

# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

# H-2

333 West Ocean Boulevard 7<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

October 17, 2017

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Receive the supporting documentation into the record, conclude the hearing, and approve the hearing officer's recommendation to deny the business license MJ21701137 submitted by Long Beach Cannabis Club for a medical marijuana business located at 5752 E. 2<sup>nd</sup> Street, but reject the hearing officer's finding that Naples Canals are not a "public park" as defined under Chapter 5.90 of the Long Beach Municipal Code. (District 3)

## DISCUSSION

The Long Beach Municipal Code (LBMC) requires a hearing be held before the City Council whenever the denial of a business license is appealed.

On July 18, 2017, the City Council referred the appeal of the business license denial for Long Beach Cannabis Club to a hearing officer and the appeal hearing was held on August 14, 2017.

LBMC Section 2.93.050 requires the City Council set a time for a hearing to review and consider the hearing officer's report and recommendation. After review of the hearing officer's report, the City Council may adopt, reject or modify the recommended decision. In its discretion, the City Council may take additional evidence at the hearing or refer the case back to the hearing officer with instructions to consider additional evidence.

Attached for your review is Hearing Officer Larry Minsky's written report (Exhibit A), the Appeal Hearing Packet (Exhibit B), Appellant Long Beach Cannabis Club's Brief (Exhibit C), and the City's Brief (Exhibit D). Hearing Officer Minsky recommends upholding the denial of the business license application MJ21701137 submitted by Long Beach Cannabis Club due to the proposed business location being within 1,000 feet of a public beach.

On February 22, 2017, Long Beach Cannabis Club submitted a business license application to operate a medical marijuana dispensary at 5752 E. 2<sup>nd</sup> Street (Exhibit A1). On May 31, 2017, the Department of Financial Management denied the business license application due to the proposed business location being within 1,000 feet of a public beach and within 600 feet of public parks (Exhibit A2).

On June 8, 2017, Long Beach Cannabis Club filed an appeal of the business license denial (Exhibit A3). On July 18, 2017, the City Council referred the appeal hearing to a hearing officer. On August 14, 2017, the appeal hearing for the denial of the business license application MJ21701137 was held. The presiding officer, assigned by the City Clerk's Office, was Larry Minsky.

On August 23, 2017, the hearing officer recommended that the denial of the business license application submitted by Long Beach Cannabis Club be upheld due to the proposed business location being within 1,000 feet of a public beach (Mother's Beach) (Exhibit A). In addition, the hearing officer concluded that the City did not meet the burden of proof to show that the proposed business location was also within 600 feet of a public park, finding that Naples Canals are not a "public park" within the meaning of LBMC Section 5.90.020. If the City Council affirms this finding, Naples Canals must be removed from the medical marijuana business buffer map. LBMC Section 5.90.020 defines "Park" or "Public Park" as "publicly owned natural or open areas set aside for active public use for recreational, cultural or community service activities." Staff contends that Naples Canals are publicly-owned open waterways that are set aside for active public use for recreational activities including, but not limited to, kayaking, paddle boarding, boating, and gondola tours. Staff, therefore, recommends that the City Council affirm the overall recommendation to uphold the denial of the business license application, and reject the hearing officer's finding that Naples Canals are not a "public park" under Chapter 5.90 of the LBMC.

This matter was reviewed by Deputy City Attorney Monica J. Kilaita on September 18, 2017.

#### TIMING CONSIDERATIONS

The hearing date of October 17, 2017, has been posted on the business location, and the business owner has been notified by mail.

#### FISCAL IMPACT

There is no fiscal or local job impact associated with this item.

HONORABLE MAYOR AND CITY COUNCIL  
October 17, 2017  
Page 3

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



JOHN GROSS  
DIRECTOR OF FINANCIAL MANAGEMENT



MARIE KNIGHT  
DIRECTOR OF PARKS, RECREATION AND MARINE

JG:SP:EA  
K:\EXEC\COUNCIL LETTERS\BUSINESS SERVICES\10-17-17 - LONG BEACH CANNABIS CLUB\10 17 LONG BEACH CANNABIS CLUB.DOCX

ATTACHMENTS

APPROVED:

  
\_\_\_\_\_  
PATRICK H. WEST  
CITY MANAGER

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**ADMINISTRATIVE HEARING  
CITY OF LONG BEACH**

ADMINISTRATIVE HEARING TO  
SHOW CAUSE WHY BUSINESS  
LICENSE APPLICATION NO.  
MJ21701137 SUBMITTED BY LONG  
BEACH CANNABIS CLUB, TO BE  
LOCATED AT 5752 EAST 2ND  
STREET, LONG BEACH,  
CALIFORNIA, SHOULD NOT BE  
DENIED, PUSUANT TO LBMC  
5.06.030

**RECOMMENDATION AND FINDINGS**

HEARING DATE: 8/14/17

HEARING OFFICER LARRY MINSKY

**I. INTRODUCTION AND POSITIONS OF THE PARTIES**

Pursuant to § 5.06.030 of the Long Beach Municipal Code (LBMC), on August 14, 2017 at 9:00 a.m. this Matter, an Order to Show Cause, came on for hearing at Long Beach City Hall located at 333 West Ocean Blvd, 7<sup>th</sup> Floor, Long Beach, California. The hearing was conducted by Administrative Hearing Officer Larry Minsky. The hearing arose from a timely appeal filed by Appellant LONG BEACH CANNABIS CLUB (Appellant) following Respondent CITY OF LONG

1 BEACH (City)'s decision denying Appellant's application for a business license to  
2 operate a Medical Marijuana Dispensary to be located at 5752 East 2<sup>nd</sup> Street, Long  
3 Beach, California 90803 (Application). The City notified Appellant of the denial  
4 of its Application by letter dated May 31, 2017 [City Exhibit Nos. 4 and 9 @ Tab  
5 3] (Denial)<sup>1</sup>. The Denial asserted that the Application was rejected because  
6 Applicant sought to operate its business at a location which would violate the  
7 public buffer zone restrictions imposed by LBMC section 5.90.030 in that the  
8 planned location of the dispensary would be within: (a) six hundred feet of a public  
9 park, and (b) one thousand feet of a public beach. These distances are hereinafter  
10 referred to as buffer zone(s).

14 Specifically, LBMC section 5.90.030 provides in relevant part,

15 *"No Medical Marijuana Business may be operated in any area zoned for*  
16 *residential use, or be located within a one-thousand (1,000) foot radius of a public*  
17 *or private school (as defined in Health and Safety Code §11362.768(h)) or public*  
18 *beach or within a six hundred (600) foot radius of a public park or public library.*  
19 *The distances specified in this subdivision shall be determined by the horizontal*  
20 *distance measured in a straight line from the property line of the school, park or*  
21 *library to the closest property line of the lot on which the Medical Marijuana*  
22 *Business is located, without regard to intervening structures"* (hereinafter § 5.90).

26 Attachment A to the Denial advised Appellant that: (1) the beach at issue

28 <sup>1</sup> All exhibits which were identified were admitted.

1 was Mother's Beach and (2) that the parks at issue were (a) Marine Park and (b)  
2 Naples Canals. No further explanation or notification to Appellant was provided as  
3 to the basis of the Denial. The Denial provided Appellant with no indication as to  
4 the actual distance between Appellant's planned dispensary and the parks or beach  
5 at issue other than to state that the planned location violated the distances noted in  
6 § 5.90. The Denial also failed to provide Appellant any greater specificity as to  
7 what was meant by Naples Canals nor the exact location of the buffer zone other  
8 than to state that the planned dispensary was within 600 feet of Naples Canals.  
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11           At the hearing and in its post-hearing brief, the City argued that § 5.90 was a  
12 voter initiative entitled Measure MM, and as such, the City is obligated to give all  
13 due deference to the will of the people by enforcing the intended purpose of said  
14 enactment. It asserts that irrespective of whether § 5.90 provides a specific  
15 definition of the term "beach," the City must apply the common usage of that term  
16 in its effort to be consistent with the intent of the enactment to prohibit the  
17 placement of marijuana dispensaries in any of the four areas articulated by §5.90,  
18 those being: (1) public beaches, (2) public and private schools, (3) public libraries,  
19 and (4) public parks. Since Mother's Beach, also known as Marine Park, is both a  
20 park *and* a beach, the City contends it must apply both the 600- *and* the 1,000-foot  
21 buffer zone restrictions imposed by § 5.90 to the Application at issue and when it  
22 does so, the planned location of Appellant's dispensary violates the 1,000-foot  
23 buffer zone.  
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1           The City also contends that because Naples Canals is a park as that term is  
2 defined by § 5.90.020<sup>2</sup>, the City appropriately denied the Application because that  
3 the proposed dispensary if permitted would be within the 600-foot buffer zone  
4 prohibited by § 5.90.  
5

6           Contrarily, Appellant asserts its Application should be granted as the  
7 proposed location of the dispensary does not violate any of the buffer zones  
8 distances imposed by § 5.90. Appellant contends that: (1) it is undisputed that  
9 Marine Park is beyond the 600-foot buffer zone imposed by § 5.90, (2) because  
10 neither § 5.90 nor any other provision of the City's Municipal Code defines the  
11 term "beach," the City's decision to deny Appellant's Application based on  
12 violation of a beach buffer zone constitutes an abuse of discretion. The beach at  
13 issue, Mother's Beach, is, by the City's own admission, not a beach but a park, a  
14 park which the City calls Marine Park [Appellant's Exhibit No. 1]. Since it is  
15 undisputed that Marine Park is located beyond the 600-foot buffer zone, the City's  
16 denial of its Application was error. Finally, Appellant contends that the Naples  
17 Canals are not a park but rather are a public thoroughfare enabling boat users to  
18 travel to and from residential areas to the ocean.  
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27       <sup>2</sup> LBMC section 5.90.020 [Joint Exhibit No. 2] provides in pertinent part,  
28 "Park' or 'Public Park' shall mean publicly owned natural or open areas set aside  
for active public use for recreational, cultural or community service activities."

## II. SUMMARY OF RELEVANT EVIDENCE

### A. Testimony:

Following the presentation of its Opening Statement, the City presented the following four witnesses, each of whom were sworn and provided credible evidence: (1) Ms. Alexis Oropeza, a Senior City Planner, (2) Elvira Hallinan, Manager of the City's Marine Bureau for the City's Department of Parks, Recreation & Marine, (3) Mr. Anthony De La Soto, City Business Systems Specialist, and (4) Ms. Emily Armstrong, Management Specialist within the City Manager's Office. The Appellant did not call any witnesses.

Ms. Oropeza testified that: (1) the City's system of zoning is not used in determining whether the § 5.90 buffer zones are met, (2) the terms "park" and "beach" are interchangeable as applied to the area described as Marina Park/Mother's Beach, (3) the City does not include a zoning classification for "beaches" and instead, categorizes and designates all beaches as parks and as such, Mother's Beach is not zoned as a beach, (4) the City treats Mother's Beach as a public beach in terms of the public health obligations to ensure that all beaches are safe to use, and (5) that Mother's Beach contains both a beach and a park. As to the Naples Canals, Ms. Oropeza testified that the City designated Naples Canals as a park as the canals are used for recreational purposes in addition to its purpose as a vehicle of transportation.

Consistent with Ms. Oropeza's testimony, Ms. Hallinan testified that the City



1 conducts bacteria-level monitoring and weekly water testing at all its beaches,  
2 including at Mother's Beach. Ms. Hallinan further testified that Mother's Beach  
3 has designated swimming areas which is overseen by City lifeguards. Mr. De La  
4 Soto testified that the distance from the proposed location of the dispensary to the  
5 Naples Canals is 353.8 feet. Ms. Armstrong testified as to the software system the  
6 City uses to track the shortest distances concerning the distances noted between the  
7 City uses to track the shortest distances concerning the distances noted between the  
8 location of the intended dispensary and the parks, beach, and canals at issue. She  
9 also testified that for purposes of zoning, the parks include parking lots and  
10 beaches.  
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13 **B. Stipulation:**

14 During the hearing, the City and Applicant stipulated that the distance  
15 between the location of the intended dispensary and Mother's Beach is 632.79 feet  
16 and that based on that calculation, the intended dispensary location *did not* violate  
17 the park buffer zone imposed by § 5.90. In support of that distance calculation,  
18 Appellant offered, without objection, its Exhibit No. 2, a survey map, which stated  
19 that the distance between the Facility and Mother's Beach is 632.79 feet.  
20  
21

22 **C. Other Evidence:**

23 At the request of the Hearing Officer, the City offered into the record,  
24 without objection, its Exhibit No. 6, which listed the shortest distance between the  
25 location of the intended dispensary to the beginning of the canals as 353.8 feet, and  
26 Exhibit No. 7, which listed the shortest distance between the intended dispensary  
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1 location to the beginning of the beach section of Mother's Beach as 843.8 feet.

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4 **III. STATEMENT OF ISSUE**

5 Has Appellant satisfied the requirements under LBMC section 5.090 to  
6 operate a medical marijuana dispensary at 5752 East 2<sup>nd</sup> Street, Long  
7 Beach, California 90803?  
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10 **IV. DISCUSSION**

11 **A. The City's Interpretation of LBMC § 5.90 as Applied to that Area**

12 **Identified as Both Marine Park and Mother's Beach is Rational and**  
13 **Is Consistent with the Enactment's Purpose of Creating Buffer Zones**  
14 **Around Public Beaches, Parks, Schools, and Libraries.**  
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17 The Hearing Officer credits the City's position as to its obligation to give  
18 effect to the voters' initiative which mandates the City to impose buffer zones  
19 around schools, public parks, public beaches, and public libraries. While it is true  
20 that § 5.90 does not provide a definition for the term "beach," it also does not  
21 define the term "library." The failure to provide a specific definition for the terms  
22 "library" and "beach," however, does not render Measure MM (§ 5.90)  
23 impermissibly vague nor does it prohibit the City from applying the commonly  
24 used, plain meaning of the word "beach" to ensure that the intended purpose of the  
25 regulation at issue is satisfied, to wit: the creation of buffer zones around public  
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1 parks, schools, libraries, and beaches to ensure that dispensaries are not allowed to  
2 do business within said buffer zones.

3 The starting point for any analysis of a statute's meaning are the plain words  
4 the Legislature or, in this case, the electorate, have chosen to use. In *Kobzoff v. Los*  
5 *Angeles County Harbor/UCLA Medical Center* (1998) 19 Cal. 4<sup>th</sup> 851, 861, the  
6 Supreme Court made clear that, "[i]f the plain language of a statute is  
7 unambiguous, no court need, or should, go beyond that pure expression of  
8 legislative intent." If the statutory language is not ambiguous, then the plain  
9 meaning of the language governs. *People v. Elliot* (2005) 37 Cal. 4<sup>th</sup> 453, 478.

10 Here, the plain meaning of the term "beach" is sufficiently clear to put the  
11 Appellant and the public on notice of how close to a public beach a dispensary may  
12 operate. The fact that a City park may also include a public beach, as is the case  
13 here, does not void the City's obligation to give effect to § 5.90's mandate to  
14 ensure a buffer zone around its beaches, irrespective of whether that beach is a  
15 stand-alone beach or whether it is part of a park, as is the case with Marine Park.  
16 The fact that a portion of Marine Park is located outside the buffer zone designated  
17 for parks does not mean that the City is free to waive its obligation to enforce the  
18 buffer zone as to that portion of Marine Park which is a public beach, to wit:  
19 Mother's Beach.  
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26 It is undisputed that Mother's Beach is 843.8 feet from the property of the  
27 intended dispensary at issue. It is also undisputed that the City's zoning does not  
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1 distinguish between parks and beaches and that one of the pages of the City's  
2 website combines Mother's Beach with Marine Park, identifying the location as  
3 Marine Park and not Mother's Beach. However, it is also clear that the City treats  
4 Mother's Beach like its other beaches in that the water at Mother's Beach is  
5 regularly evaluated and treated, Mother's Beach is regularly used for aquatic  
6 recreational activities, and it has beach lifeguards stationed there. Given these  
7 facts, coupled with the plain meaning of the word "beach" and § 5.90's clear City  
8 mandate to enforce the applicable buffer zones, this Hearing Officer finds that the  
9 evidence preponderates in favor of a finding that the location of the proposed  
10 dispensary would violate the beach buffer zone mandated by § 5.90. This Hearing  
11 Officer recommends the City deny the Appeal as to this issue.  
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17 **B. The City's Decision to Deny the Application Based on the**  
18 **Proposed Dispensary's Proximity to Marine Park was Improper.**

19 It is undisputed that the distance between the intended dispensary and  
20 Marine Park, excluding the public beach portion of Marine Park, is 632.79 feet.  
21 The Parties having stipulated to said distance, the City's rejection of the  
22 Application based on the City's contention that the dispensary was too close to  
23 Marine Park (excluding the beach portion of the park) is without merit.  
24

25 Accordingly, this Hearing Officer finds that the evidence preponderates in favor of  
26 the Appellant in that the proximity of the intended dispensary to Marine Park a  
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1 does not violate the park buffer zone mandated by § 5.90. It is recommended that  
2 the Appeal be granted as to this issue.

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5 **C. The City's Decision to Deny the Application Based on the Proposed**  
6 **Dispensary's Proximity to the Naples Canals Was Improper:**

7 It is undisputed that the location of the proposed dispensary is 353.8 feet  
8 from the Naples Canals. However, it is also clear that unlike the City's proffer of  
9 proof as to how it treats areas it defines as beaches generally and Mother's Beach  
10 in particular (e.g., periodic water testing and placement of lifeguards), no such  
11 evidence was presented as to its practices at Naples Canals. Rather, the only  
12 evidence proffered as to Naples Canals was that some people use the canals for  
13 recreational purposes.  
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17 Appellant asserts that Naples Canals are analogous to a roadway or other  
18 thoroughfare which can be used for traffic or for other purposes. While it may be  
19 true that the public may use Naples Canals for recreational purposes, the Hearing  
20 Officer finds that the City did not meet its burden to show that the Naples Canals  
21 are primarily used as a park as opposed to being a thoroughfare for the ingress and  
22 egress of boats to and from people's homes to the ocean. The City's attempt to  
23 classify Naples Canals as a park is without merit.  
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26 At the hearing, for the first time, the City sought to replace Naples Canals  
27 with the names of two parks, Colonnade Park and Fountain Park. Documentary  
28

1 evidence revealed, however, that Fountain Park is not designated as a park by the  
2 City. (See City Exhibit No. 1.) In its Post-Hearing Brief, the City abandoned its  
3 effort to replace the term "Naples Canals" with Colonnade and Fountain Parks.  
4

5 Based on a preponderance of the evidence, this Hearing Officer finds that  
6 the City's denial of the Application based of the proximity of Appellant's proposed  
7 dispensary location to the Naples Canals is without merit. This Hearing Officer  
8 recommends that the City's denial of the Application on the basis that the proposed  
9 location of the Appellant's dispensary as being too close to a public park should be  
10 overturned.  
11

## 12 **V. RECOMMENDATION AND FINDINGS**

### 13 **A. This Hearing Officer Issues the following Findings of Fact:**

- 14 1. The location of the proposed dispensary noted in Appellant's Application  
15 is 632.79 feet from Marine Park;  
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- 17 2. The location of the proposed dispensary noted in Appellant's Application  
18 is 353.8 feet from Naples Canals;  
19
- 20 3. The location of the proposed dispensary noted in Appellant's Application  
21 is 843.8 feet from Mother's Beach;  
22
- 23 4. The City treats Mother's Beach as a beach by conducting periodic testing  
24 of the water, by allowing aquatic recreational activities, and by assigning  
25 lifeguards to oversee the safety of the public frequenting Mother's Beach;  
26
- 27 5. The City does not treat the Naples Canals as a public park within the  
28

1 meaning of LBMC section 5.90.020;

2 6. LBMC section 5.90 was a voter initiative.

3  
4 **D. Conclusions of Law:**

5 A. LBMC section 5.90 was enacted in part to ensure that the City  
6 maintained distance buffer zones around public schools, beaches, parks,  
7 and libraries. The word "beach" is to be given its plain meaning, *Kobzoff*  
8 *v. Los Angeles County Harbor-UCLA Medical Center* (1998) 19 Cal. 4<sup>th</sup>  
9 851, 861. The granting of Appellant's Application for a business license  
10 to operate a medical marijuana dispensary within 1,000 feet of Mother's  
11 Beach would violate the mandate of § 5.90. Accordingly, the City did not  
12 abuse its discretion in denying the Application on that basis.

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15 B. The City abused its discretion when it denied the Application because the  
16 proposed location of the dispensary to Marine Park did not violate the  
17 buffer zones of § 5.90 applicable to parks.

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19 C. The City abused its discretion when it denied the Application because the  
20 proposed location of the dispensary to Naples Canals did not violate the  
21 buffer zones of § 5.90 applicable to parks.

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23 D. The witnesses were deemed credible.

24  
25 E. To the extent any Proposed Findings of Fact are equally Conclusions of  
26 Law, they are hereby incorporated.

27  
28 The record here establishes by a preponderance of the evidence that

1 Appellant failed to select a location for its dispensary outside of the applicable  
2 beach buffer zone. Because the regulations at issue clearly prohibit a medical  
3 marijuana dispensary to be located within 1,000 feet of a public beach and since  
4 Marine Park contains a public beach which is 843.8 feet from the Facility, this  
5 Hearing Officer recommends a finding that the City acted appropriately and within  
6 its discretion in denying the Application.  
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9 As to the City's reliance on the proximity of the Facility to the City's Naples  
10 Canals, a preponderance of the evidence vitiates against a finding that § 5.090 can  
11 be rationally construed to equate Naples Canals with that of a park. Moreover,  
12 given the stipulation of the parties that Marine Park was 632.79 feet from the  
13 Facility, the City's denial of the Application because the location of the proposed  
14 dispensary violated the 600-foot park buffer zone mandated by § 5.90 is error and  
15 accordingly it is recommended that the City grant the appeal as to these two issues.  
16  
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18 Accordingly, this Hearing Officer recommends that the City find and  
19 conclude that Appellant's Appeal is granted as to the City's determination that the  
20 Facility violated the park buffer zones but denied as to the City's determination  
21 that the Facility violated the beach buffer zone.  
22

23  
24  
25 Dated: August 23, 2017

  
LARRY MINSKY, ADMINISTRATIVE

HEARING OFFICER



LARRY MINSKY, ESQ., SBN 096592  
Administrative Hearing Officer  
Telephone: (562) 435-7878  
Facsimile: (562) 432-3822  
Email: larry@mmskyesq.com

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Alex Padilla  
California Secretary of State

## Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Thursday, March 2, 2017. Please refer to document [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C3951626 LONG BEACH CANNABIS CLUB

<b>Registration Date:</b>	10/04/2016
<b>Jurisdiction:</b>	CALIFORNIA
<b>Entity Type:</b>	DOMESTIC NONPROFIT
<b>Status:</b>	ACTIVE
<b>Agent for Service of Process:</b>	TIN WESTEN 3070 BRISTOL STREET #560 COSTA MESA CA 92626
<b>Entity Address:</b>	4146 DEL MAR AVENUE LONG BEACH CA 90807
<b>Entity Mailing Address:</b>	4146 DEL MAR AVENUE LONG BEACH CA 90807


A Statement of Information is due EVERY EVEN-NUMBERED year beginning five months before and through the end of October.

Document Type	↕ File Date	↕ PDF
SI-COMPLETE	02/13/2017	

\* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code [section 2114](#) for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to [Name Availability](#).
- If the image of a Statement of Information is not available online, for information on ordering a copy of that statement refer to [Information Requests](#).
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search such as a filing that is not a Statement of Information or filings for other types of business entities, or to request a more extensive search for records, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
- For descriptions of the various fields and status types, refer to [Frequently Asked Questions](#).

[Modify Search](#)      [New Search](#)      [Back to Search Results](#)

	<b>Secretary of State</b> <b>Statement of Information</b> (California Nonprofit, Credit Union and General Cooperative Corporations)	<b>SI-100</b>
	IMPORTANT — Read instructions before completing this form. Filing Fee — \$20.00; Copy Fees — First page \$1.00; each attachment page \$0.50; Certification Fee — \$5.00 plus copy fees	
1. Corporation Name (Enter the exact name of the corporation as it is recorded with the California Secretary of State) <p style="font-size: 1.5em; margin-left: 40px;">Long Beach Cannabis Club</p>		2. 7-Digit Secretary of State File Number <p style="font-size: 1.5em; margin-left: 40px;">C 3951626</p>

**FILED**  
**Secretary of State**  
**State of California**  
**FEB 13 2017**

370/370/20/CU  
 This Space For Office Use Only

**3. Business Addresses**

a. Street Address of California Principal Office, if any - Do not enter a P.O. Box <b>4146 Del Mar Avenue</b>	City (no abbreviations) <b>Long Beach</b>	State <b>CA</b>	Zip Code <b>90807</b>
b. Mailing Address of Corporation, if different than Item 3a	City (no abbreviations)	State	Zip Code

**4. Officers** The Corporation is required to enter the names and addresses of all three of the officers set forth below. An additional title for Chief Executive Officer or Chief Financial Officer may be added; however, the preprinted titles on this form must not be altered.

a. Chief Executive Officer/ First Name: <b>Jennifer</b> Middle Name: Last Name: <b>Scheuermann</b> Suffix: Address: <b>4146 Del Mar Avenue</b> City (no abbreviations): <b>Long Beach</b> State: <b>CA</b> Zip Code: <b>90807</b>
b. Secretary First Name: <b>Diego</b> Middle Name: Last Name: <b>Salazar</b> Suffix: Address: <b>4146 Del Mar Avenue</b> City (no abbreviations): <b>Long Beach</b> State: <b>CA</b> Zip Code: <b>90807</b>
c. Chief Financial Officer/ First Name: <b>Ray</b> Middle Name: Last Name: <b>Kuregian</b> Suffix: Address: <b>4146 Del Mar Avenue</b> City (no abbreviations): <b>Long Beach</b> State: <b>CA</b> Zip Code: <b>90807</b>

**5. Service of Process (Must provide either Individual OR Corporation.)**

**INDIVIDUAL** — Complete items 5a and 5b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation) <b>Tin</b>	Middle Name	Last Name <b>Westen</b>	Suffix
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box <b>3070 Bristol Street #560</b>	City (no abbreviations) <b>Costa Mesa</b>	State <b>CA</b>	Zip Code <b>92626</b>

**CORPORATION** — Complete item 5c only. Only include the name of the registered agent corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete item 5a or 5b

**6. Common Interest Developments**

Check here if the corporation is an association formed to manage a common interest development under the Davis-Sterling Common Interest Development Act (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). See Instructions.

**7. The information contained herein, including in any attachments, is true and correct.**

Date: 2/13/17      Type or Print Name of Person Completing the Form: Tin Westen      Title: Agent      Signature: Beverly

**LBMC SECTION XXX VERIFICATION OF MEDICAL MARIJUANA PROHIBITED ACTIVITY**

The undersigned Management Employees, on behalf of the herein Medical Marijuana Business Permit applicant,

**Long Beach Cannabis Club**

\_\_\_\_\_ declare under penalty of perjury that they have read and understand the attached provisions of Long Beach Municipal Code (LBMC) Section 5.90, and shall, collectively and individually ensure that neither the Medical Marijuana Business nor its employees and Management Employees shall engage in the following prohibited activity set forth in LBMC 5.90, which states in relevant part that:

- (A) It shall be unlawful for any person or entity to operate, in or upon any property, a Medical Marijuana Business without first obtaining all required State licenses and a business license or permits issued by the City;
- (B) It shall be unlawful for the owner of a building to allow the use of any portion of a building by a Medical Marijuana Business unless the tenant has a valid business license permit, or has applied for and not been denied, a business license permit;
- (C) No pesticides or insecticides prohibited by federal, state, or local law for fertilization or production of edible produce may be used on any marijuana cultivated, produced, or distributed by a Medical Marijuana Business;
- (D) No Medical Marijuana Business may have a drive through lane or drive up window and no Medical Marijuana may be dispensed from a drive through lane or drive up window;
- (E) All cultivation, production, distribution, possession, storage, display, sales or other distribution of marijuana shall occur only within an enclosed area of a medical marijuana business and shall not be visible from the exterior of the business;
- (F) Consultations by medical professionals shall not be permitted at a Medical Marijuana Business nor as a permitted accessory use at a medical marijuana business;
- (G) It shall be unlawful for any of the following persons to have an ownership interest or a managerial responsibility in a Medical Marijuana Business, and no license or permit may be issued to or held by, and no Medical Marijuana Business shall be managed by: (a) Any person until all required fees have been paid; or (b) Any person who has been convicted within the previous ten (10) years of any violent or serious felony as specified in Sections 667.5 and 1192.7 of the Penal Code or any felony conviction involving fraud, deceit, or embezzlement or who is currently on parole or probation for the sale or distribution of a controlled substance; or (c) Any person who is under twenty-one (21) years of age; or (d) Any person who operates or manages a Medical Marijuana Business contrary to the provisions of this Chapter, or conditions imposed on land use or license approvals, or contrary to the terms of the plans submitted with the permit application, or amended as permitted by this Chapter; or (e) A licensed physician making patient recommendations; or (f) A person licensed and permitted to operate pursuant to this Chapter who, while lawfully operating, or who, at the time of application, has failed to remedy an outstanding delinquency for City taxes or fees owed, or prosecuting officer, or an officer or employee of the State or City of Long Beach; or (h) Applicants or entities (including Management Employees) that have a previous record of violating federal or state laws relating to workplace safety, wages and compensation, employee discrimination, or union activity.
- (H) It shall be unlawful to operate a Medical Marijuana Business or to grow medical marijuana outside of an enclosed building;
- (I) It shall be unlawful for any person to transport medical marijuana, except as specifically allowed by this Chapter and State law;
- (J) It shall be unlawful for any Property owner, landlord, and lessee, Medical Marijuana Business employee or Manger or any other person having any responsibility over the operation of the Medical Marijuana Business to refuse to allow, impede, obstruct, or interfere with an inspection;
- (K) It shall be unlawful for any person to cause, permit or engage in the cultivation, possession, distribution, exchange or giving away of marijuana for medical or non-medical purposes except as provided in this Chapter;
- (L) It shall be unlawful for any person to cause, permit, or engage in any activity related to Medical Marijuana except as provided in this Chapter and pursuant to all other applicable local and state law;
- (M) It shall be unlawful for any person to knowingly make any false, misleading or inaccurate statement or representation in any form, record, filing or documentation required to be maintained, filed, or provided to the City of Long Beach under this Chapter;
- (N) No Medical Marijuana Dispensary shall be open to or provide Medical Marijuana to qualified patients or employees between the hours of eight (8) pm and nine (9) am;
- (O) No person under the age of eighteen (18) shall be allowed on the Property, unless that minor is a qualified patient and is accompanied by his or her licensed attending physician, parent(s) or documented legal guardian;
- (P) No Medical Marijuana Dispensary, Management Employee or employee shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on the Property or in the parking area of the Property;
- (Q) No dried Medical Marijuana shall be stored at the property in structures that are not completely enclosed, in an unlocked vault or safe, in any other unsecured storage structure, or in a safe or vault that is not bolted to the floor of the property;
- (R) Medical Marijuana may not be inhaled, smoked, eaten, ingested, or otherwise consumed on the Property, or in the parking areas of the Property or in those areas restricted under the provisions of Health and Safety Code §11362.79.

*Jennifer Schaefermann*  
 \_\_\_\_\_  
 (Signature of Management Employee)

JENNIFERSCHEVERMANN CEO  
 \_\_\_\_\_  
 (Printed Name & Title)

FEB 11, 2017  
 \_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 (Signature of Management Employee)

\_\_\_\_\_  
 (Printed Name & Title)

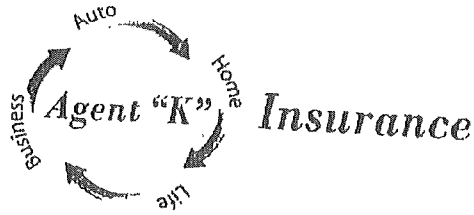
\_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 (Signature of Management Employee)

\_\_\_\_\_  
 (Printed Name & Title)

\_\_\_\_\_  
 (Date)

Note: This is NOT a Medical Marijuana Business Permit. Do not operate until a valid permit is issued.  
 Medical Marijuana Business Application – Page 9



3611 S Harbor Blvd, Suite 200 Santa Ana, CA 92704 \* (949) 553-0617 Office \* (888) 871-1145 Efax \* (949) 400-3575 Cell

February 15<sup>th</sup>, 2017

Long Beach Cannabis Club  
5752 E 2<sup>nd</sup> Street  
Long Beach, Ca 90803

Subject: Will Serve Letter for Retail Marijuana Dispensary located at:

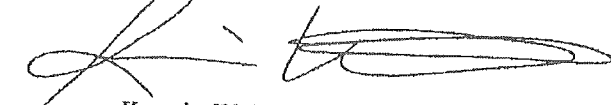
5752 E 2<sup>nd</sup> Street, Long Beach, CA 90803

Attention: Long Beach Cannabis Club

This "Will Serve Letter" is for your proposed Retail Marijuana Dispensary establishment for Long Beach Cannabis Club. Our office will provide you with Workers Compensation and Business Insurance for your company that will specifically cover your exposure within the Retail Marijuana Dispensary industry. Your business policy will be provided by United Specialty Insurance Company. This policy will have a minimum coverage amount of 3 million Per Occurrence with a 4 million General Aggregate. Your Workers Compensation policy will be covered by State Compensation Insurance Fund. This policy would have a minimum coverage amount of 1 million Per Accident/1 million Disease Policy Limit/ 1 Million Disease each employee. All policies have been approved for your specific risk and are ready to be put in place upon your request.

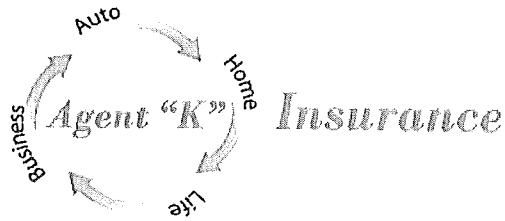
Please feel welcome to call if you have any questions.

Sincerely,



Kerwin Walters,  
President

*Referrals from you are the livelihood of our agency.*



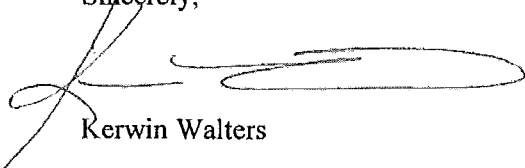
3611 S Harbor Blvd, Suite 200 Santa Ana, CA 92704 \* (949) 553-0617 Office \* (888) 871-1145 Efax \* (949) 400-3575 Cell

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Clients List:

Emerald Beach Care Inc., 562 Discount Med Inc., Frank Zimmerman Collective, Greg Ahlrich Collective, Bruce Harkness Collective, Ryan Cameron Rayburn Collective, Ryan Burns Collective, Oswald Chavez Collective, Rosemary Evans Collective, Julio Ayora Collective, Nicole Wright Collective, Manuel Migueles Collective, Casey Crow Collective, Dennis Kordish Collective, Wilshire Black, Wilshire Blue, Wilshire Purple, Wilshire Yellow, Wilshire White, Wilshire Green, Long Beach Cannabis Club; Alternative Therapeutic Solutions

Sincerely,



Kerwin Walters

*Referrals from you are the livelihood of our agency.*



CITY OF LONG BEACH BUSINESS LICENSE APPLICATION

Fourth Floor, City Hall
333 W. Ocean Boulevard, Long Beach, CA 90802

www.longbeach.gov
LBBIZ@LongBeach.gov
(562) 570-6211

GENERAL INFORMATION
OWNER/ENTITY NAME: Long Beach Cannabis Club
BUSINESS NAME (D.B.A.): N/A
BUSINESS ADDRESS: 5752 E. 2nd Street
BILLING ADDRESS: 4146 Del Mar Avenue
RESIDENCE ADDRESS: N/A
LIST OF PRINCIPAL OFFICERS: Jennifer Scheuermann, CEO

PERMITS AND LICENSES
START DATE: Upon receipt of license
NO. OF EMPLOYEES: 3
NO. OF VEHICLES: 0
FEDERAL TAX ID. NUMBER: [Redacted]
SALES & USE TAX (SELLER'S PERMIT) NO: SRAA 103-042509
STATE LICENSE? [X] YES [ ] NO
RENEWAL DATE: [Redacted]

Do you plan to sell or serve food? [X] YES [ ] NO
Do you plan to sell or serve alcoholic beverages? [X] YES [ ] NO
Will you offer massage, tanning, herbal therapy, escort or any other services that improve the health or well being of another? [X] YES [ ] NO
Will you engage in fund raising? [X] YES [ ] NO
Will you deal in coins, firearms, jewels or second-hand property? [X] YES [ ] NO
Will you perform Parking Management? If so, please attach a detailed list of all activities? [X] YES [ ] NO
Property Owner's Name: Richer Vauvary
Business sq. ft.: 1,150
Warehouse on site? [X] YES [ ] NO
Do you: [ ] Own or [X] Rent/Lease your business property?
Will you manage or produce bio-hazardous materials or waste? [X] YES [ ] NO
Will you have [ ] Music [ ] Dancing [ ] Performers [ ] Adult Entertainment? Will you use, store, or transport chemicals (new or waste state)? [X] YES [ ] NO

I understand that before I can operate my business in Long Beach, my establishment must comply with applicable City departmental laws and regulations completely and I must obtain a business license and all necessary Federal State and local permits or I will be in violation of L. B. M. C. Chapter 3.80. I declare that I am authorized to complete this application and that the information and statements provided are true and correct. SIGN and return this statement with your remittance. Make checks payable to City of Long Beach.
Signature: Jennifer Scheuermann Date: 2-4-17
PRINT NAME/TITLE: JENNIFER SCHEUERMANN

DO NOT WRITE BELOW THIS LINE
Inspection(s): [ ] Bldg [ ] Fire [ ] Health [ ] HazMat [ ] PD [ ] Other
Basic Tax
Employees # @ \$ =
Vehicles # @ \$ =
Other # @ \$ =
PIA # @ \$ =
PIA Employees # @ \$ =
Regulatory Investigation
Misc. Fees
Sub Total
Zoning
Building Review
Total \$
Prev Use: Exp. Date:
Prev Lic: Exp Date:
District:
CRT:
SIC:
NAICS:
Entered by:
Date:
Zoning Review
Y N N/A
By:
Date:
New construction Reuse
Zone:
Comments:

## ATTENTION LICENSE APPLICANT

### **Business License Required (L.B.M.C. 3.80.210)**

Under the Long Beach Municipal Code (Section 3.80.210), any person operating a business in the City of Long Beach is required to obtain a business license and pay an annual business license tax, prior to the operation of that business.

