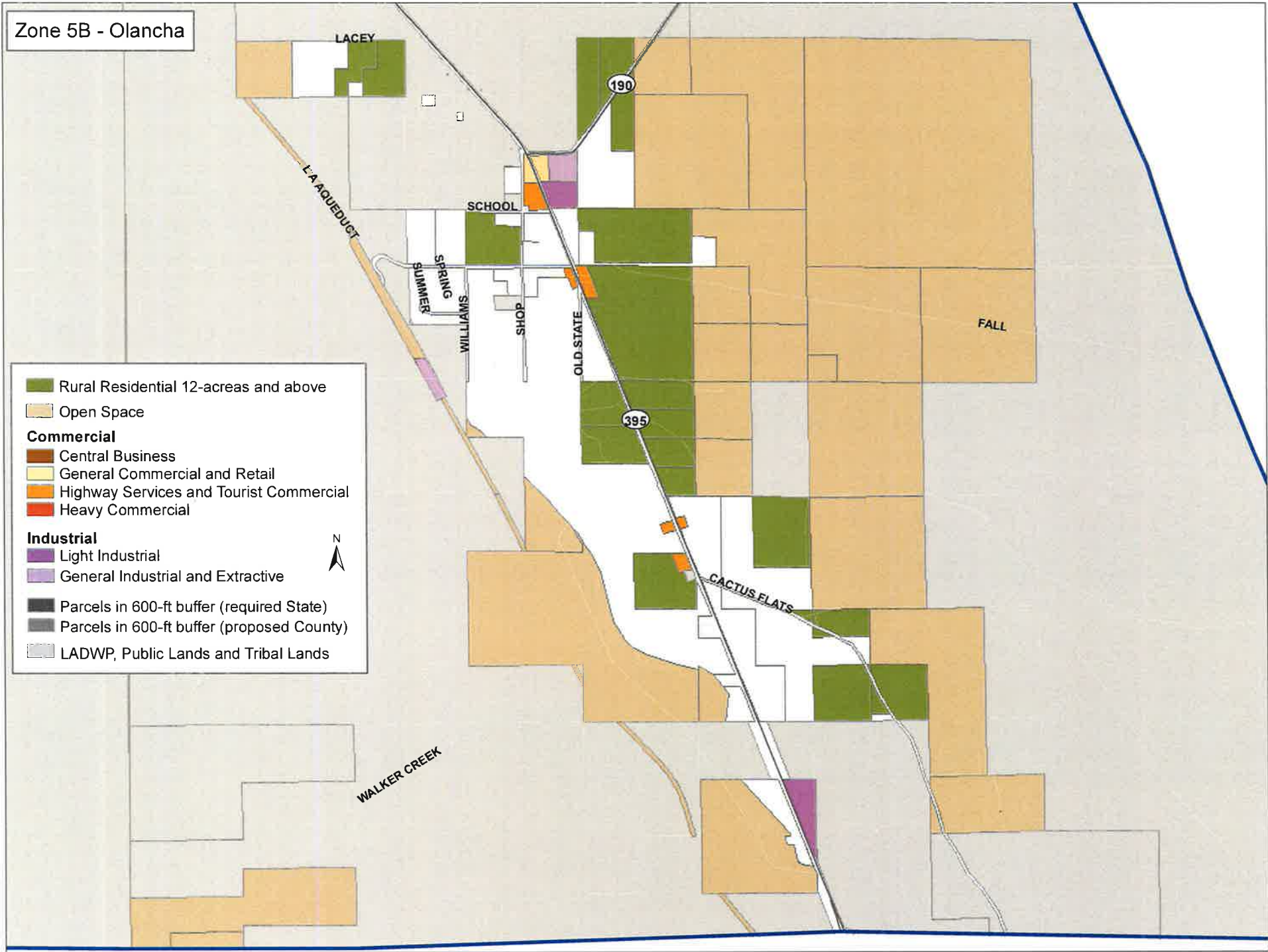
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	2	x	x	x	x	x	x	x
	less than 10,000sq.ft	2	x	x	x	x	x	8	x
	25% of total parcel or less	2	x	x	x	x	x	x	x
	All cultivation types	x	8	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	8	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	8	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	13	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	13	x	8	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	13	x	8	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5B - Olancha



- Rural Residential 12-acreas and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands

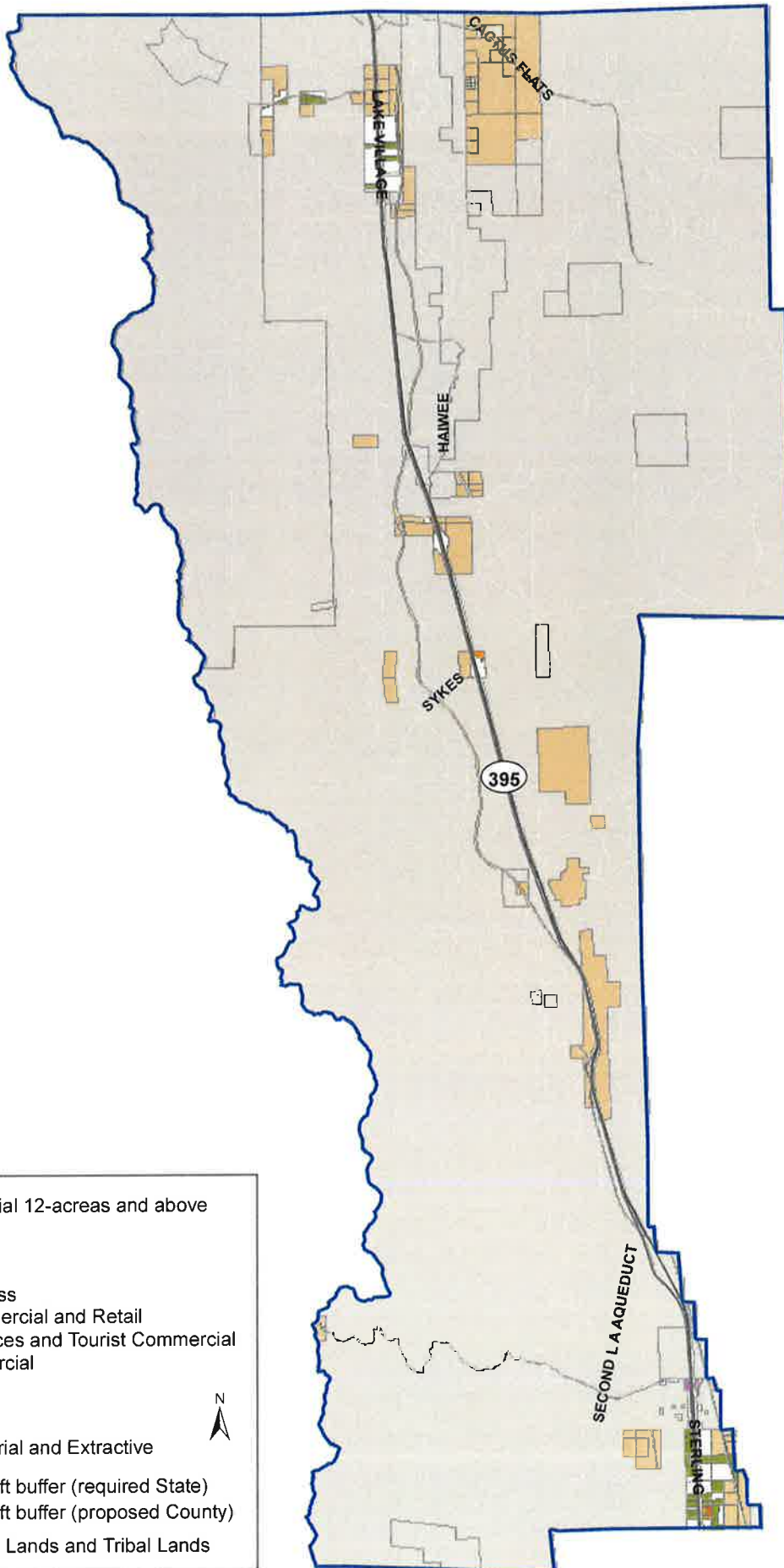
Zone 5B - Olancha
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	21	x	x	x	x	x	x	x
	less than 10,000sq.ft	21	x	x	x	x	x	2	2
	25% of total parcel or less	21	x	x	x	x	x	x	x
	All cultivation types	x	23	x	x	x	x	x	2
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	1	2	2
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	2
Testing - (Type 8)	Laboratories	x	x	x	x	x	1	2	2
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	12	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	12	1	2	2
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	12	1	2	2
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5C



- Rural Residential 12-acres and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 5C