### **Term of License (L.B.M.C. 3.80.520)**

A business license is valid for one (1) year from the date of issuance (unless otherwise noted) and must be renewed each year. A renewal notice is sent to the licensee ten (10) days prior to the due date, and the licensee has thirty (30) days to pay without penalty. If a notice is not received by the licensee, he/she is still responsible for payment by the due date. If the licensee changes his/her mailing address during the year, he/she should contact the Business License Section to report the change.

### **Penalties (L.B.M.C. 3.80.422)**

A penalty equivalent to twenty-five percent (25%) of the payment due applies to all delinquent licenses unpaid after thirty (30) days from the due date. An additional ten percent (10%) penalty is added on the first day of the calendar month following the imposition of the twenty-five percent (25%) penalty if the tax remains unpaid, up to a maximum of one hundred percent (100%) of the tax due. The postmark will govern the determination of whether or not a tax payment is delinquent. A delinquent tax will be deemed a debt to the City, and the licensee shall be liable for legal action if it remains unpaid.

### **Multiple Businesses at one Location (L.B.M.C. 3.80.420.6)**

When more than one business activity is engaged in at the same location, and the activity falls into a classification other than that of the original license, the licensee is required to obtain an additional license for each different business activity. If the licensee has more than one business license at the same location, he/she may choose to pay for all employees on one license. If so, the licensee will pay for the employees on the license with the higher employee rate.

### **Definition of an Employee (L.B.M.C. 3.80.150)**

For the purpose of Business License taxation in the City of Long Beach, an employee is defined as: Every person engaged in the operation or conduct of any business in Long Beach, whether as owner, member of the owner's family, partner, associate, agent, manager or solicitor, and every person employed or working in such business, whether full-time, part-time, permanent or temporary, for a wage, salary, commission or room and board. The owner of a sole proprietorship shall not be deemed to be an "employee" of the business.

### **Change of Location (L.B.M.C. 3.80.424)**

Every person possessing a City of Long Beach Business License who changes the location of his place of business shall, prior to engaging in such a business at the new location, have the City endorse the new location on the license.

### **Display of License (L.B.M.C. 3.80.425.5)**

Every person having a license shall prominently display the license at the place of business. If the business is operated from a vehicle, an identifying decal issued by the City shall be affixed to the vehicle, and the business license shall be carried by the licensee.

### **Refunds Prior to Start of Business (L.B.M.C. 3.80.427.5.F)**

Any application for refund must be made by the person entitled to the money within one year after payment of the money to the City. No refund shall be made of any moneys paid for the issuance or renewal of any license unless it is determined that such licensee has not engaged in, nor held himself out as being engaged in, such business or occupation at any time after the effective date of the license. The amount of the refund shall be the full amount of the license tax paid, less an amount determined by the Director of Financial Management, which shall cover the cost of investigation and issuance of the license.

### **Sales or Use Tax**

Sales or Use Tax may apply to your business activity. You may seek advice regarding the application of the tax to your business by writing or calling the State Board of Equalization at:

16715 Von Karman Ave Suite #200  
Irvine, CA 92606  
(949) 440-3473

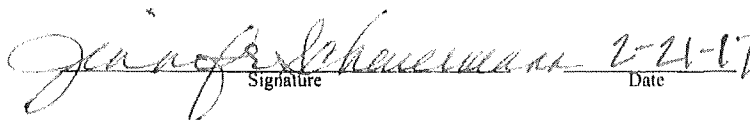
-or-

12440 E. Imperial Hwy. Suite 200  
Norwalk, CA 90651  
(562) 466-1694

### **Inspections (The business license application must be available on site at time of inspection).**

When a business license inspection is scheduled, the business must be fully prepared to operate, and the business owner or operator must be on site for the entire scheduled time of inspection. If the business owner or operator is unprepared for or misses a scheduled business license inspection without giving a minimum of 24 hours notice to the appropriate City agency, a re-inspection fee will be assessed.

I have read and understand the **Inspection** requirements.

  
Signature \_\_\_\_\_ Date 2-21-17





# APPLICATION FOR MEDICAL MARIJUANA BUSINESS LICENSE

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

- (1) Applicant's Name (Legal Ownership Structure): Long Beach Cannabis Club
- (2) Business Name (DBA): N/A Business Phone: (562) 477-4993
- (3) Applicant/ Business Email: jscheuermann01@gmail.com
- (4) Business Site Address: 5752 E. 2nd Street Long Beach CA 90803
- (5) Date Business Proposes to Open: As soon as obtain license
- (6) Days & Times Premises Are Open For Inspection: Between 9:00 am and 8:00 pm, every day
- (7) Proposed Use (Select One Only):  
**Note: You must submit a separate application for each marijuana business. Applicants are limited to two license categories per MCRSA regulations. See Appendix A for the following license combinations.**
  - Marijuana Dispensary
  - Laboratory Testing
  - Other (explain) \_\_\_\_\_
  - Cultivation Facility
  - Marijuana Delivery
  - Distribution Facility
  - Manufacturing Facility
- (8) Community Relations Liaison Name: Jennifer Schenermann  
 Community Relations Liaison Phone Number: 562-477-4993  
 Community Relations Liaison Email: jscheuermann01@gmail.com
- (9) Type of Organization:
  - Corporation
  - Partnership
  - Individual
  - Unincorporated Association or Club
  - Trust
  - LLC
  - Other, explain: \_\_\_\_\_

OFFICE USE ONLY			
<input type="checkbox"/> Building	<input type="checkbox"/> Fire	<input type="checkbox"/> Health (Check Inspecting Department)	Date Received: _____
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use.			
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use subject to the following conditions: _____			
<input type="checkbox"/> Building/Location does not meet Department requirements for the proposed use.			
Inspection Completed On (date): _____ By: _____			
POLICE DEPARTMENT			
<input type="checkbox"/> Police Department finds no basis for denial		<input type="checkbox"/> Police Department finds basis for denial	
<input type="checkbox"/> Police Department finds no basis for denial with conditions			
Conditions or Basis for Denial: _____			
By: _____ Title: _____ Date: _____			

**GENERAL INFORMATION (All Applicants)**

- (10) If the applicant is incorporated, attach to this application copies, certified by the Secretary of State, of the Articles of Incorporation, Certificate(s) of Amendment, Statement(s) of Information, By Laws, Restated Articles of Incorporation, and the most recent Annual Report of Officers and Directors.
- (11) If the applicant is an unincorporated association and filed a Statement By Unincorporated Association with the Secretary of State, attach copies, certified by the Secretary of State, of each Statement by Unincorporated Association, Registration of Unincorporated Nonprofit Association, and original & amended Articles of Association to this application.
- (12) If the applicant is an informal unincorporated association, provide copies of the fully executed Articles of Association (AKA Charter or Constitution).
- (13) Fictitious business names or dba's used: none
- (14) Place and date of filing of fictitious business name statement: not applicable
- (15) Names and address of all agents and employees authorized to negotiate or otherwise represent individual in connection with any transaction with the City of Long Beach:  
Jennifer Schenermann 4146 Del Mar Ave. Long Beach CA
- (16) Name and address of person (agent) authorized to accept service of process in California: 90807  
Tim Westen, 3070 Bristol St, #500, Costa Mesa, CA, 92626
- (17) State whether you are licensed by any governmental agency to engage in any business. If so, list each such license held, the city in which it is held, and expiration date thereof:  
no
- (18) Has the Medical Marijuana Business License applicant previously operated in this City or any other county, city, or state under a similar license or permit?
  - a. If "Yes," provide the license/permit issuing city, county, state, and the license and/or permit identification number(s):  
no
  - b. Please confirm whether any of these previously issued licenses or permits were revoked or suspended, and the reason(s) why:  
not applicable
- (19) Has any owner, business manager, member, or employee ever been denied a medical marijuana business license in the City of Long Beach or had a licensed suspended or revoked?
  - a. If "Yes," what was the license account number? no
  - b. If "Yes," what was the date the license was suspended/revoked? no
- (20) Has any owner or business manager ever been convicted of a felony?  Yes  No
- (21) For each Management Employee convicted of a crime or currently on probation or parole as set forth in Item No. (20) above, attach with this application the first and last name of the Management Employee, the associated criminal case number(s), the statute(s) violated, the date(s) of conviction, the date(s) of imposition of probation and/or parole, and the name and address of the sentencing court.
- (22) If the applicant owns the property listed in Item No. (4) of the application, enter date of purchase: not applicable

GENERAL INFORMATION (All Applicants)

(23) If the applicant rents, leases, or is in the process of leasing the property listed in Item No. (4), check the boxes below to verify that the applicant may operate the proposed Medical Marijuana Business at that location.

- Attached is a copy of proof of ownership or a copy of a lease
Attached is an original fully executed Letter of Authorization, found on Pages 15 and 16 of the application, for each owner, landlord, and leasing agent of the property listed in Item No. (4) of the application (If the property is not owned or leased by the Applicant).

NOTE: If the property is owned, rented, or leased by more than one person, a separate authorization form must be submitted for each owner, landlord, and leasing agent or equivalent.

(24) Does the applicant have a CA Seller's Permit issued by the California State Board of Equalization for the location identified in Item No. (4) of this application? Yes No

a. If "Yes," enter the CA Seller's Permit identification number, and attach a legible copy of the CA Seller's Permit to this application: SR AA 103-042509

(25) Describe the proposed use for each interior/exterior room/area at the address listed in Item No. (4) of the application: (Attach additional pages to the application if necessary)

The front door opens up to a non-patient waiting area. Then there is a door to the patient area that includes a sales floor and counter. There is also an office enclosed behind bulletproof glass. At the end of the patient area is a restroom. There is also storage area in the back.

(26) Attach photographs accurately depicting the entire interior and exterior of the proposed site(s), including entrance(s), street frontage(s), parking, front, rear and sides of the proposed site.

(27) Is this application for a priority location? (You may only choose one application to be a priority location) Yes No

(28) Does the applicant have a proposed satellite cultivation site in Long Beach? Yes No

a. If "Yes," please be advised that a separate medical marijuana business license application is required for a proposed satellite cultivation site. The application period for non-dispensaries is TBD.

(29) Will edible marijuana products, defined in LBMC Section 5.90, be prepared at the site listed in Item No. (4) of this application?

a. If "Yes," describe the type of products, and attach a menu and price list to this application (Attach additional pages if necessary)

NO

(30) Will security guards be provided? Yes No

a. If "Yes," how many security guards? 1

(31) Is any other type of security provided? Yes No

a. If "Yes," describe the type of security: Security alarm for building provided by Pamy Alarm

**GENERAL INFORMATION (All Applicants)**

(32) Days and hours security officers or other security will be provided (filled out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	24 hrs.	24 hrs.	24 hrs.	24 hrs.	24 hrs.	24 hrs.	24 hrs.
Security	1	1	1	1	1	1	1

(33) Provide the name, address, telephone number, business license account number, and PPO number of the security company that will be used. **NOTE:** A copy of the security guards' CA state license must be maintained on file at the business at all times.

Allied Nationwide Security Inc., 800-955-8417, 7247 Hayvenhurst Ave. Suite A7, Van Nuys, CA 91406. PPO14971, Licensed in CA

(34) Will an alarm monitoring company be used?

Yes and will apply for license in Long Beach once application approved.

a. If "Yes," provide the name, address, and telephone number of the alarm monitoring company:

Burg Alarm Company 800-470-1000 1590 S. Lewis St. Anaheim CA 92805

(35) Provide a list of all members with access to the surveillance camera system to be used (Attach additional pages if necessary):

Jennifer Schuermann  
Roy Kurajian  
Diego Salazar

(36) Provide a detailed description of the security plan for the proposed business (Attach additional pages if necessary):

Every room will be included and equipped with video surveillance and camera recording (except bathroom). There will also be video surveillance for exterior of building. There will be signage indicating that there will be recording. There will be fire and burglar alarm system monitored 24 hrs. a day. There will also be security guard 24 hours a day.

(37) Establishment hours of operation (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am
Close	8:00 pm	8:00 pm	8:00 pm	8:00 pm	8:00 pm	8:00 pm	8:00 pm

(38) Attach a map of any surrounding businesses and/or residences within approximately 300 feet. Distance does not have to be exact. Google and Bing maps are acceptable. Satellite view preferred.

## GENERAL INFORMATION (All Applicants)

- (39) Provide a detailed description of the business plan to dispose of any medical marijuana or product that is not sold to a patient or caregiver in a manner that protects it from being ingested by an animal or person (Attach additional sheets if necessary):

There will be a safe secured to the building for storage of all product not on display and will hold all product at close of business. If product is not sold, then will be returned to source for safe and proper disposal

- (40) Provide a detailed description of the ventilation systems used in the marijuana business including but not limited to how the ventilation systems prevent odor from leaving the building and how to mitigate noxious fumes or gases during the production process (Attach additional sheets if necessary):

An air filtration system will be installed. Will also include HVAC along with commercial strength carbon filter.

- (41) Please provide a detailed description of all toxic, flammable, or other materials regulated by government agencies including the type of materials, location of materials, and how the materials will be stored. Please also describe how any chemicals or hazardous materials will be used in your business process. (Attach additional sheets if necessary):

There will be no toxic, flammable, hazardous or other materials used or stored at this location.

- (42) Provide a detailed description of the POS software the business will be using to track inventory and/or sales of marijuana (Attach additional sheets if necessary):

The POS software will be used is 420connect.com. This is a digital and scanning system that will be the main tracking system and will be used for point of sale.

- (43) What is the projected daily average and peak electric load anticipated to be used by the business and what are the necessary upgrades (if any) to be performed in order to fulfill the needs of the electric load?


No upgrades will be needed for the electric load. The standard 45 AMPs, single phase is the daily average and peak electric load.

- (44)  Attached to this application is a fully legible copy of a valid government issued form of identification for each Medical Marijuana Business License applicant owner and business manager. Please note that acceptable forms of government issued identification include, but are not limited to: Driver's licenses or photo identity cards issued by the Department of Motor Vehicles that meet REAL ID benchmarks, a passport issued by the United States or by a foreign government, U.S. Military I.D. cards (active duty or retired military and their dependents), or a Permanent Resident Card.

**GENERAL INFORMATION (Cont.)**

**PLEASE PROVIDE CONTACT INFORMATION FOR ALL BUSINESS MANAGERS IF OTHER THAN THE BUSINESS OWNER AND ALL EMPLOYEES WHO ACT WITH MANAGERIAL AUTHORITY**

**BUSINESS MANAGER**

Name: Jennifer Scheuermann Title: (EO) Business Manager  
Residence Address:   
Business Address: 5752 E. 2nd Street Long Beach 90803 Phone: N/A  
Email Address: jscheuermann07@gmail.com



**BUSINESS MANAGER**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**BUSINESS MANAGER**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**\*Please attach additional sheets if necessary**

## GENERAL OPERATING CONDITIONS

PLEASE FILL OUT THE SECTION THAT APPLIES TO YOUR BUSINESS TYPE ONLY

### MARIJUANA DISPENSARY

1. Will you be operating both a dispensary and a cultivation site?  YES  NO
- a. If yes, is the cultivation site on-site or off-site?  On-Site  Off-Site
2. Will you be offering home delivery services from the medical marijuana dispensary?  YES  NO
3. Which State MCRSA License will you be applying for? (Check all that apply)
- MCRSA Type 10: General Dispensary
- MCRSA Type 10A: Specialty Dispensary (No more than 3 retail sites)

\*please see Appendix B for MCRSA license categories and descriptions

### CULTIVATION FACILITY

- not applicable*
1. Which State MCRSA License will you be applying for? (Check all that apply)
- MCRSA Type 1A: Specialty Indoor Cultivation
- MCRSA Type 2A: Small Indoor Cultivation
- MCRSA Type 3A: Indoor Cultivation
- MCRSA Type 4: Nursery
2. What is the square footage of cultivation canopy measured by the aggregate area of vegetative growth of live marijuana plants on the premises? (this includes both horizontal and vertical canopy area)

\_\_\_\_\_ Square Feet

\*please see Appendix B for MCRSA license categories and descriptions

### MANUFACTURING FACILITY

- not applicable*
1. Which State MCRSA license will you be applying for?  Type 6  Type 7  Both

\*please see Appendix B for MCRSA license categories and descriptions

### TRANSPORTATION/ DELIVERY

Copies of the following will need to be on file at the business and in employee personnel files if delivery and/or transportation is taking place:

1. CA DL for each employee delivering/transporting marijuana products
2. Copy of Insurance for each vehicle used for delivery/transportation
3. Copy of Vehicle Registration for each vehicle used for delivery/transportation

### LABORATORY TESTING


Provide 1 copy of the CA Department of Public Health Registration/Certification for the testing laboratory

**LBMC SECTION XXX VERIFICATION OF MEDICAL MARIJUANA PROHIBITED ACTIVITY**

The undersigned Management Employees, on behalf of the herein Medical Marijuana Business Permit applicant,

Jennifer Scheuermann, declare under penalty of perjury that they have read and understand the attached provisions of Long Beach Municipal Code (LBMC) Section 5.90, and shall, collectively and individually ensure that neither the Medical Marijuana Business nor its employees and Management Employees shall engage in the following prohibited activity set forth in LBMC 5.90, which states in relevant part that:

- (A) It shall be unlawful for any person or entity to operate, in or upon any property, a Medical Marijuana Business without first obtaining all required State licenses and a business license or permits issued by the City;
- (B) It shall be unlawful for the owner of a building to allow the use of any portion of a building by a Medical Marijuana Business unless the tenant has a valid business license permit, or has applied for and not been denied, a business license permit;
- (C) No pesticides or insecticides prohibited by federal, state, or local law for fertilization or production of edible produce may be used on any marijuana cultivated, produced, or distributed by a Medical Marijuana Business;
- (D) No Medical Marijuana Business may have a drive through lane or drive up window and no Medical Marijuana may be dispensed from a drive through lane or drive up window;
- (E) All cultivation, production, distribution, possession, storage, display, sales or other distribution of marijuana shall occur only within an enclosed area of a medical marijuana business and shall not be visible from the exterior of the business;
- (F) Consultations by medical professionals shall not be permitted at a Medical Marijuana Business nor as a permitted accessory use at a medical marijuana business;
- (G) It shall be unlawful for any of the following persons to have an ownership interest or a managerial responsibility in a Medical Marijuana Business, and no license or permit may be issued to or held by, and no Medical Marijuana Business shall be managed by: (a) Any person until all required fees have been paid; or (b) Any person who has been convicted within the previous ten (10) years of any violent or serious felony as specified in Sections 667.5 and 1192.7 of the Penal Code or any felony conviction involving fraud, deceit, or embezzlement or who is currently on parole or probation for the sale or distribution of a controlled substance; or (c) Any person who is under twenty-one (21) years of age; or (d) Any person who operates or manages a Medical Marijuana Business contrary to the provisions of this Chapter, or conditions imposed on land use or license approvals, or contrary to the terms of the plans submitted with the permit application, or amended as permitted by this Chapter; or (e) A licensed physician making patient recommendations; or (f) A person licensed and permitted to operate pursuant to this Chapter who, while lawfully operating, or who, at the time of application, has failed to remedy an outstanding delinquency for City taxes or fees owed, or prosecuting officer, or an officer or employee of the State or City of Long Beach; or (h) Applicants or entities (including Management Employees) that have a previous record of violating federal or state laws relating to workplace safety, wages and compensation, employee discrimination, or union activity.
- (H) It shall be unlawful to operate a Medical Marijuana Business or to grow medical marijuana outside of an enclosed building;
- (I) It shall be unlawful for any person to transport medical marijuana, except as specifically allowed by this Chapter and State law;
- (J) It shall be unlawful for any Property owner, landlord, and lessee, Medical Marijuana Business employee or Manger or any other person having any responsibility over the operation of the Medical Marijuana Business to refuse to allow, impede, obstruct, or interfere with an inspection;
- (K) It shall be unlawful for any person to cause, permit or engage in the cultivation, possession, distribution, exchange or giving away of marijuana for medical or non-medical purposes except as provided in this Chapter;
- (L) It shall be unlawful for any person to cause, permit, or engage in any activity related to Medical Marijuana except as provided in this Chapter and pursuant to all other applicable local and state law;
- (M) It shall be unlawful for any person to knowingly make any false, misleading or inaccurate statement or representation in any form, record, filing or documentation required to be maintained, filed, or provided to the City of Long Beach under this Chapter;
- (N) No Medical Marijuana Dispensary shall be open to or provide Medical Marijuana to qualified patients or employees between the hours of eight (8) pm and nine (9) am;
- (O) No person under the age of eighteen (18) shall be allowed on the Property, unless that minor is a qualified patient and is accompanied by his or her licensed attending physician, parent(s) or documented legal guardian;
- (P) No Medical Marijuana Dispensary, Management Employee or employee shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on the Property or in the parking area of the Property;
- (Q) No dried Medical Marijuana shall be stored at the property in structures that are not completely enclosed, in an unlocked vault or safe, in any other unsecured storage structure, or in a safe or vault that is not bolted to the floor of the property;
- (R) Medical Marijuana may not be inhaled, smoked, eaten, ingested, or otherwise consumed on the Property, or in the parking areas of the Property or in those areas restricted under the provisions of Health and Safety Code §11362.79.

 _____ (Signature of Management Employee)	<u>JENNIFER SCHEUERMANN CEO</u> _____ (Printed Name & Title)	<u>Feb 11, 2017</u> _____ (Date)
_____ (Signature of Management Employee)	_____ (Printed Name & Title)	_____ (Date)
_____ (Signature of Management Employee)	_____ (Printed Name & Title)	_____ (Date)



GENERAL INFORMATION (Cont.)

**CERTIFICATION OF EMPLOYMENT PRACTICES**

I, JENNIFER SCHEUERMANN *on behalf of Long Beach Cannabis Club*  
(Name of Business/Owner listed in Item No. (1) of the application) certify that the business will not employ any person with any

type of violent or serious felony conviction as specified in Section 667.5 and 1192.7 of the Penal Code or any felony conviction involving fraud, deceit, or embezzlement. The business will also not employ as managers or employees any person with any narcotic drug related misdemeanor conviction. The following shall become a condition of maintaining the business license.

\_\_\_\_\_  
(Signature of Owner/Management Employee)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

*Jennifer Scheuermann*  
(Signature of Owner/Management Employee)

JENNIFER SCHEUERMANN CEO  
(Printed Name & Title)

Feb 21, 2017  
(Date)

\_\_\_\_\_  
(Signature of Owner/Management Employee)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

**CERTIFICATION OF LABOR PEACE AGREEMENT**

JENNIFER SCHEUERMANN *on behalf of Long Beach Cannabis Club*  
(Name of Business/Owner listed in Item No. (1) of the application) certify that the medical marijuana business, if employing two or

more employees (as defined in the California Business and Professions Code, Section 19322(6)), at the proposed property will enter into, or has entered into, a labor peace agreement and the medical marijuana business will abide by the terms of the labor peace agreement. If the City becomes aware that a labor peace agreement has been violated, I must provide a copy to the City upon request.

*Jennifer Scheuermann*  
(Signature of Owner/Management Employee)

JENNIFER SCHEUERMANN CEO  
(Printed Name & Title)

Feb. 21, 2017  
(Date)

\_\_\_\_\_  
(Signature of Owner/Management Employee)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Owner/Management Employee)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

**IF APPLYING AS AN INDIVIDUAL**

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_

Middle: \_\_\_\_\_

Title(s) or AKA(s): \_\_\_\_\_

Residence address: \_\_\_\_\_

Home/Business Telephone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Driver's License or Identification Card Number: \_\_\_\_\_

State of Issue: \_\_\_\_\_

Federal Tax ID Number (if applicable): \_\_\_\_\_

Seller's Permit Number (if applicable): \_\_\_\_\_

**IF APPLYING AS A PARTNERSHIP**

Check One Box:

General Partnership

Limited Partnership/ LLP

Name of Partnership: \_\_\_\_\_

Federal Tax ID Number (if applicable): \_\_\_\_\_

Seller's Permit Number (if applicable): \_\_\_\_\_

**Percentage of Partnership**

Name and residence addresses of <i>General Partners</i> :	Interest:
_____	%

_____	%
-------	---

_____	%
-------	---

_____	%
-------	---

Names and residence addresses of <i>Limited Partners</i> :	Interest:
_____	%

_____	%
-------	---

_____	%
-------	---

_____	%
-------	---

_____	%
-------	---

Place and date of filing Articles or Certificate of Partnership or Limited Partnership:

\_\_\_\_\_

\_\_\_\_\_

**Please Note:**

**Attach certified copies of *Articles of Partnership* or *Limited Partnership*, or other written evidence of partnership status and all amendments thereto this application.**

**IF APPLYING AS A PARTNERSHIP (cont.)**

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

**PRINCIPAL PARTNER I**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**PRINCIPAL PARTNER II**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**PRINCIPAL PARTNER III**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_


Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**IF APPLYING AS A CORPORATION**

**PLEASE ONLY PROVIDE INFORMATION FOR ALL OFFICERS, DIRECTORS, OR SHAREHOLDERS WHO OWN MORE THAN 10% OF THE ISSUED AND OUTSTANDING STOCK**



Check One Box:  For-Profit Corporation  Non-Profit Corporation  Limited Liability Corporation/ LLC

(If a Non-Profit Corporation, please attach copies of both State and federal Tax Exemption Certificates)

Name of Corporation: Long Beach Cannabis Club  
Corporation Number: C 3951626  
Date and Place of Incorporation: 10/04/2016 California  
Location Headquarters: Long Beach  
Federal Tax ID Number:   
Seller's Permit Number: SR AA 103-042509

Please attach certified copies of Articles of Incorporation and By-Laws, and all amendments to this application.

Name and Residence Address of Corporation Officers (members of the executive board):

Name	Title & Ownership % <sup>no ownership</sup>	Address	Telephone
Jennifer Scheuermann	CEO / Business manager		
Ray Kuregian	CFO		
Diego Salazar	Secretary		

Numbers of shares issued by Corporation: N/A  
Number of share retained by Corporation: N/A

Name and addresses of shareholders, if ten (10) or less state also the number and type of shares:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


Name, address, telephone number, and email address of agent for service of process designated by Corporation with the Secretary of State of California:  
Tim Weston, 3070 Bristol St. #560 Costa Mesa CA 92626, 714-850-0690  
timweston@live.com

**IF APPLYING AS A CORPORATION (Cont.)**

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

**CORPORATE OFFICER I**

Name: Jennifer Scheuermann Title: CEO/Business Manager

Residence Address: 

**CORPORATE OFFICER II**

Name: Roy Kurajian Title: CFO

**CORPORATE OFFICER III**

Name: Diego Salazar Title: Secretary

**CORPORATE OFFICER IV**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_



**CITY OF LONG BEACH**  
 DEPARTMENT OF FINANCIAL MANAGEMENT  
 BUSINESS RELATIONS BUREAU  
 BUSINESS LICENSE SECTION

333 W. Ocean Boulevard, 4th Floor • Long Beach, CA 90802 • (562) 570-6211 FAX (562) 499-1097 Email LBBIZ@LongBeach.Gov

**PROPERTY OWNER/ LANDLORD AUTHORIZATION FOR INSPECTION AND RIGHT TO OPERATE A  
 MEDICAL MARIJUANA BUSINESS**

I, Richer Vandy, am the (legal owner) landlord / lessor of real property located at  
(Name of Property Owner/Landlord) (Circle One)

5752 E. 2nd St. Long Beach CA 90803, Long Beach, California. I authorize the Medical  
(Address listed in Item No. (4) of the application)

Marijuana Business entitled Long Beach Cannabis Club to operate a medical  
(Name of Business/Owner listed in Item No. (1) of the application)

marijuana business at the property, as that term is defined in state law and the Long Beach Municipal Code, for the

specific use(s) of Retail MARIJUANA Products  
(Land uses(s) set forth in the Medical Marijuana Business application – e.g. cultivation, manufacturing, etc.)

set forth in the Medical Marijuana Business License Application submitted to the City of Long Beach by

Long Beach Cannabis Club and allow the City of Long Beach to enter the property for  
(Name of Business/Owner listed in Item No. (1) of the application)

inspection of the property. I further understand that I am responsible for any violation and nuisance activity which may occur at this property. I declare under penalty of perjury that the foregoing information is true and correct. Executed this

16<sup>th</sup> day of February 2017, at Long Beach, California.

[Signature]  
(Signature of legal owner/landlord/lessor)

Richer Vandy Owner  
(Printed Name & Title)

2-16-2017  
(Date)

\_\_\_\_\_  
(Signature of legal owner/landlord/lessor)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of legal owner/landlord/lessor)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

*See attached California medical  
 certificate M of 2/16/17*



CITY OF LONG BEACH
DEPARTMENT OF FINANCIAL MANAGEMENT
BUSINESS RELATIONS BUREAU
BUSINESS LICENSE SECTION

333 W. Ocean Boulevard, 4th Floor • Long Beach, CA 90802 • (562) 570-6211

NOTARY ACKNOWLEDGEMENT FORM see next page

The notarized signature of the majority representative owner or owners, as established by deed or contract, of the subject property or properties is required for the filing of this application. (Additional sheets may be attached if needed.)

On \_\_\_\_\_ before me, \_\_\_\_\_ the undersigned,
DATE (WRITE NAME OF NOTARY)

a Notary Public in and for said County, duly commissioned,

personally appeared \_\_\_\_\_
NAME(S) OF SIGNER(S)

\_\_\_\_\_
NAME(S) OF SIGNER(S)

[ ] personally known to me - OR -

[ ] proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

PLACE NOTARY SEAL ABOVE

Notary Public in and for the County of Los Angeles, State of California

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title of type of Document: PROPERTY OWNER/ LANDLORD AUTHORIZATION FORM

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_

Title(s): \_\_\_\_\_ Title(s): \_\_\_\_\_



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

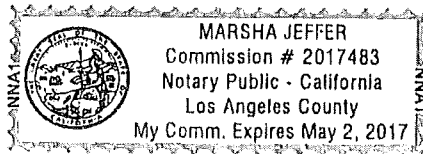
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Los Angeles  
On 2/16/17 before me, Marsha Jeffer, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Richer Vaudry  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Marsha Jeffer  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Property to Owner Authorization Document Date: 2/16/17  
Number of Pages: 2 Signer(s) Other Than Named Above: None

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Richer Vaudry  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: Owner  
Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer is Representing: \_\_\_\_\_

**MEDICAL MARIJUANA BUSINESS LICENSE**  
**APPLICATION ATTACHMENTS**

In addition to the Medical Marijuana Business License Application, the following list of attachments need to be submitted:

1. Complete interior floor plan on paper no larger than 11" x 17" (multiple sheets allowed) to include the following information:
  - a. Dimensions of interior floor plan.
  - b. Indicate location of all exit doors, widths of doors and panic hardware.
  - c. Principal uses of the floor area including where non-patients will be permitted, private consulting areas, storage areas, retail areas, areas for cash handling and storage, and restricted areas
  - d. Show the separation of the areas that are open to persons who are not patients from those areas open to patients

NOTE: All areas of proposed business site must be disabled access compliant pursuant to Title 24 of the State of California Code of Regulations and the Americans with Disabilities Act

2. Proof of Worker's Compensation Insurance including the limits of each policy, policy numbers, name of the insurer, effective date, and expiration date of each policy. Insurance must comply with requirements set forth in LBMC 5.90.0230 and LBMC 2.84.040. (Proof may include a "Cover Note" or "Binder).
3. Proof of Liability Insurance including the limits of each policy, policy numbers, name of the insurer, effective date, and expiration date of each policy. Insurance must have aggregate policy limits in an amount not less than \$1,000,000. Insurance must comply with requirements set forth in LBMC 5.90.0230 and LBMC 2.84.040. (Proof may include a "Cover Note" or "Binder).
4. Copy of CA Seller' Permit (for retail businesses only)
5. Copy of your Fictitious Name Filing, if applicable.
6. Corporation, Limited Liability Companies, Limited Liability Partnerships:
  - a. Copy of your Articles of Incorporation
  - b. Copy of your Statement of Information
7. Operating Plan to include the following information (as outlined in the Guidelines packet):
  - a. General Operating Procedures
  - b. Security
  - c. Operational Security
  - d. Facility Security
  - e. Community Service
  - f. Fire Plan
  - g. Labor Relations
8. Proof of Ownership, lease, or, if not owned or leased, the Authorization Form and Notarization found on page 15 and 16
9. Proof Entity is Registered and in Good Standing with Secretary of State and Franchise Tax Board
10. Copy of one (1) valid government issued form of identification for each owner and managing member
11. Copy of Live Scan receipt/completion for each owner and business manager
12. Copy of Labor Peace Agreement (if available)

Attachments

Appendix A: Medical Cannabis Regulations and Safety Act (MCRSA) License Type Combinations  
Appendix B: Medical Cannabis Regulations and Safety Act (MCRSA) License Type Descriptions

Note: This is NOT a Medical Marijuana Business Permit. Do not operate until a valid permit is issued.  
Medical Marijuana Business Application – Page 17

## Appendix A Medical Cannabis Regulation and Safety Act (MCRSA) License Type Combinations

### MEDICAL CANNABIS REGULATION AND SAFETY ACT

Note: A licensee may only hold a state license in up to two separate license categories. Some exceptions apply. How to use this chart: Find your license type at the top. Drop down the column to find other allowable licenses. Example: If you are a small outdoor specialty cultivator (upper left corner) you would not be able to get testing lab, dispensary or distribution licenses (bottom of first column).

### LICENSE TYPE

LICENSE RESTRICTIONS	Description	1	2A	3	4	5A	6	7	8A	9	10	11	12	13	14	15	16	17	18
		Cultivation, Specialty outdoor, Small	Cultivation, Specialty Indoor, Small	Cultivation, Specialty mixed light, Small	Cultivation, Outdoor, Small	Cultivation, Indoor, Small	Cultivation, Mixed light, Small	Cultivation, Outdoor, Medium	Cultivation, Indoor, Medium	Cultivation, Mixed light, Medium	Cultivation, Nursery	Manufacturer 1 (nonvolatile solvents)	Manufacturer 2 (volatile solvents)	Testing laboratory	Dispensary, General	Processing/Dispensary, up to three retail sites*	Distribution	Transporter	
1	Cultivation, Specialty outdoor, Small																		
2A	Cultivation, Specialty Indoor, Small																		
3	Cultivation, Specialty mixed light, Small																		
4	Cultivation, Outdoor, Small																		
5A	Cultivation, Indoor, Small																		
6	Cultivation, Mixed light, Small																		
7	Cultivation, Outdoor, Medium																		
8A	Cultivation, Indoor, Medium																		
9	Cultivation, Mixed light, Medium																		
10	Cultivation, Nursery																		
11	Manufacturer 1 (nonvolatile solvents)																		
12	Manufacturer 2 (volatile solvents)																		
13	Testing laboratory																		
14	Dispensary, General																		
15	Processing/Dispensary, up to three retail sites*																		
16	Distribution																		
17	Transporter	1	1	1	1	1	1	1	1	1	1	1	2	2					

Legend	1	2
Allowable cross licensure	Disruptor must hold a transporter license	Applicant must hold cultivator or manufacturer license first
Prohibited cross licensure	N/A; may hold same license	1 Allowable, but exhibitors shall only transport from a cultivation site to a manufacturer or a distributor
		2 Allowable, but manufacturers shall only transport medical cannabis and medical cannabis products as follows: (i) between a cultivation site and a manufacturing site, (ii) between a manufacturing site and a manufacturing site, or, (iii) between a manufacturing site and a distributor.

\* A type 15A licensee may hold licenses for up to three retail sites, one manufacturing premises, and up to four acres of cultivation at one time.