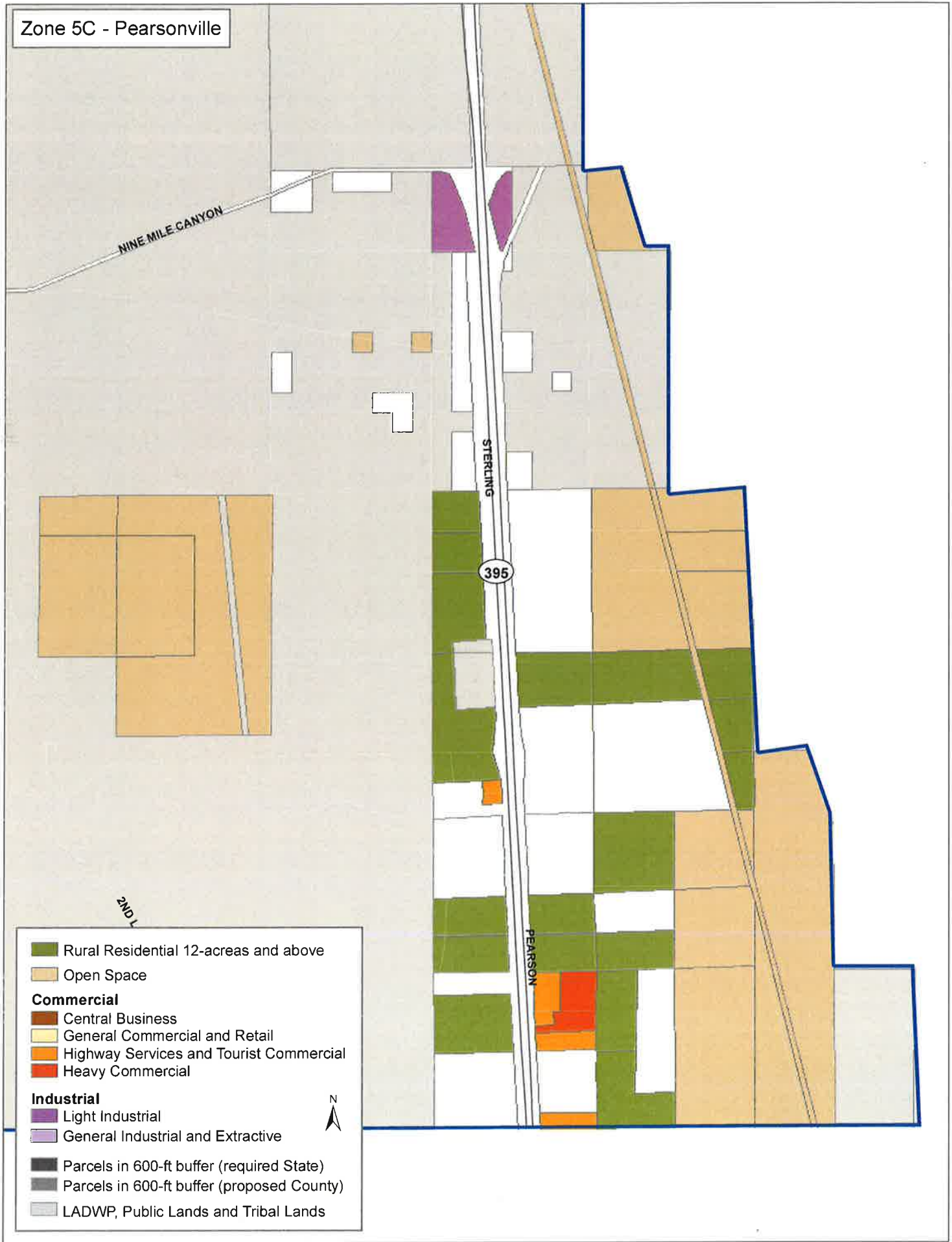
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	23	x	x	x	x	x	x	x
	less than 10,000sq.ft	23	x	x	x	x	x	2	x
	25% of total parcel or less	23	x	x	x	x	x	x	x
	All cultivation types	x	93	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	2	2	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	2	2	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	7	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	7	2	2	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	7	2	2	x

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5C - Pearsonville



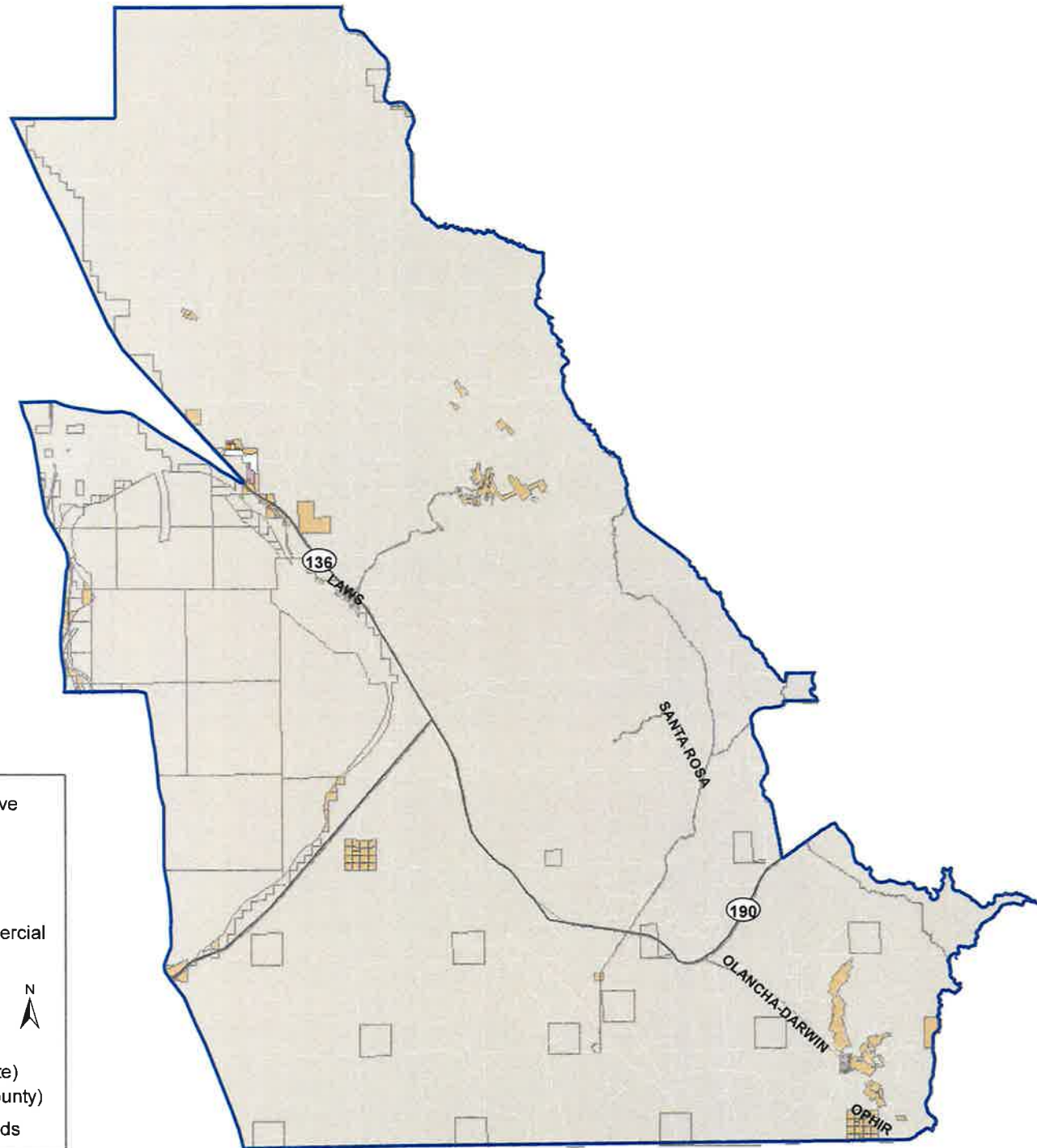
Zone 5C - Pearsonville
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	15	x	x	x	x	x	x	x
	less than 10,000sq.ft	15	x	x	x	x	x	2	x
	25% of total parcel or less	15	x	x	x	x	x	x	x
	All cultivation types	x	19	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	2	2	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	2	2	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	5	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	5	2	2	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	5	2	2	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5D



- Rural Residential 12-acres and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands

Zone 5D

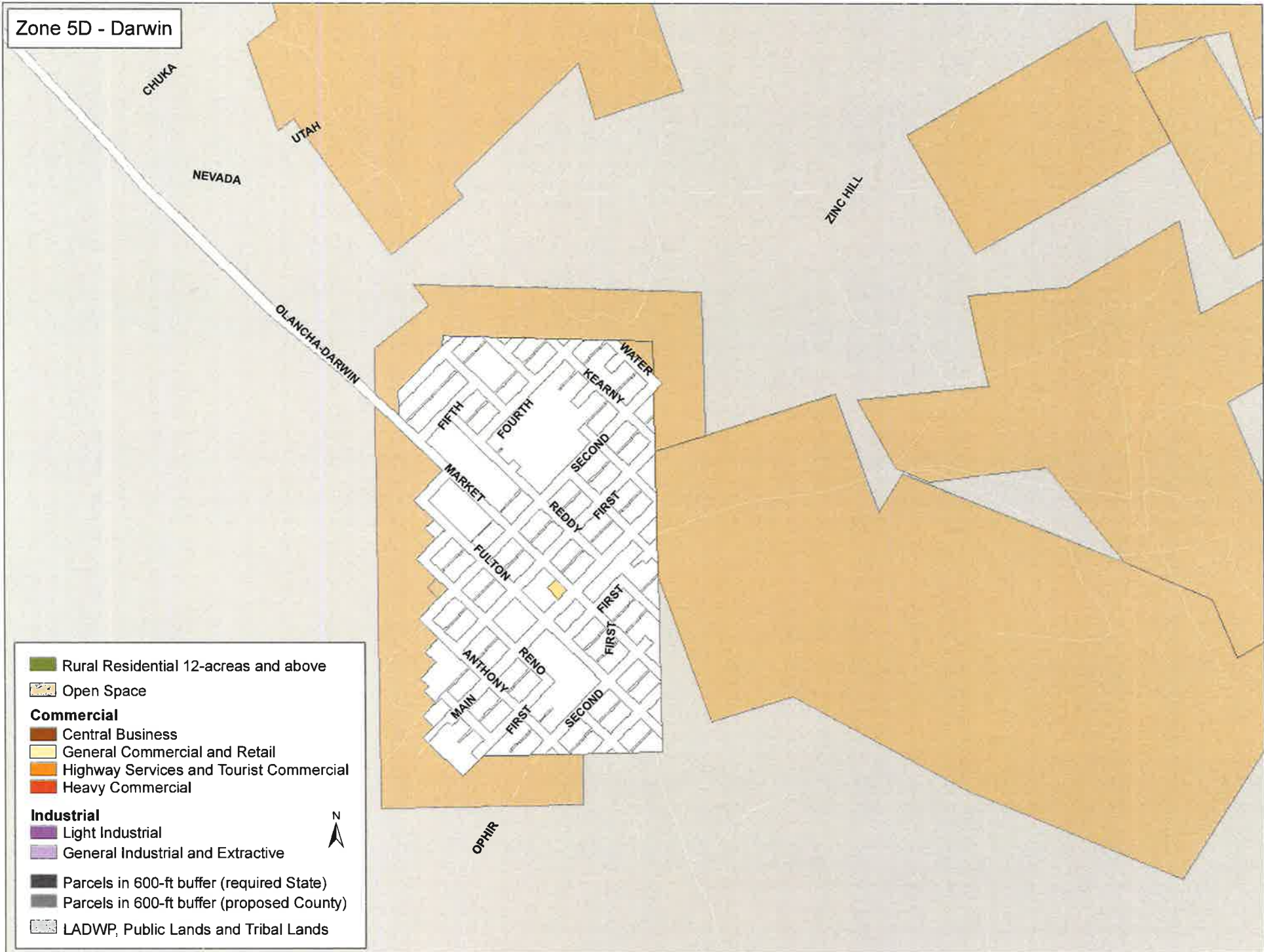
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	8	1
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	122	x	x	x	x	x	1
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	1
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	8	1
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	8	1
Retailer - (Type 10)	Sales and delivery of projects	x	x	2	6	5	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	2	6	5	x	8	1
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	2	6	5	x	8	1
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5D - Darwin



Zone 5D - Darwin

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	10	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	1	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	1	x	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	1	x	x	x	x

*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5D - Keeler



- Rural Residential 12-acreas and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 5D - Keeler

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

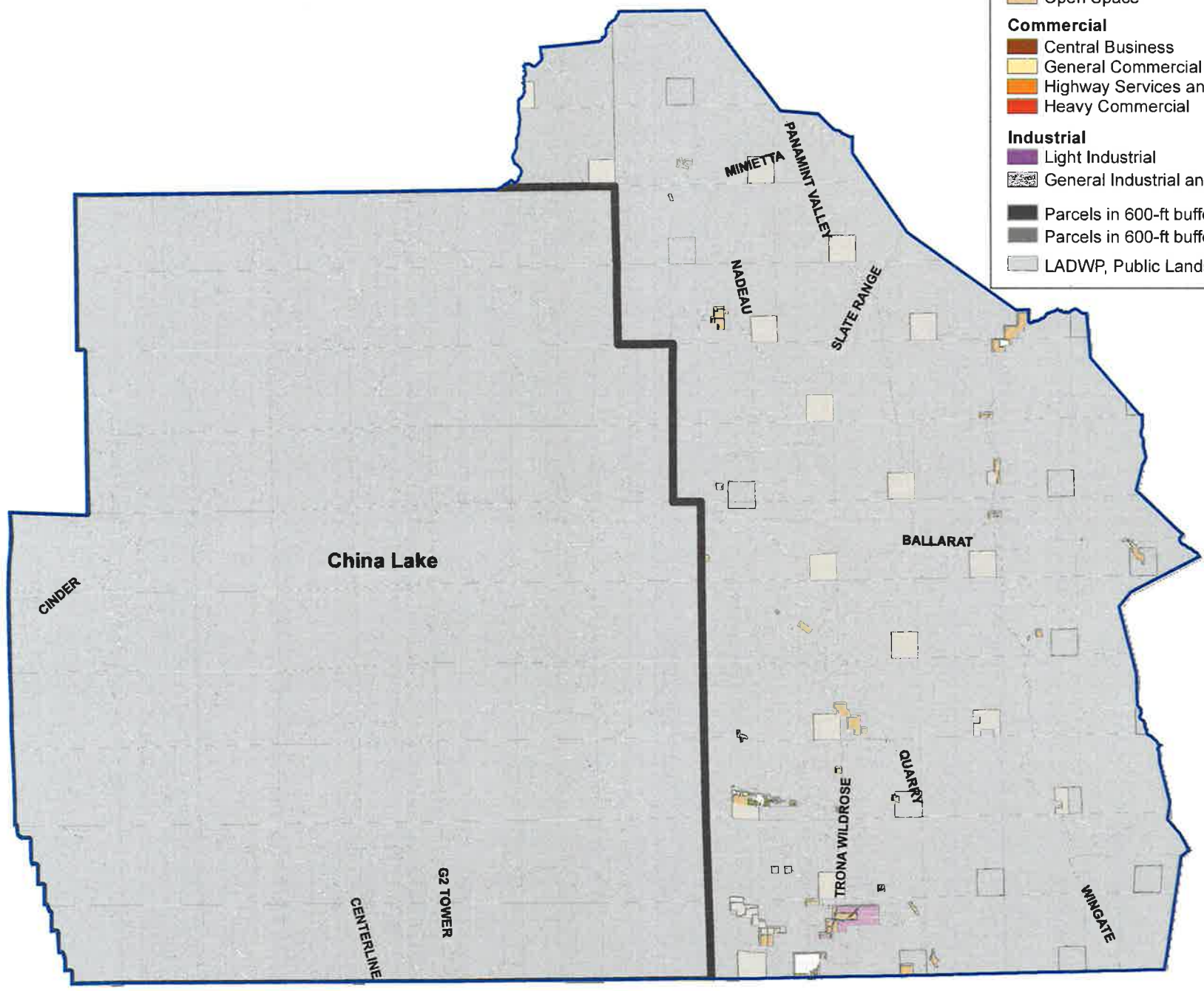
Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	7	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	8	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	7	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	7	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	2	3	1	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	2	3	1	x	7	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	2	3	1	x	7	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5E

- Rural Residential 12-acreas and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 5E

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	11	x	x	x	x	x	x	x
	less than 10,000sq.ft	11	x	x	x	x	x	x	7
	25% of total parcel or less	11	x	x	x	x	x	x	x
	All cultivation types	x	39	x	x	x	x	x	7
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	3	x	7
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	7
Testing - (Type 8)	Laboratories	x	x	x	x	x	3	x	7
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	10	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	10	3	x	7
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	10	3	x	7
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

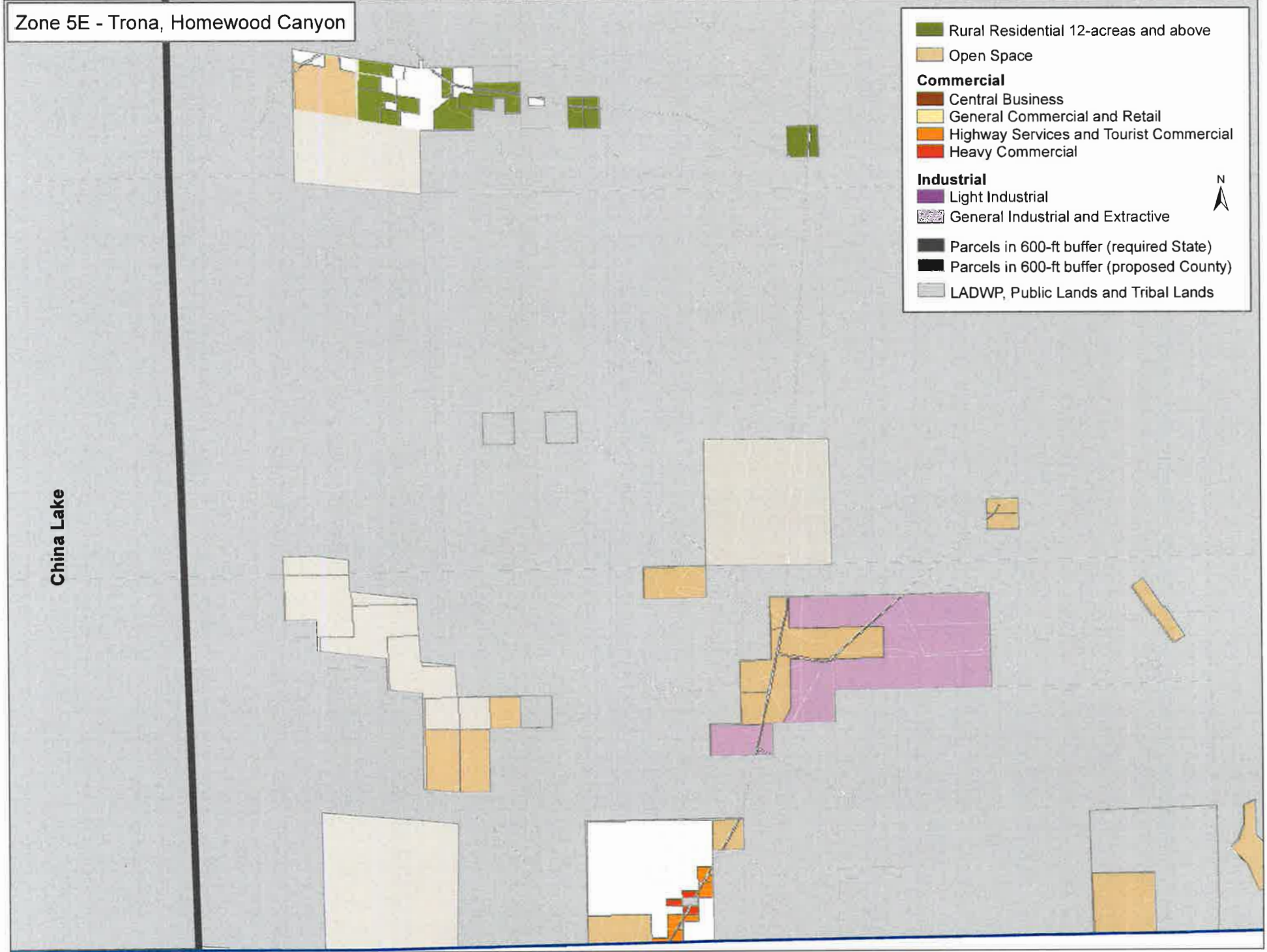
Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5E - Trona, Homewood Canyon

- Rural Residential 12-acreas and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