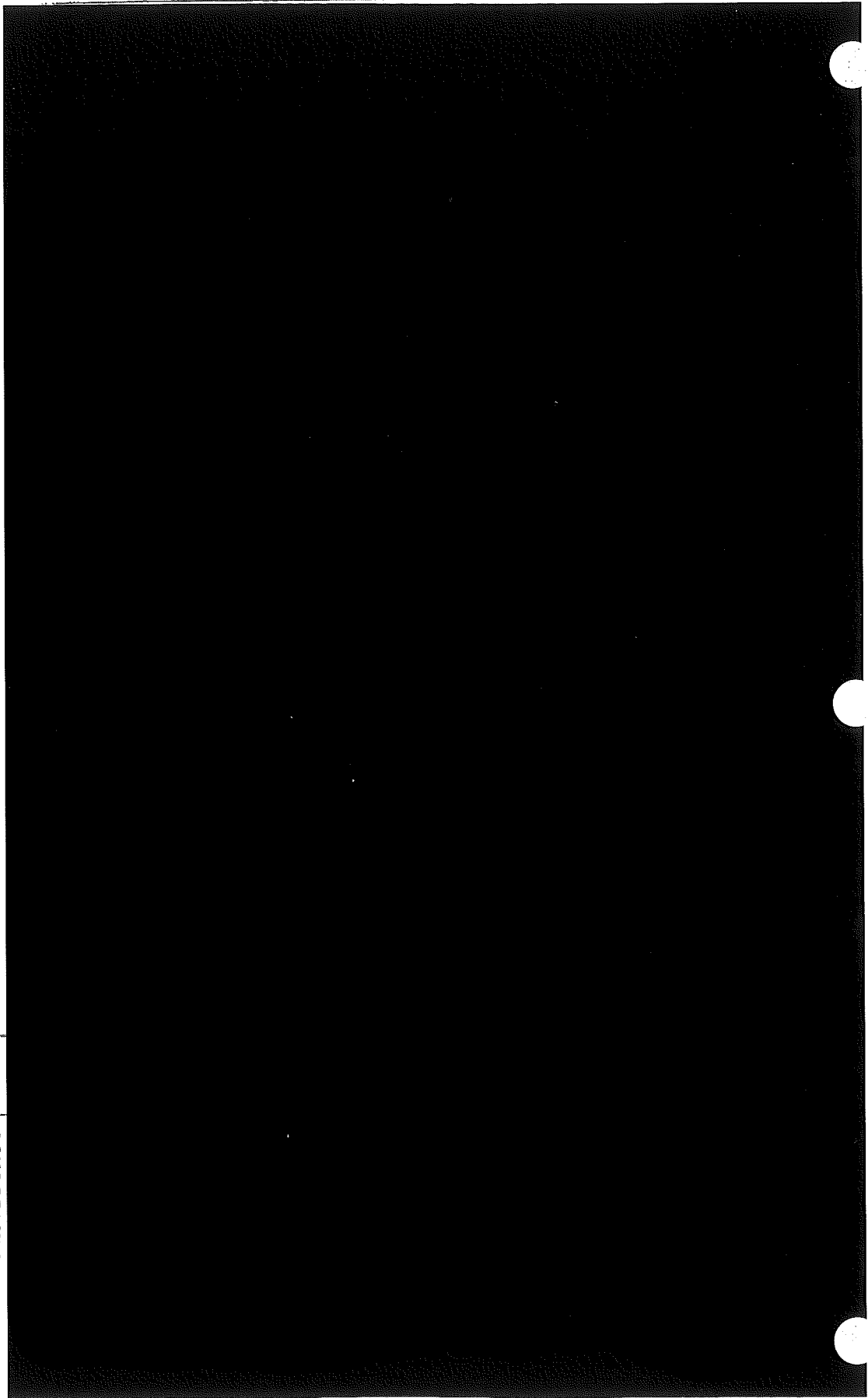
Source: [http://www.bmc.ca.gov/meetings/materials/cross\\_licensure\\_guide.pdf](http://www.bmc.ca.gov/meetings/materials/cross_licensure_guide.pdf)

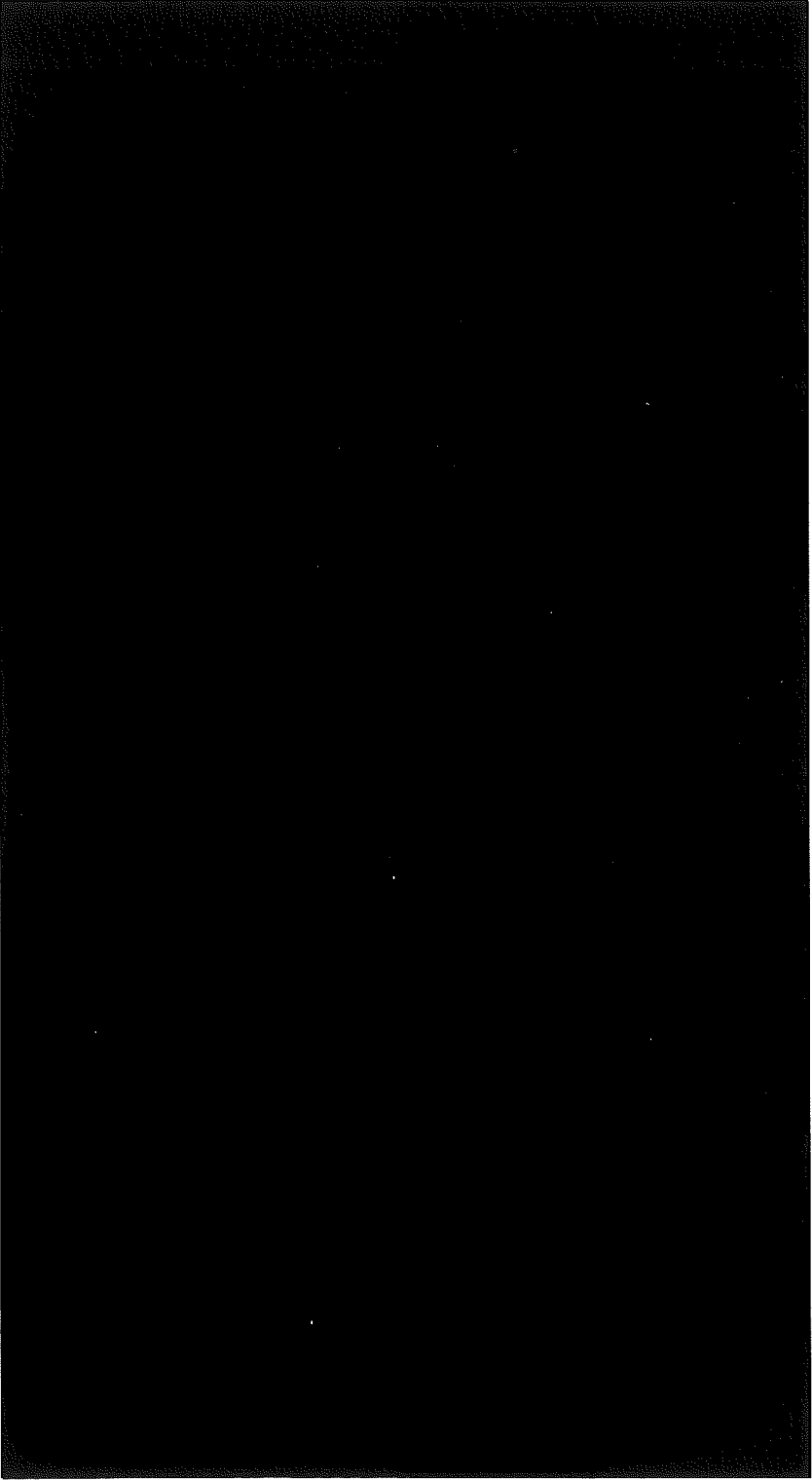
**Appendix B**  
Medical Cannabis Regulation and Safety Act (MCRSA)  
Business License Types and Descriptions

- (1) Type 1A, or "specialty indoor," for indoor cultivation using exclusively artificial lighting of less than 5,000 square feet of total canopy size on one premises.
- (2) Type 2A, or "small indoor," for indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet of total canopy size on one premises.
- (3) Type 3A, or "indoor," for indoor cultivation using exclusively artificial lighting between 10,001 and 22,000 square feet of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
- (4) Type 4, or "nursery," for cultivation of medical cannabis solely as a nursery. Type 4 licensees may transport live plants.
- (5) Type 6, or "manufacturing level 1," for manufacturing sites that produce medical cannabis products using nonvolatile solvents.
- (6) Type 7, or "manufacturing level 2," for manufacturing sites that produce medical cannabis products using volatile solvents. The Department of Public Health shall limit the number of licenses of this type.
- (7) Type 8, or "testing," for testing of medical cannabis and medical cannabis products. Type 8 licensees shall have their facilities licensed according to regulations set forth by the division. A Type 8 licensee shall not hold a license in another license category of this chapter and shall not own or have ownership interest in a facility licensed pursuant to this chapter.
- (8) Type 10, or "dispensary," for the retail of medical cannabis or medical cannabis products. This license shall allow for delivery where expressly authorized by local ordinance, pursuant to subdivision (b) of Section 133.
- (9) Type 10A or "special dispensary status," for dispensers who have no more than three licensed dispensary facilities. This license shall allow for delivery where expressly authorized by local ordinance, pursuant to subdivision (b) of Section 133.
- (10) Type 11, or "distributor," for the certification of the content of all medical cannabis or medical cannabis products and distribution licensees. A Type 11 licensee shall hold a Type 12, or transporter, license and register each facility location where product is stored for the purposes of distribution. A Type 11 licensee shall not hold a license in a cultivation, manufacturing, dispensing, or testing license category and shall not own, or have an ownership interest in, a facility licensed in those categories other than a security interest, lien, or encumbrance on property that is used by a licensee. A Type 11 licensee shall be bonded and insured at a minimum level established by the licensing authority.
- (11) Type 12, or "transport," for transporters of medical cannabis or medical cannabis products. A Type 12 licensee shall be bonded and insured at a minimum level established by the licensing authority.

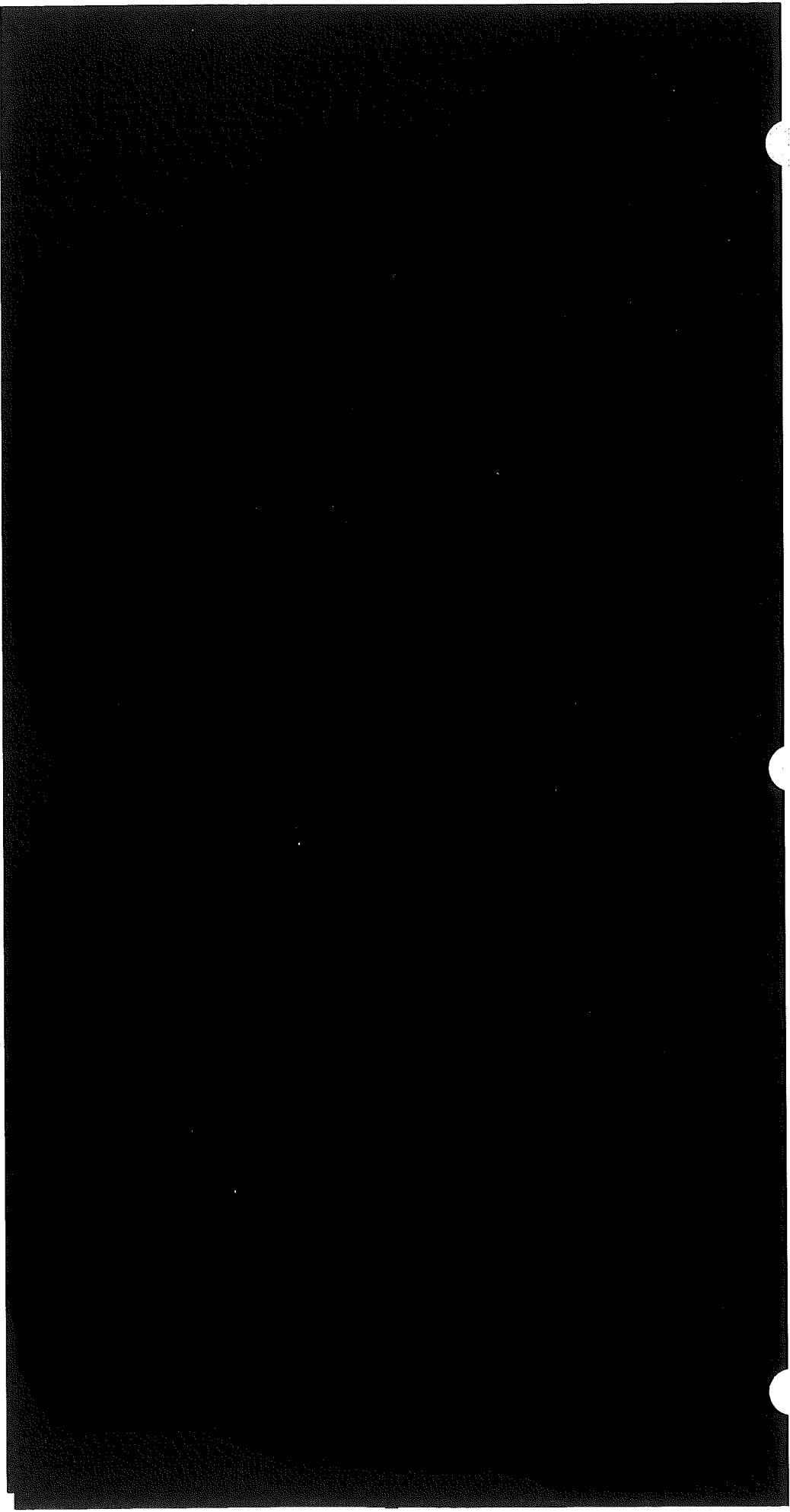
S I T E P L A N . 1/3/11/01

SHEET  
1  
LONG BEACH CANNABIS CLUB  
@ : 5752 E. 2ND ST. LONG BEACH, CAL. 90803





SHEET	LONG BEACH CANNABIS CLUB
2	@: 5752 E. 2ND ST. LONG BEACH, CAL. 90803

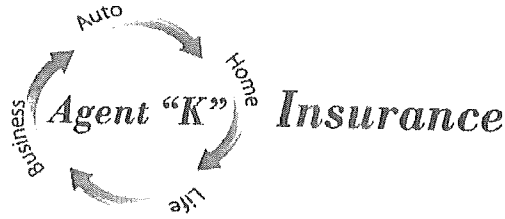


SHEET 2	LONG FOR: M @: 57
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SHEET  
2

LONG  
FOR: M  
@: 57





3611 S Harbor Blvd, Suite 200 Santa Ana, CA 92704 \* (949) 553-0617 Office \* (888) 871-1145 Efax \* (949) 400-3575 Cell

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February 15<sup>th</sup>, 2017

Long Beach Cannabis Club  
5752 E 2<sup>nd</sup> Street  
Long Beach, Ca 90803

Subject: Will Serve Letter for Retail Marijuana Dispensary located at:


5752 E 2<sup>nd</sup> Street, Long Beach, CA 90803

Attention: Long Beach Cannabis Club

This "Will Serve Letter" is for your proposed Retail Marijuana Dispensary establishment for Long Beach Cannabis Club. Our office will provide you with Workers Compensation and Business Insurance for your company that will specifically cover your exposure within the Retail Marijuana Dispensary industry. Your business policy will be provided by United Specialty Insurance Company. This policy will have a minimum coverage amount of 3 million Per Occurrence with a 4 million General Aggregate. Your Workers Compensation policy will be covered by State Compensation Insurance Fund. This policy would have a minimum coverage amount of 1 million Per Accident/1 million Disease Policy Limit/ 1 Million Disease each employee. All policies have been approved for your specific risk and are ready to be put in place upon your request.

Please feel welcome to call if you have any questions.

Sincerely,



Kerwin Walters,  
President

*Referrals from you are the livelihood of our agency.*

# BYLAWS OF LONG BEACH CANNABIS CLUB

A California Non-Profit Mutual Benefit Corporation

## ARTICLE I

### OFFICES

**Section 1.1 PRINCIPLE OFFICE.** The office of the Corporation shall be located in the city and state designated in the Articles of Incorporation or the most recently filed Statement of Information. The Corporation may also maintain offices at such other places as the Board of Directors (hereinafter the "Board") may from time to time approve for the Corporation, if required. Such change of location shall not constitute an amendment to these Bylaws.

**Section 1.2 OTHER OFFICES.** Branch or subordinate offices may at any time be established by the Board at any place or places where the Corporation is qualified to do business.

## ARTICLE II

### PURPOSE

**Section 2.1 SPECIFIC PURPOSE.** The specific purpose of the Corporation is to facilitate and coordinate medical cannabis transactions between patient members and/or primary caregivers.

## ARTICLE III

### DIRECTORS

**Section 3.1 BOARD OF DIRECTORS.** Subject to the provisions of the Nonprofit Corporation Law Sections 7110, *et seq.*, the business and affairs of the Corporation shall be managed and all corporate powers shall be exercised by or under the direction of the Board. The Board may delegate the management of the day-to-day operation of the business of the Corporation to a management company or other person, provided that the business and affairs of the Corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board. The directors of the Board shall receive reasonable compensation for their services and may directly or indirectly provide other services to the Corporation and receive reasonable compensation therefor.

**Section 3.2 STANDARD OF CARE.** Each Director shall perform the duties of a Director, including the duties as a member of any committee of the Board upon which the Director may serve, in good faith, in a manner such Director believes to be in the best interests of the Corporation, and with such care, including reasonable inquiry, as an ordinary prudent person in a like position would use under similar circumstances.

**Section 3.3 NUMBER OF AND QUALIFICATION OF DIRECTORS.** Each Director shall be at least 18 years of age. The initial Board shall consist of two persons. Thereafter, the number of Directors shall not be less than two (2) and not more than five (5).

Subject to the foregoing, the number of Directors may be fixed from time to time by action of the Directors. The number of Directors may be increased or decreased by action of the Board, provided that any action by the Board to affect such increase or decrease shall require the vote of a majority of the entire Board. No decrease shall shorten the term of any Director then in office.

**Section 3.4 ELECTION AND TERM OF OFFICE OF DIRECTORS.** The first Board shall consist of those persons elected by the incorporators or named as the initial Directors, and they shall hold office until the first meeting of the Board, and until their successors have been duly elected and qualified. Thereafter, Directors shall be elected to hold office until the expiration of the term for which he or she was elected, and until his or her successor have been duly elected and qualified, or until his or her death, resignation, or removal.

**Section 3.5 RESIGNATION AND REMOVAL.** A Director may resign from office at any time by delivering a written resignation to the Board. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Corporation. Acceptance of such resignation, unless required by the terms thereof, shall not be necessary to make it effective. Any Director may be removed with or without cause by vote of the Board.

**Section 3.6 VACANCIES.** Newly-created directorships or vacancies in the Board may be filled by a vote of majority of the Directors then in office, although less than a quorum, unless otherwise provided. A director elected to fill a vacancy caused by resignation, death, or removal shall be elected to hold office for the unexpired term of his or her predecessor.

**Section 3.7 NOTICE, PLACE, AND MANNER OF MEETINGS.** Meetings of the Board shall be held at any place within California as the Board may from time to time fix or as shall be specified in the notice, or waiver of notice thereof. An annual meeting of the Board shall be held at such time and place as shall be fixed by the Board from time to time or by the person or persons calling the meeting. Accurate minutes of any meeting of the Board or any committee thereof, shall be maintained as required by the California Corporations Code by the Secretary or other Office designated for the purpose. No notice shall be required for annual meetings of the Board for which the time and place have been fixed. Special meetings may be called by or at the direction of the Chairman of the Board, the President, or by a majority of the directors then in office. Members of the Board may participate in any meeting through use of a conference telephone or similar communications equipment so long as all members participating in such a meeting can hear on another.

**Section 3.8 SPECIAL MEETINGS.** Notice of time and place of each special meeting of the Board shall be mailed to each Director, postage prepaid, addressed to him or her at his or her residence or usual place of business, or emailed to him or her, at least 5 days before the day on which the meeting is held, provided however, that if such notice is for a special meeting requiring prompt action, such notice may be emailed to him or her not less than 24 hours before the time at which such meeting is to be held. The requirement for furnishing notice of a meeting may be waived by any Director who signs a Waiver of Notice before or after the meeting or who attends the meeting without protesting the lack of notice to him or her.

**Section 3.9 QUORUM.** A majority of the number of Directors shall be necessary to constitute a quorum for the transaction of business, and the action of a majority of the Directors present at any meeting at which there is a quorum, when duly assembled, is valid as a corporate act. At any meeting held to remove one or more Directors, a quorum shall consist of a majority

of the Directors present at such meeting. Whenever a vacancy on the Board shall prevent a quorum from being present, then, in such event, the quorum shall consist of a majority of the members of the Board, excluding the vacancy. Any action required or permitted to be taken by the Board or any committee thereof may be taken without a meeting if all members of the Board or committee consent in writing to the adoption of a resolution authorizing the action. The resolution and written consents shall be filed with the minutes of the proceedings of the Board or committee.

**Section 3.10 COMMITTEES.** Whenever the Board shall consist of more than three persons, the Board may designate from their number, an executive committee and other standing committees. Such committees shall have such authority as the Board may delegate. In addition, the Board may establish special committees for any lawful purpose, which may have such powers as the Board may lawfully delegate.

## ARTICLE IV

### OFFICERS

**Section 4.1 OFFICERS.** The Officers of the Corporation shall be a President, a Secretary, and a Chief Financial Officer. The corporation may also have, at the discretion of the Board, an Executive Director of the Board, one (1) or more Vice Presidents, one (1) or more Assistant Secretaries, one (1) or more Assistant Treasurers, and such other Officers as may be appointed. Any number of offices may be held by the same person. All Officers must be members of the Corporation. Officers shall receive reasonable compensation for their services as determined by the Board of Directors and may directly or indirectly provide other services to the Collective and receive reasonable compensation therefor.

**Section 4.2 ELECTION.** The Officers of the Corporation, except such Officers as may be appointed in accordance with the provisions of Section 4.3 or Section 4.5 of this Article, shall be chosen annually by the Board, and each shall hold office until he or she shall resign or shall be removed or otherwise disqualified to serve, or a successor shall be elected and qualified.

**Section 4.3 SUBORDINATE OFFICERS, ETC.** The Board of Directors may appoint such other Officers as the business of the Corporation may require, each of whom shall hold office for such period, have such authority and perform such duties as are provided in the Bylaws or as the Board may from time to time determine.

### **Section 4.4 REMOVAL AND RESIGNATION OF OFFICERS.**

- (a) Subject to the rights, if any, of an Officer under any contract of employment, any Officer may be removed, either with or without cause, by the Board, at any regular or special meeting to the Board, or, except in case of an Officer chosen by the Board, by any Officer upon whom such power of removal may be conferred by the Board.
- (b) Any Officer may resign at any time by giving written notice to the Corporation. Any resignation shall take effect at the date of the receipt of that notice or at any later time specified in that notice; and, unless otherwise specified in that notice, the acceptance

of the resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights, if any, of the Corporation under any contract to which the Officer is a party.

**Section 4.5 EXECUTIVE DIRECTOR OF THE BOARD.** The Executive Director of the Board, if such an officer be elected, shall, if present, preside at meetings of the Board and exercise and perform such other powers and duties as may be from time to time assigned by the Board or prescribed by the Bylaws. In the event of a tie vote by the Board, the Executive Director of the Board's vote shall count as one and one half (1 ½ ) votes. If there is no President, the Executive Director of the Board shall in addition be the Chief Executive Officer of the Corporation and shall have the powers and duties prescribed in Section 4.6 of this Article.

**Section 4.6 PRESIDENT.** Subject to such supervisory powers, if any, as may be given by the Board to the Executive Director of the Board, if there be such an Officer, the President shall be the Chief Executive Officer of the Corporation and shall, subject to the control of the Board, have general supervision, direction and control of the business and Officers of the Corporation. He or she shall preside at all meetings of the Board. The President shall be ex officio a member of all the standing committees, including the Executive Committee, if any, and shall have the general powers and duties of management usually vested in the office of President of a corporation, and shall have such other powers and duties as may be prescribed by the Board or the Bylaws.

**Section 4.7 VICE PRESIDENT.** In the absence or disability of the President, the Vice President, if any, designated by the Board, shall perform all the duties of the President, and when so acting shall have all the powers of, and be subject to, all the restrictions upon, the President. The Vice President shall have such other powers and perform such other duties as from time to time may be prescribed for them respectively by the Board or the Bylaws.

**Section 4.8 SECRETARY.**

- (a) The Secretary shall keep, or cause to be kept, a book of minutes at the principal office or such other place as the Board may order, of all meetings of Directors with the time and place of holding, whether regular or special, and if special, how authorized, the notice thereof given, the names of those present at Directors' meetings and the proceeding thereof.
- (b) The Secretary shall keep, or cause to be kept, at the principal office, a Membership register, or duplicate Membership register, showing the names of the Members and their addresses; the date of the Membership, and all necessary information verifying the Member is a qualified patient or primary caregiver under California Law.
- (c) The Secretary shall give, or cause to be given, notice of all the meetings of the Board required by the Bylaws or by law to be given.

**Section 4.9 CHIEF FINANCIAL OFFICER.**

- (a) The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained in accordance with generally accepted accounting principles, adequate and correct accounts of the properties and financial transactions of the operation. The books of account shall at all reasonable times be open to inspection by any Director.
- (b) This Officer shall deposit all money and other valuables in the name and to the credit of the Corporation with such depositories as may be designated by the Board. He or she shall disburse the funds of the Corporation as may be ordered by the Board, shall render to the President and Directors, whenever they request it, an account of all of his or her transactions and of the financial condition of the Corporation, and shall have such other powers and perform such other duties as may be prescribed by the Board or the Bylaws.

**ARTICLE V**

**MEMBERS**

**Section 5.1 MEMBERSHIP AVAILABILITY.** Each Member shall be a resident of the State of California and a qualified medical cannabis patient or primary caregiver pursuant to California Health and Safety Code Sections 11362.5 and 11362.7, *et seq.* and shall execute a Membership Agreement in the form and content approved by the Board. Membership shall be contingent upon each Member's conformity with the terms and conditions of such Membership Agreement and each Member is deemed a general member of the corporation without any voting rights except as provided by California law.

**Section 5.2. PROOF OF ELIGIBILITY.** Each Member shall annually provide a Physician's recommendation, signed by the recommending Physician, or a valid identification card issued pursuant to the relevant California Health and Safety Code Sections, for the use of medical cannabis. Membership shall be contingent upon verification and said recommendation or identification card. Failure to provide such recommendation or identification card shall be grounds for denial of membership.

**Section 5.4 MEMBERSHIP IDENTIFICATION.** Each Member shall provide either a valid California Driver's license or a valid California Identification card.

**Section 5.5 PARTICIPATION OF MEMBERS.** Except as otherwise set forth in the Membership Agreement, all Members may actively participate in the operations of the Corporation by donating their time or services to the Corporation as needed.

**Section 5.6 TERMINATION OF MEMBERSHIP.** Membership eligibility shall terminate immediately upon the occurrence of any of the following: death, resignation, expulsion, expiration of term of membership, or dissolution of the Corporation.

## ARTICLE VI

### **BOARD OF ADVISORS**

**Section 6.1** The Board of Directors may appoint, from time to time, any number of persons as advisors to the Corporation, to act either singly or as a committee or committees. Each such advisor shall hold office at the pleasure of the Board, and shall have such authority and obligations as the Board may from time to time determine.

**Section 6.2** No such advisor of the Corporation shall receive any salary, compensation or emolument for any service rendered the Corporation, except that the Board of Directors may authorize reimbursements of expenditures reasonably incurred on behalf of activities for the benefit of the Corporation.

## ARTICLE VII

### **RECORDS AND BYLAWS**

**Section 7.1 RECORDS.** The Corporation shall maintain, in accordance with generally accepted accounting principles, adequate and correct accounts, books and records of its activities and properties. All of such books, records and accounts shall be kept at its principal executive office in the State of California, as fixed by the Board from time to time.

**Section 7.2 BYLAWS.** The original or a copy of these Bylaws, as amended or otherwise altered to date, shall be kept at the Corporation's principal executive office or as fixed by the Board from time to time.

## ARTICLE VIII

### **AMENDMENTS TO BYLAWS**

**Section 8.1.** These Bylaws may be adopted, amended or repealed, in whole or in part, by a vote of a majority of the Board at a meeting duly held at which a quorum is present.

## ARTICLE IX

### MISCELLANEOUS

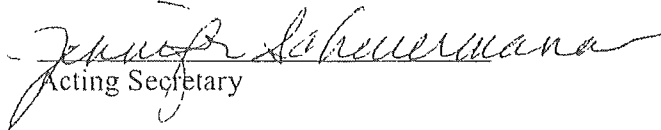
**Section 9.1 BANK ACCOUNTS.** The Board of Directors is authorized to select such depositories as it shall deem proper for the funds of the Corporation and shall determine who shall be authorized in the Corporation's behalf to sign bills, notes, receipts, acceptances, endorsements, checks, releases, contracts and documents.

**Section 9.2 INDEMNIFICATION AND LIABILITY.** To the full extent that California law (as it exists at such time) permits indemnification of directors and officers of a California nonprofit corporation, a Director or Officer of the Collective shall be indemnified by the Corporation against expenses incurred in connection with any act or omission in his or her capacity as an Officer or Director of the Corporation.

**Section 9.3 ACCOUNTING YEAR.** The fiscal year of the Corporation shall be the calendar year.

### CERTIFICATION

I, Jennifer Scheuermann, do hereby certify that I am the duly appointed, qualified and acting Secretary of the above-named Corporation, and that the foregoing is a true and correct copy of the Bylaws adopted on October 4, 2016 by a majority of the Board of Directors of the Corporation.

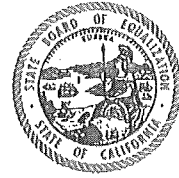
  
Acting Secretary



DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

**SELLER'S PERMIT**



ACCOUNT NUMBER

02/14/2017 SR AA 103-042509

LONG BEACH CANNABIS CLUB  
5752 E 2ND ST  
LONG BEACH, CA 90803-5046

**NOTICE TO PERMITTEE:**  
*You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.*

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

*Not valid at any other address*

**For general tax questions, please call our Customer Service Center at 1-800-400-7115 (TTY:711).  
For information on your rights, contact the Taxpayers' Rights Advocate office at 1-888-324-2798 or 1-916-324-2798.**

BOE-442-R REV. 16 (11-14)

**A MESSAGE TO OUR NEW PERMIT HOLDER**

**As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:**

- Visiting our website at [www.boe.ca.gov](http://www.boe.ca.gov)
- Visiting a field office
- Attending a Basic Sales and Use Tax Law class offered at one of our field offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Customer Service Center at 1-800-400-7115 (TTY:711)

**As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. You also have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,**


- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the California State Board of Equalization (BOE)
- You are responsible for following the regulations set forth by the BOE

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a BOE representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a BOE office, or giving it to a BOE representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the BOE, please contact the Taxpayers' Rights Advocate office for help by calling toll-free, 1-888-324-2798 or 1-916-324-2798. Their fax number is 1-916-323-3319.

**Please post this permit at the address for which it was issued and at a location visible to your customers.**

CALIFORNIA STATE BOARD OF EQUALIZATION  
Sales and Use Tax Department

 <p><b>Secretary of State</b> <b>Statement of Information</b> (California Nonprofit, Credit Union and General Cooperative Corporations)</p>	<b>SI-100</b>
	<p><b>IMPORTANT</b> — Read instructions before completing this form.</p> <p>Filing Fee — \$20.00;</p> <p>Copy Fees — First page \$1.00; each attachment page \$0.50; Certification Fee — \$5.00 plus copy fees</p>
<p>1. Corporation Name (Enter the exact name of the corporation as it is recorded with the California Secretary of State)</p> <p style="font-size: 2em; text-align: center;">Long Beach Cannabis Club</p>	

**FILED**  
Secretary of State  
State of California  
FEB 13 2017

376/370/20/11

This Space For Office Use Only

2. 7-Digit Secretary of State File Number

C3951626

3. Business Addresses

a. Street Address of California Principal Office, if any - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
4146 Del Mar Avenue	Long Beach	CA	90807
b. Mailing Address of Corporation, if different than item 3a	City (no abbreviations)	State	Zip Code

4. Officers The Corporation is required to enter the names and addresses of all three of the officers set forth below. An additional title for Chief Executive Officer or Chief Financial Officer may be added; however, the preprinted titles on this form must not be altered.

a. Chief Executive Officer/	First Name	Middle Name	Last Name	Suffix
	Jennifer		Scheuermann	
Address	City (no abbreviations)		State	Zip Code
4146 Del Mar Avenue	Long Beach		CA	90807
b. Secretary	First Name	Middle Name	Last Name	Suffix
	Diego		Salazar	
Address	City (no abbreviations)		State	Zip Code
4146 Del Mar Avenue	Long Beach		CA	90807
c. Chief Financial Officer/	First Name	Middle Name	Last Name	Suffix
	Ray		Kuregian	
Address	City (no abbreviations)		State	Zip Code
4146 Del Mar Avenue	Long Beach		CA	90807

5. Service of Process (Must provide either Individual OR Corporation.)

INDIVIDUAL — Complete items 5a and 5b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
Tim		Westen	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
3070 Bristol Street #560	Costa Mesa	CA	92626

CORPORATION — Complete item 5c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete item 5a or 5b

6. Common Interest Developments

Check here if the corporation is an association formed to manage a common interest development under the Davis-Sterling Common Interest Development Act (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). See Instructions.

7. The information contained herein, including in any attachments, is true and correct.

2/13/17      Tin Westen      Agent      [Signature]

Date      Type or Print Name of Person Completing the Form      Title      Signature

State of California  
Secretary of State

CERTIFICATE OF STATUS

ENTITY NAME:

LONG BEACH CANNABIS CLUB

FILE NUMBER: C3951626  
FORMATION DATE: 10/04/2016  
TYPE: DOMESTIC NONPROFIT CORPORATION  
JURISDICTION: CALIFORNIA  
STATUS: ACTIVE (GOOD STANDING)

I, ALEX PADILLA, Secretary of State of the State of California,  
hereby certify:

The records of this office indicate the entity is authorized to  
exercise all of its powers, rights and privileges in the State of  
California.

No information is available from this office regarding the financial  
condition, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate  
and affix the Great Seal of the State of  
California this day of February 14, 2017.

A handwritten signature in black ink, appearing to read "Alex Padilla".

ALEX PADILLA  
Secretary of State



STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
PO BOX 942857  
SACRAMENTO CA 94257-0540

## Entity Status Letter

Date: 2/13/2017

ESL ID: 3800999619

According to our records, the following entity information is true and accurate as of the date of this letter.

Entity ID: 3951626

Entity Name: LONG BEACH CANNABIS CLUB

- 1. The entity is in good standing with the Franchise Tax Board.
- 2. The entity is **not** in good standing with the Franchise Tax Board.
- 3. The entity is currently exempt from tax under Revenue and Taxation Code (R&TC) Section 23701.
- 4. We do not have current information about the entity.

The above information does not necessarily reflect:

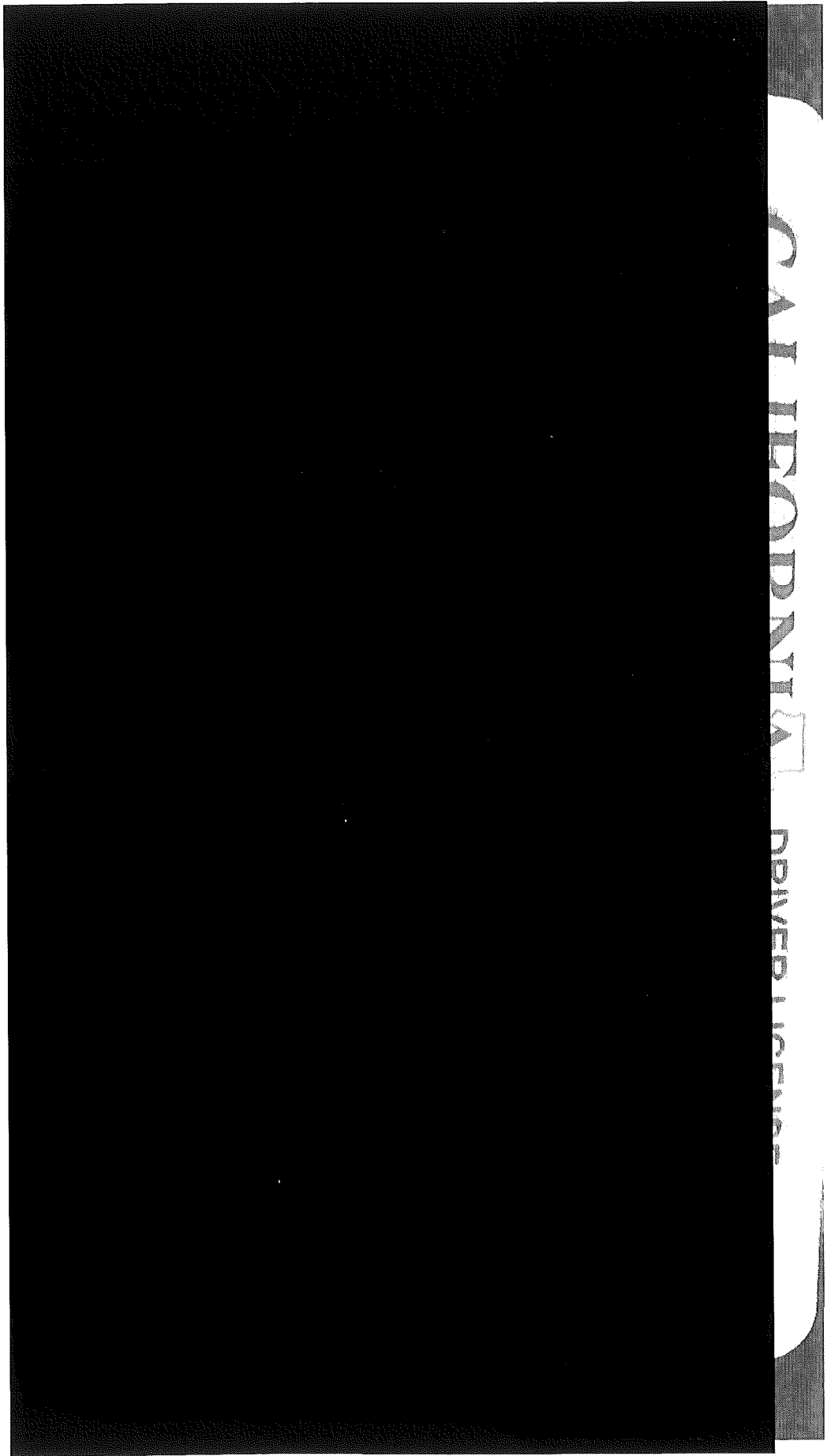
- The entity's status with any other agency of the State of California, or other government agency.
- If the entity's powers, rights, and privileges were suspended or forfeited at any time in the past, or the entity did business in California at a time when it was not qualified or not registered to do business in California:
  - The status or voidability of any contracts made in California by the entity at a time when the entity was suspended or forfeited (R&TC Sections 23304.1, 23304.5, 23305a, 23305.1).
  - For entities revived under R&TC Section 23305b, any time limitations on the revivor or limitation of the functions that can be performed by the entity.

### Internet and Telephone Assistance

Website: [ftb.ca.gov](http://ftb.ca.gov)

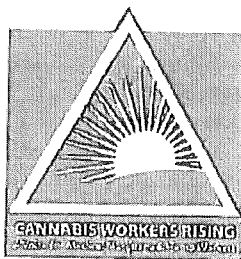
Telephone: 800.852.5711 from within the United States  
916.845.6500 from outside the United States

TTY/TDD: 800.822.6268 for persons with hearing or speech impairments



CAI IPODNTA

DRIVER LICENSE



### Neutrality and Card Check Agreement

Veronica Schneider-Morales ("the Employer") and the United Food and Commercial Workers Union ("the Union") hereby agree to the following terms:

1. **Neutrality and Non-Disparagement.** The Employer agrees to remain neutral. Neutrality means that the Employer and its agents will not oppose union representation or hinder union organizing efforts. The Union waives the right to strike or picket the Employer during the agreement. Additionally, neither party will act or communicate in a negative, derogatory, or demeaning way, or engage in any coercive conduct or delaying tactics that might interfere with the employees' right to choose union representation.
2. **Access.** In accordance with applicable law and regulations, accredited Union representatives will be allowed onto the Employer's premises during working hours to speak with employees during non-working time. The Employer will cooperate with the Union in making arrangements to permit these conversations to be held in areas where the employees will be able to speak to the Union representatives without monitoring by the Employer.
3. **Meeting.** At the Union's request, the Employer will conduct a meeting on a mutually agreeable date(s) and time(s) with all of its employees. At the meeting, the Employer will tell the employees that it is neutral, does not object to their talking to and supporting the Union, and will negotiate a collective bargaining agreement (CBA) with the Union if a majority of the covered employees designate the Union as their collective bargaining representative. Union representatives will attend the meeting and, after the Employer has introduced them and left the meeting, talk with the employees about the Union.
4. **Appropriate Bargaining Unit.** All current employees employed by the Employer in California who are eligible to join the unit under applicable law.
5. **Contact information.** At the Union's request, the Employer shall furnish to the Union the names, job classifications, home addresses, home telephone numbers and home email addresses, if known, of all the Employer's current full-time and regular part-time employees, consistent with applicable law and regulations.
6. **Recognition and Bargaining.** When a mutually agreed upon third party confirms that a majority of the bargaining unit has authorized the Union to represent them for the purpose of collective bargaining, the Employer will recognize the Union as the exclusive representative of its employees, provided that the Union may assign jurisdiction and representation rights to any of its affiliates. The Employer and the Union will comply with all requirements necessary to obtain certification of the Union as the exclusive bargaining representative of the employees. Within 20 days from the date of recognition, the parties will begin good faith bargaining for a CBA covering the employees.
7. **Arbitration.** The parties agree that final and binding arbitration will be the exclusive remedy for any alleged violations of this Agreement and any dispute or claim arising from or relating to the interpretation or

application of any provision of this Agreement. Unless they promptly agree on an arbitrator, the parties will proceed to expedited arbitration using the American Arbitration Association's rules and procedures. The arbitrator is authorized to compel the attendance of witnesses and the production of documents at the arbitration hearing, and to award appropriate monetary, injunctive and declaratory relief. The parties agree not to challenge the arbitrator's decision in court.