China Lake



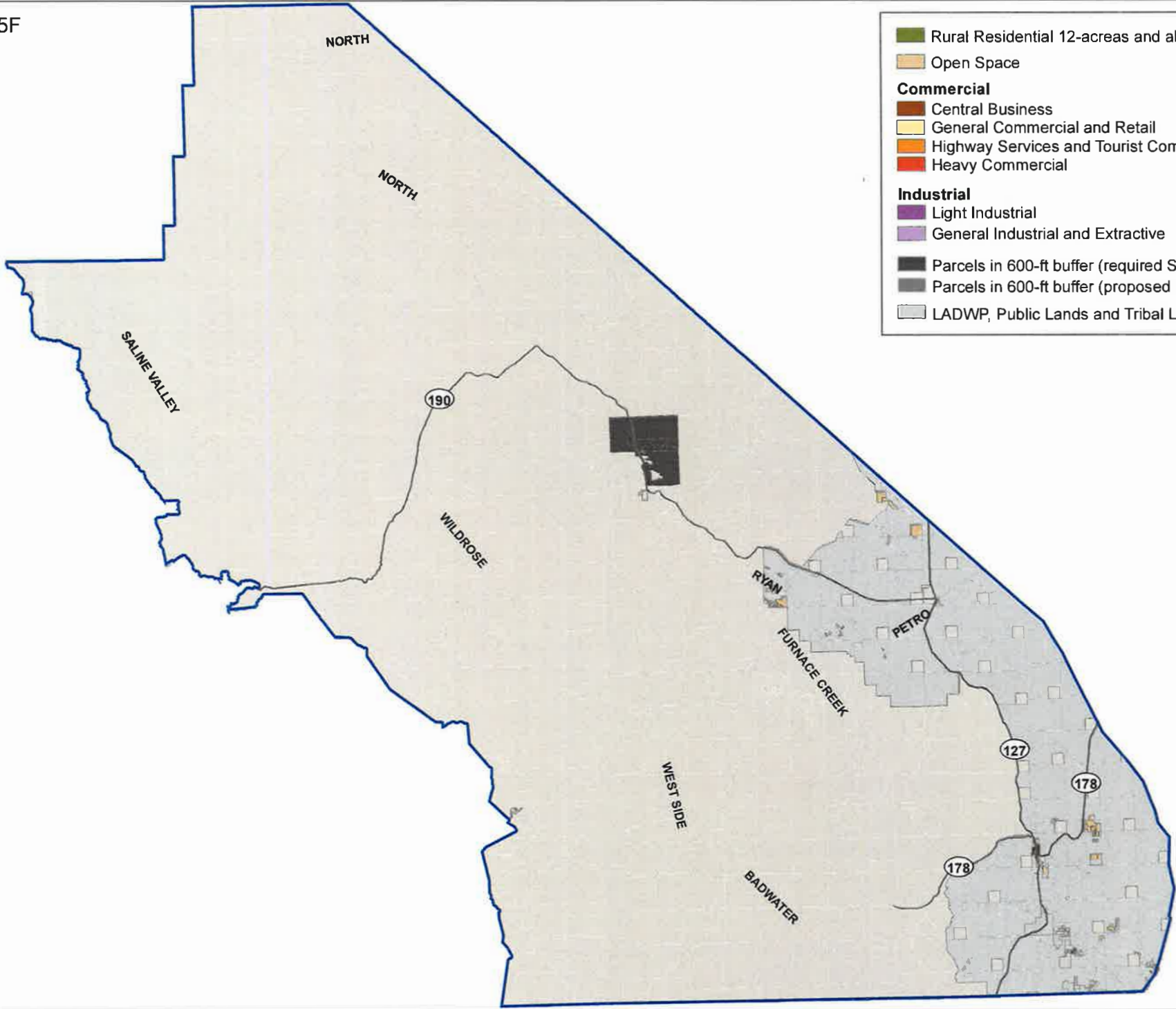
Zone 5E – Trona, Homewood Canyon
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	11	x	x	x	x	x	x	x
	less than 10,000sq.ft	11	x	x	x	x	x	x	7
	25% of total parcel or less	11	x	x	x	x	x	x	x
	All cultivation types	x	16	x	x	x	x	x	7
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	3	x	7
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	7
Testing - (Type 8)	Laboratories	x	x	x	x	x	3	x	7
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	10	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	10	3	x	7
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	10	3	x	7
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									


KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5F



- Rural Residential 12-acreas and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 5F

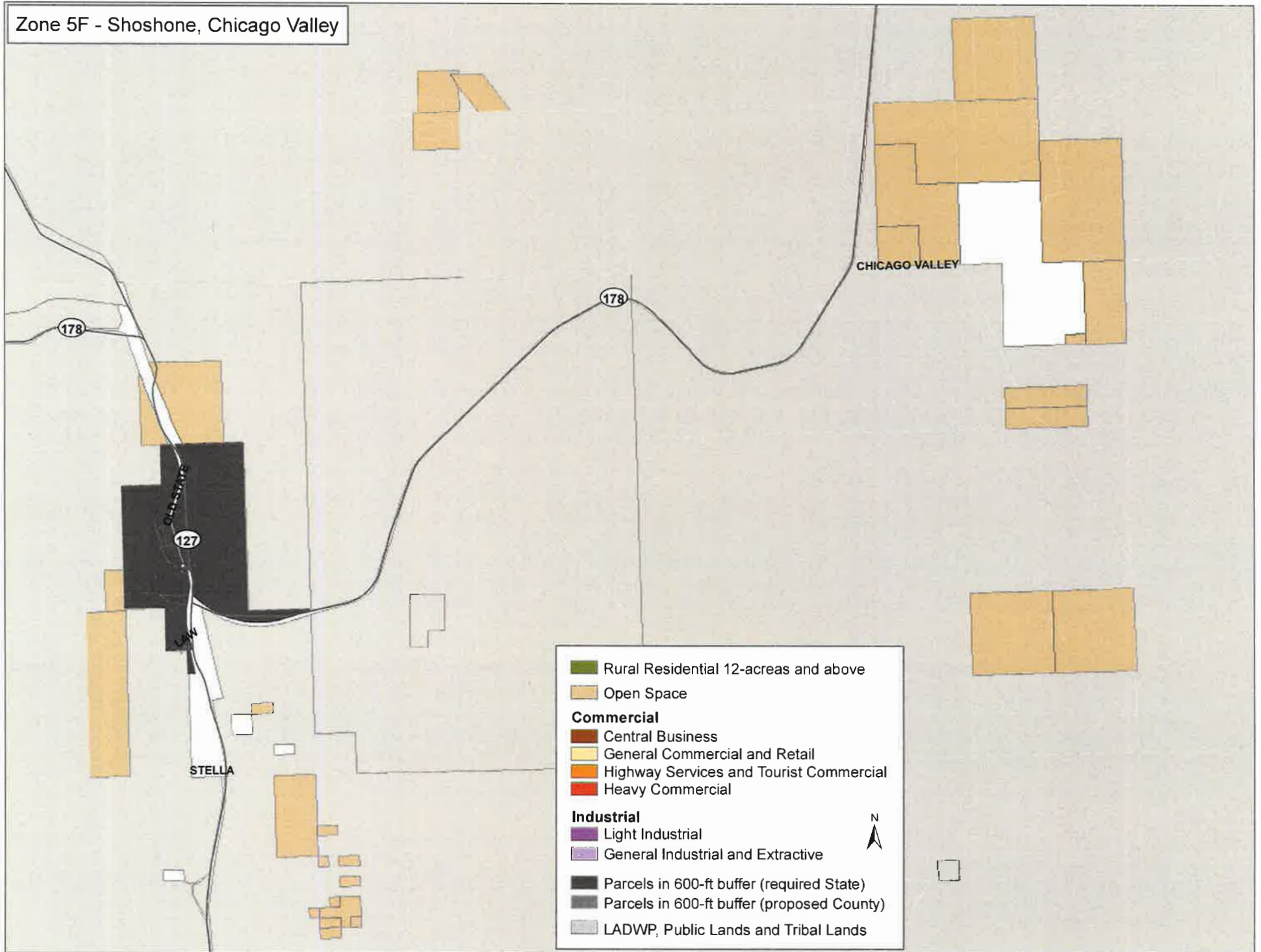
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	1	x	x	x	x	x	x	x
	less than 10,000sq.ft	1	x	x	x	x	x	x	1
	25% of total parcel or less	1	x	x	x	x	x	x	x
	All cultivation types	x	81	x	x	x	x	x	1
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	1
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	1
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	1
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	1	10	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	1	10	x	x	1
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	1	10	x	x	1
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5F - Shoshone, Chicago Valley



Rural Residential 12-acres and above
Green square

Open Space
Tan square

Commercial

- Central Business**
Brown square
- General Commercial and Retail**
Yellow square
- Highway Services and Tourist Commercial**
Orange square
- Heavy Commercial**
Red square

Industrial

- Light Industrial**
Purple square
- General Industrial and Extractive**
Light purple square

Parcels in 600-ft buffer (required State)
Black square

Parcels in 600-ft buffer (proposed County)
Grey square

LADWP, Public Lands and Tribal Lands
Light grey square

N

Zone 5F – Shoshone, Chicago Valley
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

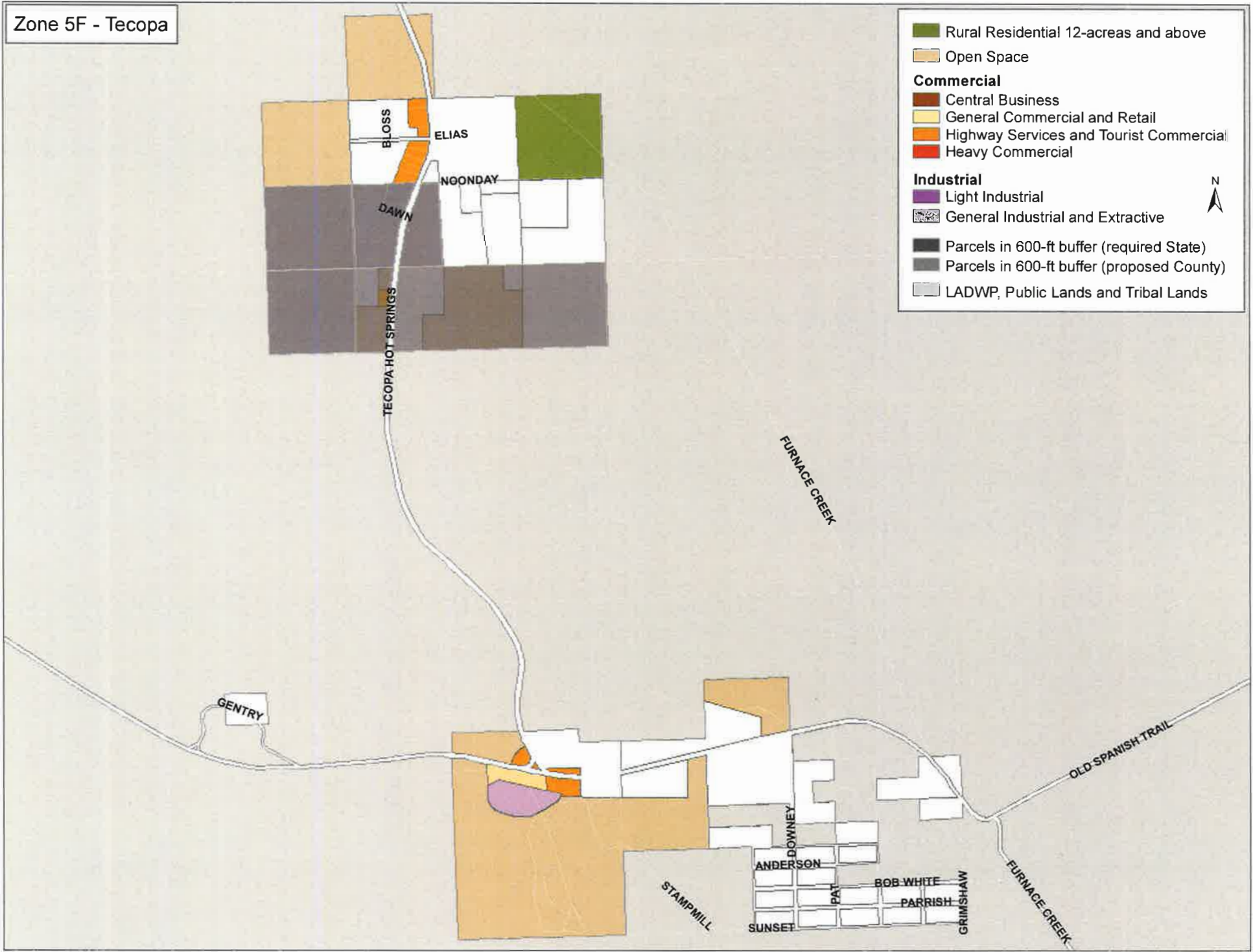
Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	23	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	x	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	x	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5F - Tecopa

- Rural Residential 12-acres and above
- Open Space
- Commercial**
- Central Business
- General Commercial and Retail
- Highway Services and Tourist Commercial
- Heavy Commercial
- Industrial**
- Light Industrial
- General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 5F - Tecopa
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

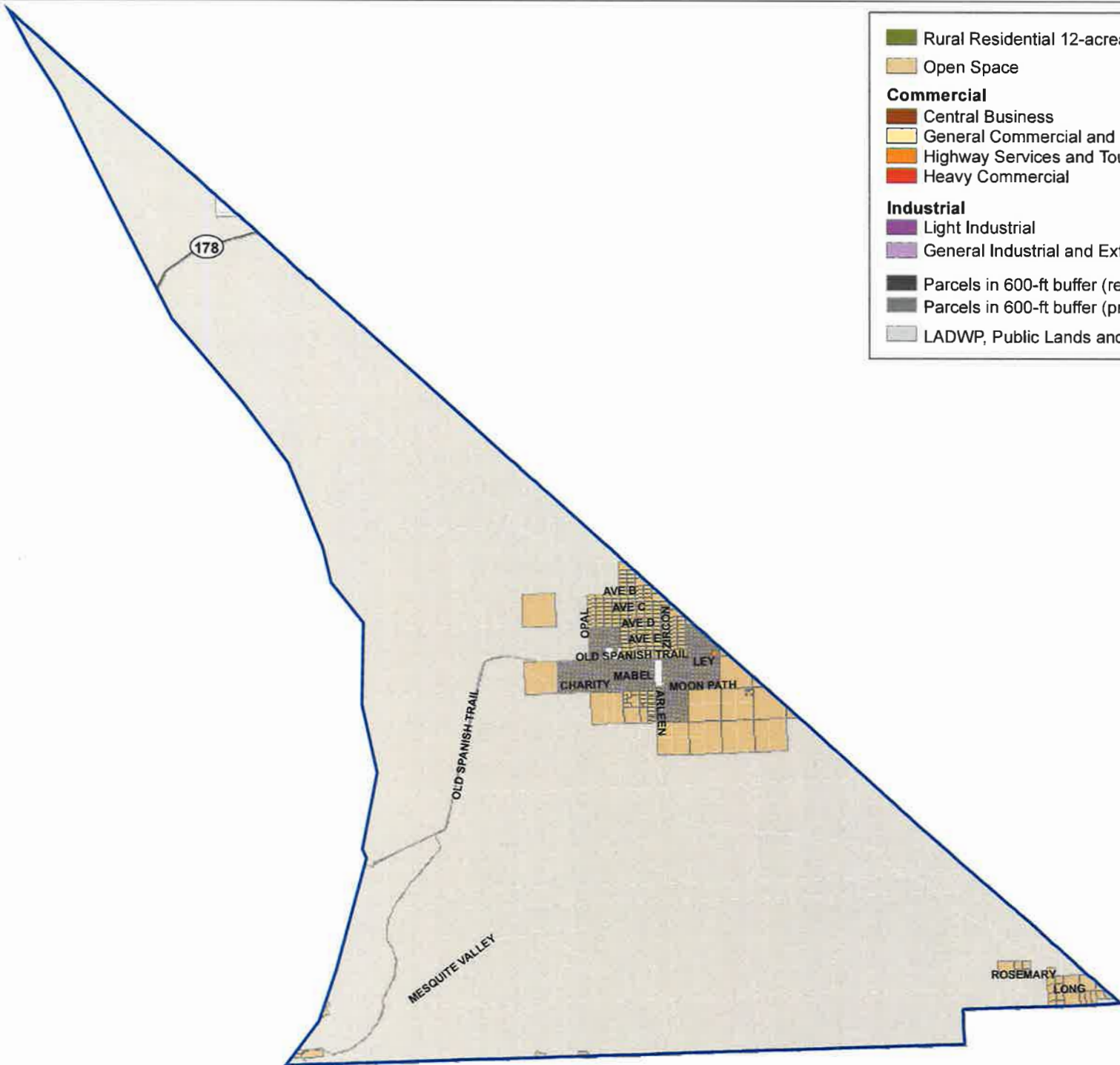

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	1	x	x	x	x	x	x	x
	less than 10,000sq.ft	1	x	x	x	x	x	x	1
	25% of total parcel or less	1	x	x	x	x	x	x	x
	All cultivation types	x	6	x	x	x	x	x	1
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	1
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	1
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	1
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	1	11	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	1	11	x	x	1
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	1	11	x	x	1
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5G

- Rural Residential 12-acres and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 5G

Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	2,097	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	5	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	5	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	5	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

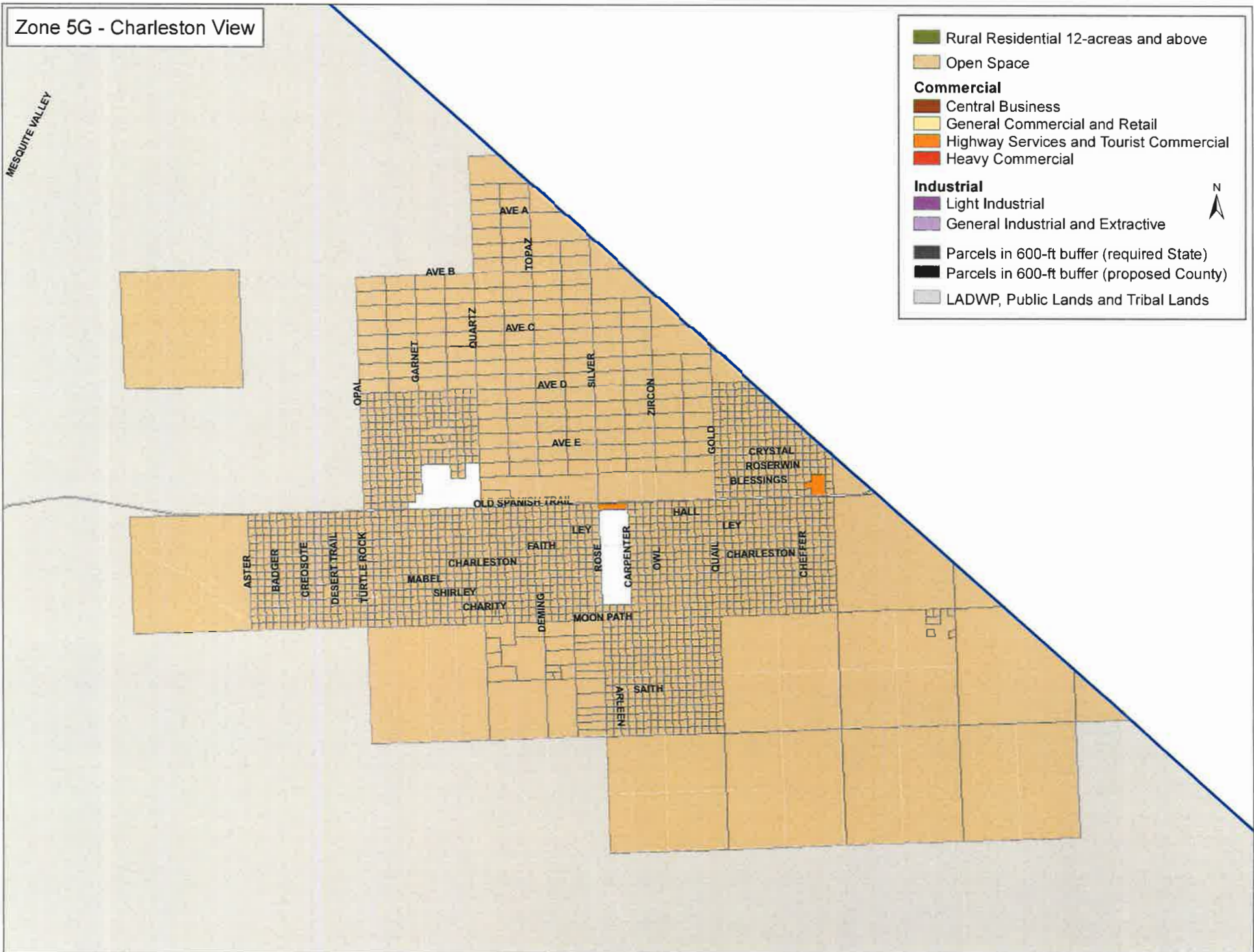
KEY
RR - Rural Residential
OS - Open Space
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C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5G - Charleston View