8. Successorship, affiliated companies and subcontractors. This agreement will be binding on the parties' successors and assigns, including all purchasers of the Employer's assets or business, and in the event of a merger. This agreement is also binding on any and all marijuana industry corporations, partnerships, organizations and sole proprietorships affiliated with or related to the Employer's business activities. If the Employer intends to subcontract any work performed by bargaining unit employees, the Employer agrees to require the subcontractor, in writing, to comply with this agreement.
  
9. Governing Law and Severability. The parties agree that their rights under this Agreement shall be exercised in accordance with the applicable state laws. Further, the parties agree that this Agreement and any CBA they may enter into will remain binding and valid regardless of whether the National Labor Relations Board asserts jurisdiction over the Employer's operations. In addition, the parties agree that if any provision of this Agreement is held illegal, void or invalid under any applicable law, it may be changed to make it legal, valid and binding, and that the remaining provisions of this Agreement will remain binding and enforceable according to their terms and the parties' intent.
  
10. Term of Agreement. This Agreement is effective upon signing, and shall continue for three years from the first date the Employer receives written notice from the Union that it is invoking this Agreement's process, or the date on which the Employer recognizes the Union as the collective bargaining representative of its employees, whichever occurs sooner. The Employer shall notify the Union in writing when it has hired its first three employees. This Agreement may be extended by mutual agreement of the parties.

Jennifer Schuerman  
For the Employer (print name)

Rick Eiden  
For the Union (print name)

Jennifer Schuerman  
Signature

Rick Eiden  
Signature

1-16-17  
Date

2-17-17  
Date

Long Beach Cannabis Club  
Employer/Company name

(714) 920-3414  
Phone

5750 E. 2nd Long Beach, CA 90803  
Address

562 477-4973  
Phone

Google Maps 5752 E 2nd St





3951626

FILED  
Secretary of State  
State of California

OCT 04 2016

ARTICLES OF INCORPORATION  
OF  
LONG BEACH CANNABIS CLUB

I

The name of the corporation is Long Beach Cannabis Club

II

The initial street and mailing address for the corporation is 4146  
Del Mar Ave, Long Beach, CA 90807.

III

This corporation is a NONPROFIT MUTUAL BENEFIT CORPORATION organized under the Nonprofit Mutual Benefit Corporation Law. The purpose of this corporation is to engage in any lawful act or activity, other than credit union business, for which a corporation may be organized under such law.

The specific purpose of this corporation is to collectively facilitate medical marijuana cultivation and transactions by and between qualified patient members of this corporation and/or primary caregiver members who have the oral or written approval or recommendation of a licensed physician, as permitted and authorized by the Compassionate Use Act of 1996 (Health and Safety Code section 11362.5, the Medical Marijuana-Program Act (Health and Safety Code sections 11362.7-11362.83) and the Medical Cannabis Regulation and Safety Act of 2015.

IV


The name and address in the State of California of this corporation's initial agent for service of process is:

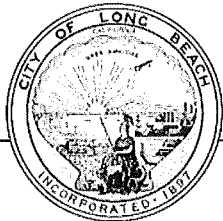
PAUL H. VIOLAS, ESQ  
100 OceanGate, Suite 1200  
Long Beach, CA 90802

V

Notwithstanding any of the above statements of purposes and powers, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the specific purposes of this corporation

Dated: September 30, 2016

  
PAUL H. VIOLAS, ESQ.  
Incorporator



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard 7<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

May 31, 2017

Long Beach Cannabis Club  
4146 Del Mar Avenue  
Long Beach, CA 90807

MJ21701137

**RE: Medical Marijuana Dispensary Business License Application Denied**

Dear Applicant:

Thank you for submitting a Medical Marijuana Dispensary Business License Application with the City of Long Beach. We have reviewed your application and supplemental documents pursuant to Long Beach Municipal Code ("LBMC") Chapter 5.90, and found the proposed location violates the following buffer zones:

- 1,000 feet from a public or private school
- 1,000 feet from another medical marijuana dispensary
- 1,000 feet from a beach
- 600 feet from a public park
- 600 feet from a public library
- Area zoned exclusively for residential use

Due to this violation, your application has been **DENIED**. The Business License Department denied your application to operate a medical marijuana dispensary due to failure to comply with the location requirements pursuant to LBMC Section 5.90.030 and Section 5.90.060 (attached). Additional comments related to your denial can be found with Attachment A.

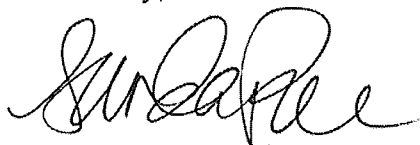
Should you wish to appeal the denial of your business license application to the Long Beach City Council you may do so by filing a notice of appeal with the Director of Financial Management within ten days from the date of mailing this letter per LBMC 3.80.421.6 (attached). The notice of appeal shall state the reason for the appeal and the grounds of such appeal. Please provide as much detailed information as possible with your appeal.

Please send the appeal to the address below along with a nonrefundable filing fee of \$1,270.

City of Long Beach  
Business Services Bureau  
Attn: Emily Armstrong  
333 W. Ocean Blvd., 7<sup>th</sup> Floor  
Long Beach, CA 90802

Should you have any questions please contact Emily Armstrong, Marijuana Program Specialist, at (562) 570-6649.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandy Tsang-Palmer". The signature is fluid and cursive, with the first name "Sandy" being the most prominent.

Sandy Tsang-Palmer  
Purchasing and Business Services Manager

ATTACHMENTS

ATTACHMENT A

THE PROPOSED BUSINESS LOCATION IS WITHIN 1,000 FEET OF THE FOLLOWING BEACH:

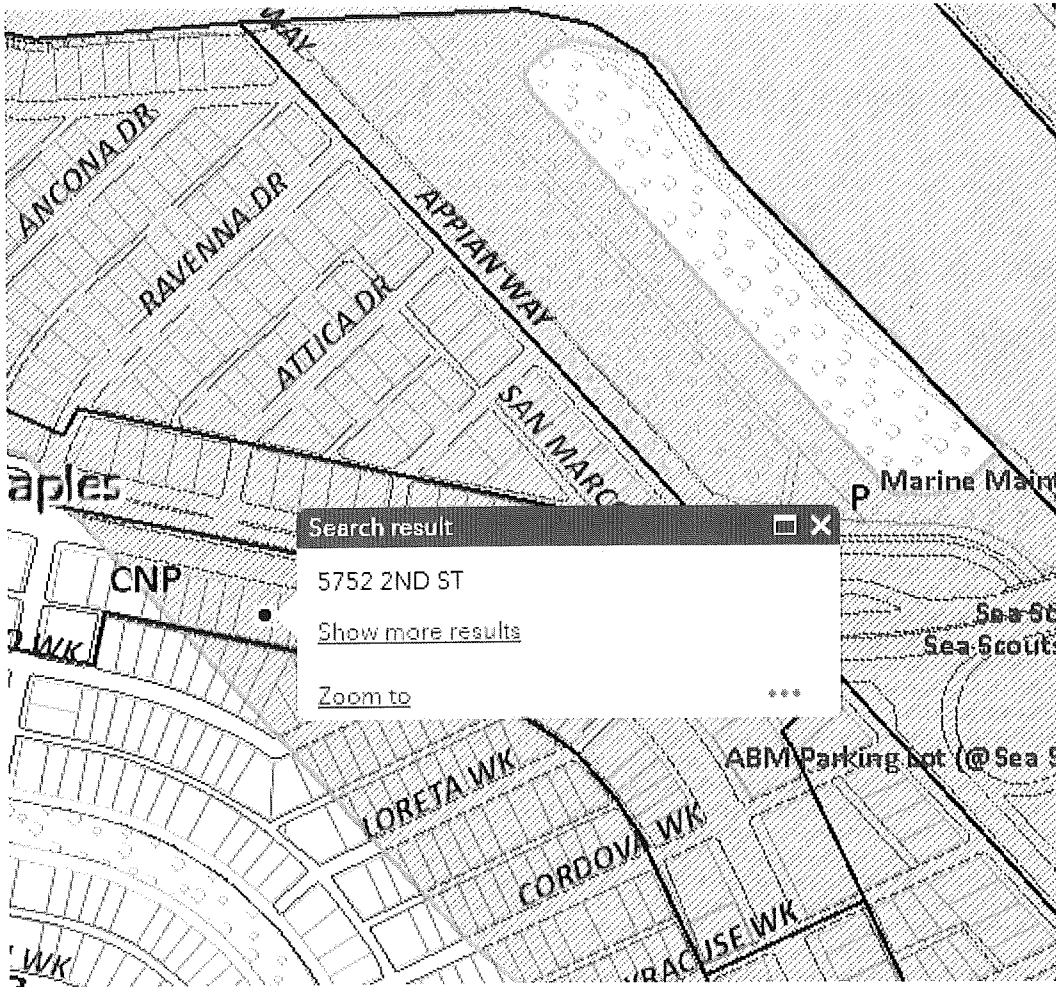
MOTHER'S BEACH  
LONG BEACH, CA 90803

THE PROPOSED BUSINESS LOCATION IS WITHIN 600 FEET OF THE FOLLOWING PARKS:

MARINE PARK (MOTHER'S BEACH)  
LONG BEACH, CA 90803

NAPLES CANALS  
LONG BEACH, CA 90803





Search result

5752 2ND ST

[Show more results](#)

Zoom to

ANCONA DR

RAVENNA DR

ATTICA DR

APPIAN WAY

SAN MARCO

aples

CNP

Marine Main

Sea Scouts

ABM Parking lot (@Sea 5

LORETA WK

CORDOVA WK

TRACUSE WK





Search result

5752 2ND ST

[Show more results](#)

[Zoom to](#) ...

Naples

CNP

AMPO WK

RAVENNA DR

HIAN WK

ATTICA DR

SAN MARCO WAY

LOBETA WK

CORDOVA WK

SYRACUSE WK

R-1-S

MONA WK

NAPLES

ABM Parking

Sea-Sea

ABM

R-1-S

NG

### 3.80.421.6 - Appeals.

Any applicant for a business license whose application for such license has been denied by the Director of Financial Management may, within ten (10) days after such denial, appeal therefrom to the City Council by filing with the Director a notice of such appeal setting forth the decision and the grounds upon which he deems himself aggrieved thereby. The applicant shall pay to the Director at the time of filing the notice of appeal the fee set by resolution of the City Council for appeals hereunder. The Director shall thereupon make a written report to the City Council reflecting such determination denying the business license. The City Council at its next regular meeting following the filing of said appeal, or within ten (10) days following the filing thereof, shall set said appeal for hearing to be held not less than ten (10) days nor more than thirty (30) days thereafter and such hearing may for good cause be continued by the order of the City Council. Upon the hearing of the appeal the City Council may overrule or modify the decision of the Director appealed from and enter any such order or orders as are in harmony with this Title and such disposition of the appeal shall be final.

(Ord. C-6325 § 8, 1986; Ord. C-6259 § 1 (part), 1986)

### 5.90.030 MEDICAL MARIJUANA BUSINESS LICENSE PERMIT

Except as otherwise set forth in this Chapter, it shall be unlawful for any person or entity to operate, in or upon any property, a Medical Marijuana Business without first obtaining all required State licenses and a business license or permits issued by the City. Each State license type available in the MMRSA is eligible to apply for a City Business License Permit. Medical Marijuana Business shall be considered a personal service type business in the City of Long Beach (as defined in section 21.15.2020) with respect to issuing a Business License Permit and setting application and license fees. Until the regulatory implementation of the MMRSA, the Medical Marijuana Business license permits shall be issued without regard to the fact the State license has not been issued. Failure to timely obtain required State licenses or permits shall be grounds for suspension or revocation of any permit or license issued by the City. Upon the regulatory implementation of the MMRSA, unless otherwise set forth in this Chapter, no person shall engage in commercial cannabis activity or in the activities of a Medical Marijuana Business without possessing all applicable State licenses and all applicable City permits and licenses. Revocation of a State license shall constitute grounds for the City to suspend or revoke any permit or license issued by the City.

A Medical Marijuana Business that is operating in compliance with this Chapter and other State and local laws on or before January 1, 2018, may continue its operations until its application for State licensure is approved or denied by the licensing authority.

A Medical Marijuana Business must at all times maintain liability insurance having aggregate policy limits in an amount not less than \$1,000,000.

The City may impose an annual business license fee no greater than one hundred fifty (150) percent of the average business license fee the city charges for non-cannabis related personal service business. Failure to timely pay the annual business license fee shall be grounds for suspension or revocation of the business license. Applicants that previously paid an application fee pursuant to former Chapter 5.87 may, at the applicant's discretion, have any un-refunded fee applied as credit against any fees applicable under this section. All Medical Marijuana Businesses shall be subject to an annual regulatory inspection by the City to insure compliance with all of the applicable provisions of this Chapter and to confirm compliance with the business license permit issued by the City.



It shall be unlawful for the owner of a building to allow the use of any portion of a building by a Medical Marijuana Business unless the tenant has a valid business license permit, or has applied for and not been denied, a business license permit. Each owner of a building whose tenant is a Medical Marijuana Business License Permit applicant shall execute an acknowledgement that the Applicant has the owner's permission and consent to operate a Medical Marijuana Business at the subject property.

Each Medical Marijuana Business shall designate a Community Relations Liaison (hereinafter, the "Liaison"), who shall be at least twenty-one (21) years of age; and shall provide the Liaison's name to the City Manager. The Liaison shall receive all complaints received by the City Manager regarding the Medical Marijuana Dispensary, and make good faith attempts to promptly resolve all complaints. To address community complaints and concerns, the name and telephone number for the Liaison shall be made publicly available. Each Medical Marijuana Business Liaison is required to respond by phone or email within three (3) business days of contact by a city official concerning the Medical Marijuana Business. The name and contact information for Liaison of the medical marijuana business shall be conspicuously posted on the main entry doors to the business.

No pesticides or insecticides prohibited by federal, State, or local law for fertilization or production of edible produce may be used on any marijuana cultivated, produced or distributed by a Medical Marijuana Business. A Medical Marijuana Business shall comply with all applicable federal, State, and local laws regarding use and disposal of pesticides and fertilizers.

No Medical Marijuana Business may be operated in an area zoned exclusively for residential use, or be located within a one-thousand (1,000) foot radius of a public or private school (as defined in Health and Safety Code § 11362.768(h)) or public beach, or within a six hundred (600) foot radius of a public park or public library. The distances specified in this subdivision shall be determined by the horizontal distance measured in a straight line from the property line of the school, park or library to the closest property line of the lot on which the Medical Marijuana Business is located, without regard to intervening structures.

All Medical Marijuana and Medical Marijuana Product intended for disposal shall be made unusable and unrecognizable prior to removal from the business, in compliance with all applicable laws. No Medical Marijuana Business may have a drive through lane or drive up window and no Medical Marijuana may be dispensed from a drive through lane or drive up window. No marijuana may be smoked, eaten, or otherwise consumed or ingested within the Medical Marijuana Business. All cultivation, production, distribution, possession, storage, display, sales or other distribution of marijuana shall occur only within an enclosed area of a medical marijuana business and shall not be visible from the exterior of the business. Consultations by medical professionals shall not be permitted at a Medical Marijuana Business nor as a permitted accessory use at a medical marijuana business. Each Medical Marijuana Business shall have an odor-absorbing ventilation and exhaust system to ensure that odor generated inside the premises is not detected outside the premises. Windows and roof hatches at the Medical Marijuana Business shall be secured so as to prevent unauthorized entry.

This Chapter shall not interfere with an employer's rights and obligations to maintain a drug and alcohol free workplace or require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growth of cannabis in the workplace or affect the ability of employers to have policies prohibiting the use of cannabis by employees and prospective employees, or prevent employers from complying with local, State, or federal law.

## 5.90.060 MEDICAL MARIJUANA DISPENSARY OPERATING CONDITIONS AND RESTRICTIONS

Every person and entity operating as a Medical Marijuana Dispensary in the City shall comply with the following operating conditions and restrictions. No Medical Marijuana Dispensary may operate within the City of Long Beach without meeting the following conditions:

A Medical Marijuana Dispensary shall not be located within a one thousand (1,000) foot radius of any other Medical Marijuana Dispensary.

A sign shall be posted in a conspicuous location inside each Property advising: (a) It is a violation of State Law to engage in the sale of marijuana or the diversion of marijuana for non- medical purposes; (b) The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery; (c) Loitering at the location of a Medical Marijuana Business for an illegal purpose is prohibited by Penal Code §647(h); (d) This Medical Marijuana Business is licensed in accordance with the laws of the City of Long Beach; (e) Your membership will be terminated if you engage in the illegal sale or diversion of Medical Marijuana.

Representative samples of Medical Marijuana distributed by the Business shall be analyzed by an independent laboratory to ensure that they are free of harmful pesticides and other contaminants regulated under local, state or federal law.

No person, other than a patient, caregiver, licensee, employee, or a contractor shall be in the medical marijuana dispensary room. No patient shall be allowed entry into the medical marijuana dispensary room without showing a valid State issued picture Driver's License or Identification. A Medical Marijuana Dispensary may distribute, dispense, deliver or transport medical marijuana only in accordance with this Chapter and State law.

The number of licensed and permitted Medical Marijuana Dispensaries shall be limited to not less than one (1) Medical Marijuana Dispensary business for every eighteen thousand (18,000) residents in the City of Long Beach or not more than one (1) Medical Marijuana Dispensary business for every fifteen thousand (15,000) residents in the City of Long Beach. The population of the city shall be based on the official census population estimate as periodically updated by the US Department of Commerce, United States Census Bureau. The City Council may increase the number of licensed and permitted medical marijuana dispensaries pursuant to this Chapter but may not reduce them below the thresholds set forth herein. The City Manager shall issue the maximum number of licenses permitted by this section unless otherwise directed by the City Council.

**R A L L O**

LAW FIRM, P.C.

3070 Bristol Street, Suite 560  
Costa Mesa, California 92626  
Telephone: (714) 850-0690  
Facsimile: (714) 659-6491  
www.rallolawfirm.com

SUPPORTING STAFF:  
GINA LOVA  
SARA MO  
THIEN NGUYEN  
KATY VALLES

THOMAS C. RALLO†  
ARTHUR J. TRAVIESO†  
TIN KIM WESTEN†  
JENNIFER R. JOSLIN  
AMY L. BINGHAM  
LACEY LONDON

† PARTNER

June 8, 2016

Director of Financial Management  
City of Long Beach  
Business Services Bureau  
Attn: Emily Armstrong  
333 W. Ocean Blvd., 7<sup>th</sup> Floor  
Long Beach, CA 90802

**Via Hand Delivery and Email**  
Emily.Armstrong@longbeach.gov

**Re: Notice of Appeal  
Long Beach Cannabis Club Application Denial  
Applicant: MJ21701137, Property: 5752 2<sup>nd</sup> Street**

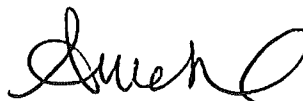
Dear Director of Financial Management,

This letter, along with its enclosures, shall serve as a **Notice of Appeal** on behalf of our client, Long Beach Cannabis Club. Enclosed are the reason and grounds for the appeal. Also enclosed is a check in the amount of \$1,270 for the nonrefundable filing fee of this appeal.

Please do not hesitate to contact the undersigned with any questions.

Very truly yours,

RALLO LAW FIRM, P.C.



TIN KIM WESTEN  
Attorney at Law

Enclosures

**Re: Notice of Appeal  
Long Beach Cannabis Club Application Denial  
Applicant: MJ21701137, Proposed Location: 5752 2<sup>nd</sup> Street**

**Reason for Appeal:** The City of Long Beach has denied Long Beach Cannabis Club's Medical Marijuana Dispensary Business License Application on the basis that the proposed location (5752 2<sup>nd</sup> Street) violates the following buffer zones: 1,000 feet from a beach and 600 feet from a public park. However, the reason for this appeal is that the proposed location not does not violate said buffer zones for the reasons discussed below.

**Grounds for Appeal:**

- **1,000 feet beach buffer zone:** The proposed location does not violate the 1,000 feet buffer zone because Mother's Beach is not designated as a beach. Rather, Mother's Beach is actually Marine Park. The longbeach.gov's website designates Mother's Beach as Marine Park, and the website further states that Marine Park is known as "Mother's Beach." See printout of longbeach.gov webpage attached hereto as Attachment "1." Even under the designation that Mother's Beach is Marine Park, the proposed location still meets the 600 feet park buffer zone requirement (see further discussion below.) Further, Attachment "A" to the City's denial of the application states: "Marine Park (Mother's Beach)." This further shows that Mother's Beach is Marine Park by indicating in parenthesis that Mother's Beach is actually Marine Park. Therefore, the proposed location does not violate the 1,000 feet beach buffer zone requirement because Mother's Beach is actually not a beach, but rather is a park.
- **600 feet park buffer zone:** The proposed location does not violate the 600 feet buffer zone from Marine Park because according to the method of measurement as designed by the LBMC of "horizontal distance measured in a straight line from the property line of the school, park or library to the closest property line of the lot on which the Medical Marijuana Business is located," (LBMC 5.90.030) the distance is actually over 600 feet. Based on this standard of measurement, the horizontal distance from Marine Park to the proposed location is approximately 670 feet as seen on Attachment "2" attached hereto. Therefore, the proposed location exceeds the 600 feet park buffer zone requirement.

- **Naples Canals:** Attachment "A" to the City's denial of the application states that the proposed location is within 600 feet of the following parks, and the "park" listed is "Naples Canals." Naples Canals is not designated as a park (or a beach), and further is not utilized as a park (or a beach). Further, canals are not listed under LBMC 5.90.030 as a restricted buffer zone. LBMC 5.90.030 only states that "[n]o Medical Marijuana Business may be operated in an area zoned exclusively for residential use, or be located within a one-thousand (1,000) foot radius of a public or private school (as defined in Health and Safety Code § 1136268(h)) or public beach, or within a six hundred (600) foot radius of a public park or public library." Therefore, the proposed location does not violate the 600 feet park buffer zone requirement with respect to Naples Canals because Naples Canals is not utilized as a park or designated as such.

**ATTACHMENT “1”**

# LONG BEACH



## PARKS, RECREATION AND MARINE

[Home](#) » [Park](#) » [Park And Facilities](#) » [Marine Park \(Mother's Beach\)](#)

### Marine Park (Mother's Beach)



Appian Way below 2nd St.  
(562) 570-3236  
(4.6 acres)

#### Information

Located in a beautiful marina setting, Marine Park has volleyball courts, a play area and picnic sites. Known as "Mother's Beach" for its gentle wave action, shallow swimming area and Lifeguard Supervision during peak periods. Marina Beach offers both a great beach for kids and a nearby grassy play area.

#### Amenities

Beach, Picnic Area, Play equipment, Volleyball Court.

**ATTACHMENT "2"**





1 CHARLES PARKIN, City Attorney  
2 MONICA KILAITA, Deputy City Attorney  
3 SBN 293029  
4 333 West Ocean Boulevard, 11th Floor  
5 Long Beach, California 90802-4664  
6 Telephone: (562) 570-2200  
7 Facsimile: (562) 436-1579

8 Attorneys for CITY OF LONG BEACH

9 BEFORE THE ADMINISTRATIVE HEARING OFFICER  
10 FOR THE CITY OF LONG BEACH, CALIFORNIA

11 ADMINISTRATIVE HEARING TO SHOW  
12 CAUSE WHY BUSINESS LICENSE  
13 APPLICATION NO. **MJ21701137**  
14 SUBMITTED BY **LONG BEACH CANNABIS**  
15 **CLUB**, LOCATED AT 5752 E. 2<sup>ND</sup> STREET,  
16 LONG BEACH, CALIFORNIA, SHOULD NOT  
17 BE DENIED PURSUANT TO LBMC 5.06.030.

Date: August 14, 2017  
Time: 9:00 AM  
333 W. Ocean Boulevard  
Seventh Floor Conference Room  
Long Beach, California

CITY EXHIBITS

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

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Exhibit 1..... Notice of Application Denial Appeal Hearing

Exhibit 2 ..... Business License Application MJ21701137 (Without Operating Plan)

Exhibit 3..... Notice of Application Denial

Exhibit 4..... Long Beach Cannabis Club Letter of Appeal

Exhibit 5..... Photos of Mother’s Beach

Exhibit 6..... Merriam Webster Definition of a Beach

Exhibit 7..... LBMC Section 5.90.030 – Medical Marijuana Business License Permit

Exhibit 8..... LBMC Section 3.80.421.5– Application Rejection

Exhibit 9..... LBMC Section 3.80.421.6– Appeals

Exhibit 10.....LBMC Chapter 2.93 – Conduct of Hearings

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 W. Ocean Boulevard, 4th Floor • Long Beach, CA 90802 • (562) 570-6211 FAX (562) 499-1097

BUSINESS SERVICES BUREAU  
BUSINESS LICENSE SECTION

July 26, 2017

Long Beach Cannabis Club  
4146 Del Mar Avenue  
Long Beach, CA 90807

RE: Business License Application Number: MJ21701137  
Business Address: 5752 E. 2<sup>nd</sup> Street, Long Beach, CA 90803

Dear Sir or Madam:

This letter is to inform you that pursuant to Long Beach Municipal Code (LBMC) section 5.06.030, a **Business License Application Denial Appeal Hearing has been scheduled for August 14, 2017**. At the hearing, the City will provide evidence that your application to operate a medical marijuana business located at 5752 E. 2<sup>nd</sup> Street was denied due to the proposed business site being located within 600 feet of a public park and being located within 1,000 feet of a public beach. **The hearing will begin at 9:00 a.m., please arrive 15 minutes prior to the hearing time at the following location:**

Long Beach City Hall  
333 West Ocean Boulevard  
Seventh Floor, Large Conference Room  
Long Beach, CA 90802

The purpose of this hearing is for Long Beach Cannabis Club to show cause why the referenced business license application should not be denied. At the hearing, you have the right to call and examine witnesses, introduce exhibits, and to cross-examine opposing witnesses on any matter relevant to the issues. Pertinent sections of the Long Beach Municipal Code (LBMC) are attached.

Should you have any questions or **need an interpreter** at the hearing, please contact Emily Armstrong, Marijuana Program Specialist at (562) 570-6649.

Sincerely,

Sandy Tsang-Palmer  
Purchasing and Business Services Manager

#### Attachments

cc: Monica Kilaita, Deputy City Attorney  
Tin Kim Westen, Rallo Law Fir, P.C.  
Council District 3

#### 5.06.020 - Suspension/Revocation/Denial.

- A. Any permit to do business in the City issued pursuant to this Title 5 may be suspended, revoked or denied in the manner provided in this Section upon the following grounds:
1. The permittee or any other person authorized by the permittee has been convicted of violation of any provision of this Code, State or Federal law arising out of or in connection with the practice and/or operation of the business for which the permit has been granted. A plea or verdict of guilty, or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this Section. The City Council may order a permit suspended or revoked, following such conviction, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the California Penal Code allowing such a person to withdraw his/her plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment;
  2. For any grounds that would warrant the denial of the issuance of such permit if application therefore was being made;
  3. The permittee or any other person under his/her control or supervision has maintained a nuisance as defined in Section 21.15.1870 of the Long Beach Municipal Code which was caused by acts committed on the permitted premises or the area under the control of the permittee;
  4. The permittee, his/her employee, agent or any person connected or associated with permittee as partner, director, officer, stockholder or manager has knowingly made any false, misleading or fraudulent statement of material fact in the application for the permit required under the provisions of this Code;
  5. The permittee has failed to comply with any condition which may have been imposed as a condition of operation or for the issuance of the permit required under the provisions of this Code;
  6. The permittee has failed to pay any permit fees that are provided for under the provisions of this Code within sixty (60) days of when the fees are due.
- B. Upon receipt of satisfactory evidence that any of the above grounds for suspension or revocation of said permit exist, the permittee shall be notified in writing that a hearing on suspension or revocation shall be held before the City Council, the grounds of suspension or revocation, the place where the hearing will be held, and the date and time thereof which shall not be sooner than ten (10) days after service of such notice of hearing.
- C. All notices provided for in this Section shall be personally served upon the permittee or left at the place of business or residence of such permittee with some person over the age of eighteen (18) years having some suitable relationship to the permittee. In the event service cannot be made in the foregoing manner, then a copy of such notice shall be mailed, postage fully prepaid, addressed to the last known address of such permittee at his/her place of business or residence at least ten (10) days prior to the date of such hearing.
- D. Whenever a business permit has been revoked/or denied under the provisions of this Section, no other application by such permittee for a business permit to conduct a business or operate in the City shall be considered for a period of one (1) year from the date of such revocation or denial.

(Ord. C-7423 § 14, 1996; Ord. C-6325 § 13 (part), 1986; Ord. C-6260 § 1 (part), 1986)

#### 5.06.030 - Appeals from permit denial.

An applicant for a business permit whose application for such permit has been denied shall be notified of the denial in writing. Within ten (10) days after such denial, the applicant may appeal therefrom to the Council by filing with the Director of Financial Management a notice of such appeal setting forth the decision and the grounds upon which he/she deems himself/herself aggrieved thereby. Said applicant shall pay to the Director of Financial Management at the time of filing said notice of appeal a filing fee in an amount to be set by resolution of the City Council. The Director of Financial Management shall thereupon make a written report to the Council reflecting such determination denying the permit. The Council shall, within thirty (30) days following the filing of said appeal, set said appeal for hearing to be held not less than ten (10) days nor more than thirty (30) days thereafter and such hearing may for good cause be continued by the order of the Council. Upon the hearing of the appeal the Council may overrule or modify the decision appealed from and enter any such order or orders as are in harmony with this Title 5, and such disposition of the appeal shall be final.

(Ord. C-7423 § 14, 1996; Ord. C-6325 § 13 (part), 1986; Ord. C-6260 § 1 (part), 1986)

## Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Thursday, March 2, 2017. Please refer to document [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C3951626 LONG BEACH CANNABIS CLUB

<b>Registration Date:</b>	10/04/2016
<b>Jurisdiction:</b>	CALIFORNIA
<b>Entity Type:</b>	DOMESTIC NONPROFIT
<b>Status:</b>	ACTIVE
<b>Agent for Service of Process:</b>	TIN WESTEN 3070 BRISTOL STREET #560 COSTA MESA CA 92626
<b>Entity Address:</b>	4146 DEL MAR AVENUE LONG BEACH CA 90807
<b>Entity Mailing Address:</b>	4146 DEL MAR AVENUE LONG BEACH CA 90807

A Statement of Information is due EVERY EVEN-NUMBERED year beginning five months before and through the end of October.

Document Type	⇕ File Date	⇓ PDF
SI-COMPLETE	02/13/2017	


\* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code [section 2114](#) for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to [Name Availability](#).
- If the image of a Statement of Information is not available online, for information on ordering a copy of that statement refer to [Information Requests](#).
- For information on ordering certificates, status reports, certified copies of documents and copies of documents not currently available in the Business Search such as a filing that is not a Statement of Information or filings for other types of business entities, or to request a more extensive search for records, refer to [Information Requests](#).
- For help with searching an entity name, refer to [Search Tips](#).
- For descriptions of the various fields and status types, refer to [Frequently Asked Questions](#).

[Modify Search](#)

[New Search](#)

[Back to Search Results](#)

	<b>Secretary of State</b> <b>Statement of Information</b> (California Nonprofit, Credit Union and General Cooperative Corporations)	<b>SI-100</b>
	<b>IMPORTANT — Read instructions before completing this form.</b> <b>Filing Fee — \$20.00;</b> <b>Copy Fees — First page \$1.00; each attachment page \$0.50;</b> <b>Certification Fee — \$5.00 plus copy fees</b>	
1. Corporation Name (Enter the exact name of the corporation as it is recorded with the California Secretary of State) <p style="font-size: 1.5em; margin-left: 40px;">Long Beach Cannabis Club</p>		2. 7-Digit Secretary of State File Number <p style="font-size: 1.5em; margin-left: 40px;">C 3951626</p>

**FILED**  
 Secretary of State  
 State of California  
 FEB 13 2017

370/370/20/CU  
 This Space For Office Use Only

**3. Business Address**

a. Street Address of California Principal Office, if any - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
4146 Del Mar Avenue	Long Beach	CA	90807
b. Mailing Address of Corporation, if different than Item 3a	City (no abbreviations)	State	Zip Code

**4. Officers** The Corporation is required to enter the names and addresses of all three of the officers set forth below. An additional title for Chief Executive Officer or Chief Financial Officer may be added; however, the preprinted titles on this form must not be altered.

a. Chief Executive Officer/	First Name	Middle Name	Last Name	Suffix
	Jennifer		Scheuermann	
Address	City (no abbreviations)		State	Zip Code
4146 Del Mar Avenue	Long Beach		CA	90807
b. Secretary	First Name	Middle Name	Last Name	Suffix
	Diego		Salazar	
Address	City (no abbreviations)		State	Zip Code
4146 Del Mar Avenue	Long Beach		CA	90807
c. Chief Financial Officer/	First Name	Middle Name	Last Name	Suffix
	Ray		Kuregian	
Address	City (no abbreviations)		State	Zip Code
4146 Del Mar Avenue	Long Beach		CA	90807

**5. Service of Process (Must provide either Individual OR Corporation.)**

**INDIVIDUAL — Complete Items 5a and 5b only. Must include agent's full name and California street address.**

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
Tin		Westen	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
3070 Bristol Street #560	Costa Mesa	CA	92626

**CORPORATION — Complete Item 5c only. Only include the name of the registered agent corporation.**

c. California Registered Corporate Agent's Name (if agent is a corporation) - Do not complete Item 5a or 5b

**6. Common Interest Developments**

Check here if the corporation is an association formed to manage a common interest development under the Davis-Sterling Common Interest Development Act (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). See instructions.

**7. The information contained herein, including in any attachments, is true and correct.**

Date: 2/13/17     
 Type or Print Name of Person Completing the Form: Tin Westen     
 Title: Agent     
 Signature: [Signature]

**LBMC SECTION XXX VERIFICATION OF MEDICAL MARIJUANA PROHIBITED ACTIVITY**

The undersigned Management Employees, on behalf of the herein Medical Marijuana Business Permit applicant,

**Long Beach Cannabis Club**

\_\_\_\_\_ declare under penalty of perjury that they have read and understand the attached provisions of Long Beach Municipal Code (LBMC) Section 5.90, and shall, collectively and individually ensure that neither the Medical Marijuana Business nor its employees and Management Employees shall engage in the following prohibited activity set forth in LBMC 5.90, which states in relevant part that:

- (A) It shall be unlawful for any person or entity to operate, in or upon any property, a Medical Marijuana Business without first obtaining all required State licenses and a business license or permits issued by the City;
- (B) It shall be unlawful for the owner of a building to allow the use of any portion of a building by a Medical Marijuana Business unless the tenant has a valid business license permit, or has applied for and not been denied, a business license permit;
- (C) No pesticides or insecticides prohibited by federal, state, or local law for fertilization or production of edible produce may be used on any marijuana cultivated, produced, or distributed by a Medical Marijuana Business;
- (D) No Medical Marijuana Business may have a drive through lane or drive up window and no Medical Marijuana may be dispensed from a drive through lane or drive up window;
- (E) All cultivation, production, distribution, possession, storage, display, sales or other distribution of marijuana shall occur only within an enclosed area of a medical marijuana business and shall not be visible from the exterior of the business;
- (F) Consultations by medical professionals shall not be permitted at a Medical Marijuana Business nor as a permitted accessory use at a medical marijuana business;
- (G) It shall be unlawful for any of the following persons to have an ownership interest or a managerial responsibility in a Medical Marijuana Business, and no license or permit may be issued to or held by, and no Medical Marijuana Business shall be managed by: (a) Any person until all required fees have been paid; or (b) Any person who has been convicted within the previous ten (10) years of any violent or serious felony as specified in Sections 667.5 and 1192.7 of the Penal Code or any felony conviction involving fraud, deceit, or embezzlement or who is currently on parole or probation for the sale or distribution of a controlled substance; or (c) Any person who is under twenty-one (21) years of age; or (d) Any person who operates or manages a Medical Marijuana Business contrary to the provisions of this Chapter, or conditions imposed on land use or license approvals, or contrary to the terms of the plans submitted with the permit application, or amended as permitted by this Chapter; or (e) A licensed physician making patient recommendations; or (f) A person licensed and permitted to operate pursuant to this Chapter who, while lawfully operating, or who, at the time of application, has failed to remedy an outstanding delinquency for City taxes or fees owed, or prosecuting officer, or an officer or employee of the State or City of Long Beach; or (h) Applicants or entities (including Management Employees) that have a previous record of violating federal or state laws relating to workplace safety, wages and compensation, employee discrimination, or union activity.
- (H) It shall be unlawful to operate a Medical Marijuana Business or to grow medical marijuana outside of an enclosed building;
- (I) It shall be unlawful for any person to transport medical marijuana, except as specifically allowed by this Chapter and State law;
- (J) It shall be unlawful for any Property owner, landlord, and lessee, Medical Marijuana Business employee or Manager or any other person having any responsibility over the operation of the Medical Marijuana Business to refuse to allow, impede, obstruct, or interfere with an inspection;
- (K) It shall be unlawful for any person to cause, permit or engage in the cultivation, possession, distribution, exchange or giving away of marijuana for medical or non-medical purposes except as provided in this Chapter;
- (L) It shall be unlawful for any person to cause, permit, or engage in any activity related to Medical Marijuana except as provided in this Chapter and pursuant to all other applicable local and state law;
- (M) It shall be unlawful for any person to knowingly make any false, misleading or inaccurate statement or representation in any form, record, filing or documentation required to be maintained, filed, or provided to the City of Long Beach under this Chapter;
- (N) No Medical Marijuana Dispensary shall be open to or provide Medical Marijuana to qualified patients or employees between the hours of eight (8) pm and nine (9) am;
- (O) No person under the age of eighteen (18) shall be allowed on the Property, unless that minor is a qualified patient and is accompanied by his or her licensed attending physician, parent(s) or documented legal guardian;
- (P) No Medical Marijuana Dispensary, Management Employee or employee shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on the Property or in the parking area of the Property;
- (Q) No dried Medical Marijuana shall be stored at the property in structures that are not completely enclosed, in an unlocked vault or safe, in any other unsecured storage structure, or in a safe or vault that is not bolted to the floor of the property;
- (R) Medical Marijuana may not be inhaled, smoked, eaten, ingested, or otherwise consumed on the Property, or in the parking areas of the Property or in those areas restricted under the provisions of Health and Safety Code §11362.79.