MESQUITE VALLEY

- Rural Residential 12-acres and above
- Open Space
- Commercial**
- Central Business
- General Commercial and Retail
- Highway Services and Tourist Commercial
- Heavy Commercial
- Industrial**
- Light Industrial
- General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



Zone 5G – Charleston View
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	2,074	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	5	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	5	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	5	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

Zone 5G - Sandy Valley

- Rural Residential 12-acreas and above
- Open Space
- Commercial**
 - Central Business
 - General Commercial and Retail
 - Highway Services and Tourist Commercial
 - Heavy Commercial
- Industrial**
 - Light Industrial
 - General Industrial and Extractive
- Parcels in 600-ft buffer (required State)
- Parcels in 600-ft buffer (proposed County)
- LADWP, Public Lands and Tribal Lands



ROSEMARY

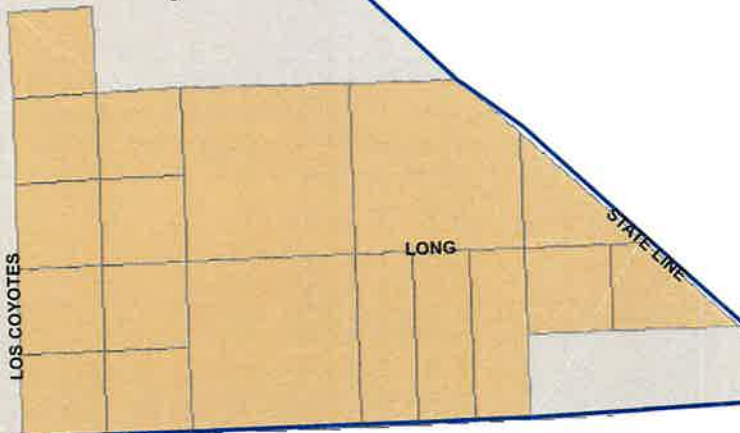
EKENBERG

TWO HAWK RANCH

LOS COYOTES

LONG

STATE LINE



Zone 5G – Sandy Valley
Approximate Number of Parcels Eligible for Conditionally-Approved Commercial Cannabis Activities
Based on Proposed County Regulations

Parcels *eligible after State and County (proposed) 600-ft buffers applied									
Business License Type	Activity	RR	OS	CB	C1	C2	C4	M2	M1
Cultivation - by allowed canopy size	5,000sq.ft or less	x	x	x	x	x	x	x	x
	less than 10,000sq.ft	x	x	x	x	x	x	x	x
	25% of total parcel or less	x	x	x	x	x	x	x	x
	All cultivation types	x	24	x	x	x	x	x	x
Manufacturing - (Type 6)	Using non-volatile solvents	x	x	x	x	x	x	x	x
Manufacturing - (Type 7)	Using volatile solvents	x	x	x	x	x	x	x	x
Testing - (Type 8)	Laboratories	x	x	x	x	x	x	x	x
Retailer - (Type 10)	Sales and delivery of projects	x	x	x	x	x	x	x	x
Distributor - (Type 11)	Distribution of marijuana &cannabis and marijuana & cannabis products	x	x	x	x	x	x	x	x
Microbusiness - (Type 12)	Cultivation less than 10,000sqft, distributor, Level 1 manufacturing and/or retailer.	x	x	x	x	x	x	x	x
*Most eligible parcels qualify for multiple licenses types, for questions regarding parcel counts or specific parcels please ask staff									

KEY
RR - Rural Residential
OS - Open Space
CB - Central Business
C1 - General Commercial and Retail
C2 - Highway Services and Tourist Commercial
C4 - Heavy Commercial
M2 - Light Industrial
M1 - General Industrial and Extractive
NC = No Change

Not all Open Space zoned parcels identified on the Maps and Tables are eligible for cultivation once the proposed 300-ft buffer is applied.

22

MICHELE HARTSHORN
Assistant Clerk-Recorder
mhartshorn@inyocounty.us



BRANDON BARDONNEX
Office Technician
bbardonnex@inyocounty.us

KAMMI FOOTE
Clerk-Recorder
Registrar of Voters
kfoote@inyocounty.us

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(760) 873-8481 x 0224
(760) 876-5559 x 0224
FAX: (760) 878-1805

COUNTY OF INYO
OFFICE OF THE CLERK-RECORDER
REGISTRAR OF VOTERS
P. O. Drawer F
Independence, California 93526

November 20, 2017

The Honorable Board of Supervisors
PO Drawer N
Independence, CA 93526

RE: Agenda item request

The Inyo County Elections office received the attached Resolution 01-17 from the Big Pine Community Services District. This is requesting the Board of Supervisors approve the Rescheduling of Governing Board Elections from Odd-Numbered years to Even-Numbered Years, in accordance with Elections Code 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and Requesting the approval of the County of Inyo to Consolidate the same with the Statewide General Election Pursuant to Elections Code 10404. Please place the attached on the Board of Supervisors agenda under Correspondence – Action at your earliest convenience.

Sincerely,

Michele J. Hartshorn
Assistant Clerk-Recorder

:mjh/enclosure

BEFORE THE GOVERNING BODY OF THE
BIG PINE COMMUNITY SERVICES DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA

A Resolution of the Governing Body of the Big Pine Community Services District Approving the Rescheduling of Governing Body Member Elections from Odd-Numbered Years to Even-Numbered Years, in Accordance with Elections Code § 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and Requesting the Approval of the County of Inyo to Consolidate the Same with the Statewide General Election Pursuant to Elections Code § 10404.

RESOLUTION NO: 01-17

WHEREAS, on September 1, 2015, Governor Brown signed Senate Bill 415 (Reg. Sess.), codified at Stats. 2015, ch. 235, enacting Elections Code §§ 14050-14057, which prohibits the holding of an election other than on a statewide election date if holding an election on a nonconcurrent date resulted in a significant decrease in voter turnout, as defined, and further authorizes voters to enforce this prohibition by filing an action in superior court; and

WHEREAS, the Big Pine Community Services District currently conducts its elections for members of the District in November of odd-numbered years (*e.g.*, November 2015) pursuant to Elections Code § 1303 subdivision (a); and

WHEREAS, voter participation in Inyo County is greater for statewide general elections than for odd-year local elections, including special district governing body member elections; and

WHEREAS, the District believes that rescheduling to even-numbered year elections may enhance voter participation and further increase the percentage of voters participating in the Special Districts elections; and

WHEREAS, it is considered the view of the District that starting with the [2018] Special Districts elections, the public interest will be better served by election of its governing body members in even-numbered year elections, held in conjunction with the statewide general elections; and

WHEREAS, the District further recognizes that there may also be a cost savings to the District resulting from aligning the District's elections with the statewide general elections; and

WHEREAS, as a result of these facts, the District desires to change the date of future governing body member elections to be consolidated with the California statewide general election in order to increase and enhance voter participation; and

WHEREAS, Elections Code § 1303(b) establishes a procedure whereby the District may change the election date for its governing body members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county, *see* Elec. Code § 10404; and

WHEREAS, if the change in election date is approved by the Inyo County Board of Supervisors, it is requested that the new election date be moved from November of odd-numbered years to November of even-numbered years commencing in [2020] with governing body members whose terms would have expired in [2019] being extended to [2020] and governing body members whose terms would have expired in [2021] being extended to [2022], as required by Elections Code § 10404(i) (refer to Exhibit A),

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are true and correct.
2. The undersigned, constituting at least a majority of the members of the Big Pine Community Services District Governing Body, do hereby adopt this resolution to consolidate the election date for members of the District with the state general election in November of even-numbered years, beginning in [2020] pursuant to Elections Code § 1303(b).
3. The District shall forward the original copy of this resolution to the Inyo County Elections and Inyo County Board of Supervisors, who will consider the request for formal approval of the change at a public meeting within 60 days after submission and after the resolutions have been posted in accordance with law.
4. The District shall pay the expenses of mailing notice of approval of the change in election date by the Inyo County Board of Supervisors as required by Elections Code § 10404 subdivision (f).
5. If the consolidation of election is approved by the Board of Supervisors, the date of the District's next election will be moved to November [2020], and each subsequent governing body member election will be held two years thereafter in November of even-numbered years.
6. If the consolidation of election is approved, the terms of office of current governing body members expiring in November [2019] will be extended to November [2020] and the terms of members expiring in November [2021] will be extended to November [2022] (see Exhibit A).