  
 \_\_\_\_\_  
 (Signature of Management Employee)

JENNIFER SCHEVERMANN CEO  
 \_\_\_\_\_  
 (Printed Name & Title)

FEB 11, 2017  
 \_\_\_\_\_  
 (Date)

\_\_\_\_\_  
 (Signature of Management Employee)

\_\_\_\_\_  
 (Printed Name & Title)

\_\_\_\_\_  
 (Date)

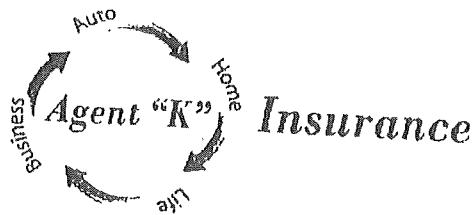
\_\_\_\_\_  
 (Signature of Management Employee)

\_\_\_\_\_  
 (Printed Name & Title)

\_\_\_\_\_  
 (Date)

Note: This is NOT a Medical Marijuana Business Permit. Do not operate until a valid permit is issued.  
 Medical Marijuana Business Application – Page 9





3611 S Harbor Blvd, Suite 200 Santa Ana, CA 92704 \* (949) 553-0617 Office \* (888) 871-1145 Efax \* (949) 400-3575 Cell

February 15<sup>th</sup>, 2017

Long Beach Cannabis Club  
5752 E 2<sup>nd</sup> Street  
Long Beach, Ca 90803

Subject: Will Serve Letter for Retail Marijuana Dispensary located at:

5752 E 2<sup>nd</sup> Street, Long Beach, CA 90803

Attention: Long Beach Cannabis Club

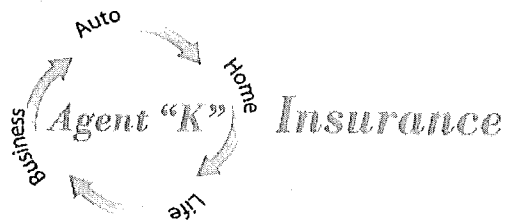
This "Will Serve Letter" is for your proposed Retail Marijuana Dispensary establishment for Long Beach Cannabis Club. Our office will provide you with Workers Compensation and Business Insurance for your company that will specifically cover your exposure within the Retail Marijuana Dispensary industry. Your business policy will be provided by United Specialty Insurance Company. This policy will have a minimum coverage amount of 3 million Per Occurrence with a 4 million General Aggregate. Your Workers Compensation policy will be covered by State Compensation Insurance Fund. This policy would have a minimum coverage amount of 1 million Per Accident/1 million Disease Policy Limit/ 1 Million Disease each employee. All policies have been approved for your specific risk and are ready to be put in place upon your request.

Please feel welcome to call if you have any questions.

Sincerely,

Kerwin Walters,  
President

*Referrals from you are the livelihood of our agency.*



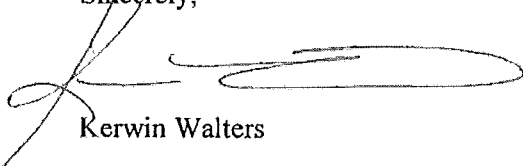
3611 S Harbor Blvd, Suite 200 Santa Ana, CA 92704 \* (949) 553-0617 Office \* (888) 871-1145 Efax \* (949) 400-3575 Cell

---

Clients List:

Emerald Beach Care Inc., 562 Discount Med Inc., Frank Zimmerman Collective, Greg Ahlrich Collective, Bruce Harkness Collective, Ryan Cameron Rayburn Collective, Ryan Burns Collective, Oswald Chavez Collective, Rosemary Evans Collective, Julio Ayora Collective, Nicole Wright Collective, Manuel Migueles Collective, Casey Crow Collective, Dennis Kordish Collective, Wilshire Black, Wilshire Blue, Wilshire Purple, Wilshire Yellow, Wilshire White, Wilshire Green, Long Beach Cannabis Club; Alternative Therapeutic Solutions

Sincerely,



Kerwin Walters

*Referrals from you are the livelihood of our agency.*



**CITY OF LONG BEACH BUSINESS LICENSE APPLICATION**  
**Fourth Floor, City Hall**  
**333 W. Ocean Boulevard, Long Beach, CA 90802**

[www.longbeach.gov](http://www.longbeach.gov)  
[LBBIZ@LongBeach.gov](mailto:LBBIZ@LongBeach.gov)  
 (562) 570-6211

GENERAL INFORMATION				
OWNER/ENTITY NAME <b>Long Beach Cannabis Club</b>	DRIVER'S LICENSE NO. <b>N/A</b>	STATE	SOCIAL SECURITY NO. <b>N/A</b>	HOME OCCUPATION <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
BUSINESS NAME (D.B.A.) <b>N/A</b>	TYPE OF BUSINESS (BE SPECIFIC) <b>Medical Marijuana Dispensary</b>		EMAIL: <b>scheuermann01@gmail.com</b>	
BUSINESS ADDRESS STREET <b>5752 E. 2nd Street</b>	CITY <b>Long Beach</b>	STATE <b>CA</b>	ZIP <b>90803</b>	AREA CODE/TELEPHONE <b>562-477-4993</b>
BILLING ADDRESS (if same write SAME) STREET <b>4146 Del Mar. Avenue</b>	CITY <b>Long Beach</b>	STATE <b>CA</b>	ZIP <b>90807</b>	AREA CODE/TELEPHONE <b>562-477-4993</b>
RESIDENCE ADDRESS (if same write SAME) STREET <b>N/A</b>	CITY	STATE	ZIP	AREA CODE/TELEPHONE
LIST OF PRINCIPAL OFFICERS, MEMBERS, PARTNERS AND RESIDENTIAL ADDRESSES (IF MORE PLEASE ATTACH A LIST) <b>Jennifer Scheuermann</b>			TITLE <b>CEO</b>	% OWNERSHIP <b>N/A</b>
			TITLE	% OWNERSHIP
<input checked="" type="checkbox"/> New Business <input type="checkbox"/> Address Change <input type="checkbox"/> Ownership Change <input type="checkbox"/> Secondary License <input type="checkbox"/> Sole Owner <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> LLP. <input type="checkbox"/> LLC.				

BUSINESS OPERATIONS INFORMATION				
START DATE <b>Upon receipt of license</b>	NO. OF EMPLOYEES <b>3</b>	NO. OF VEHICLES <b>0</b>	FEDERAL TAX ID. NUMBER [REDACTED]	SALES & USE TAX (SELLER'S PERMIT) NO. <b>SR AA 103-042509</b>
DOES YOUR BUSINESS HAVE A CALIFORNIA STATE LICENSE? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	STATE LICENSE NO.	CLASSIFICATION(S)	RENEWAL DATE	
HAVE YOU EVER HAD A BUSINESS LICENSE/PERMIT REVOKED OR SUSPENDED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	LICENSE/PERMIT NO.	ISSUING AGENCY	CLASSIFICATION & DATE OF SUSPENSION/REVOCAION	

Do you plan to sell or serve food? (Includes pre-packaged) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Will you offer massage, tanning, herbal therapy, escort or any other services that improve the health or well being of another? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
If serving food, how many seats? _____	Will you engage in fund raising? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Do you plan to sell or serve alcoholic beverages? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Will you deal in coins, firearms, jewels or second-hand property? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
ABC License number: _____ Type: _____	Will you perform Parking Management? If so, please attach a detailed list of all activities? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Conditions Included: (If yes, please attach to application) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
Does your business have amusement machines, video games, vending machines, jukebox and/or pool tables? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
How many: _____ Type: _____ Owner: _____	
Do you plan to sell tobacco products/paraphernalia? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
Do you plan to operate a Smoking Lounge? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
Will you deal with, use, store or transport Medical Marijuana? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
Will you have <input type="checkbox"/> Music <input type="checkbox"/> Dancing <input type="checkbox"/> Performers <input type="checkbox"/> Adult Entertainment?	Will you use, store, or transport chemicals (new or waste state)? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N

**ACKNOWLEDGEMENT TO BE COMPLETED BY SOLE OWNER, PRINCIPAL OFFICERS, MEMBERS OR PARTNERS**

I understand that before I can operate my business in Long Beach, my establishment must comply with applicable City departmental laws and regulations completely and I must obtain a business license and all necessary Federal State and local permits or I will be in violation of L. B. M. C. Chapter 3.80. I declare that I am authorized to complete this application and that the information and statements provided are true and correct. SIGN and return this statement with your remittance. Make checks payable to City of Long Beach.

Signature: Jennifer Scheuermann Date: 2-2-17 PRINT NAME/TITLE: JENNIFER SCHEUERMANN

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ PRINT NAME/TITLE: \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

Inspection(s): <input type="checkbox"/> Bldg <input type="checkbox"/> Fire <input type="checkbox"/> Health <input type="checkbox"/> HazMat <input type="checkbox"/> PD <input type="checkbox"/> Other	Prev Use: _____ Exp. Date: _____
Basic Tax	Prev Lic: _____
Employees # _____ @ _____ \$ _____ = _____	Exp Date: _____
Vehicles # _____ @ _____ \$ _____ = _____	District: _____
Other # _____ @ _____ \$ _____ = _____	CRT: _____
PIA	SIC: _____
PIA Employees # _____ @ _____ \$ _____ = _____	NAICS: _____
Regulatory	Entered by: _____
Investigation	Date: _____
Misc. Fees	
Sub Total	
Zoning	
Building Review	
Total \$ _____	

**Zoning Review**

Y N N/A

By: \_\_\_\_\_

Date: \_\_\_\_\_

New construction Reuse

Zone: \_\_\_\_\_

Comments: \_\_\_\_\_

## ATTENTION LICENSE APPLICANT

### **Business License Required (L.B.M.C. 3.80.210)**

Under the Long Beach Municipal Code (Section 3.80.210), any person operating a business in the City of Long Beach is required to obtain a business license and pay an annual business license tax, prior to the operation of that business.

### **Term of License (L.B.M.C. 3.80.520)**

A business license is valid for one (1) year from the date of issuance (unless otherwise noted) and must be renewed each year. A renewal notice is sent to the licensee ten (10) days prior to the due date, and the licensee has thirty (30) days to pay without penalty. If a notice is not received by the licensee, he/she is still responsible for payment by the due date. If the licensee changes his/her mailing address during the year, he/she should contact the Business License Section to report the change.

### **Penalties (L.B.M.C. 3.80.422)**

A penalty equivalent to twenty-five percent (25%) of the payment due applies to all delinquent licenses unpaid after thirty (30) days from the due date. An additional ten percent (10%) penalty is added on the first day of the calendar month following the imposition of the twenty-five percent (25%) penalty if the tax remains unpaid, up to a maximum of one hundred percent (100%) of the tax due. The postmark will govern the determination of whether or not a tax payment is delinquent. A delinquent tax will be deemed a debt to the City, and the licensee shall be liable for legal action if it remains unpaid.

### **Multiple Businesses at one Location (L.B.M.C. 3.80.420.6)**

When more than one business activity is engaged in at the same location, and the activity falls into a classification other than that of the original license, the licensee is required to obtain an additional license for each different business activity. If the licensee has more than one business license at the same location, he/she may choose to pay for all employees on one license. If so, the licensee will pay for the employees on the license with the higher employee rate.

### **Definition of an Employee (L.B.M.C. 3.80.150)**

For the purpose of Business License taxation in the City of Long Beach, an employee is defined as: Every person engaged in the operation or conduct of any business in Long Beach, whether as owner, member of the owner's family, partner, associate, agent, manager or solicitor, and every person employed or working in such business, whether full-time, part-time, permanent or temporary, for a wage, salary, commission or room and board. The owner of a sole proprietorship shall not be deemed to be an "employee" of the business.

### **Change of Location (L.B.M.C. 3.80.424)**

Every person possessing a City of Long Beach Business License who changes the location of his place of business shall, prior to engaging in such a business at the new location, have the City endorse the new location on the license.

### **Display of License (L.B.M.C. 3.80.425.5)**

Every person having a license shall prominently display the license at the place of business. If the business is operated from a vehicle, an identifying decal issued by the City shall be affixed to the vehicle, and the business license shall be carried by the licensee.

### **Refunds Prior to Start of Business (L.B.M.C. 3.80.427.5.F)**

Any application for refund must be made by the person entitled to the money within one year after payment of the money to the City. No refund shall be made of any moneys paid for the issuance or renewal of any license unless it is determined that such licensee has not engaged in, nor held himself out as being engaged in, such business or occupation at any time after the effective date of the license. The amount of the refund shall be the full amount of the license tax paid, less an amount determined by the Director of Financial Management, which shall cover the cost of investigation and issuance of the license.

### **Sales or Use Tax**

Sales or Use Tax may apply to your business activity. You may seek advice regarding the application of the tax to your business by writing or calling the State Board of Equalization at:

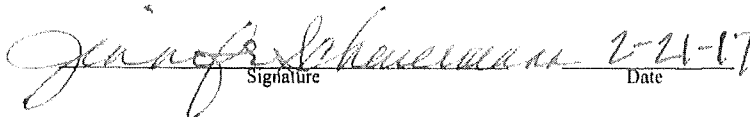
16715 Von Karman Ave Suite #200  
Irvine, CA 92606  
(949) 440-3473

12440 E. Imperial Hwy. Suite 200  
Norwalk, CA 90651  
(562) 466-1694

### **Inspections (The business license application must be available on site at time of inspection).**

When a business license inspection is scheduled, the business must be fully prepared to operate, and the business owner or operator must be on site for the entire scheduled time of inspection. If the business owner or operator is unprepared for or misses a scheduled business license inspection without giving a minimum of 24 hours notice to the appropriate City agency, a re-inspection fee will be assessed.

I have read and understand the **Inspection** requirements.

  
Signature \_\_\_\_\_ Date 2-21-17



# APPLICATION FOR MEDICAL MARIJUANA BUSINESS LICENSE

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

- (1) Applicant's Name (Legal Ownership Structure): Long Beach Cannabis Club
- (2) Business Name (DBA): N/A Business Phone: (562) 477-4993
- (3) Applicant/ Business Email: jscheuermann01@gmail.com
- (4) Business Site Address: 5752 E. 2nd Street Long Beach CA 90803
- (5) Date Business Proposes to Open: As soon as obtain license
- (6) Days & Times Premises Are Open For Inspection: Between 9:00 am and 8:00 pm, every day
- (7) Proposed Use (Select One Only):  
**Note: You must submit a separate application for each marijuana business. Applicants are limited to two license categories per MCRSA regulations. See Appendix A for the following license combinations.**
- Marijuana Dispensary       Laboratory Testing       Other (explain) \_\_\_\_\_
- Cultivation Facility       Marijuana Delivery
- Distribution Facility       Manufacturing Facility
- (8) Community Relations Liaison Name: Jennifer Schenermann
- Community Relations Liaison Phone Number: 562-477-4993
- Community Relations Liaison Email: jscheuermann01@gmail.com
- (9) Type of Organization:
- Corporation       Partnership       Individual       Unincorporated Association or Club
- Trust       LLC       Other, explain: \_\_\_\_\_

OFFICE USE ONLY			
<input type="checkbox"/> Building	<input type="checkbox"/> Fire	<input type="checkbox"/> Health	(Check Inspecting Department) Date Received: _____
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use.			
<input type="checkbox"/> Building/Location meets Department Requirements for the proposed use subject to the following conditions:			
_____			
<input type="checkbox"/> Building/Location does not meet Department requirements for the proposed use.			
Inspection Completed On (date): _____ By: _____			
POLICE DEPARTMENT			
<input type="checkbox"/> Police Department finds no basis for denial		<input type="checkbox"/> Police Department finds basis for denial	
<input type="checkbox"/> Police Department finds no basis for denial with conditions			
Conditions or Basis for Denial: _____			
_____			
By: _____	Title: _____	Date: _____	

**GENERAL INFORMATION (All Applicants)**

- (10) If the applicant is incorporated, attach to this application copies, certified by the Secretary of State, of the Articles of Incorporation, Certificate(s) of Amendment, Statement(s) of Information, By Laws, Restated Articles of Incorporation, and the most recent Annual Report of Officers and Directors.
- (11) If the applicant is an unincorporated association and filed a Statement By Unincorporated Association with the Secretary of State, attach copies, certified by the Secretary of State, of each Statement by Unincorporated Association, Registration of Unincorporated Nonprofit Association, and original & amended Articles of Association to this application.
- (12) If the applicant is an informal unincorporated association, provide copies of the fully executed Articles of Association (AKA Charter or Constitution).
- (13) Fictitious business names or dba's used: none
- (14) Place and date of filing of fictitious business name statement: not applicable
- (15) Names and address of all agents and employees authorized to negotiate or otherwise represent individual in connection with any transaction with the City of Long Beach:  
Jennifer Schewermann 4146 Del Mar Ave. Long Beach CA
- (16) Name and address of person (agent) authorized to accept service of process in California: 90807  
Tim Westen, 3070 Bristol St, #500, Costa Mesa, CA, 92626
- (17) State whether you are licensed by any governmental agency to engage in any business. If so, list each such license held, the city in which it is held, and expiration date thereof:  
no
- (18) Has the Medical Marijuana Business License applicant previously operated in this City or any other county, city, or state under a similar license or permit?  
a. If "Yes," provide the license/permit issuing city, county, state, and the license and/or permit identification number(s):  
no  
b. Please confirm whether any of these previously issued licenses or permits were revoked or suspended, and the reason(s) why:  
not applicable
- (19) Has any owner, business manager, member, or employee ever been denied a medical marijuana business license in the City of Long Beach or had a licensed suspended or revoked?  
a. If "Yes," what was the license account number? no  
b. If "Yes," what was the date the license was suspended/revoked? no
- (20) Has any owner or business manager ever been convicted of a felony?  Yes  No
- (21) For each Management Employee convicted of a crime or currently on probation or parole as set forth in Item No. (20) above, attach with this application the first and last name of the Management Employee, the associated criminal case number(s), the statute(s) violated, the date(s) of conviction, the date(s) of imposition of probation and/or parole, and the name and address of the sentencing court.
- (22) If the applicant owns the property listed in Item No. (4) of the application, enter date of purchase: not applicable

Note: This is NOT a Medical Marijuana Business Permit. Do not operate until a valid permit is issued.  
Medical Marijuana Business Application – Page 2

**GENERAL INFORMATION (All Applicants)**

(23) If the applicant rents, leases, or is in the process of leasing the property listed in Item No. (4), check the boxes below to verify that the applicant may operate the proposed Medical Marijuana Business at that location.

- Attached is a copy of proof of ownership or a copy of a lease
- Attached is an original fully executed Letter of Authorization, found on Pages 15 and 16 of the application, for each owner, landlord, and leasing agent of the property listed in Item No. (4) of the application (If the property is not owned or leased by the Applicant).

**NOTE:** If the property is owned, rented, or leased by more than one person, a separate authorization form must be submitted for each owner, landlord, and leasing agent or equivalent.

(24) Does the applicant have a CA Seller's Permit issued by the California State Board of Equalization for the location identified in Item No. (4) of this application?  Yes  No

a. If "Yes," enter the CA Seller's Permit identification number, and attach a legible copy of the CA Seller's Permit to this application: SR AA 103-042509

(25) Describe the proposed use for each interior/exterior room/area at the address listed in Item No. (4) of the application: (Attach additional pages to the application if necessary)

The front door opens up to a non-patient waiting area. Then there is a door to the patient area that includes a sales floor and counter. There is also an office enclosed behind bulletproof glass. At the end of the patient area is a restroom. There is also storage area in the back.

(26) Attach photographs accurately depicting the entire interior and exterior of the proposed site(s), including entrance(s), street frontage(s), parking, front, rear and sides of the proposed site.

(27) Is this application for a priority location? (You may only choose one application to be a priority location) Yes  No

(28) Does the applicant have a proposed satellite cultivation site in Long Beach?  Yes  No

a. If "Yes," please be advised that a separate medical marijuana business license application is required for a proposed satellite cultivation site. The application period for non-dispensaries is TBD.

(29) Will edible marijuana products, defined in LBMC Section 5.90, be prepared at the site listed in Item No. (4) of this application?

a. If "Yes," describe the type of products, and attach a menu and price list to this application (Attach additional pages if necessary)

NO

(30) Will security guards be provided?  Yes  No

a. If "Yes," how many security guards? 1

(31) Is any other type of security provided?  Yes  No

a. If "Yes," describe the type of security: Security alarm for building provided by Ring Alarm

Note: This is NOT a Medical Marijuana Business Permit. Do not operate until a valid permit is issued.

**GENERAL INFORMATION (All Applicants)**

(32) Days and hours security officers or other security will be provided (filled out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	24 hrs.	24 hrs.	24 hrs.	24 hrs.	24 hrs.	24 hrs.	24 hrs.
Security	1	1	1	1	1	1	1

(33) Provide the name, address, telephone number, business license account number, and PPO number of the security company that will be used. **NOTE:** A copy of the security guards' CA state license must be maintained on file at the business at all times.

Allied Nationwide Security Inc., 800-955-8417, 7247 Hayvenhurst  
Ave. Suite A7, Van Nuys CA 91406. PPO14971, Licensed in CA

(34) Will an alarm monitoring company be used?

Yes and will apply for license in Long Beach once application approved.

a. If "Yes," provide the name, address, and telephone number of the alarm monitoring company:

Burg Alarm Company 800-470-1000 1590 S. Lewis St. Anaheim  
CA 92805

(35) Provide a list of all members with access to the surveillance camera system to be used (Attach additional pages if necessary):

Jennifer Schuermann  
Roy Kurajian  
Diego Salazar

(36) Provide a detailed description of the security plan for the proposed business (Attach additional pages if necessary):

Every room will be included and equipped with video  
surveillance and camera recording (except bathroom).  
There will also be video surveillance for exterior of  
building. There will be signage indicating that there  
will be recording. There will be fire and burglar alarm  
system monitored 24 hrs. a day. There will also be  
security guard 24 hours a day.

(37) Establishment hours of operation (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am	9:00 am
Close	8:00 pm	8:00 pm	8:00 pm	8:00 pm	8:00 pm	8:00 pm	8:00 pm

(38) Attach a map of any surrounding businesses and/or residences within approximately 300 feet. Distance does not have to be exact. Google and Bing maps are acceptable. Satellite view preferred.



## GENERAL INFORMATION (All Applicants)

- (39) Provide a detailed description of the business plan to dispose of any medical marijuana or product that is not sold to a patient or caregiver in a manner that protects it from being ingested by an animal or person (Attach additional sheets if necessary):

There will be a safe secured to the building for storage of all product not on display and will hold all product at close of business. If product is not sold, then will be returned to source for safe and proper disposal

- (40) Provide a detailed description of the ventilation systems used in the marijuana business including but not limited to how the ventilation systems prevent odor from leaving the building and how to mitigate noxious fumes or gases during the production process (Attach additional sheets if necessary):

An air filtration system will be installed. Will also include HVAC along with commercial strength carbon filter.

- (41) Please provide a detailed description of all toxic, flammable, or other materials regulated by government agencies including the type of materials, location of materials, and how the materials will be stored. Please also describe how any chemicals or hazardous materials will be used in your business process. (Attach additional sheets if necessary):

There will be no toxic, flammable, hazardous or other materials used or stored at this location.

- (42) Provide a detailed description of the POS software the business will be using to track inventory and/or sales of marijuana (Attach additional sheets if necessary):

The POS software will be used is 420connect.com. This is a digital and scanning system that will be the main tracking system and will be used for point of sale.

- (43) What is the projected daily average and peak electric load anticipated to be used by the business and what are the necessary upgrades (if any) to be performed in order to fulfill the needs of the electric load?

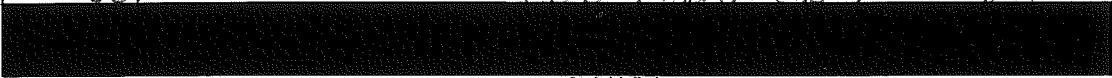
No upgrades will be needed for the electric load. The standard 45 AMPs, single phase is the daily average and peak electric load.

- (44)  Attached to this application is a fully legible copy of a valid government issued form of identification for each Medical Marijuana Business License applicant owner and business manager. Please note that acceptable forms of government issued identification include, but are not limited to: Driver's licenses or photo identity cards issued by the Department of Motor Vehicles that meet REAL ID benchmarks, a passport issued by the United States or by a foreign government, U.S. Military I.D. cards (active duty or retired military and their dependents), or a Permanent Resident Card.

**GENERAL INFORMATION (Cont.)**

**PLEASE PROVIDE CONTACT INFORMATION FOR ALL BUSINESS MANAGERS IF OTHER THAN THE BUSINESS OWNER AND ALL EMPLOYEES WHO ACT WITH MANAGERIAL AUTHORITY**

**BUSINESS MANAGER**

Name: Jennifer Scheuermann Title: CEO / Business Manager  
Residence Address:   
Business Address: 5752 E. 2nd Street Long Beach 90803 Phone: N/A  
Email Address: jscheuermann07@gmail.com



**BUSINESS MANAGER**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**BUSINESS MANAGER**

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**\*Please attach additional sheets if necessary**

## GENERAL OPERATING CONDITIONS

PLEASE FILL OUT THE SECTION THAT APPLIES TO YOUR BUSINESS TYPE ONLY

### MARIJUANA DISPENSARY

1. Will you be operating both a dispensary and a cultivation site?  YES  NO
- a. If yes, is the cultivation site on-site or off-site?  On-Site  Off-Site
2. Will you be offering home delivery services from the medical marijuana dispensary?  YES  NO
3. Which State MCRSA License will you be applying for? (Check all that apply)
- MCRSA Type 10: General Dispensary
- MCRSA Type 10A: Specialty Dispensary (No more than 3 retail sites)
- \*please see Appendix B for MCRSA license categories and descriptions

*not applicable*

### CULTIVATION FACILITY

1. Which State MCRSA License will you be applying for? (Check all that apply)
- MCRSA Type 1A: Specialty Indoor Cultivation
- MCRSA Type 2A: Small Indoor Cultivation
- MCRSA Type 3A: Indoor Cultivation
- MCRSA Type 4: Nursery
2. What is the square footage of cultivation canopy measured by the aggregate area of vegetative growth of live marijuana plants on the premises? (this includes both horizontal and vertical canopy area)
- \_\_\_\_\_ Square Feet

\*please see Appendix B for MCRSA license categories and descriptions

*not applicable*

### MANUFACTURING FACILITY

1. Which State MCRSA license will you be applying for?  Type 6  Type 7  Both
- \*please see Appendix B for MCRSA license categories and descriptions

### TRANSPORTATION/ DELIVERY

Copies of the following will need to be on file at the business and in employee personnel files if delivery and/or transportation is taking place:

1. CA DL for each employee delivering/transporting marijuana products
2. Copy of Insurance for each vehicle used for delivery/transportation
3. Copy of Vehicle Registration for each vehicle used for delivery/transportation

### LABORATORY TESTING

Provide 1 copy of the CA Department of Public Health Registration/Certification for the testing laboratory

**LBMC SECTION XXX VERIFICATION OF MEDICAL MARIJUANA PROHIBITED ACTIVITY**

The undersigned Management Employees, on behalf of the herein Medical Marijuana Business Permit applicant,

Jennifer Scheuermann, declare under penalty of perjury that they have read and understand the attached provisions of Long Beach Municipal Code (LBMC) Section 5.90, and shall, collectively and individually ensure that neither the Medical Marijuana Business nor its employees and Management Employees shall engage in the following prohibited activity set forth in LBMC 5.90, which states in relevant part that:

- (A) It shall be unlawful for any person or entity to operate, in or upon any property, a Medical Marijuana Business without first obtaining all required State licenses and a business license or permits issued by the City;
- (B) It shall be unlawful for the owner of a building to allow the use of any portion of a building by a Medical Marijuana Business unless the tenant has a valid business license permit, or has applied for and not been denied, a business license permit;
- (C) No pesticides or insecticides prohibited by federal, state, or local law for fertilization or production of edible produce may be used on any marijuana cultivated, produced, or distributed by a Medical Marijuana Business;
- (D) No Medical Marijuana Business may have a drive through lane or drive up window and no Medical Marijuana may be dispensed from a drive through lane or drive up window;
- (E) All cultivation, production, distribution, possession, storage, display, sales or other distribution of marijuana shall occur only within an enclosed area of a medical marijuana business and shall not be visible from the exterior of the business;
- (F) Consultations by medical professionals shall not be permitted at a Medical Marijuana Business nor as a permitted accessory use at a medical marijuana business;
- (G) It shall be unlawful for any of the following persons to have an ownership interest or a managerial responsibility in a Medical Marijuana Business, and no license or permit may be issued to or held by, and no Medical Marijuana Business shall be managed by: (a) Any person until all required fees have been paid; or (b) Any person who has been convicted within the previous ten (10) years of any violent or serious felony as specified in Sections 667.5 and 1192.7 of the Penal Code or any felony conviction involving fraud, deceit, or embezzlement or who is currently on parole or probation for the sale or distribution of a controlled substance; or (c) Any person who is under twenty-one (21) years of age; or (d) Any person who operates or manages a Medical Marijuana Business contrary to the provisions of this Chapter, or conditions imposed on land use or license approvals, or contrary to the terms of the plans submitted with the permit application, or amended as permitted by this Chapter; or (e) A licensed physician making patient recommendations; or (f) A person licensed and permitted to operate pursuant to this Chapter who, while lawfully operating, or who, at the time of application, has failed to remedy an outstanding delinquency for City taxes or fees owed, or prosecuting officer, or an officer or employee of the State or City of Long Beach; or (h) Applicants or entities (including Management Employees) that have a previous record of violating federal or state laws relating to workplace safety, wages and compensation, employee discrimination, or union activity.
- (H) It shall be unlawful to operate a Medical Marijuana Business or to grow medical marijuana outside of an enclosed building;
- (I) It shall be unlawful for any person to transport medical marijuana, except as specifically allowed by this Chapter and State law;
- (J) It shall be unlawful for any Property owner, landlord, and lessee, Medical Marijuana Business employee or Manger or any other person having any responsibility over the operation of the Medical Marijuana Business to refuse to allow, impede, obstruct, or interfere with an inspection;
- (K) It shall be unlawful for any person to cause, permit or engage in the cultivation, possession, distribution, exchange or giving away of marijuana for medical or non-medical purposes except as provided in this Chapter;
- (L) It shall be unlawful for any person to cause, permit, or engage in any activity related to Medical Marijuana except as provided in this Chapter and pursuant to all other applicable local and state law;
- (M) It shall be unlawful for any person to knowingly make any false, misleading or inaccurate statement or representation in any form, record, filing or documentation required to be maintained, filed, or provided to the City of Long Beach under this Chapter;
- (N) No Medical Marijuana Dispensary shall be open to or provide Medical Marijuana to qualified patients or employees between the hours of eight (8) pm and nine (9) am;
- (O) No person under the age of eighteen (18) shall be allowed on the Property, unless that minor is a qualified patient and is accompanied by his or her licensed attending physician, parent(s) or documented legal guardian;
- (P) No Medical Marijuana Dispensary, Management Employee or employee shall cause or permit the sale, dispensing, or consumption of alcoholic beverages on the Property or in the parking area of the Property;
- (Q) No dried Medical Marijuana shall be stored at the property in structures that are not completely enclosed, in an unlocked vault or safe, in any other unsecured storage structure, or in a safe or vault that is not bolted to the floor of the property;
- (R) Medical Marijuana may not be inhaled, smoked, eaten, ingested, or otherwise consumed on the Property, or in the parking areas of the Property or in those areas restricted under the provisions of Health and Safety Code §11362.79.

Jennifer Scheuermann      JENNIFER SCHEUERMANN CEO      Feb 11, 2017  
 (Signature of Management Employee)      (Printed Name & Title)      (Date)

\_\_\_\_\_  
 (Signature of Management Employee)      (Printed Name & Title)      (Date)

\_\_\_\_\_  
 (Signature of Management Employee)      (Printed Name & Title)      (Date)

GENERAL INFORMATION (Cont.)

**CERTIFICATION OF EMPLOYMENT PRACTICES**

I, JENNIFER SCHEUERMANN *on behalf of Long Beach Cannabis Club*  
(Name of Business/Owner listed in Item No. (1) of the application) certify that the business will not employ any person with any

type of violent or serious felony conviction as specified in Section 667.5 and 1192.7 of the Penal Code or any felony conviction involving fraud, deceit, or embezzlement. The business will also not employ as managers or employees any person with any narcotic drug related misdemeanor conviction. The following shall become a condition of maintaining the business license.

\_\_\_\_\_  
(Signature of Owner/Management Employee)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

*Jennifer Scheuermann*  
(Signature of Owner/Management Employee)

JENNIFER SCHEUERMANN CEO  
(Printed Name & Title)

Feb 21, 2017  
(Date)

\_\_\_\_\_  
(Signature of Owner/Management Employee)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

**CERTIFICATION OF LABOR PEACE AGREEMENT**

JENNIFER SCHEUERMANN *on behalf of Long Beach Cannabis Club*  
(Name of Business/Owner listed in Item No. (1) of the application) certify that the medical marijuana business, if employing two or

more employees (as defined in the California Business and Professions Code, Section 19322(6)), at the proposed property will enter into, or has entered into, a labor peace agreement and the medical marijuana business will abide by the terms of the labor peace agreement. If the City becomes aware that a labor peace agreement has been violated, I must provide a copy to the City upon request.

*Jennifer Scheuermann*  
(Signature of Owner/Management Employee)

JENNIFER SCHEUERMANN CEO  
(Printed Name & Title)

Feb. 21, 2017  
(Date)

\_\_\_\_\_  
(Signature of Owner/Management Employee)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature of Owner/Management Employee)

\_\_\_\_\_  
(Printed Name & Title)

\_\_\_\_\_  
(Date)

**IF APPLYING AS AN INDIVIDUAL**

Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_

Middle: \_\_\_\_\_

Title(s) or AKA(s): \_\_\_\_\_

Residence address: \_\_\_\_\_

Home/Business Telephone: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Driver's License or Identification Card Number: \_\_\_\_\_

State of Issue: \_\_\_\_\_

Federal Tax ID Number (if applicable): \_\_\_\_\_

Seller's Permit Number (if applicable): \_\_\_\_\_

**IF APPLYING AS A PARTNERSHIP**

Check One Box:

General Partnership

Limited Partnership/ LLP

Name of Partnership: \_\_\_\_\_

Federal Tax ID Number (if applicable): \_\_\_\_\_

Seller's Permit Number (if applicable): \_\_\_\_\_

**Percentage of Partnership**

Name and residence addresses of <i>General Partners</i> :	Interest:
_____	%
_____	%
_____	%
_____	%

Names and residence addresses of <i>Limited Partners</i> :	Interest:
_____	%
_____	%
_____	%
_____	%

Place and date of filing Articles or Certificate of Partnership or Limited Partnership:  
\_\_\_\_\_  
\_\_\_\_\_

**Please Note:**

**Attach certified copies of *Articles of Partnership* or *Limited Partnership*, or other written evidence of partnership status and all amendments thereto this application.**

**IF APPLYING AS A PARTNERSHIP (cont.)**

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

**PRINCIPAL PARTNER I**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**PRINCIPAL PARTNER II**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

**PRINCIPAL PARTNER III**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_




### IF APPLYING AS A CORPORATION

PLEASE ONLY PROVIDE INFORMATION FOR ALL OFFICERS, DIRECTORS, OR SHAREHOLDERS WHO OWN MORE THAN 10% OF THE ISSUED AND OUTSTANDING STOCK


Check One Box:  For-Profit Corporation  Non-Profit Corporation  Limited Liability Corporation/ LLC

(If a Non-Profit Corporation, please attach copies of both State and federal Tax Exemption Certificates)

Name of Corporation: Long Beach Cannabis Club  
Corporation Number: C 3951626  
Date and Place of Incorporation: 10/04/2016 California  
Location Headquarters: Long Beach  
Federal Tax ID Number:   
Seller's Permit Number: SR AA 103-042509

Please attach certified copies of Articles of Incorporation and By-Laws, and all amendments to this application.

Name and Residence Address of Corporation Officers (members of the executive board):

Name	Title & Ownership % <sup>no ownership</sup>	Address	Telephone
Jennifer Schuermann	CEO / Business manager		
Ray Kuresian	CFO		
Diego Salazar	Secretary		

Numbers of shares issued by Corporation: N/A

Number of share retained by Corporation: N/A

Name and addresses of shareholders, if ten (10) or less state also the number and type of shares:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name, address, telephone number, and email address of agent for service of process designated by Corporation with the Secretary of State of California:


Tim Westen, 3070 Bristol St. #560 Costa Mesa CA 92626, 714-850-0690  
timwesten@live.com

**IF APPLYING AS A CORPORATION (Cont.)**

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

**CORPORATE OFFICER I**

Name: Jennifer Scheuermann Title: CEO/Business Manager

Residence Address: 

**CORPORATE OFFICER II**

Name: Roy Kurajian Title: CFO

**CORPORATE OFFICER III**

Name: Diego Salazar Title: Secretary

**CORPORATE OFFICER IV**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_



**CITY OF LONG BEACH**  
 DEPARTMENT OF FINANCIAL MANAGEMENT  
 BUSINESS RELATIONS BUREAU  
 BUSINESS LICENSE SECTION

333 W. Ocean Boulevard, 4th Floor • Long Beach, CA 90802 • (562) 570-6211 FAX (562) 499-1097 Email LBBIZ@LongBeach.Gov

**PROPERTY OWNER/ LANDLORD AUTHORIZATION FOR INSPECTION AND RIGHT TO OPERATE A  
 MEDICAL MARIJUANA BUSINESS**

I, Richer Vandy, am the (legal owner) (landlord / lessor of real property located at  
(Name of Property Owner/Landlord) (Circle One)  
5752 E. 2nd St. Long Beach CA 90803, Long Beach, California. I authorize the Medical  
(Address listed in Item No. (4) of the application)

Marijuana Business entitled Long Beach Cannabis Club to operate a medical  
(Name of Business/Owner listed in Item No. (1) of the application)

marijuana business at the property, as that term is defined in state law and the Long Beach Municipal Code, for the  
 specific use(s) of Retail MARIJUANA Products  
(Land uses(s) set forth in the Medical Marijuana Business application – e.g. cultivation, manufacturing, etc.)

set forth in the Medical Marijuana Business License Application submitted to the City of Long Beach by  
Long Beach Cannabis Club and allow the City of Long Beach to enter the property for  
(Name of Business/Owner listed in Item No. (1) of the application)

inspection of the property. I further understand that I am responsible for any violation and nuisance activity which may  
 occur at this property. I declare under penalty of perjury that the foregoing information is true and correct. Executed this  
16th day of February 2017, at Long Beach, California.

[Signature] Richer Vandy Owner 2-16-2017  
(Signature of legal owner/landlord/lessor) (Printed Name & Title) (Date)

\_\_\_\_\_  
(Signature of legal owner/landlord/lessor) (Printed Name & Title) (Date)

\_\_\_\_\_  
(Signature of legal owner/landlord/lessor) (Printed Name & Title) (Date)

*See attached California medical  
 certificate M J 2/16/17*



**CITY OF LONG BEACH**  
 DEPARTMENT OF FINANCIAL MANAGEMENT  
 BUSINESS RELATIONS BUREAU  
 BUSINESS LICENSE SECTION

333 W. Ocean Boulevard, 4th Floor • Long Beach, CA 90802 • (562) 570-6211

**NOTARY ACKNOWLEDGEMENT FORM** *see next page*

The notarized signature of the majority representative owner or owners, as established by deed or contract, of the subject property or properties is required for the filing of this application.  
 (Additional sheets may be attached if needed.)

On \_\_\_\_\_ before me, \_\_\_\_\_ the undersigned,  
DATE (WRITE NAME OF NOTARY)

a Notary Public in and for said County, duly commissioned,

personally appeared \_\_\_\_\_  
NAME(S) OF SIGNER(S)

\_\_\_\_\_  
NAME(S) OF SIGNER(S)

personally known to me - OR -

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

PLACE NOTARY SEAL ABOVE

\_\_\_\_\_  
 Notary Public in and for the County  
 of Los Angeles, State of California

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document**

Title of type of Document: PROPERTY OWNER/ LANDLORD AUTHORIZATION FORM

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

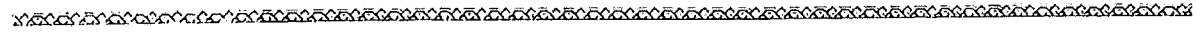
**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_ Signer's Name: \_\_\_\_\_

Title(s): \_\_\_\_\_ Title(s): \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Los Angeles  
On 2/16/17 before me, Marsha Jeffer, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Richer Vaudry  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Marsha Jeffer  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document: Property Deed Authorization  
Title or Type of Document: Property Deed Authorization Document Date: 2/16/17  
Number of Pages: 2 Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)  
Signer's Name: Richer Vaudry  
 Corporate Officer - Title(s): \_\_\_\_\_  
 Partner -  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: Owner  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer - Title(s): \_\_\_\_\_  
 Partner -  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

**MEDICAL MARIJUANA BUSINESS LICENSE**  
**APPLICATION ATTACHMENTS**

In addition to the Medical Marijuana Business License Application, the following list of attachments need to be submitted:

1. Complete interior floor plan on paper no larger than 11" x 17" (multiple sheets allowed) to include the following information:
  - a. Dimensions of interior floor plan.
  - b. Indicate location of all exit doors, widths of doors and panic hardware.
  - c. Principal uses of the floor area including where non-patients will be permitted, private consulting areas, storage areas, retail areas, areas for cash handling and storage, and restricted areas
  - d. Show the separation of the areas that are open to persons who are not patients from those areas open to patients

NOTE: All areas of proposed business site must be disabled access compliant pursuant to Title 24 of the State of California Code of Regulations and the Americans with Disabilities Act

2. Proof of Worker's Compensation Insurance including the limits of each policy, policy numbers, name of the insurer, effective date, and expiration date of each policy. Insurance must comply with requirements set forth in LBMC 5.90.0230 and LBMC 2.84.040. (Proof may include a "Cover Note" or "Binder).
3. Proof of Liability Insurance including the limits of each policy, policy numbers, name of the insurer, effective date, and expiration date of each policy. Insurance must have aggregate policy limits in an amount not less than \$1,000,000. Insurance must comply with requirements set forth in LBMC 5.90.0230 and LBMC 2.84.040. (Proof may include a "Cover Note" or "Binder).
4. Copy of CA Seller' Permit (for retail businesses only)
5. Copy of your Fictitious Name Filing, if applicable.
6. Corporation, Limited Liability Companies, Limited Liability Partnerships:
  - a. Copy of your Articles of Incorporation
  - b. Copy of your Statement of Information
7. Operating Plan to include the following information (as outlined in the Guidelines packet):
  - a. General Operating Procedures
  - b. Security
  - c. Operational Security
  - d. Facility Security
  - e. Community Service
  - f. Fire Plan
  - g. Labor Relations
8. Proof of Ownership, lease, or, if not owned or leased, the Authorization Form and Notarization found on page 15 and 16
9. Proof Entity is Registered and in Good Standing with Secretary of State and Franchise Tax Board
10. Copy of one (1) valid government issued form of identification for each owner and managing member
11. Copy of Live Scan receipt/completion for each owner and business manager
12. Copy of Labor Peace Agreement (if available)

Attachments

Appendix A: Medical Cannabis Regulations and Safety Act (MCRSA) License Type Combinations  
Appendix B: Medical Cannabis Regulations and Safety Act (MCRSA) License Type Descriptions

Note: This is NOT a Medical Marijuana Business Permit. Do not operate until a valid permit is issued.  
Medical Marijuana Business Application – Page 17

## Appendix A Medical Cannabis Regulation and Safety Act (MCRSA) License Type Combinations

### MEDICAL CANNABIS REGULATION AND SAFETY ACT

Note: A licensee may only hold a state license in up to two separate license categories. Some exceptions apply. How to use this chart: Find your license type at the top. Drop down the column to find other allowable licenses. Example: If you are a small outdoor specialty cultivator (upper left corner) you would not be able to get testing lab, dispensary or distribution licenses (bottom of first column).

### LICENSE TYPE

LICENSE RESTRICTIONS	Description	1	2A	3	4	5A	6	7	8A	9	10	11	12	13	14	15	16	17	18	19
		Cultivation Specialty outdoor, Small	Cultivation Specialty indoor, Small	Cultivation Specialty mixed light, Small	Cultivation Outdoor, Small	Cultivation Indoor, Small	Cultivation Mixed light, Small	Cultivation Outdoor, Medium	Cultivation Indoor, Medium	Cultivation Mixed light, Medium	Cultivation Nursery	Manufacturer 1 (nonvolatile solvents)	Manufacturer 2 (volatile solvents)	Testing laboratory	Dispensary, General	Processing/Dispensary, up to three retail sites*	Distribution	Transporter		
1	Cultivation Specialty outdoor, Small																			
2	Cultivation Specialty indoor, Small																			
3	Cultivation Specialty mixed light, Small																			
4	Cultivation Outdoor, Small																			
5A	Cultivation Indoor, Small																			
6	Cultivation Mixed light, Small																			
7	Cultivation Outdoor, Medium																			
8A	Cultivation Indoor, Medium																			
9	Cultivation Mixed light, Medium																			
10	Cultivation Nursery																			
11	Manufacturer 1 (nonvolatile solvents)																			
12	Manufacturer 2 (volatile solvents)																			
13	Testing laboratory																			
14	Dispensary, General																			
15	Processing/Dispensary, up to three retail sites*																			
16	Distribution																			
17	Transporter	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

Legend	1	2
Allowable cross licensure	Applicant must hold cultivator or manufacturer license first	Prohibited cross licensure
Distrubute must hold a transporter license	R/A: may hold same license	Allowable, but cultivators shall only transport from a cultivation site to a manufacturer or a distributor
Applicant must hold cultivator or manufacturer license first	Allowable, but manufacturers shall only transport medical cannabis and medical cannabis products as follows: (i) between a cultivation site and a manufacturing site, (ii) between a manufacturing site and a manufacturing site, or (iii) between a manufacturing site and a distributor.	

\* A type 15A licensee may hold licenses for up to three retail sites, one manufacturing premises, and up to four acres of cultivation at one time.

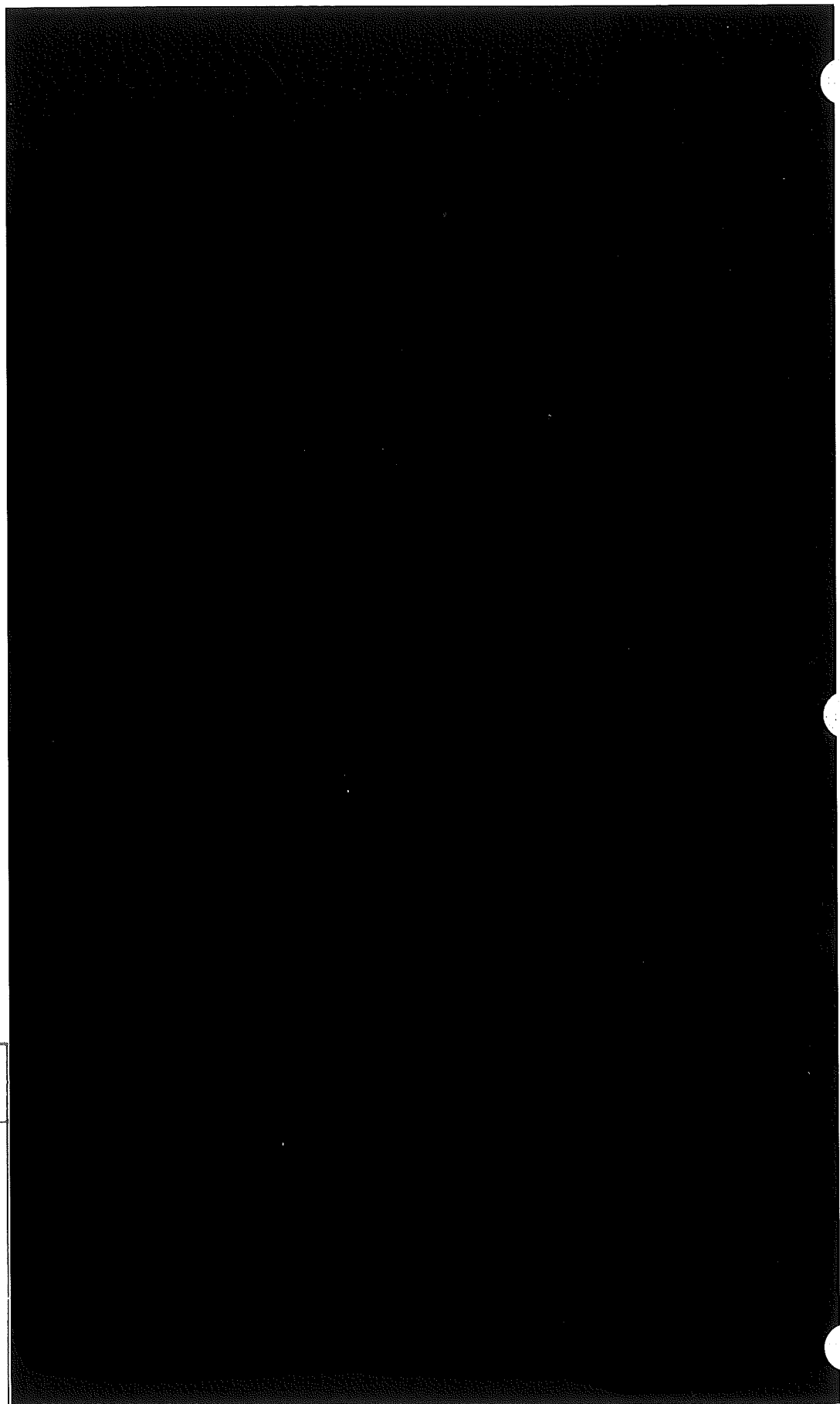
Source: [http://www.bmcr.ca.gov/meetings/materials/cross\\_licensure\\_guide.pdf](http://www.bmcr.ca.gov/meetings/materials/cross_licensure_guide.pdf)

**Appendix B**  
Medical Cannabis Regulation and Safety Act (MCRSA)  
Business License Types and Descriptions

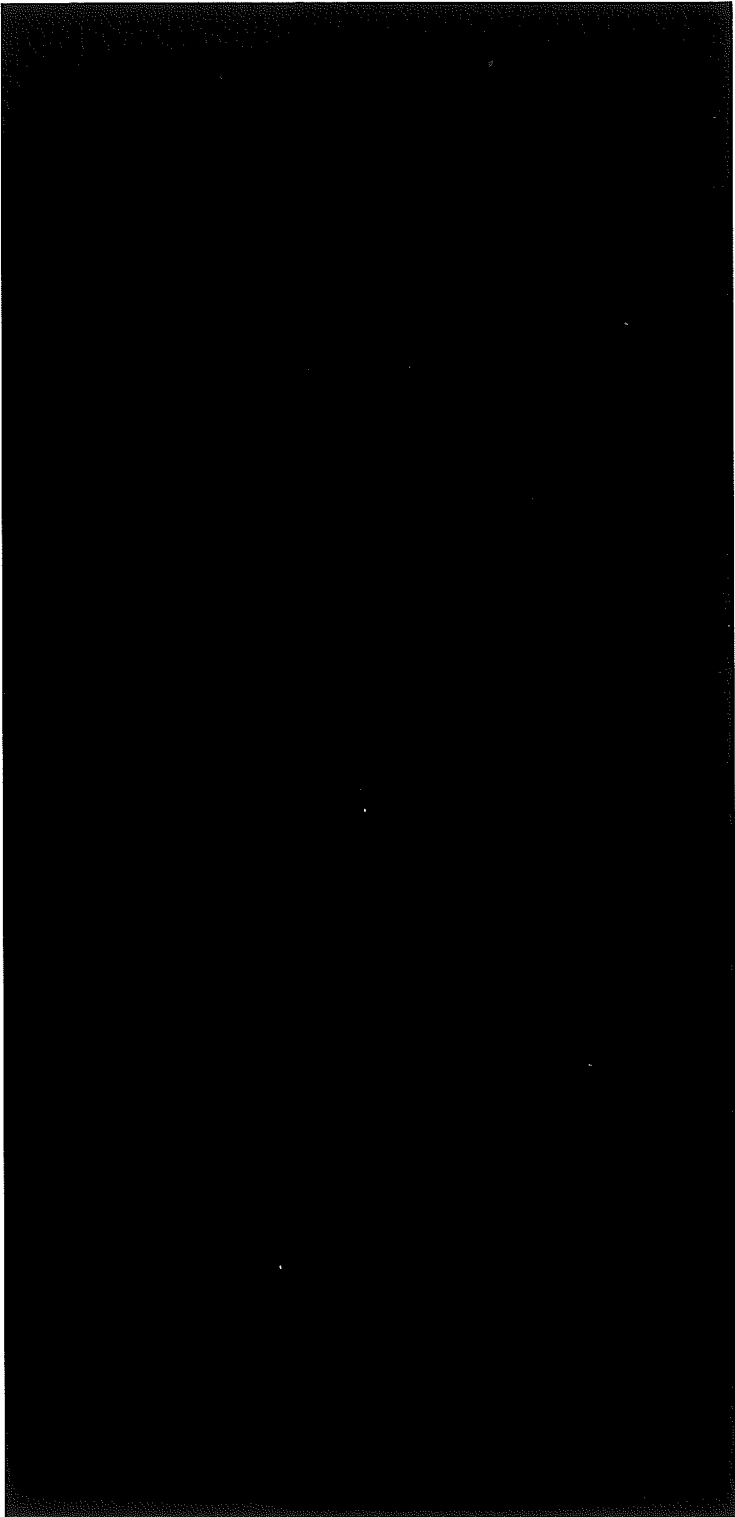
- (1) Type 1A, or "specialty indoor," for indoor cultivation using exclusively artificial lighting of less than 5,000 square feet of total canopy size on one premises.
- (2) Type 2A, or "small indoor," for indoor cultivation using exclusively artificial lighting between 5,001 and 10,000 square feet of total canopy size on one premises.
- (3) Type 3A, or "indoor," for indoor cultivation using exclusively artificial lighting between 10,001 and 22,000 square feet of total canopy size on one premises. The Department of Food and Agriculture shall limit the number of licenses allowed of this type.
- (4) Type 4, or "nursery," for cultivation of medical cannabis solely as a nursery. Type 4 licensees may transport live plants.
- (5) Type 6, or "manufacturing level 1," for manufacturing sites that produce medical cannabis products using nonvolatile solvents.
- (6) Type 7, or "manufacturing level 2," for manufacturing sites that produce medical cannabis products using volatile solvents. The Department of Public Health shall limit the number of licenses of this type.
- (7) Type 8, or "testing," for testing of medical cannabis and medical cannabis products. Type 8 licensees shall have their facilities licensed according to regulations set forth by the division. A Type 8 licensee shall not hold a license in another license category of this chapter and shall not own or have ownership interest in a facility licensed pursuant to this chapter.
- (8) Type 10, or "dispensary," for the retail of medical cannabis or medical cannabis products. This license shall allow for delivery where expressly authorized by local ordinance, pursuant to subdivision (b) of Section 133.
- (9) Type 10A or "special dispensary status," for dispensers who have no more than three licensed dispensary facilities. This license shall allow for delivery where expressly authorized by local ordinance, pursuant to subdivision (b) of Section 133.
- (10) Type 11, or "distributor," for the certification of the content of all medical cannabis or medical cannabis products and distribution licensees. A Type 11 licensee shall hold a Type 12, or transporter, license and register each facility location where product is stored for the purposes of distribution. A Type 11 licensee shall not hold a license in a cultivation, manufacturing, dispensing, or testing license category and shall not own, or have an ownership interest in, a facility licensed in those categories other than a security interest, lien, or encumbrance on property that is used by a licensee. A Type 11 licensee shall be bonded and insured at a minimum level established by the licensing authority.
- (11) Type 12, or "transport," for transporters of medical cannabis or medical cannabis products. A Type 12 licensee shall be bonded and insured at a minimum level established by the licensing authority.



S I T E P L A N . 1/3/11/01



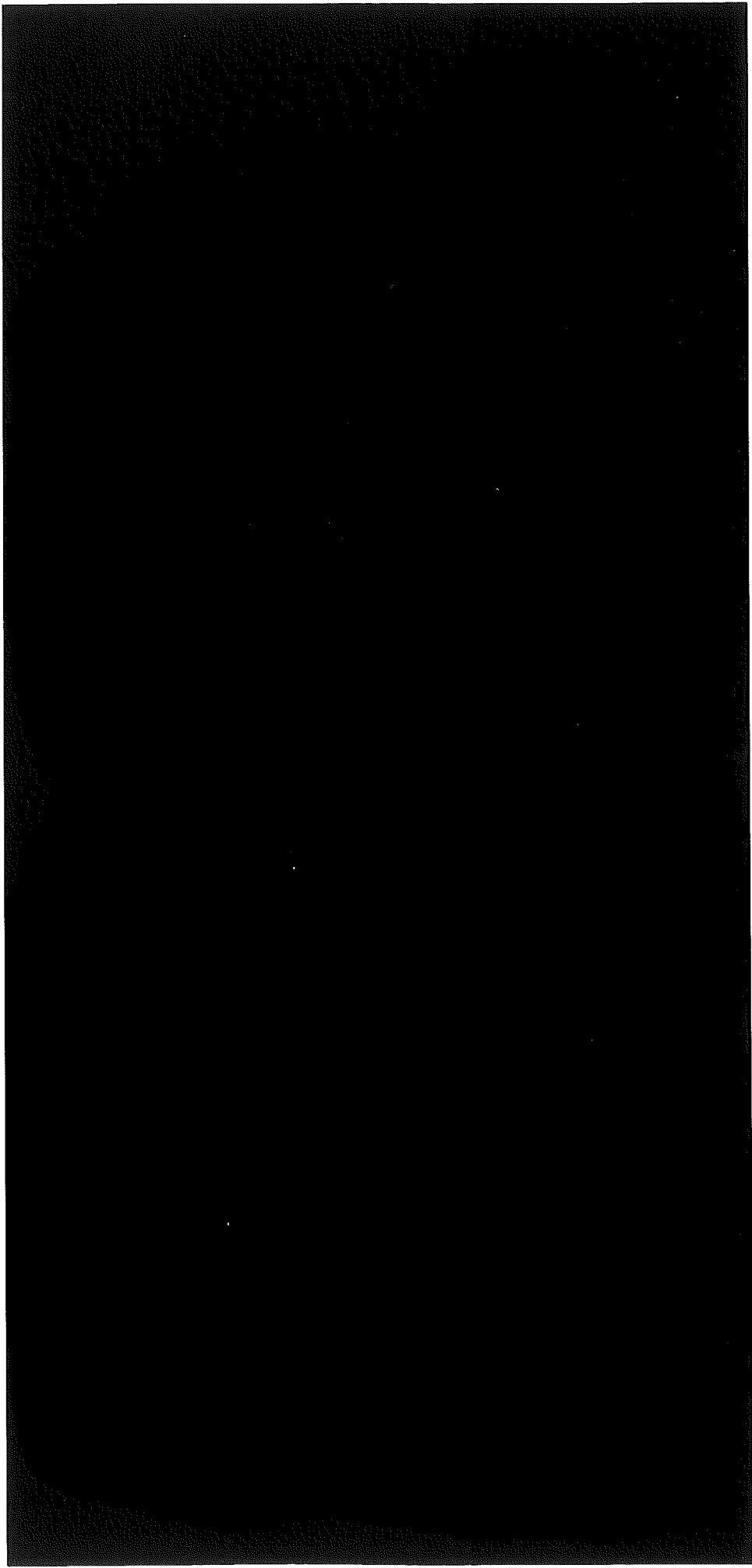
SHEET  
1  
LONG BEACH CANNABIS CLUB  
- @ : 5752 E. 2ND ST. LONG BEACH, CAL. 90803



SHEET 2	<u>LONG BEACH CANNABIS CLUB</u> @: 5752 E. 2ND ST. LONG BEACH, CAL. 90803
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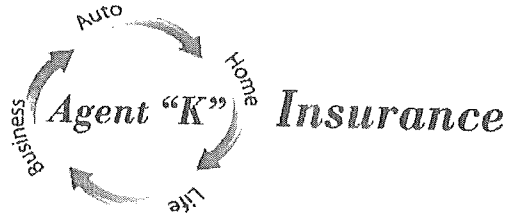
LONG  
FOR: M  
@: 57

SHEET  
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SHEET  
2

LONG  
FOR: M  
@: 57



3611 S Harbor Blvd, Suite 200 Santa Ana, CA 92704 \* (949) 553-0617 Office \* (888) 871-1145 Efax \* (949) 400-3575 Cell

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February 15<sup>th</sup>, 2017

Long Beach Cannabis Club  
5752 E 2<sup>nd</sup> Street  
Long Beach, Ca 90803

Subject: Will Serve Letter for Retail Marijuana Dispensary located at:

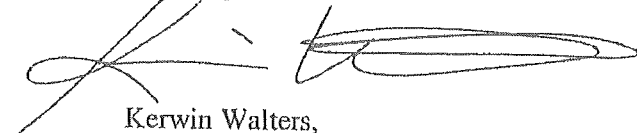
5752 E 2<sup>nd</sup> Street, Long Beach, CA 90803

Attention: Long Beach Cannabis Club

This "Will Serve Letter" is for your proposed Retail Marijuana Dispensary establishment for Long Beach Cannabis Club. Our office will provide you with Workers Compensation and Business Insurance for your company that will specifically cover your exposure within the Retail Marijuana Dispensary industry. Your business policy will be provided by United Specialty Insurance Company. This policy will have a minimum coverage amount of 3 million Per Occurrence with a 4 million General Aggregate. Your Workers Compensation policy will be covered by State Compensation Insurance Fund. This policy would have a minimum coverage amount of 1 million Per Accident/1 million Disease Policy Limit/ 1 Million Disease each employee. All policies have been approved for your specific risk and are ready to be put in place upon your request.

Please feel welcome to call if you have any questions.

Sincerely,



Kerwin Walters,  
President

*Referrals from you are the livelihood of our agency.*

# BYLAWS OF LONG BEACH CANNABIS CLUB

A California Non-Profit Mutual Benefit Corporation

## ARTICLE I

### OFFICES

**Section 1.1 PRINCIPLE OFFICE.** The office of the Corporation shall be located in the city and state designated in the Articles of Incorporation or the most recently filed Statement of Information. The Corporation may also maintain offices at such other places as the Board of Directors (hereinafter the "Board") may from time to time approve for the Corporation, if required. Such change of location shall not constitute an amendment to these Bylaws.

**Section 1.2 OTHER OFFICES.** Branch or subordinate offices may at any time be established by the Board at any place or places where the Corporation is qualified to do business.

## ARTICLE II

### PURPOSE

**Section 2.1 SPECIFIC PURPOSE.** The specific purpose of the Corporation is to facilitate and coordinate medical cannabis transactions between patient members and/or primary caregivers.

## ARTICLE III

### DIRECTORS

**Section 3.1 BOARD OF DIRECTORS.** Subject to the provisions of the Nonprofit Corporation Law Sections 7110, *et seq.*, the business and affairs of the Corporation shall be managed and all corporate powers shall be exercised by or under the direction of the Board. The Board may delegate the management of the day-to-day operation of the business of the Corporation to a management company or other person, provided that the business and affairs of the Corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board. The directors of the Board shall receive reasonable compensation for their services and may directly or indirectly provide other services to the Corporation and receive reasonable compensation therefor.

**Section 3.2 STANDARD OF CARE.** Each Director shall perform the duties of a Director, including the duties as a member of any committee of the Board upon which the Director may serve, in good faith, in a manner such Director believes to be in the best interests of the Corporation, and with such care, including reasonable inquiry, as an ordinary prudent person in a like position would use under similar circumstances.

**Section 3.3 NUMBER OF AND QUALIFICATION OF DIRECTORS.** Each Director shall be at least 18 years of age. The initial Board shall consist of two persons. Thereafter, the number of Directors shall not be less than two (2) and not more than five (5).

Subject to the foregoing, the number of Directors may be fixed from time to time by action of the Directors. The number of Directors may be increased or decreased by action of the Board, provided that any action by the Board to affect such increase or decrease shall require the vote of a majority of the entire Board. No decrease shall shorten the term of any Director then in office.

**Section 3.4 ELECTION AND TERM OF OFFICE OF DIRECTORS.** The first Board shall consist of those persons elected by the incorporators or named as the initial Directors, and they shall hold office until the first meeting of the Board, and until their successors have been duly elected and qualified. Thereafter, Directors shall be elected to hold office until the expiration of the term for which he or she was elected, and until his or her successor have been duly elected and qualified, or until his or her death, resignation, or removal.

**Section 3.5 RESIGNATION AND REMOVAL.** A Director may resign from office at any time by delivering a written resignation to the Board. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Corporation. Acceptance of such resignation, unless required by the terms thereof, shall not be necessary to make it effective. Any Director may be removed with or without cause by vote of the Board.

**Section 3.6 VACANCIES.** Newly-created directorships or vacancies in the Board may be filled by a vote of majority of the Directors then in office, although less than a quorum, unless otherwise provided. A director elected to fill a vacancy caused by resignation, death, or removal shall be elected to hold office for the unexpired term of his or her predecessor.

**Section 3.7 NOTICE, PLACE, AND MANNER OF MEETINGS.** Meetings of the Board shall be held at any place within California as the Board may from time to time fix or as shall be specified in the notice, or waiver of notice thereof. An annual meeting of the Board shall be held at such time and place as shall be fixed by the Board from time to time or by the person or persons calling the meeting. Accurate minutes of any meeting of the Board or any committee thereof, shall be maintained as required by the California Corporations Code by the Secretary or other Office designated for the purpose. No notice shall be required for annual meetings of the Board for which the time and place have been fixed. Special meetings may be called by or at the direction of the Chairman of the Board, the President, or by a majority of the directors then in office. Members of the Board may participate in any meeting through use of a conference telephone or similar communications equipment so long as all members participating in such a meeting can hear on another.

**Section 3.8 SPECIAL MEETINGS.** Notice of time and place of each special meeting of the Board shall be mailed to each Director, postage prepaid, addressed to him or her at his or her residence or usual place of business, or emailed to him or her, at least 5 days before the day on which the meeting is held, provided however, that if such notice is for a special meeting requiring prompt action, such notice may be emailed to him or her not less than 24 hours before the time at which such meeting is to be held. The requirement for furnishing notice of a meeting may be waived by any Director who signs a Waiver of Notice before or after the meeting or who attends the meeting without protesting the lack of notice to him or her.

**Section 3.9 QUORUM.** A majority of the number of Directors shall be necessary to constitute a quorum for the transaction of business, and the action of a majority of the Directors present at any meeting at which there is a quorum, when duly assembled, is valid as a corporate act. At any meeting held to remove one or more Directors, a quorum shall consist of a majority

of the Directors present at such meeting. Whenever a vacancy on the Board shall prevent a quorum from being present, then, in such event, the quorum shall consist of a majority of the members of the Board, excluding the vacancy. Any action required or permitted to be taken by the Board or any committee thereof may be taken without a meeting if all members of the Board or committee consent in writing to the adoption of a resolution authorizing the action. The resolution and written consents shall be filed with the minutes of the proceedings of the Board or committee.

**Section 3.10 COMMITTEES.** Whenever the Board shall consist of more than three persons, the Board may designate from their number, an executive committee and other standing committees. Such committees shall have such authority as the Board may delegate. In addition, the Board may establish special committees for any lawful purpose, which may have such powers as the Board may lawfully delegate.

## ARTICLE IV

### OFFICERS

**Section 4.1 OFFICERS.** The Officers of the Corporation shall be a President, a Secretary, and a Chief Financial Officer. The corporation may also have, at the discretion of the Board, an Executive Director of the Board, one (1) or more Vice Presidents, one (1) or more Assistant Secretaries, one (1) or more Assistant Treasurers, and such other Officers as may be appointed. Any number of offices may be held by the same person. All Officers must be members of the Corporation. Officers shall receive reasonable compensation for their services as determined by the Board of Directors and may directly or indirectly provide other services to the Collective and receive reasonable compensation therefor.

**Section 4.2 ELECTION.** The Officers of the Corporation, except such Officers as may be appointed in accordance with the provisions of Section 4.3 or Section 4.5 of this Article, shall be chosen annually by the Board, and each shall hold office until he or she shall resign or shall be removed or otherwise disqualified to serve, or a successor shall be elected and qualified.

**Section 4.3 SUBORDINATE OFFICERS, ETC.** The Board of Directors may appoint such other Officers as the business of the Corporation may require, each of whom shall hold office for such period, have such authority and perform such duties as are provided in the Bylaws or as the Board may from time to time determine.

### **Section 4.4 REMOVAL AND RESIGNATION OF OFFICERS.**

- (a) Subject to the rights, if any, of an Officer under any contract of employment, any Officer may be removed, either with or without cause, by the Board, at any regular or special meeting to the Board, or, except in case of an Officer chosen by the Board, by any Officer upon whom such power of removal may be conferred by the Board.
- (b) Any Officer may resign at any time by giving written notice to the Corporation. Any resignation shall take effect at the date of the receipt of that notice or at any later time specified in that notice; and, unless otherwise specified in that notice, the acceptance



of the resignation shall not be necessary to make it effective. Any resignation is without prejudice to the rights, if any, of the Corporation under any contract to which the Officer is a party.

**Section 4.5 EXECUTIVE DIRECTOR OF THE BOARD.** The Executive Director of the Board, if such an officer be elected, shall, if present, preside at meetings of the Board and exercise and perform such other powers and duties as may be from time to time assigned by the Board or prescribed by the Bylaws. In the event of a tie vote by the Board, the Executive Director of the Board's vote shall count as one and one half (1 ½ ) votes. If there is no President, the Executive Director of the Board shall in addition be the Chief Executive Officer of the Corporation and shall have the powers and duties prescribed in Section 4.6 of this Article.

**Section 4.6 PRESIDENT.** Subject to such supervisory powers, if any, as may be given by the Board to the Executive Director of the Board, if there be such an Officer, the President shall be the Chief Executive Officer of the Corporation and shall, subject to the control of the Board, have general supervision, direction and control of the business and Officers of the Corporation. He or she shall preside at all meetings of the Board. The President shall be ex officio a member of all the standing committees, including the Executive Committee, if any, and shall have the general powers and duties of management usually vested in the office of President of a corporation, and shall have such other powers and duties as may be prescribed by the Board or the Bylaws.

**Section 4.7 VICE PRESIDENT.** In the absence or disability of the President, the Vice President, if any, designated by the Board, shall perform all the duties of the President, and when so acting shall have all the powers of, and be subject to, all the restrictions upon, the President. The Vice President shall have such other powers and perform such other duties as from time to time may be prescribed for them respectively by the Board or the Bylaws.

**Section 4.8 SECRETARY.**

- (a) The Secretary shall keep, or cause to be kept, a book of minutes at the principal office or such other place as the Board may order, of all meetings of Directors with the time and place of holding, whether regular or special, and if special, how authorized, the notice thereof given, the names of those present at Directors' meetings and the proceeding thereof.
- (b) The Secretary shall keep, or cause to be kept, at the principal office, a Membership register, or duplicate Membership register, showing the names of the Members and their addresses; the date of the Membership, and all necessary information verifying the Member is a qualified patient or primary caregiver under California Law.
- (c) The Secretary shall give, or cause to be given, notice of all the meetings of the Board required by the Bylaws or by law to be given.

**Section 4.9 CHIEF FINANCIAL OFFICER.**

- (a) The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained in accordance with generally accepted accounting principles, adequate and correct accounts of the properties and financial transactions of the operation. The books of account shall at all reasonable times be open to inspection by any Director.
- (b) This Officer shall deposit all money and other valuables in the name and to the credit of the Corporation with such depositories as may be designated by the Board. He or she shall disburse the funds of the Corporation as may be ordered by the Board, shall render to the President and Directors, whenever they request it, an account of all of his or her transactions and of the financial condition of the Corporation, and shall have such other powers and perform such other duties as may be prescribed by the Board or the Bylaws.

**ARTICLE V**

**MEMBERS**

**Section 5.1 MEMBERSHIP AVAILABILITY.** Each Member shall be a resident of the State of California and a qualified medical cannabis patient or primary caregiver pursuant to California Health and Safety Code Sections 11362.5 and 11362.7, *et seq.* and shall execute a Membership Agreement in the form and content approved by the Board. Membership shall be contingent upon each Member's conformity with the terms and conditions of such Membership Agreement and each Member is deemed a general member of the corporation without any voting rights except as provided by California law.

**Section 5.2. PROOF OF ELIGIBILITY.** Each Member shall annually provide a Physician's recommendation, signed by the recommending Physician, or a valid identification card issued pursuant to the relevant California Health and Safety Code Sections, for the use of medical cannabis. Membership shall be contingent upon verification and said recommendation or identification card. Failure to provide such recommendation or identification card shall be grounds for denial of membership.

**Section 5.4 MEMBERSHIP IDENTIFICATION.** Each Member shall provide either a valid California Driver's license or a valid California Identification card.

**Section 5.5 PARTICIPATION OF MEMBERS.** Except as otherwise set forth in the Membership Agreement, all Members may actively participate in the operations of the Corporation by donating their time or services to the Corporation as needed.

**Section 5.6 TERMINATION OF MEMBERSHIP.** Membership eligibility shall terminate immediately upon the occurrence of any of the following: death, resignation, expulsion, expiration of term of membership, or dissolution of the Corporation.

## ARTICLE VI

### BOARD OF ADVISORS

**Section 6.1** The Board of Directors may appoint, from time to time, any number of persons as advisors to the Corporation, to act either singly or as a committee or committees. Each such advisor shall hold office at the pleasure of the Board, and shall have such authority and obligations as the Board may from time to time determine.

**Section 6.2** No such advisor of the Corporation shall receive any salary, compensation or emolument for any service rendered the Corporation, except that the Board of Directors may authorize reimbursements of expenditures reasonably incurred on behalf of activities for the benefit of the Corporation.

## ARTICLE VII

### RECORDS AND BYLAWS

**Section 7.1 RECORDS.** The Corporation shall maintain, in accordance with generally accepted accounting principles, adequate and correct accounts, books and records of its activities and properties. All of such books, records and accounts shall be kept at its principal executive office in the State of California, as fixed by the Board from time to time.

**Section 7.2 BYLAWS.** The original or a copy of these Bylaws, as amended or otherwise altered to date, shall be kept at the Corporation's principal executive office or as fixed by the Board from time to time.

## ARTICLE VIII

### AMENDMENTS TO BYLAWS

**Section 8.1.** These Bylaws may be adopted, amended or repealed, in whole or in part, by a vote of a majority of the Board at a meeting duly held at which a quorum is present.

## ARTICLE IX

### MISCELLANEOUS

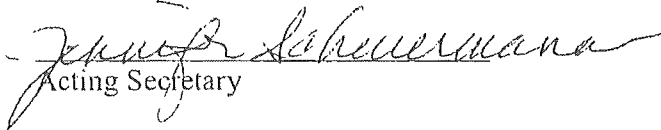
**Section 9.1 BANK ACCOUNTS.** The Board of Directors is authorized to select such depositories as it shall deem proper for the funds of the Corporation and shall determine who shall be authorized in the Corporation's behalf to sign bills, notes, receipts, acceptances, endorsements, checks, releases, contracts and documents.

**Section 9.2 INDEMNIFICATION AND LIABILITY.** To the full extent that California law (as it exists at such time) permits indemnification of directors and officers of a California nonprofit corporation, a Director or Officer of the Collective shall be indemnified by the Corporation against expenses incurred in connection with any act or omission in his or her capacity as an Officer or Director of the Corporation.

**Section 9.3 ACCOUNTING YEAR.** The fiscal year of the Corporation shall be the calendar year.

### CERTIFICATION

I, Jennifer Scheuermann, do hereby certify that I am the duly appointed, qualified and acting Secretary of the above-named Corporation, and that the foregoing is a true and correct copy of the Bylaws adopted on October 4, 2016 by a majority of the Board of Directors of the Corporation.

  
Acting Secretary

DISPLAY CONSPICUOUSLY AT PLACE OF BUSINESS FOR WHICH ISSUED

CALIFORNIA STATE BOARD OF EQUALIZATION

**SELLER'S PERMIT**



ACCOUNT NUMBER

02/14/2017 SR AA 103-042509

LONG BEACH CANNABIS CLUB  
5752 E 2ND ST  
LONG BEACH, CA 90803-5046

**NOTICE TO PERMITTEE:**  
*You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.*

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

*Not valid at any other address*

**For general tax questions, please call our Customer Service Center at 1-800-400-7115 (TTY:711).  
For information on your rights, contact the Taxpayers' Rights Advocate office at 1-888-324-2798 or 1-916-324-2798.**

BOE-442-R REV. 16 (11-14)

**A MESSAGE TO OUR NEW PERMIT HOLDER**

**As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:**

- Visiting our website at [www.boe.ca.gov](http://www.boe.ca.gov)
- Visiting a field office
- Attending a Basic Sales and Use Tax Law class offered at one of our field offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Customer Service Center at 1-800-400-7115 (TTY:711)

**As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. You also have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,**

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the California State Board of Equalization (BOE)
- You are responsible for following the regulations set forth by the BOE


As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a BOE representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a BOE office, or giving it to a BOE representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the BOE, please contact the Taxpayers' Rights Advocate office for help by calling toll-free, 1-888-324-2798 or 1-916-324-2798. Their fax number is 1-916-323-3319.