7. In the event that the Inyo County Board of Supervisors declines to authorize consolidation in [2020] on the grounds specified in Elections Code § 10404(e), the Big Pine Community Services District Governing Body requests that the Inyo County Board of Supervisors authorize such consolidation at the soonest feasible date.
8. The District and/or her designee is authorized to take such actions and execute such agreements and documentation as are necessary to effect the intent of this Resolution.

The foregoing RESOLUTION was adopted this 15th day of November, 2017, at a regular meeting of the Governing Body of the Big Pine Community Services District, by the following vote:

AYES: 3 (Quorum)

NOES: 0

ABSTAIN: 0

ABSENT: 2

Dated: November 15, 2017



Vice President
Big Pine Community Services District

CERTIFICATION

I, Roberta J. Lovig District Secretary of the Big Pine Community Services District, do hereby certify that the foregoing Resolution was proposed by Governing Body Member Gary Doyel, Vice President, seconded by Governing Body Member David Allen, and was duly passed and adopted by a majority of the members of said Governing Body, at an official and public meeting thereof held on November 15, 2017.

Dated: 11-15-17


_____, Board Sec.

23

MICHELE HARTSHORN
Assistant Clerk-Recorder
mhartshorn@inyocounty.us

BRANDON BARDONNEX
Office Technician
bbardonnex@inyocounty.us



COUNTY OF INYO
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FAX: (760) 878-1805

November 22, 2017

The Honorable Board of Supervisors
PO Drawer N
Independence, CA 93526

RE: Agenda item request

The Inyo County Elections office received the attached Resolution 2017-01 from the Darwin Community Services District. This is requesting the Board of Supervisors approve the Rescheduling of Governing Board Elections from Odd-Numbered years to Even-Numbered Years, in accordance with Elections Code 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and Requesting the approval of the County of Inyo to Consolidate the same with the Statewide General Election Pursuant to Elections Code 10404. Please place the attached on the Board of Supervisors agenda under Correspondence – Action at your earliest convenience.

Sincerely,

Michele J. Hartshorn
Assistant Clerk-Recorder

:mjh/enclosure

BEFORE THE GOVERNING BODY OF THE
Darwin Community Services DISTRICT
COUNTY OF INYO, STATE OF CALIFORNIA

A Resolution of the Governing Body of the Darwin Com. Serv. District Approving the Rescheduling of Governing Body Member Elections from Odd-Numbered Years to Even-Numbered Years, in Accordance with Elections Code § 1303(b) and Senate Bill 415 (2015-2016 Regular Session), and Requesting the Approval of the County of Inyo to Consolidate the Same with the Statewide General Election Pursuant to Elections Code § 10404.

RESOLUTION NO: 2017-01

WHEREAS, on September 1, 2015, Governor Brown signed Senate Bill 415 (Reg. Sess.), codified at Stats. 2015, ch. 235, enacting Elections Code §§ 14050-14057, which prohibits the holding of an election other than on a statewide election date if holding an election on a nonconcurrent date resulted in a significant decrease in voter turnout, as defined, and further authorizes voters to enforce this prohibition by filing an action in superior court; and

WHEREAS, the Darwin Com. Serv. District currently conducts its elections for members of the District in November of odd-numbered years (e.g., November 2015) pursuant to Elections Code § 1303 subdivision (a); and

WHEREAS, voter participation in Inyo County is greater for statewide general elections than for odd-year local elections, including special district governing body member elections; and

WHEREAS, the District believes that rescheduling to even-numbered year elections may enhance voter participation and further increase the percentage of voters participating in the Special Districts elections; and

WHEREAS, it is considered the view of the District that starting with the [2018] Special Districts elections, the public interest will be better served by election of its governing body members in even-numbered year elections, held in conjunction with the statewide general elections; and

WHEREAS, the District further recognizes that there may also be a cost savings to the District resulting from aligning the District's elections with the statewide general elections; and

WHEREAS, as a result of these facts, the District desires to change the date of future governing body member elections to be consolidated with the California statewide general election in order to increase and enhance voter participation; and

WHEREAS, Elections Code § 1303(b) establishes a procedure whereby the District may change the election date for its governing body members by adopting a resolution seeking approval of the change by the Board of Supervisors of the affected county, *see* Elec. Code § 10404; and

WHEREAS, if the change in election date is approved by the Inyo County Board of Supervisors, it is requested that the new election date be moved from November of odd-numbered years to November of even-numbered years commencing in [2020] with governing body members whose terms would have expired in [2019] being extended to [2020] and governing body members whose terms would have expired in [2021] being extended to [2022], as required by Elections Code § 10404(i) (refer to Exhibit A),

NOW, THEREFORE, BE IT RESOLVED that:

1. The above recitals are true and correct.
2. The undersigned, constituting at least a majority of the members of the Darwin Community Services District Governing Body, do hereby adopt this resolution to consolidate the election date for members of the District with the state general election in November of even-numbered years, beginning in [2020] pursuant to Elections Code § 1303(b).
3. The District shall forward the original copy of this resolution to the Inyo County Elections and Inyo County Board of Supervisors, who will consider the request for formal approval of the change at a public meeting within 60 days after submission and after the resolutions have been posted in accordance with law.
4. The District shall pay the expenses of mailing notice of approval of the change in election date by the Inyo County Board of Supervisors as required by Elections Code § 10404 subdivision (f).
5. If the consolidation of election is approved by the Board of Supervisors, the date of the District's next election will be moved to November [2020], and each subsequent governing body member election will be held two years thereafter in November of even-numbered years.
6. If the consolidation of election is approved, the terms of office of current governing body members expiring in November [2019] will be extended to November [2020] and the terms of members expiring in November [2021] will be extended to November [2022] (see Exhibit A).

7. In the event that the Inyo County Board of Supervisors declines to authorize consolidation in [2020] on the grounds specified in Elections Code § 10404(e), the Darwin Com. Services District Governing Body requests that the Inyo County Board of Supervisors authorize such consolidation at the soonest feasible date.
8. The District and/or her designee is authorized to take such actions and execute such agreements and documentation as are necessary to effect the intent of this Resolution.

The foregoing RESOLUTION was adopted this 12th day of November, 2017, at a regular meeting of the Governing Body of the Darwin Com. Serv. Dist. District, by the following vote:

AYES: 4 Hal Newell, John. Hamilton, Michael Laemmle, Kristy Bowman
NOES: 0
ABSTAIN: 0
ABSENT: 1 Aaron Dorman

Dated: 11/12/17


President

11/12/2017 District

CERTIFICATION

I, Patricia Laemmle, District Secretary of the Darwin Com. Services District, do hereby certify that the foregoing Resolution was proposed by Governing Body Member Kristy Bowman, seconded by Governing Body Member Hal Newell, and was duly passed and adopted by a majority of the members of said Governing Body, at an official and public meeting thereof held on November 12, 2017.

Dated: 11/12/2017

, Clerk



AGENDA REQUEST FORM
BOARD OF SUPERVISORS
COUNTY OF INYO

For Clerk's Use Only:
AGENDA NUMBER
 24

- Consent Departmental Correspondence Action Public Hearing
 Scheduled Time for Closed Session Informational

FROM: Alisha McMurtrie, Treasurer-Tax Collector

FOR THE BOARD MEETING: December 5, 2017

SUBJECT: 2016/2017 Annual Transient Occupancy Tax (TOT) report and Historical Collections report.

DEPARTMENTAL RECOMMENDATION:

Request your Board review the 2016/2017 Annual TOT report and the Historical Collections report and direct any questions to the Treasurer-Tax Collector.

SUMMARY DISCUSSION:

The Treasurer-Tax Collector's office bills, collects and enforces the collection of the voter approved TOT for the unincorporated area of Inyo County. The current transient occupancy tax rate for Inyo County, excluding the incorporated City of Bishop, is 12%. The 2015/2016 geographical summary is provided for year over year analysis. Total collections for 2016/2017 reflect an increase of 7.35% over 2015/2016. Due to the major remodel of multiple Xanterra Corporation properties, there is an anticipated reduction in TOT receipts for the 2017/2018 fiscal year.

ALTERNATIVES:

OTHER AGENCY INVOLVEMENT:

FINANCING:

APPROVALS

BUDGET OFFICER: N/A	BUDGET AMENDMENTS <i>(Must be reviewed and approved by Budget Officer prior to being approved by others, as needed, and prior to submission to the Assistant Clerk of the Board.)</i> Approved: _____ Date _____
COUNTY COUNSEL: N/A	AGREEMENTS, CONTRACTS AND ORDINANCES AND CLOSED SESSION AND RELATED ITEMS <i>(Must be reviewed and approved by county counsel prior to submission to the board clerk.)</i> Approved: _____ Date _____
AUDITOR/CONTROLLER: N/A	ACCOUNTING/FINANCE AND RELATED ITEMS <i>(Must be reviewed and approved by the auditor-controller prior to submission to the board clerk.)</i> Approved: _____ Date _____
PERSONNEL DIRECTOR: N/A	PERSONNEL AND RELATED ITEMS <i>(Must be reviewed and approved by the director of personnel services prior to submission to the board clerk.)</i> Approved: _____ Date _____

DEPARTMENT HEAD SIGNATURE:

(Not to be signed until all approvals are received)

Alisha McMurtrie

Date: 11/15/17

(The Original plus 14 copies of this document are required)