**Please post this permit at the address for which it was issued and at a location visible to your customers.**

CALIFORNIA STATE BOARD OF EQUALIZATION

Sales and Use Tax Department

 <p><b>Secretary of State</b> <b>Statement of Information</b> (California Nonprofit, Credit Union and General Cooperative Corporations)</p>	<b>SI-100</b>
	<p><b>IMPORTANT</b> — Read instructions before completing this form.</p> <p>Filing Fee — \$20.00;</p> <p>Copy Fees — First page \$1.00; each attachment page \$0.50; Certification Fee — \$5.00 plus copy fees</p>
<p>1. Corporation Name (Enter the exact name of the corporation as it is recorded with the California Secretary of State)</p> <p style="font-size: 2em; text-align: center;">Long Beach Cannabis Club</p>	

**FILED**  
Secretary of State  
State of California  
FEB 13 2017

376/370/20/11

This Space For Office Use Only

2. 7-Digit Secretary of State File Number

C3951626

3. Business Addresses

a. Street Address of California Principal Office, if any - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
4146 Del Mar Avenue	Long Beach	CA	90807
b. Mailing Address of Corporation, if different than item 3a	City (no abbreviations)	State	Zip Code

4. Officers The Corporation is required to enter the names and addresses of all three of the officers set forth below. An additional title for Chief Executive Officer or Chief Financial Officer may be added; however, the preprinted titles on this form must not be altered.

a. Chief Executive Officer	First Name	Middle Name	Last Name	Suffix	Address	City (no abbreviations)	State	Zip Code
	Jennifer		Scheuermann		4146 Del Mar Avenue	Long Beach	CA	90807
b. Secretary	First Name	Middle Name	Last Name	Suffix	Address	City (no abbreviations)	State	Zip Code
	Diego		Salazar		4146 Del Mar Avenue	Long Beach	CA	90807
c. Chief Financial Officer	First Name	Middle Name	Last Name	Suffix	Address	City (no abbreviations)	State	Zip Code
	Ray		Kuregian		4146 Del Mar Avenue	Long Beach	CA	90807

5. Service of Process (Must provide either Individual OR Corporation.)

**INDIVIDUAL** — Complete Items 5a and 5b only. Must include agent's full name and California street address.

a. California Agent's First Name (if agent is not a corporation)	Middle Name	Last Name	Suffix
Tim		Westen	
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box	City (no abbreviations)	State	Zip Code
3070 Bristol Street #560	Costa Mesa	CA	92626

**CORPORATION** — Complete Item 5c only. Only include the name of the registered agent Corporation.

c. California Registered Corporate Agent's Name (if agent is a corporation) — Do not complete Item 5a or 5b

6. Common Interest Developments

Check here if the corporation is an association formed to manage a common interest development under the Davis-Sterling Common Interest Development Act (California Civil Code section 4000, et seq.) or under the Commercial and Industrial Common Interest Development Act (California Civil Code section 6500, et seq.). The corporation must file a Statement by Common Interest Development Association (Form SI-CID) as required by California Civil Code sections 5405(a) and 6760(a). See Instructions.

7. The information contained herein, including in any attachments, is true and correct.

Date: 2/13/17     
 Type or Print Name of Person Completing the Form: Tim Westen     
 Title: Agent     
 Signature: [Signature]

State of California  
Secretary of State

CERTIFICATE OF STATUS

ENTITY NAME:

LONG BEACH CANNABIS CLUB

FILE NUMBER: C3951626  
FORMATION DATE: 10/04/2016  
TYPE: DOMESTIC NONPROFIT CORPORATION  
JURISDICTION: CALIFORNIA  
STATUS: ACTIVE (GOOD STANDING)

I, ALEX PADILLA, Secretary of State of the State of California,  
hereby certify:

The records of this office indicate the entity is authorized to  
exercise all of its powers, rights and privileges in the State of  
California.

No information is available from this office regarding the financial  
condition, business activities or practices of the entity.



IN WITNESS WHEREOF, I execute this certificate  
and affix the Great Seal of the State of  
California this day of February 14, 2017.

A handwritten signature in cursive script, appearing to read "Alex Padilla".

ALEX PADILLA  
Secretary of State



STATE OF CALIFORNIA  
FRANCHISE TAX BOARD  
PO BOX 942857  
SACRAMENTO CA 94257-0540

## Entity Status Letter

Date: 2/13/2017

ESL ID: 3800999619

According to our records, the following entity information is true and accurate as of the date of this letter.

Entity ID: 3951626

Entity Name: LONG BEACH CANNABIS CLUB

- 1. The entity is in good standing with the Franchise Tax Board.
- 2. The entity is **not** in good standing with the Franchise Tax Board.
- 3. The entity is currently exempt from tax under Revenue and Taxation Code (R&TC) Section 23701.
- 4. We do not have current information about the entity.

The above information does not necessarily reflect:

- The entity's status with any other agency of the State of California, or other government agency.
- If the entity's powers, rights, and privileges were suspended or forfeited at any time in the past, or the entity did business in California at a time when it was not qualified or not registered to do business in California:
  - The status or voidability of any contracts made in California by the entity at a time when the entity was suspended or forfeited (R&TC Sections 23304.1, 23304.5, 23305a, 23305.1).
  - For entities revived under R&TC Section 23305b, any time limitations on the revivor or limitation of the functions that can be performed by the entity.

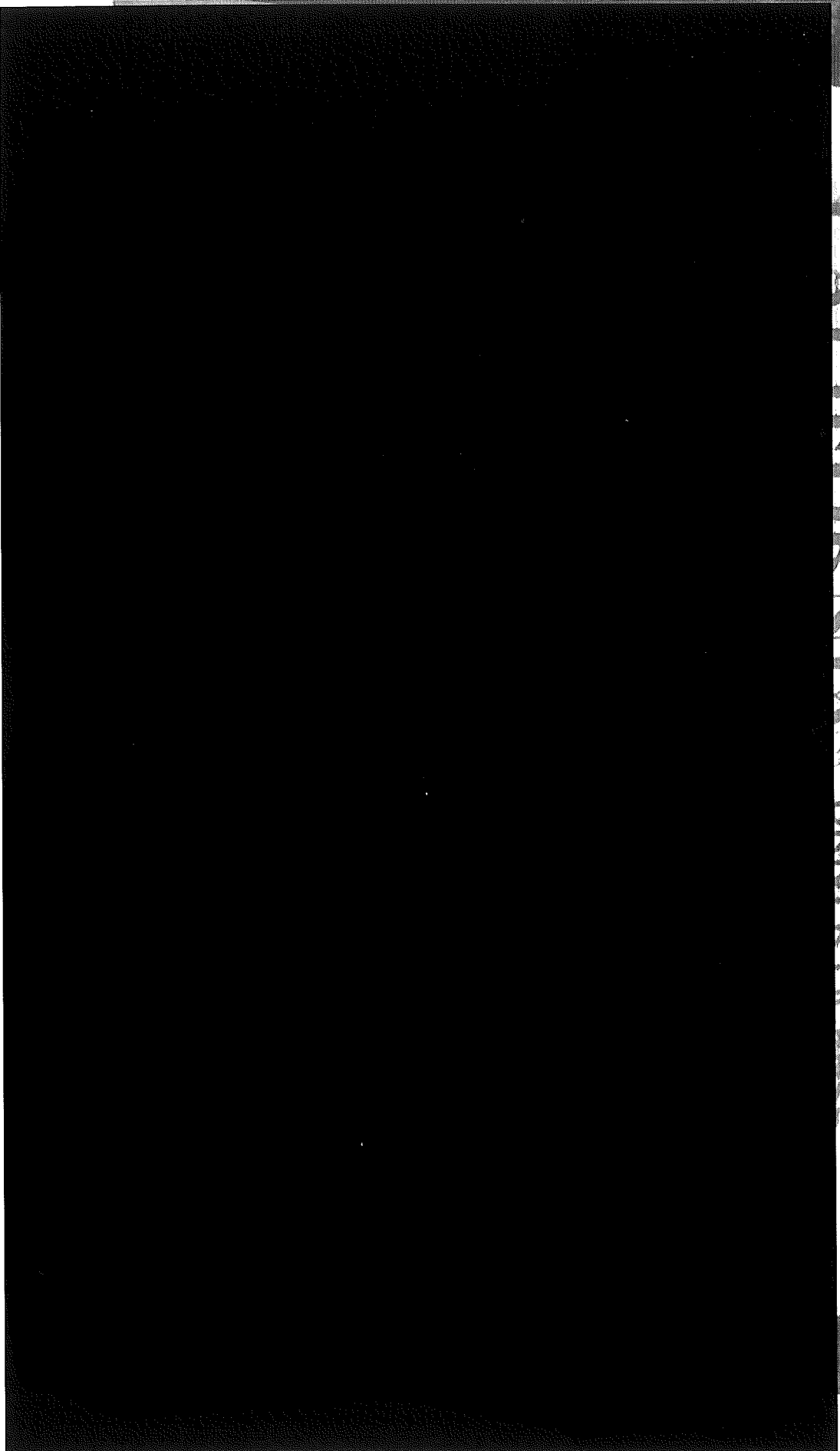
### Internet and Telephone Assistance

Website: [ftb.ca.gov](http://ftb.ca.gov)

Telephone: 800.852.5711 from within the United States  
916.845.6500 from outside the United States

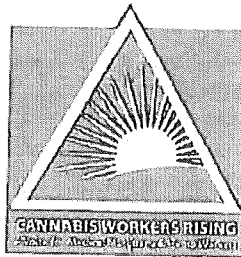
TTY/TDD: 800.822.6268 for persons with hearing or speech impairments





CALIFORNIA DRIVER LICENSE





### Neutrality and Card Check Agreement

Jennifer Schuler Mink ("the Employer") and the United Food and Commercial Workers Union ("the Union") hereby agree to the following terms:

1. **Neutrality and Non-Disparagement.** The Employer agrees to remain neutral. Neutrality means that the Employer and its agents will not oppose union representation or hinder union organizing efforts. The Union waives the right to strike or picket the Employer during the agreement. Additionally, neither party will act or communicate in a negative, derogatory, or demeaning way, or engage in any coercive conduct or delaying tactics that might interfere with the employees' right to choose union representation.
2. **Access.** In accordance with applicable law and regulations, accredited Union representatives will be allowed onto the Employer's premises during working hours to speak with employees during non-working time. The Employer will cooperate with the Union in making arrangements to permit these conversations to be held in areas where the employees will be able to speak to the Union representatives without monitoring by the Employer.
3. **Meeting.** At the Union's request, the Employer will conduct a meeting on a mutually agreeable date(s) and time(s) with all of its employees. At the meeting, the Employer will tell the employees that it is neutral, does not object to their talking to and supporting the Union, and will negotiate a collective bargaining agreement (CBA) with the Union if a majority of the covered employees designate the Union as their collective bargaining representative. Union representatives will attend the meeting and, after the Employer has introduced them and left the meeting, talk with the employees about the Union.
4. **Appropriate Bargaining Unit.** All current employees employed by the Employer in California who are eligible to join the unit under applicable law.
5. **Contact information.** At the Union's request, the Employer shall furnish to the Union the names, job classifications, home addresses, home telephone numbers and home email addresses, if known, of all the Employer's current full-time and regular part-time employees, consistent with applicable law and regulations.
6. **Recognition and Bargaining.** When a mutually agreed upon third party confirms that a majority of the bargaining unit has authorized the Union to represent them for the purpose of collective bargaining, the Employer will recognize the Union as the exclusive representative of its employees, provided that the Union may assign jurisdiction and representation rights to any of its affiliates. The Employer and the Union will comply with all requirements necessary to obtain certification of the Union as the exclusive bargaining representative of the employees. Within 20 days from the date of recognition, the parties will begin good faith bargaining for a CBA covering the employees.
7. **Arbitration.** The parties agree that final and binding arbitration will be the exclusive remedy for any alleged violations of this Agreement and any dispute or claim arising from or relating to the interpretation or

application of any provision of this Agreement. Unless they promptly agree on an arbitrator, the parties will proceed to expedited arbitration using the American Arbitration Association's rules and procedures. The arbitrator is authorized to compel the attendance of witnesses and the production of documents at the arbitration hearing, and to award appropriate monetary, injunctive and declaratory relief. The parties agree not to challenge the arbitrator's decision in court.

8. Successorship, affiliated companies and subcontractors. This agreement will be binding on the parties' successors and assigns, including all purchasers of the Employer's assets or business, and in the event of a merger. This agreement is also binding on any and all marijuana industry corporations, partnerships, organizations and sole proprietorships affiliated with or related to the Employer's business activities. If the Employer intends to subcontract any work performed by bargaining unit employees, the Employer agrees to require the subcontractor, in writing, to comply with this agreement.
9. Governing Law and Severability. The parties agree that their rights under this Agreement shall be exercised in accordance with the applicable state laws. Further, the parties agree that this Agreement and any CBA they may enter into will remain binding and valid regardless of whether the National Labor Relations Board asserts jurisdiction over the Employer's operations. In addition, the parties agree that if any provision of this Agreement is held illegal, void or invalid under any applicable law, it may be changed to make it legal, valid and binding, and that the remaining provisions of this Agreement will remain binding and enforceable according to their terms and the parties' intent.
10. Term of Agreement. This Agreement is effective upon signing, and shall continue for three years from the first date the Employer receives written notice from the Union that it is invoking this Agreement's process, or the date on which the Employer recognizes the Union as the collective bargaining representative of its employees, whichever occurs sooner. The Employer shall notify the Union in writing when it has hired its first three employees. This Agreement may be extended by mutual agreement of the parties.

Jennifer Schuerman  
For the Employer (print name)

Rick Eiden  
For the Union (print name)

Jennifer Schuerman  
Signature

Rick Eiden  
Signature

1-16-17  
Date

2-17-17  
Date

Long Beach Cannabis Club  
Employer/Company name

(714) 920-3414  
Phone

5750 E. 2nd Long Beach, CA 90803  
Address

Ext 2 477-4973  
Phone

# Google Maps 5752 E 2nd St



3951626

FILED  
Secretary of State  
State of California

100 OCT 04 2016 6

ARTICLES OF INCORPORATION  
OF  
LONG BEACH CANNABIS CLUB.

I

The name of the corporation is Long Beach Cannabis Club

II

The initial street and mailing address for the corporation is 4146  
Del Mar Ave, Long Beach, CA 90807.

III

This corporation is a NONPROFIT MUTUAL BENEFIT CORPORATION organized under the Nonprofit Mutual Benefit Corporation Law. The purpose of this corporation is to engage in any lawful act or activity, other than credit union business, for which a corporation may be organized under such law.

The specific purpose of this corporation is to collectively facilitate medical marijuana cultivation and transactions by and between qualified patient members of this corporation and/or primary caregiver members who have the oral or written approval or recommendation of a licensed physician, as permitted and authorized by the Compassionate Use Act of 1996 (Health and Safety Code section 11362.5, the Medical Marijuana-Program Act (Health and Safety Code sections 11362.7-11362.83) and the Medical Cannabis Regulation and Safety Act of 2015.

IV

The name and address in the State of California of this corporation's initial agent for service of process is:

PAUL H. VIOLAS, ESQ  
100 Oceangate, Suite 1200  
Long Beach, CA 90802

V

Notwithstanding any of the above statements of purposes and powers, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the specific purposes of this corporation

Dated: September 30, 2016

PAUL H. VIOLAS, ESQ.  
Incorporator



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard 7<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-6200 • Fax (562) 499-1097

May 31, 2017

Long Beach Cannabis Club  
4146 Del Mar Avenue  
Long Beach, CA 90807

MJ21701137

RE: **Medical Marijuana Dispensary Business License Application Denied**

Dear Applicant:

Thank you for submitting a Medical Marijuana Dispensary Business License Application with the City of Long Beach. We have reviewed your application and supplemental documents pursuant to Long Beach Municipal Code ("LBMC") Chapter 5.90, and found the proposed location violates the following buffer zones:

- 1,000 feet from a public or private school
- 1,000 feet from another medical marijuana dispensary
- 1,000 feet from a beach
- 600 feet from a public park
- 600 feet from a public library
- Area zoned exclusively for residential use

Due to this violation, your application has been **DENIED**. The Business License Department denied your application to operate a medical marijuana dispensary due to failure to comply with the location requirements pursuant to LBMC Section 5.90.030 and Section 5.90.060 (attached). Additional comments related to your denial can be found with Attachment A.

Should you wish to appeal the denial of your business license application to the Long Beach City Council you may do so by filing a notice of appeal with the Director of Financial Management within ten days from the date of mailing this letter per LBMC 3.80.421.6 (attached). The notice of appeal shall state the reason for the appeal and the grounds of such appeal. Please provide as much detailed information as possible with your appeal.

Please send the appeal to the address below along with a nonrefundable filing fee of \$1,270.

City of Long Beach  
Business Services Bureau  
Attn: Emily Armstrong  
333 W. Ocean Blvd., 7<sup>th</sup> Floor  
Long Beach, CA 90802

Should you have any questions please contact Emily Armstrong, Marijuana Program Specialist, at (562) 570-6649.

Sincerely,



Sandy Tsang-Palmer  
Purchasing and Business Services Manager

ATTACHMENTS

ATTACHMENT A

THE PROPOSED BUSINESS LOCATION IS WITHIN 1,000 FEET OF THE FOLLOWING BEACH:

MOTHER'S BEACH  
LONG BEACH, CA 90803

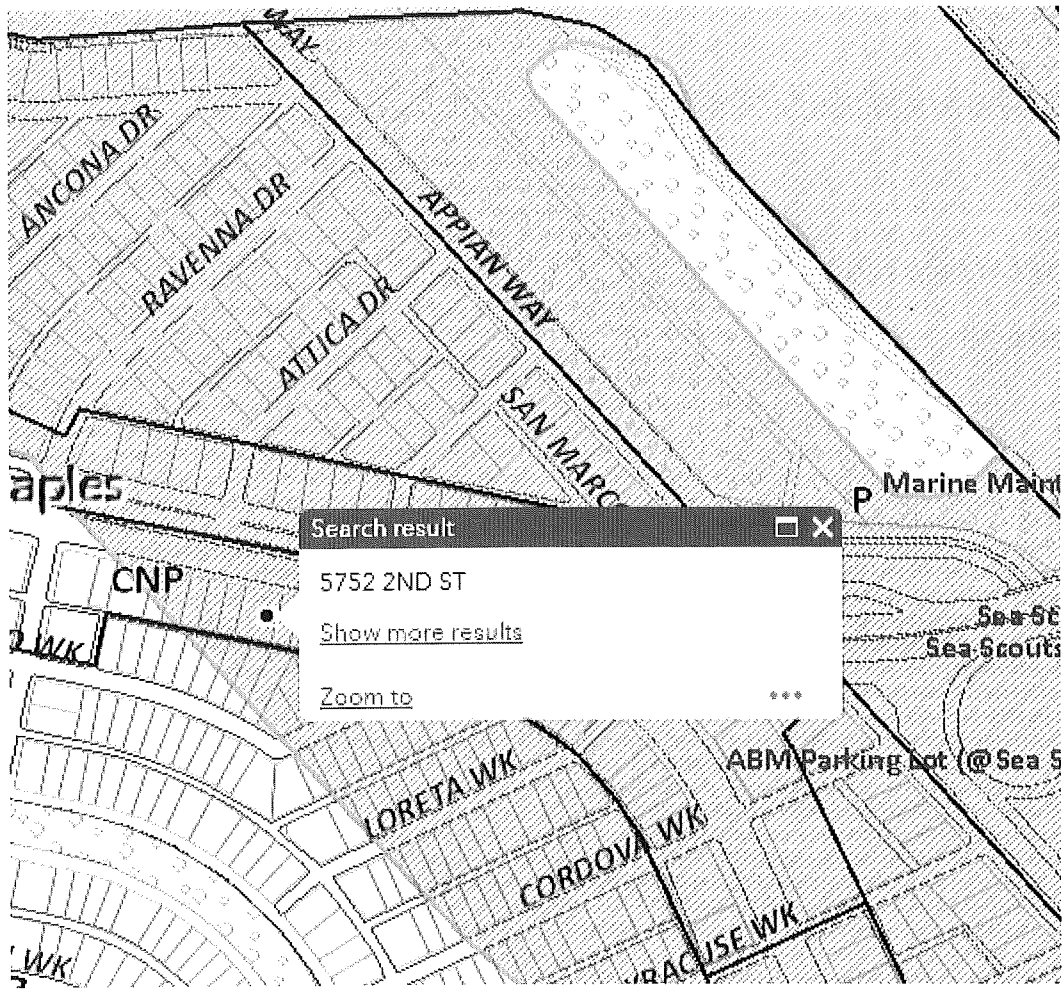
THE PROPOSED BUSINESS LOCATION IS WITHIN 600 FEET OF THE FOLLOWING PARKS:

MARINE PARK (MOTHER'S BEACH)  
LONG BEACH, CA 90803

NAPLES CANALS  
LONG BEACH, CA 90803







Search result □ ✕  
5752 2ND ST  
[Show more results](#)  
[Zoom to](#) ⋮

ANCONA DR

RAVENNA DR

ATTICA DR

APPIAN WAY

SAN MARG

CNP

LORETA WK

CORDOVA WK

TRACUSE WK

ABM Parking lot (@ Sea 5

Sea Scouts

Marine Mair

aples

WK

WK



Search result

5752 2ND ST

[Show more results](#)

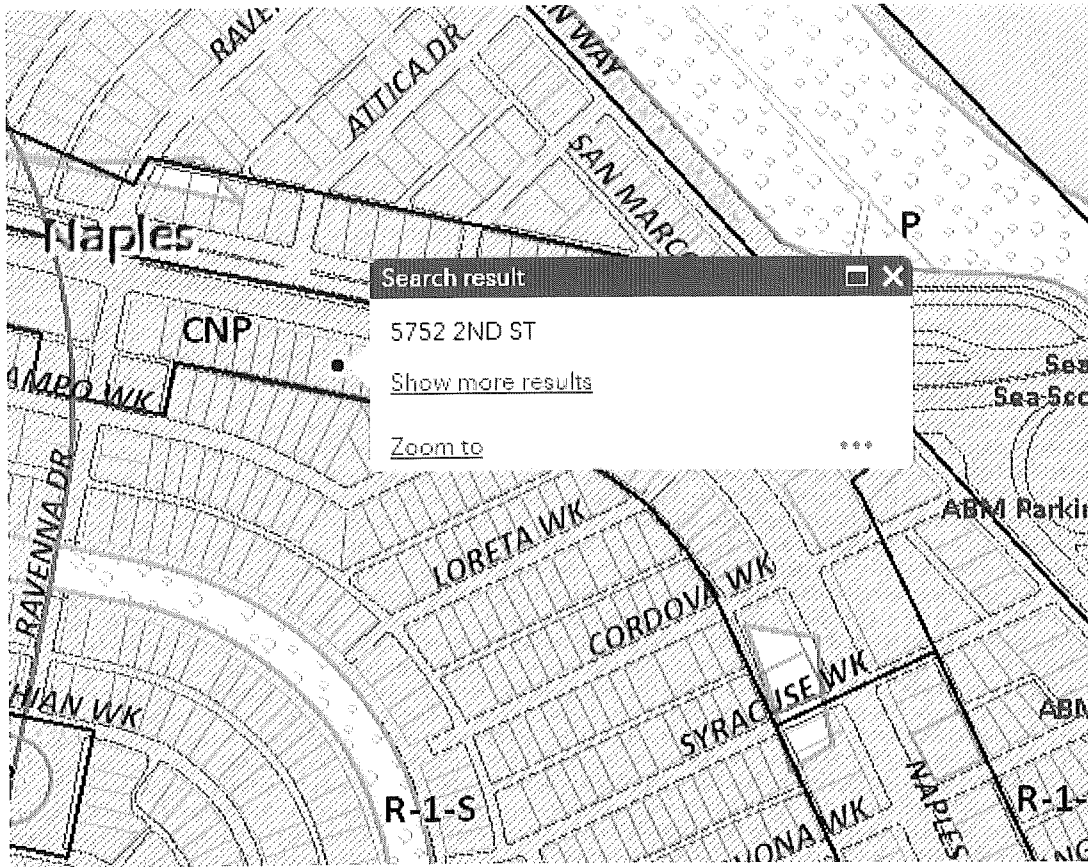
[Zoom to](#) \*\*\*

CNP

NAPLES P

R-1-S

CAMPO WK



Search result

5752 2ND ST

[Show more results](#)

[Zoom to](#) ...

### 3.80.421.6 - Appeals.

Any applicant for a business license whose application for such license has been denied by the Director of Financial Management may, within ten (10) days after such denial, appeal therefrom to the City Council by filing with the Director a notice of such appeal setting forth the decision and the grounds upon which he deems himself aggrieved thereby. The applicant shall pay to the Director at the time of filing the notice of appeal the fee set by resolution of the City Council for appeals hereunder. The Director shall thereupon make a written report to the City Council reflecting such determination denying the business license. The City Council at its next regular meeting following the filing of said appeal, or within ten (10) days following the filing thereof, shall set said appeal for hearing to be held not less than ten (10) days nor more than thirty (30) days thereafter and such hearing may for good cause be continued by the order of the City Council. Upon the hearing of the appeal the City Council may overrule or modify the decision of the Director appealed from and enter any such order or orders as are in harmony with this Title and such disposition of the appeal shall be final.

(Ord. C-6325 § 8, 1986; Ord. C-6259 § 1 (part), 1986)

### 5.90.030 MEDICAL MARIJUANA BUSINESS LICENSE PERMIT

Except as otherwise set forth in this Chapter, it shall be unlawful for any person or entity to operate, in or upon any property, a Medical Marijuana Business without first obtaining all required State licenses and a business license or permits issued by the City. Each State license type available in the MMRSA is eligible to apply for a City Business License Permit. Medical Marijuana Business shall be considered a personal service type business in the City of Long Beach (as defined in section 21.15.2020) with respect to issuing a Business License Permit and setting application and license fees. Until the regulatory implementation of the MMRSA, the Medical Marijuana Business license permits shall be issued without regard to the fact the State license has not been issued. Failure to timely obtain required State licenses or permits shall be grounds for suspension or revocation of any permit or license issued by the City. Upon the regulatory implementation of the MMRSA, unless otherwise set forth in this Chapter, no person shall engage in commercial cannabis activity or in the activities of a Medical Marijuana Business without possessing all applicable State licenses and all applicable City permits and licenses. Revocation of a State license shall constitute grounds for the City to suspend or revoke any permit or license issued by the City.

A Medical Marijuana Business that is operating in compliance with this Chapter and other State and local laws on or before January 1, 2018, may continue its operations until its application for State licensure is approved or denied by the licensing authority.

A Medical Marijuana Business must at all times maintain liability insurance having aggregate policy limits in an amount not less than \$1,000,000.

The City may impose an annual business license fee no greater than one hundred fifty (150) percent of the average business license fee the city charges for non-cannabis related personal service business. Failure to timely pay the annual business license fee shall be grounds for suspension or revocation of the business license. Applicants that previously paid an application fee pursuant to former Chapter 5.87 may, at the applicant's discretion, have any un-refunded fee applied as credit against any fees applicable under this section. All Medical Marijuana Businesses shall be subject to an annual regulatory inspection by the City to insure compliance with all of the applicable provisions of this Chapter and to confirm compliance with the business license permit issued by the City.

It shall be unlawful for the owner of a building to allow the use of any portion of a building by a Medical Marijuana Business unless the tenant has a valid business license permit, or has applied for and not been denied, a business license permit. Each owner of a building whose tenant is a Medical Marijuana Business License Permit applicant shall execute an acknowledgement that the Applicant has the owner's permission and consent to operate a Medical Marijuana Business at the subject property.

Each Medical Marijuana Business shall designate a Community Relations Liaison (hereinafter, the "Liaison"), who shall be at least twenty-one (21) years of age; and shall provide the Liaison's name to the City Manager. The Liaison shall receive all complaints received by the City Manager regarding the Medical Marijuana Dispensary, and make good faith attempts to promptly resolve all complaints. To address community complaints and concerns, the name and telephone number for the Liaison shall be made publicly available. Each Medical Marijuana Business Liaison is required to respond by phone or email within three (3) business days of contact by a city official concerning the Medical Marijuana Business. The name and contact information for Liaison of the medical marijuana business shall be conspicuously posted on the main entry doors to the business.

No pesticides or insecticides prohibited by federal, State, or local law for fertilization or production of edible produce may be used on any marijuana cultivated, produced or distributed by a Medical Marijuana Business. A Medical Marijuana Business shall comply with all applicable federal, State, and local laws regarding use and disposal of pesticides and fertilizers.

No Medical Marijuana Business may be operated in an area zoned exclusively for residential use, or be located within a one-thousand (1,000) foot radius of a public or private school (as defined in Health and Safety Code § 11362.768(h)) or public beach, or within a six hundred (600) foot radius of a public park or public library. The distances specified in this subdivision shall be determined by the horizontal distance measured in a straight line from the property line of the school, park or library to the closest property line of the lot on which the Medical Marijuana Business is located, without regard to intervening structures.

All Medical Marijuana and Medical Marijuana Product intended for disposal shall be made unusable and unrecognizable prior to removal from the business, in compliance with all applicable laws. No Medical Marijuana Business may have a drive through lane or drive up window and no Medical Marijuana may be dispensed from a drive through lane or drive up window. No marijuana may be smoked, eaten, or otherwise consumed or ingested within the Medical Marijuana Business. All cultivation, production, distribution, possession, storage, display, sales or other distribution of marijuana shall occur only within an enclosed area of a medical marijuana business and shall not be visible from the exterior of the business. Consultations by medical professionals shall not be permitted at a Medical Marijuana Business nor as a permitted accessory use at a medical marijuana business. Each Medical Marijuana Business shall have an odor-absorbing ventilation and exhaust system to ensure that odor generated inside the premises is not detected outside the premises. Windows and roof hatches at the Medical Marijuana Business shall be secured so as to prevent unauthorized entry.

This Chapter shall not interfere with an employer's rights and obligations to maintain a drug and alcohol free workplace or require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growth of cannabis in the workplace or affect the ability of employers to have policies prohibiting the use of cannabis by employees and prospective employees, or prevent employers from complying with local, State, or federal law.

## 5.90.060 MEDICAL MARIJUANA DISPENSARY OPERATING CONDITIONS AND RESTRICTIONS

Every person and entity operating as a Medical Marijuana Dispensary in the City shall comply with the following operating conditions and restrictions. No Medical Marijuana Dispensary may operate within the City of Long Beach without meeting the following conditions:

A Medical Marijuana Dispensary shall not be located within a one thousand (1,000) foot radius of any other Medical Marijuana Dispensary.

A sign shall be posted in a conspicuous location inside each Property advising: (a) It is a violation of State Law to engage in the sale of marijuana or the diversion of marijuana for non- medical purposes; (b) The use of marijuana may impair a person's ability to drive a motor vehicle or operate heavy machinery; (c) Loitering at the location of a Medical Marijuana Business for an illegal purpose is prohibited by Penal Code §647(h); (d) This Medical Marijuana Business is licensed in accordance with the laws of the City of Long Beach; (e) Your membership will be terminated if you engage in the illegal sale or diversion of Medical Marijuana.

Representative samples of Medical Marijuana distributed by the Business shall be analyzed by an independent laboratory to ensure that they are free of harmful pesticides and other contaminants regulated under local, state or federal law.

No person, other than a patient, caregiver, licensee, employee, or a contractor shall be in the medical marijuana dispensary room. No patient shall be allowed entry into the medical marijuana dispensary room without showing a valid State issued picture Driver's License or Identification. A Medical Marijuana Dispensary may distribute, dispense, deliver or transport medical marijuana only in accordance with this Chapter and State law.

The number of licensed and permitted Medical Marijuana Dispensaries shall be limited to not less than one (1) Medical Marijuana Dispensary business for every eighteen thousand (18,000) residents in the City of Long Beach or not more than one (1) Medical Marijuana Dispensary business for every fifteen thousand (15,000) residents in the City of Long Beach. The population of the city shall be based on the official census population estimate as periodically updated by the US Department of Commerce, United States Census Bureau. The City Council may increase the number of licensed and permitted medical marijuana dispensaries pursuant to this Chapter but may not reduce them below the thresholds set forth herein. The City Manager shall issue the maximum number of licenses permitted by this section unless otherwise directed by the City Council.

# R A L L O

LAW FIRM, P.C.

3070 Bristol Street, Suite 560  
Costa Mesa, California 92626  
Telephone: (714) 850-0690  
Facsimile: (714) 659-6491  
www.rallolawfirm.com

SUPPORTING STAFF:  
GINA LOVA  
SARA MC  
THIEN NGUYEN  
KATY VALLES

THOMAS C. RALLO†  
ARTHUR J. TRAVIESO†  
TIN KIM WESTEN†  
JENNIFER R. JOSLIN  
AMY L. BINGHAM  
LACEY LONDON

† PARTNER

June 8, 2016

Director of Financial Management  
City of Long Beach  
Business Services Bureau  
Attn: Emily Armstrong  
333 W. Ocean Blvd., 7<sup>th</sup> Floor  
Long Beach, CA 90802

**Via Hand Delivery and Email**

Emily.Armstrong@longbeach.gov

**Re: Notice of Appeal  
Long Beach Cannabis Club Application Denial  
Applicant: MJ21701137, Property: 5752 2<sup>nd</sup> Street**

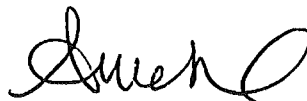
Dear Director of Financial Management,

This letter, along with its enclosures, shall serve as a **Notice of Appeal** on behalf of our client, Long Beach Cannabis Club. Enclosed are the reason and grounds for the appeal. Also enclosed is a check in the amount of \$1,270 for the nonrefundable filing fee of this appeal.

Please do not hesitate to contact the undersigned with any questions.

Very truly yours,

RALLO LAW FIRM, P.C.



TIN KIM WESTEN  
Attorney at Law

Enclosures

**Re: Notice of Appeal  
Long Beach Cannabis Club Application Denial  
Applicant: MJ21701137, Proposed Location: 5752 2<sup>nd</sup> Street**

**Reason for Appeal:** The City of Long Beach has denied Long Beach Cannabis Club's Medical Marijuana Dispensary Business License Application on the basis that the proposed location (5752 2<sup>nd</sup> Street) violates the following buffer zones: 1,000 feet from a beach and 600 feet from a public park. However, the reason for this appeal is that the proposed location not does not violate said buffer zones for the reasons discussed below.

**Grounds for Appeal:**

- **1,000 feet beach buffer zone:** The proposed location does not violate the 1,000 feet buffer zone because Mother's Beach is not designated as a beach. Rather, Mother's Beach is actually Marine Park. The longbeach.gov's website designates Mother's Beach as Marine Park, and the website further states that Marine Park is known as "Mother's Beach." See printout of longbeach.gov webpage attached hereto as Attachment "1." Even under the designation that Mother's Beach is Marine Park, the proposed location still meets the 600 feet park buffer zone requirement (see further discussion below.) Further, Attachment "A" to the City's denial of the application states: "Marine Park (Mother's Beach)." This further shows that Mother's Beach is Marine Park by indicating in parenthesis that Mother's Beach is actually Marine Park. Therefore, the proposed location does not violate the 1,000 feet beach buffer zone requirement because Mother's Beach is actually not a beach, but rather is a park.
- **600 feet park buffer zone:** The proposed location does not violate the 600 feet buffer zone from Marine Park because according to the method of measurement as designed by the LBMC of "horizontal distance measured in a straight line from the property line of the school, park or library to the closest property line of the lot on which the Medical Marijuana Business is located," (LBMC 5.90.030) the distance is actually over 600 feet. Based on this standard of measurement, the horizontal distance from Marine Park to the proposed location is approximately 670 feet as seen on Attachment "2" attached hereto. Therefore, the proposed location exceeds the 600 feet park buffer zone requirement.



- **Naples Canals:** Attachment "A" to the City's denial of the application states that the proposed location is within 600 feet of the following parks, and the "park" listed is "Naples Canals." Naples Canals is not designated as a park (or a beach), and further is not utilized as a park (or a beach). Further, canals are not listed under LBMC 5.90.030 as a restricted buffer zone. LBMC 5.90.030 only states that "[n]o Medical Marijuana Business may be operated in an area zoned exclusively for residential use, or be located within a one-thousand (1,000) foot radius of a public or private school (as defined in Health and Safety Code § 1136268(h)) or public beach, or within a six hundred (600) foot radius of a public park or public library." Therefore, the proposed location does not violate the 600 feet park buffer zone requirement with respect to Naples Canals because Naples Canals is not utilized as a park or designated as such.

**ATTACHMENT “1”**

# LONG BEACH



## PARKS, RECREATION AND MARINE

[Home](#) » [Park](#) » [Park And Facilities](#) » [Marine Park \(Mother's Beach\)](#)

### Marine Park (Mother's Beach)



Appian Way below 2nd St.  
(562) 570-3236  
(4.6 acres)

#### Information

Located in a beautiful marina setting, Marine Park has volleyball courts, a play area and picnic sites. Known as "Mother's Beach" for its gentle wave action, shallow swimming area and Lifeguard Supervision during peak periods. Marina Beach offers both a great beach for kids and a nearby grassy play area.

#### Amenities

Beach, Picnic Area, Play equipment, Volleyball Court.

**ATTACHMENT "2"**



Two Points on the ground

679.46

58.23 degrees

5750 E 2nd St

Naples

Google

mother's beach long beach, ca



All Maps Images Shopping News More

Settings Tools

View saved SafeSearch





SINCE 1828 MENU

# <sup>1</sup>beach

*noun* | \ 'bēch \

Popularity: Top 30% of words

Examples: BEACH in a Sentence ▼

## Definition of BEACH

- 1** : shore pebbles : SHINGLE
- 2** **a** : a shore of a body of water covered by sand, gravel, or larger rock fragments  
**b** : a seashore area

NEW!

First Known Use: circa 1535

SEE WORDS FROM THE SAME YEAR

See *beach* defined for English-language learners

See *beach* defined for kids

Read the Latest from M-W

### 5.90.030 - Medical marijuana business license permit.

Except as otherwise set forth in this Chapter, it shall be unlawful for any person or entity to operate, in or upon any property, a Medical Marijuana Business without first obtaining all required State licenses and a business license or permits issued by the City. Each State license type available in the MMRSA is eligible to apply for a City Business License Permit. Medical Marijuana Business shall be considered a personal service type business in the City of Long Beach (as defined in section 21.15.2020) with respect to issuing a Business License Permit and setting application and license fees. Until the regulatory implementation of the MMRSA, the Medical Marijuana Business license permits shall be issued without regard to the fact the State license has not been issued. Failure to timely obtain required State licenses or permits shall be grounds for suspension or revocation of any permit or license issued by the City. Upon the regulatory implementation of the MMRSA, unless otherwise set forth in this Chapter, no person shall engage in commercial cannabis activity or in the activities of a Medical Marijuana Business without possessing all applicable State licenses and all applicable City permits and licenses. Revocation of a State license shall constitute grounds for the City to suspend or revoke any permit or license issued by the City.