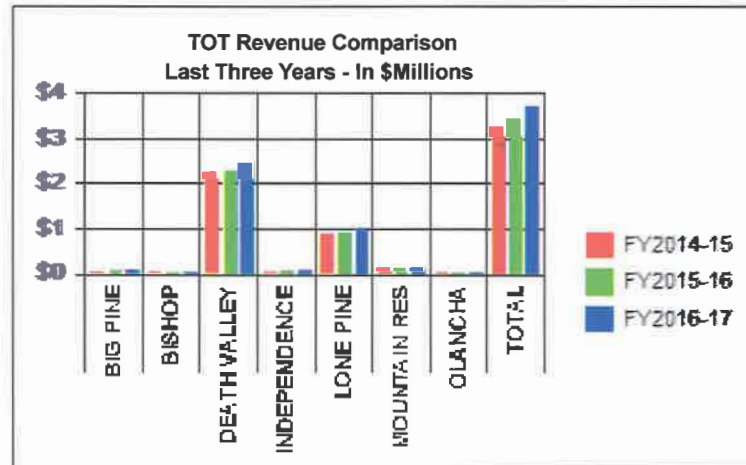
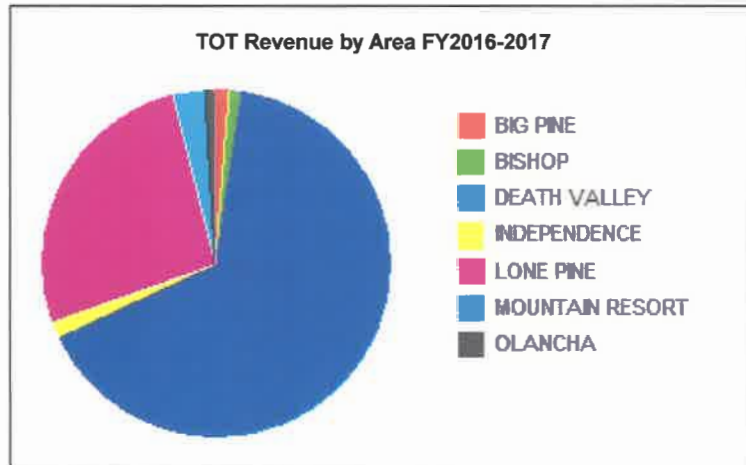


HOTEL TRANSIENT OCCUPANCY TAX

FISCAL YEAR 2016-2017

Summary By
Calendar Quarter and Geographic Area

AREA	QTR END SEP 30	QTR END DEC 31	QTR END MAR 31	QTR END JUN 30	AREA TOTALS	% Of Total Revenue
BIG PINE	\$27,999.59	\$10,267.84	\$5,058.17	\$13,091.94	\$56,417.54	1.52%
BISHOP	\$19,336.09	\$5,253.92	\$1,317.43	\$10,478.05	\$36,385.49	0.98%
DEATH VALLEY	\$526,779.67	\$591,377.75	\$772,519.35	\$545,983.19	\$2,436,659.96	65.50%
INDEPENDENCE	\$29,457.44	\$8,357.43	\$4,457.04	\$12,340.45	\$54,612.36	1.47%
LONE PINE	\$372,840.25	\$189,547.81	\$150,856.54	\$285,653.18	\$998,897.78	26.85%
MOUNTAIN RESORT	\$66,763.13	\$9,159.35	\$6,199.78	\$28,274.31	\$110,396.57	2.97%
OLANCHA	\$9,718.04	\$4,537.96	\$3,606.22	\$8,588.04	\$26,450.26	0.71%
TOTALS	\$1,052,894.21	\$818,502.06	\$944,014.53	\$904,409.16	\$3,719,819.96	100.00%



ALISHA McMURTRIE
TREASURER-TAX COLLECTOR

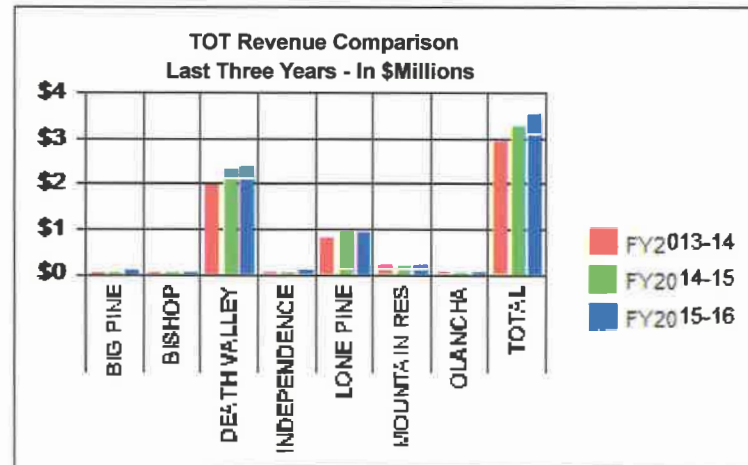
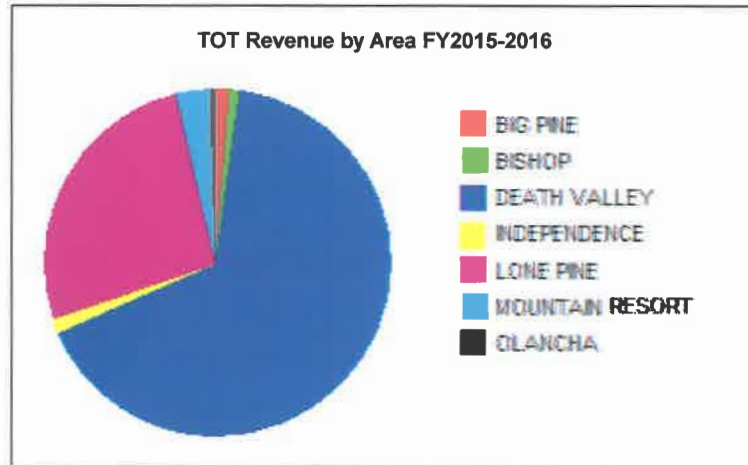


HOTEL TRANSIENT OCCUPANCY TAX

FISCAL YEAR 2015-2016

Summary By
Calendar Quarter and Geographic Area

AREA	QTR END SEP 30	QTR END DEC 31	QTR END MAR 31	QTR END JUN 30	AREA TOTALS	% Of Total Revenue
BIG PINE	\$26,589.53	\$9,313.00	\$3,851.23	\$12,848.71	\$52,602.47	1.52%
BISHOP	\$15,511.68	\$2,664.85	\$2,031.55	\$9,909.39	\$30,117.47	0.87%
DEATH VALLEY	\$508,388.35	\$519,423.51	\$724,609.96	\$532,184.52	\$2,284,606.34	65.94%
INDEPENDENCE	\$20,698.51	\$7,877.71	\$6,211.23	\$14,930.32	\$49,717.77	1.43%
LONE PINE	\$346,402.37	\$167,228.30	\$155,323.89	\$258,605.57	\$927,560.13	26.77%
MOUNTAIN RESORT	\$58,744.08	\$8,483.91	\$6,588.94	\$32,188.41	\$106,005.34	3.06%
OLANCHA	\$5,579.60	\$1,992.04	\$3,056.37	\$3,663.59	\$14,291.60	0.41%
TOTALS	\$981,914.12	\$716,983.32	\$901,673.17	\$864,330.51	\$3,464,901.12	100.00%



ALISHA McMURTRIE
TREASURER-TAX COLLECTOR

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Department of Alcoholic Beverage Control

State of California

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control
4800 STOCKDALE HWY
STE 213
BAKERSFIELD, CA 93309
(661) 395-2731

File Number: **588770**
Receipt Number: **2467962**
Geographical Code: **1400**
Copies Mailed Date: **November 16, 2017**
Issued Date:

DISTRICT SERVING LOCATION: **BAKERSFIELD**

First Owner: **PAGENKOPP VENTURES INC.**

Name of Business: **PAGENKOPP VENTURES**

Location of Business: **11 MI W OF
BIG PINE, CA 93513**

County: **INYO**

Is Premise inside city limits? **No**

Census Tract **0005.00**

Mailing Address: **2751 TIGERTAIL DR
ROSSMOOR, CA 90720-4931**

Type of license(s): **41**

Transferor's license/name: **413732 / HUFFMAN, KATHY ANNE** Dropping Partner: Yes No

RECEIVED
2017 NOV 20 AM 11: 09
INYO COUNTY
ADMINISTRATOR
CLERK OF THE CLERK

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
41 - On-Sale Beer And Wine	ANNUAL FEE	NA	Y	0	11/16/17	\$389.00
41 - On-Sale Beer And Wine	PERSON-TO-PERSON TRANSFER	NA	Y	0	11/16/17	\$150.00
NA	FEDERAL FINGERPRINTS	NA	N	2	11/16/17	\$48.00
NA	STATE FINGERPRINTS	NA	N	2	11/16/17	\$78.00
Total						\$665.00

Have you ever been convicted of a felony? **No**

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? **No**

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of INYO

Date: November 16, 2017

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee's name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s)

PAGENKOPP VENTURES INC.

See 211 Signature Page

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S)

ABC 211 (6/99)

TO: Department of Alcoholic Beverage Control
4800 STOCKDALE HWY
STE 213
BAKERSFIELD, CA 93309
(661) 395-2731

File Number: 586562
Receipt Number: 2468127
Geographical Code: 1400
Copies Mailed Date: November 16, 2017
Issued Date:

2017
INYO COUNTY
ADMINISTRATOR
CLERK OF THE BOARD

2017 NOV 20 AM 11:09

RECEIVED

DISTRICT SERVING LOCATION: BAKERSFIELD
First Owner: NERSESIAN, ANDRE
Name of Business: COUNTRY KITCHEN
Location of Business: 181 S MAIN ST
BIG PINE, CA 93513

County: INYO
Is Premise inside city limits? No
Census Tract 0005.00

Mailing Address: 116 MOUNTAIN RD
BIG PINE, CA 93513-2037
(If different from premises address)

Type of license(s): 47

Transferor's license/name: Dropping Partner: Yes No [X]

Table with columns: License Type, Transaction Type, Fee Type, Master, Dup, Date, Fee. Rows include On-Sale General Eating ANNUAL FEE and ORIGINAL FEES, and a Total row.

Have you ever been convicted of a felony? No
Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the Department pertaining to the Act? No
Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

STATE OF CALIFORNIA County of INYO Date: September 22, 2017

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made; (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

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Applicant Name(s) Applicant Signature(s)
NERSESIAN, ANDRE
NERSESIAN, NERSES S
See 211 Signature Page