A Medical Marijuana Business that is operating in compliance with this Chapter and other State and local laws on or before January 1, 2018, may continue its operations until its application for State licensure is approved or denied by the licensing authority.

A Medical Marijuana Business must at all times maintain liability insurance having aggregate policy limits in an amount not less than one million dollars (\$1,000,000.00).

The City may impose an annual business license fee no greater than one hundred fifty percent (150%) of the average business license fee the city charges for non-cannabis related personal service business. Failure to timely pay the annual business license fee shall be grounds for suspension or revocation of the business license. Applicants that previously paid an application fee pursuant to former Chapter 5.87 may, at the applicant's discretion, have any un-refunded fee applied as credit against any fees applicable under this Section. All Medical Marijuana Businesses shall be subject to an annual regulatory inspection by the City to insure compliance with all of the applicable provisions of this Chapter and to confirm compliance with the business license permit issued by the City.

It shall be unlawful for the owner of a building to allow the use of any portion of a building by a Medical Marijuana Business unless the tenant has a valid business license permit, or has applied for and not been denied, a business license permit. Each owner of a building whose tenant is a Medical Marijuana Business License Permit applicant shall execute an acknowledgement that the Applicant has the owner's permission and consent to operate a Medical Marijuana Business at the subject property.

Each Medical Marijuana Business shall designate a Community Relations Liaison (hereinafter, the "Liaison"), who shall be at least twenty-one (21) years of age; and shall provide the Liaison's name to the City Manager. The Liaison shall receive all complaints received by the City Manager regarding the Medical Marijuana Dispensary, and make good faith attempts to promptly resolve all complaints. To address community complaints and concerns, the name and telephone number for the Liaison shall be made publicly available. Each Medical Marijuana Business Liaison is required to respond by phone or email within three (3) business days of contact by a city official concerning the Medical Marijuana Business. The name and contact information for Liaison of the medical marijuana business shall be conspicuously posted on the main entry doors to the business.



No pesticides or insecticides prohibited by federal, State, or local law for fertilization or production of edible produce may be used on any marijuana cultivated, produced or distributed by a Medical Marijuana Business. A Medical Marijuana Business shall comply with all applicable federal, State, and local laws regarding use and disposal of pesticides and fertilizers.

No Medical Marijuana Business may be operated in an area zoned exclusively for residential use, or be located within a one-thousand (1,000) foot radius of a public or private school (as defined in Health and Safety Code § 11362.768(h)) or public beach, or within a six hundred foot (600') radius of a public park or public library. The distances specified in this subdivision shall be determined by the horizontal distance measured in a straight line from the property line of the school, park or library to the closest property line of the lot on which the Medical Marijuana Business is located, without regard to intervening structures.

All Medical Marijuana and Medical Marijuana Products intended for disposal shall be made unusable and unrecognizable prior to removal from the business, in compliance with all applicable laws. No Medical Marijuana Business may have a drive-through lane or drive up window and no Medical Marijuana may be dispensed from a drive-through lane or drive up window. No marijuana may be smoked, eaten, or otherwise consumed or ingested within the Medical Marijuana Business. All cultivation, production, distribution, possession, storage, display, sales or other distribution of marijuana shall occur only within an enclosed area of a medical marijuana business and shall not be visible from the exterior of the business. Consultations by medical professionals shall not be permitted at a Medical Marijuana Business nor as a permitted accessory use at a medical marijuana business. Each Medical Marijuana Business shall have an odor-absorbing ventilation and exhaust system to ensure that odor generated inside the premises is not detected outside the premises. Windows and roof hatches at the Medical Marijuana Business shall be secured so as to prevent unauthorized entry.

This Chapter shall not interfere with an employer's rights and obligations to maintain a drug and alcohol free workplace or require an employer to permit or accommodate the use, consumption, possession, transfer, display, transportation, sale, or growth of cannabis in the workplace or affect the ability of employers to have policies prohibiting the use of cannabis by employees and prospective employees, or prevent employers from complying with local, State, or federal law.

( Measure MM § 4, 11-8-2016 )

### 3.80.421.5 - Application—Rejection.

In the event that a particular department of the City rejects an application for the reason that such business or the location at which it is proposed to conduct the same will not so comply with applicable laws and ordinances, the Director Of Financial Management shall not issue such license.

(Ord. C-6259 § 1 (part), 1986)

### 3.80.421.6 - Appeals.

Any applicant for a business license whose application for such license has been denied by the Director of Financial Management may, within ten (10) days after such denial, appeal therefrom to the City Council by filing with the Director a notice of such appeal setting forth the decision and the grounds upon which he deems himself aggrieved thereby. The applicant shall pay to the Director at the time of filing the notice of appeal the fee set by resolution of the City Council for appeals hereunder. The Director shall thereupon make a written report to the City Council reflecting such determination denying the business license. The City Council at its next regular meeting following the filing of said appeal, or within ten (10) days following the filing thereof, shall set said appeal for hearing to be held not less than ten (10) days nor more than thirty (30) days thereafter and such hearing may for good cause be continued by the order of the City Council. Upon the hearing of the appeal the City Council may overrule or modify the decision of the Director appealed from and enter any such order or orders as are in harmony with this Title and such disposition of the appeal shall be final.

(Ord. C-6325 § 8, 1986; Ord. C-6259 § 1 (part), 1986)

## CHAPTER 2.93 - CONDUCT OF HEARINGS

## 2.93.010 - Applicability.

This Chapter applies to the conduct of all hearings, appeals or investigations held by the City Council, the Planning Commission or the Board of Examiners, Appeals and Condemnation pursuant to this Code or any other applicable law where oral evidence or testimony is received and where personal or property rights are involved. This Chapter does not apply to and is not intended to infringe upon the right of a citizen to petition his government for redress. This Chapter applies to all City personnel who testify or present evidence in a hearing.

(Ord. C-5232 § 1 (part), 1976: prior code § 2780)

## 2.93.020 - Oath or affirmation.

## A.

All oral evidence or testimony shall be taken only on oath or affirmation. The presiding officer, the City Clerk or the Secretary of the respective Board or Commission may administer the oath. In a given case where many witnesses are expected to testify, the presiding officer has the discretion to have all prospective witnesses rise and be sworn at the same time at the outset of the proceedings.

## B.

The oath or affirmation may be administered as follows, the person who swears or affirms expressing his assent when addressed in the following form:

You do solemnly swear (or affirm, as the case may be), that the evidence you shall give in this issue (or matter), pending before this body, shall be the truth, the whole truth, and nothing but the truth, so help you God.

(Ord. C-5232 § 1 (part), 1976: prior code § 2780.1)

## 2.93.030 - Rules of evidence.

The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized at the hearing, and irrelevant and unduly repetitious evidence shall be excluded.

(Ord. C-5232 § 1 (part), 1976: prior code § 2780.2)

## 2.93.040 - Examination of witnesses.

In a contested proceeding each side shall have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses on any matter relevant to the issues; to impeach any witness and to rebut the evidence against him. The presiding officer has the discretionary authority to: limit the number of witnesses to testify for each side where their testimony would be cumulative or repetitive in nature; require each side to appoint one (1) spokesman for purposes of cross-examination; limit or curtail any abusive, argumentative, repetitive, or otherwise irrelevant cross-examination; and in conformance with other rules in this Code place reasonable time limits on the right to cross-examine and the presenting of evidence.

(Ord. C-5232 § 1 (part), 1976; prior code § 2780.3)

2.93.050 - Hearing procedure—City Council.

A.

Whenever it is provided that a hearing governed by this Chapter shall be heard by the City Council, the Council may, in its discretion, either conduct the hearing itself or appoint a Hearing Officer to conduct the hearing.

B.

If a Hearing Officer conducts a hearing the following procedures shall apply:

1.

Upon selection of a Hearing Officer, the City Clerk shall set the time and place for the hearing. Notice of hearing shall be sent to interested parties at least twenty (20) days before the hearing.

2.

Any party may be represented by counsel; the hearings shall be public and shall be conducted pursuant to the provisions of this Chapter; and the City Clerk shall provide necessary tape recordings as may be reasonably required by the Hearing Officer.

3.

The Hearing Officer shall determine the order of proceedings and shall afford all parties a reasonable opportunity to present any relevant evidence. If a party is absent, the Hearing Officer may proceed with the hearing in that party's absence if due notice was given and no explanation for the absence was given.

4.

Other than at the hearing, there shall be no direct communication between the parties and the Hearing Officer on any matter related to the hearing. All oral or written communication from the parties shall be directed to the City Clerk for transmittal to the Hearing Officer.

5.

The Hearing Officer shall render his decision not later than fifteen (15) days after the hearing is closed and shall immediately file a report with the City Council. At the request of the Hearing Officer, the City Council may extend this reporting period.

6.

The report shall be in writing and shall include findings of fact, a summary of the relevant evidence, a statement of the issues, a resolution of the credibility of witnesses where there is conflicting testimony and a recommended decision. A copy of the report shall be served on all parties.

7.

Upon receipt, the City Council shall set a time for a hearing to review and consider the report. Notice of hearing shall be sent to all interested parties at least ten (10) days before the hearing.

8.

After review of the Hearing Officer's report, the City Council may adopt, reject or modify the recommended decision. In its discretion, the City Council may take additional evidence at the hearing or refer the case to the Hearing Officer with instructions to consider additional evidence.

9.

Notice of the City Council's decision shall be served on all interested parties by the City Clerk and the decision takes effect upon such service. If notice is mailed, service is complete when mailed. Unless otherwise provided, this notice provision shall apply to all hearings including those not conducted by a Hearing Officer.

(Ord. C-6003 § 1, 1983)

2.93.060 - Hearing procedure on contractor's or vendor's nonresponsibility.

A.

The City finds that, in order to promote integrity in its contracting processes and to protect the public interest, it shall be the City's policy to conduct business only with responsible contractors and vendors. Notwithstanding anything to the contrary in this Code, the provisions of this Section shall apply to a determination of the nonresponsibility of a contractor or vendor.

B.

Prior to awarding a contract, the City may determine that a contractor or vendor submitting a bid is nonresponsible for purposes of that bid. Before a determination of nonresponsibility is made there shall be a hearing by the Hearing Officer in accordance with the procedures stated in this Section.

C.

The City Manager or designee shall act as Hearing Officer and shall conduct the hearing. Where the Board of Water Commissioners is the awarding authority, the Hearing Officer shall be the General Manager of the Water Department or designee.

At least fourteen (14) days prior to the hearing before the Hearing Officer, the Hearing Officer shall give written notice to the contractor or vendor which notice shall contain the evidence to be presented by the City relating to the issue of nonresponsibility and the date, time and location of the hearing.

D.

At the hearing, the contractor and/or the contractor's attorney or the vendor and/or the vendor's attorney may submit documentary evidence and present witnesses. The City will submit into the record the evidence previously provided to the contractor or vendor and may present witnesses and offer rebuttal evidence. A recording of the hearing may be made at the option of the City or the contractor or vendor. The Hearing Officer will decide the order of proceeding and any time limits on the presentation of evidence and witnesses. If the contractor or vendor or their attorney does not appear at the hearing, the Hearing Officer may proceed if proper notice to the contractor or vendor was given. Other than at the hearing, there shall not be any direct communication between the contractor or vendor or anyone acting on the contractor's or vendor's behalf and the Hearing Officer. All other communications to the Hearing Officer shall be in writing and shall be submitted to the City Clerk at least one (1) day prior to the date of the hearing, for delivery to the Hearing Officer.

E.

After the hearing, the Hearing Officer will promptly prepare a decision on the issue of nonresponsibility and deliver it to the contractor or vendor and to the City Attorney. The decision will state the basis for the determination of nonresponsibility or responsibility. The determination shall be based on the fitness and capacity of the contractor or vendor to satisfactorily perform the obligations of the contract, whether or not the contractor or vendor is qualified to perform those obligations, whether or not the contractor or vendor is trustworthy, and such other bases as may be relevant. The Hearing Officer may consider, among other things:

(1)

Any act or omission or pattern or practice of acts or omissions that negatively reflect on the contractor's or vendor's quality, fitness or capacity to perform;

(2)

Any act or omission that indicates a lack of integrity or honesty;

(3)

The making of a false claim against the City or any other public entity or engaging in collusion;

(4)

The contractor's or vendor's financial capability to perform;

(5)

The contractor's or vendor's experience with its sureties and insurance companies;

(6)

The contractor's or vendor's ability to perform on time and on budget, either in the present or as performed in the past;

(7)

Whether or not contractor or vendor has performed satisfactorily in the past on its contracts with the City or any other public entity, including, but not limited to, whether or not contractor or vendor has been in default under a contract with the City or any other public entity;

(8)

The contractor's or vendor's safety record;

(9)

The contractor's or vendor's history of claims, litigation, and termination or disqualification on public projects; and

(10)

Contractor's or vendor's contract management skills, including, but not limited to, the use of scheduling tools, submission of schedules, compliance with prevailing wage rates, and certification of accurate payroll documents.

F.

The City Clerk shall mail a copy of the decision to the contractor or vendor. The contractor or vendor shall have five (5) days to file a notice of appeal with the City Clerk. On receipt of such notice, the City Clerk shall set a time for a hearing on the appeal before the City Council and shall send written notice of the time of the appeal hearing to the contractor or vendor at least five (5) days prior to the hearing. The City Clerk shall set the time for the appeal hearing within fourteen (14) days after the City receives the notice of appeal but no sooner than five (5) days after the date shown on the notice to the contractor or vendor of the time of the appeal hearing. The City Clerk shall simultaneously send a copy of the decision of the Hearing Officer to the City Council.

If the Board of Water Commissioners is the awarding authority, the City Clerk shall immediately forward the notice of appeal to the General Manager of the Water Department who shall set the time for a hearing of the appeal before the Board of Water Commissioners and shall send written notice of the time of the appeal hearing to the contractor or vendor at least five (5) days prior to the hearing. The General Manager shall set the time for the appeal hearing on the date of the first meeting of the Board of Water Commissioners held after the General Manager receives the notice of appeal but which time is, nevertheless, at least five (5) days after the date shown on the notice to the contractor or vendor of the time of the appeal hearing. The General Manager shall simultaneously send a copy of the decision of the Hearing Officer to the Board of Water Commissioners.

G.

No new evidence or testimony may be presented by either the City or the contractor or vendor at the appeal hearing. The City Council or the Board of Water Commissioners, in its discretion, may limit the time allotted for an oral presentation by both the City and the contractor or vendor. At the conclusion of the appeal hearing, the City Council or the Board of Water Commissioners shall receive

the decision of the Hearing Officer and either adopt the decision of the Hearing Officer or make its own finding on the issue of nonresponsibility for the purposes of the particular contract, and the City Clerk shall send a certified copy of the minute entry to the contractor or vendor with respect to decision of the City Council or the Secretary to the General Manager of the Water Department shall send a certified copy of the order of the Board to the contractor or vendor. Service of the minute entry or order shall be deemed made when it is deposited in the mail.

H.

The decision by the City Council or the Board of Water Commissioners on appeal to find a contractor or vendor nonresponsible for a particular contract is solely within the discretion of the body acting on behalf of the City.

(Ord. C-7805 § 1, 2002)

2.93.070 - Hearing procedure on contractor's or vendor's debarment.

A.

Notwithstanding anything to the contrary in this Code, the provisions of this Section shall apply to the debarment of a contractor or vendor.

B.

The City may debar a contractor or vendor from submitting bids on future contracts even if that contractor or vendor has an existing contract with the City at the time a decision is made to debar the contractor or vendor from future bids. "Debarment" means that a contractor or vendor is prohibited from submitting a bid, from receiving a contract award, and from receiving a purchase order from the City.

C.

Before a contractor or vendor is debarred there shall be a hearing by the Hearing Officer in accordance with the procedures stated in this Section.

D.

The City Manager or designee shall act as Hearing Officer and shall conduct the hearing. Where the Board of Water Commissioners is the awarding authority, the Hearing Officer shall be the General Manager of the Water Department or designee.

At least fourteen (14) days prior to the hearing before the Hearing Officer, the Hearing Officer shall give written notice to the contractor or vendor which notice shall contain the evidence to be presented by the City relating to the issue of debarment and the date, time and location of the hearing.

E.

At the hearing, the contractor and/or the contractor's attorney or the vendor and/or the vendor's Attorney may submit documentary evidence and present witnesses. The City will submit into the record the evidence previously provided to the contractor or vendor and may present witnesses and offer rebuttal evidence. A recording of the hearing may be made at the option of the City or the



contractor or vendor. The Hearing Officer will decide the order of proceeding and any time limits on the presentation of evidence and witnesses. If the contractor or vendor or their Attorney does not appear at the hearing, the Hearing Officer may proceed if proper notice to the contractor or vendor was given. Other than at the hearing, there shall not be any direct communication between the contractor or vendor or anyone acting on the contractor's or vendor's behalf and the Hearing Officer. All other communications to the Hearing Officer shall be in writing and shall be submitted to the City Clerk at least one (1) day prior to the date of the hearing, for delivery to the Hearing Officer.

F.

After the hearing, the Hearing Officer will promptly prepare a decision containing a determination to debar or not and deliver it to the contractor or vendor and to the City Attorney. The decision will state the basis for the determination on debarment. The determination shall be based on the fitness and capacity of the contractor or vendor to satisfactorily perform the obligations of the contract, whether or not the contractor or vendor is qualified to perform those obligations, whether or not the contractor or vendor is trustworthy, and such bases as may be relevant. The Hearing Officer may consider, among other things:

(1)

Whether or not the contractor or vendor has previously been found to be nonresponsible;

(2)

The commission by the contractor or vendor of any act or omission or pattern or practice of acts or omissions that negatively reflects on the contractor's or vendor's quality, fitness or capacity to perform;

(3)

The commission of any act or an omission that indicates a lack of integrity or honesty;

(4)

The making of a false claim against the City or any other public entity or engaging in collusion;

(5)

The contractor's or vendor's financial capability to perform;

(6)

The contractor's or vendor's experience with its sureties and insurance companies;

(7)

The contractor's or vendor's ability to perform on time and on budget, either in the present or as performed in the past;

(8)

Whether or not contractor or vendor has performed satisfactorily in the past on its contracts with the City or any other public entity, including, but not limited to, whether or not contractor or vendor has been in default under a contract with the City or any other public entity;

(9)

The contractor's or vendor's safety record;

(10)

The contractor's or vendor's history of claims, litigation, and termination or disqualification on public projects; and

(11)

Contractor's or vendor's contract management skills, including, but not limited to, use of scheduling tools, submission of schedules, compliance with prevailing wage rates, and certification of accurate payroll documents.

G.

The City Clerk shall mail a copy of the decision to the contractor or vendor. The contractor or vendor shall have five (5) days to file a notice of appeal with the City Clerk. On receipt of such notice, the City Clerk shall set a time for a hearing on the appeal before the City Council and shall send written notice of the time of the appeal hearing to the contractor or vendor at least five (5) days prior to the hearing. The City Clerk shall set the time for the appeal hearing within fourteen (14) days after the City receives the notice of appeal but no sooner than five (5) days after the date shown on the notice to contractor or vendor of the time of the appeal hearing. The City Clerk shall simultaneously send a copy of the decision of the Hearing Officer to the City Council.

If the Board of Water Commissioners, the City Clerk shall immediately forward the notice of appeal to the General Manager of the Water Department who shall set the time for a hearing of the appeal before the Board of Water Commissioners and shall send written notice of the time of the appeal hearing to the contractor or vendor at least five (5) days prior to the hearing. The General Manager shall set the time for the appeal hearing on the date of the first meeting of the Board of Water Commissioners held after the General Manager receives the notice of appeal but which time is, nevertheless, at least five (5) days after the date shown on the notice to the contractor or vendor of the time of the appeal hearing. The General Manager shall simultaneously send a copy of the decision of the Hearing Officer to the Board of Water Commissioners.

H.

No new evidence or testimony may be presented by either the City or the contractor or vendor at the appeal hearing. The City Council or the Board of Water Commissioners, in its discretion, may limit the time allotted for an oral presentation by both the City and the contractor or vendor. At the conclusion of the appeal hearing, the City Council or the Board of Water Commissioners shall receive the decision of the Hearing Officer and either adopt the decision of the Hearing Officer or make its own finding on the issue of nonresponsibility for the purposes of the particular contract, and the City Clerk shall send a certified copy of the minute entry to the contractor or vendor with respect to decision of the City Council or the Secretary to the General Manager of the Water Department shall

send a certified copy of the order of the Board to the contractor or vendor. Service of the minute entry or order shall be deemed made when it is deposited in the mail.

I.

The decision by the City Council or the Board of Water Commissioners on appeal to debar a contractor or vendor is solely within the discretion of that body acting on behalf of the City. The City Council or Board of Water Commissioners shall determine the length of time that the contractor or vendor is debarred, which time period may not exceed three (3) years.

(Ord. C-7805 § 2, 2002)

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9 Attorneys for Appellant, LONG BEACH CANNABIS CLUB

10  
11 **BEFORE THE ADMINISTRATIVE HEARING OFFICER**

12 **FOR THE CITY OF LONG BEACH, CALIFORNIA**

13 **SANTA ANA CANNABIS ASSOCIATION**

14 Appellant,

15 v.

16 **CITY OF LONG BEACH,**

17 Respondent.

18 ) LONG BEACH CANNABIS CLUB'S FINAL  
19 ) BRIEF RE: APPEAL OF DENIAL OF  
20 ) APPLICATION FOR MEDICAL  
21 ) MARIJUANA BUSINESS LICENSE

22 **TO THE CLERK OF THE CITY OF LONG BEACH, THE CITY OF LONG BEACH,**  
23 **AND THE ADMINISTRATIVE HEARING OFFICER:**

24 Appellant LONG BEACH CANNABIS CLUB ("Appellant") hereby submits its final  
25 brief as follows:

26 ///

27 ///

28 ///

1 **1. APPELLANT'S PROPOSED LOCATION EXCEEDS THE 600 FEET PARK**  
2 **BUFFER**

3 **a. The Location Exceeds the 600 Feet Park Buffer for Marine Park**

4 Appellant's proposed location is located at 5752 2<sup>nd</sup> Street, Long Beach, California  
5 ("Location"). The Location does not violate the 600 feet buffer zone from Marine Park because  
6 according to the method of measurement as designed by the LBMC of "horizontal distance  
7 measured in a straight line from the property line of the school, park or library to the closest  
8 property line of the lot on which the Medical Marijuana Business is located," (LBMC 5.90.030)  
9 the distance is actually over 600 feet. Further, Appellant presented evidence at the  
10 administrative hearing in its Exhibit 2 that the measurement performed by a surveyor between  
11 the Location and Marine Park exceeded 600 feet.  
12

13  
14 Further, at the administrative hearing on August 14, 2017, the City of Long Beach  
15 ("City") conceded that Appellant's Property exceeded the 600 feet buffer for the Location's  
16 proximity to Marine Park. Therefore, the proposed location exceeds the 600 feet park buffer  
17 zone requirement.  
18

19 **b. "Mother's Beach" is Not Applicable as a "Beach" Buffer**

20 The City asserts that the Location is not within the 1,000 feet beach buffer due to the  
21 Location's proximity to Mother's Beach. At the administrative hearing, the City asserted that  
22 the City doesn't have a beach zoning, but that all beaches are considered parks. Even in light of  
23 such assertion, in LBMC 5.90, the definition of "park" within that ordinance did not specifically  
24 state that the definition of park includes beach (see Joint Exhibit 1). The "park" definition  
25 within LBMC 5.90 states that "Park" or "Public Park" shall mean publicly owned natural or  
26 open areas set aside for active public use for recreational, cultural or community service  
27 activities." Under this definition, a park clearly applies, but it would be a far stretch to include  
28

1 beach as applicable to this definition. In every way shape or form, as discussed herein,  
2 Mother's Beach really is Marine Park, and Mother's Beach is even zoned as a park under the  
3 City's zoning classification.

4  
5 The proposed location does not violate the 1,000 feet buffer zone because Mother's  
6 Beach is not designated as a beach. Rather, Mother's Beach is actually Marine Park. The  
7 longbeach.gov's website designates Mother's Beach as Marine Park, and the website further  
8 states that Marine Park is known as "Mother's Beach" (See Appellant's Exhibit 1). Further,  
9 "Mother's Beach" is listed under the "Parks and Facilities" tab of the longbeach.gov's website.  
10 This clearly shows that the City of Long Beach recognizes that "Mother's Beach" is actually  
11 Marine Park.

12  
13 Further, LBMC 5.90 does not have a definition for "beach," but contains a beach buffer,  
14 which does not specify the measurement requirement for beach. Long Beach Municipal Code  
15 Section 5.90.030 states in relevant part that: "No Medical Marijuana Business may be operated  
16 in an area zoned exclusively for residential use, or be located within a one-thousand (1,000) foot  
17 radius of a public or private school (as defined in Health and Safety Code § 11362.768(h)) or  
18 public beach, or within a six hundred foot (600') radius of a public park or public library. The  
19 distances specified in this subdivision shall be determined by the horizontal distance measured  
20 in a straight line from the property line of the school, park or library to the closest property line  
21 of the lot on which the Medical Marijuana Business is located, without regard to intervening  
22 structures."

23  
24  
25 As such, the Long Beach Municipal Code does not provide for specifications as to how  
26 to measure the distance between the Medical Marijuana Business and the beach. For example,  
27 does the property line for the beach start at the sand or the water line? Without such  
28

1 designation, the Long Beach Municipal Code is vague and ambiguous as to how the  
2 measurement is to be taken. Further, at the administrative hearing, the City was unable to  
3 provide at what point should the measurement at the beach property line be taken.  
4

5 As such, LBMC 5.90 is clearly vague and ambiguous. Further, the City's witness,  
6 Alexis Oropeza, even admits at the administrative hearing that the terms park and beach are  
7 interchangeable. The City asserts that since LBMC 5.90 is a citizen's ordinance, the definitions  
8 are applied. However, the issue is that LBMC 5.90 has both beach and park buffers, but only  
9 defines park. In this case, there should be strict construction of the ordinance and here, the  
10 Mother's Beach buffer is actually inapplicable for the reasons stated herein. In addition, since  
11 the definition for beach is not stated in LBMC 5.90, applicants have no way of determining  
12 what is designated as a beach, and also does not have the ability to measure the beach buffer, as  
13 LBMC 5.90 is also silent on how to measure the beach buffer requirement. Further, under the  
14 City's Exhibit 7, the "P" designation includes park and beach.  
15  
16

17 Lastly, the buffer map applicable to LBMC 5.90 provided by the City does not show a  
18 1000 feet beach buffer for Mother's Beach (see [http://www.longbeach.gov/finance/media-](http://www.longbeach.gov/finance/media-library/documents/business-info/business-licenses/marijuana-applications/marijuana-dispensary-buffer-map/)  
19 [library/documents/business-info/business-licenses/marijuana-applications/marijuana-](http://www.longbeach.gov/finance/media-library/documents/business-info/business-licenses/marijuana-applications/marijuana-dispensary-buffer-map/)  
20 [dispensary-buffer-map/](http://www.longbeach.gov/finance/media-library/documents/business-info/business-licenses/marijuana-applications/marijuana-dispensary-buffer-map/)). As such, even under the buffer map specifically prepared for medical  
21 marijuana applicants, Mother's Beach not designated as a beach because it does not have a  
22 beach buffer.  
23

24 **2. NAPLES CANALS IS NOT A PARK**

25 The City asserts that Naples Canals is a "park" and under such designation, the Location  
26 does not meet the 600 feet park buffer. However, the City failed to present qualifying evidence  
27 that Naples Canals is a park or that it even falls under the definition of a park under Long Beach  
28

1 Municipal Code (“LBMC”) 5.90. First, Naples Canals is not designated as a park, and further is  
2 not utilized as a park. Second, canals are not listed under LBMC 5.90.030 as a restricted buffer  
3 zone. LBMC 5.90.030 only states that “[n]o Medical Marijuana Business may be operated in  
4 an area zoned exclusively for residential use, or be located within a one-thousand (1,000) foot  
5 radius of a public or private school (as defined in Health and Safety Code § 1136268(h)) or  
6 public beach, or within a six hundred (600) foot radius of a public park or public library.”

7  
8 Therefore, the proposed location does not violate the 600 feet park buffer zone requirement with  
9 respect to Naples Canals because Naples Canals is not utilized as a park, zoned as a park or  
10 designated as such.  
11

12 In the City’s Exhibit 1 under Table 35-2 for “Park Dedications/Designation,” Naples  
13 Canals is not even listed on the table as being a “park.” As such, even under the City’s  
14 designations, Naples Canals is clearly not a park. Further, the City produced four witnesses and  
15 none of whom was able to provide any substantiating evidence that Naples Canals is a park.  
16

17 Most importantly, at the administrative hearing, when initially inquired to by the  
18 Hearing Officer, the City did not know the distance between Naples Canals and the Location. If  
19 the City did not know the distance between Naples Canals and the Location, how is it that the  
20 City denied Appellant’s application based on the buffer requirement for Naples Canals? Based  
21 on the foregoing, Naples Canals is inapplicable as a buffer zone. The City’s attempt to now  
22 label Naples Canals as a park is arbitrary.  
23

24 **3. CONCLUSION**

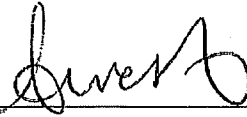
25 Based on the foregoing, Appellant’s Location exceeds the 600 buffer for Marine Park  
26 and Naples Canals is not a park. Further, Mother’s Beach is actually Marine Park as LBMC  
27 5.90 does not define beach or the measuring requirement for beaches. As such, strict  
28



1 construction must be applied and at this juncture, the hearing officer's duty is to strictly apply  
2 the current terms and definitions, and doing otherwise would usurp the judicial role left for the  
3 courts. The hearing officer's duty is that to determine the facts presented without looking  
4 outside of the statute or seek to determine legislative intent. Such determination is left to be  
5 judicially adjudicated.  
6

7 Dated: August 18, 2017

**RALLO LAW FIRM, P.C.**

8  
9 

10 \_\_\_\_\_  
11 Arthur J. Travieso, Esq.  
12 Tin Kim Westen, Esq.  
13 Attorneys for Appellant,  
14 LONG BEACH CANNABIS CLUB  
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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF ORANGE

3 I am employed in the County of Orange, State of California. I am over the age of 18  
4 and not a party to the within action. My business address is 3070 Bristol Street, Suite 560,  
Costa Mesa, CA 92626.

5 On August 18, 2017, I served the within document described as

6 **LONG BEACH CANNABIS CLUB'S FINAL BRIEF RE: APPEAL OF DENIAL OF**  
7 **APPLICATION FOR MEDICAL MARIJUANA BUSINESS LICENSE**

8 on all interested parties in this action in the following manner:

9 X **BY PERSONAL SERVICE:** I caused such envelope by hand to the office of the  
addressee(s) set forth below.

10 X **E-MAIL:** I emailed said document(s) to the e-mail address(es) below.

11        **BY U.S. MAIL:** I am readily familiar with the firm's practice of collection and processing  
12 correspondence for mailing. Under that practice, it would be deposited with the US  
13 Postal Service on that same day with postage thereon fully prepaid at Costa Mesa,  
14 California in the ordinary course of business. I am aware that on motion of the party  
served, service is presumed invalid if postal cancellation date or postage meter date  
is more than one day after the deposit for mailing listed on the affidavit. Said  
documents were mailed to the following:

15        **BY CERTIFIED MAIL:** By mailing to address outside of California (by registered or  
16 certified mail with return receipt requested) copies to the person served as indicated  
below.

17        **BY FACSIMILE:** On \_\_\_\_\_, I caused said documents to be  
18 transmitted from a facsimile transmission whose telephone number is **(714) 659-6491**  
19 to **[all parties as listed below]**. The above-described transmission was reported as  
20 complete without error by a transmission report issued by the facsimile transmission  
machine upon which the said transmission was made immediately following the  
transmission. A true and correct copy of the said transmission report is available for  
inspection upon request.

21 Clerk, City of Long Beach  
22 333 W Ocean Blvd  
23 Long Beach, CA 90802  
via: Personal Service

Larry Minsky, Esq.  
Law Office of Larry Minsky  
444 W Ocean Blvd Ste 1750  
Long Beach, CA 90802-8115  
via email: larry@minskyesq.com

24 I declare under penalty of perjury, under the laws of the State of California, that the  
25 foregoing is true and correct and executed on August 18, 2017 at Costa Mesa, California.

26   
27 \_\_\_\_\_  
28 TIN WESTEN

1 CHARLES PARKIN, City Attorney  
MONICA J. KILAITA, Deputy City Attorney  
2 State Bar No. 293029  
333 West Ocean Boulevard, 11th Floor  
3 Long Beach, California 90802-4664  
Telephone: (562) 570-2200  
4 Facsimile: (562) 436-1579

5 Attorneys for CITY OF LONG BEACH  
6

7 **BEFORE THE ADMINISTRATIVE HEARING OFFICER**  
8 **FOR THE CITY OF LONG BEACH, CALIFORNIA**  
9

10  
11 ADMINISTRATIVE HEARING TO SHOW  
12 CAUSE WHY BUSINESS LICENSE  
APPLICATION NO. MJ21701137  
13 SUBMITTED BY LONG BEACH CANNABIS  
14 CLUB, LOCATED AT 5752 E. 2<sup>ND</sup> STREET,  
LONG BEACH, CALIFORNIA, SHOULD NOT  
15 BE DENIED PURSUANT TO LBMC 5.06.030.

**CITY OF LONG BEACH'S BRIEF IN  
SUPPORT OF DENIAL OF BUSINESS  
LICENSE APPLICATION NO.  
MJ21701137**

Hearing Date: August 14, 2017  
Time: 9:00 AM  
333 W. Ocean Blvd.  
Seventh Floor Conference Room  
Long Beach, California

Hearing Officer: Larry Minsky

16  
17  
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21 Pursuant to Hearing Officer Larry Minsky's request on August 14, 2017, the CITY OF  
22 LONG BEACH ("CITY"), by and through its counsel Deputy City Attorney Monica J. Kilaita,  
23 submits this Brief in support of CITY's denial of Business License Application No. MJ21701137  
24 submitted by LONG BEACH CANNABIS CLUB ("Appellant"), with a proposed business  
25 location of 5752 E. 2<sup>nd</sup> Street, for operation of a Medical Marijuana Dispensary under Chapter  
26 5.90 of the Long Beach Municipal Code ("LBMC").

27 ///

28 ///

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1           **I. CHAPTER 5.90 OF THE LBMC IS THE DIRECT RESULT OF A CITIZEN**  
2           **DRIVEN INITIATIVE; AS SUCH, COURTS MUST APPLY THE LANGUAGE**  
3           **AS IT WAS PASSED SO AS NOT TO DAMAGE THE VOTERS' INTENT AND**  
4           **SPIRIT OF THE LAW.**

5                           **A. BACKGROUND OF CHAPTER 5.90 OF THE LBMC:**

6           On November 8, 2016, the regulatory portion of Measure MM, which made it legal to own  
7           and operate a medical marijuana business in the City of Long Beach upon business license  
8           issuance, passed with over 60% voter approval. Measure MM repealed the City's prior ban of  
9           marijuana businesses and enacted Chapter 5.90 of the LBMC – "Medical Marijuana Businesses"–  
10          providing a detailed licensing and regulatory scheme. Due to Chapter 5.90 of the LBMC being  
11          enacted as a result of voter driven initiative Measure MM, the CITY must strictly apply its  
12          provisions, has no discretion to amend the law (other than through a vote of the people), and must  
13          not steer away from the voter intent.

14                           **B. INTERPRETATION AND APPLICATION OF VOTER INITIATIVES:**

15          The California Supreme Court has stated, "[i]n interpreting a voter initiative, we apply the  
16          same principles that govern our construction of a statute. We first turn to the statutory language,  
17          **giving words their ordinary meaning. If the statutory language is not ambiguous, then the**  
18          **plain meaning of the language governs.**" (*People v. Elliot* (2005) 37 Cal.4th 453, 478 [citing  
19          *People v. Lopez* (2005) 34 Cal.4th 1002; emphasis added].)

20          Statutes and constitutional provisions adopted by the voters "must be construed  
21          liberally in favor of the people's right to exercise the reserved powers of initiative  
22          and referendum. The initiative and referendum are not rights 'granted the people, but  
23          ... power[s] reserved by them. Declaring it "**the duty of the courts to jealously**  
24          **guard this right of the people**" ..., the courts have described the initiative and  
25          referendum as articulating "one of the most precious rights of our democratic  
26          process"... "**[I]t has long been our judicial policy to apply a liberal construction**  
27          **to this power wherever it is challenged in order that the right not be improperly**  
28          **annulled.** If doubts can reasonably be resolved in favor of the use of this reserve  
power, courts will preserve it." ..." (*Rossi v. Brown* (1995) 9 Cal.4th 688, 694–695.)  
In fact, "[t]he people's reserved power of initiative is greater than the power of the  
legislative body. The latter may not bind future Legislatures..., but by constitutional  
and charter mandate, **unless an initiative measure expressly provides otherwise,**  
**an initiative measure may be amended or repealed only by the electorate.** Thus,  
through exercise of the initiative power the people may bind future legislative bodies  
other than the people themselves."

1 (*Shaw v. People ex rel. Chiang* (2009) 175 Cal.App.4th 577, 596 [emphasis added].)

2 “**[I]t matters not whether...voters...consciously considered all the effects and**  
3 **interrelationships of the provisions they...enacted. We must take the language...as it was**  
4 **passed into law,...without doing violence to the language and spirit of the law, interpret it so**  
5 **as to harmonize and give effect to all of its provisions.”** (*People v. Florez* (2005) 132  
6 Cal.App.4th 314, 321 [referencing *People v. Garcia* (1999) 21 Cal.4th 1, 14] [emphasis added].)

7 “The statutory language must be construed in the context of the statute as a whole and the  
8 overall statutory scheme [in light of the electorate’s intent].” (*Robert L. v. Superior Court* (2003)  
9 30 Cal.4th 894, 901 [citing *Horwich v. Superior Court* (1999) 21 Cal.4th 272, 276].) Essentially,  
10 the Court’s “task is to **simply interpret and apply the initiative’s language so as to effectuate**  
11 **the electorate’s intent.”** (*Id.* at 901 [referencing *Hi-Voltage Wire Works, Inc. v. City of San Jose*  
12 (2000) 24 Cal.4th 537, 576] [emphasis provided].)

13 In light of such clearly established law, the interpretation and application of Chapter 5.90  
14 of the LBMC must be done in a manner consistent with the voters’ intent, applying the language  
15 and definitions provided in said Chapter, or in the absence of such definitions, according to the  
16 ordinary meaning of such terms.

17 **II. MARINE PARK/MOTHER’S BEACH CONTAINS A PUBLIC PARK AND A**  
18 **PUBLIC BEACH, REQUIRING APPLICATION OF BOTH THE “PUBLIC**  
19 **PARK” AND “PUBLIC BEACH” BUFFERS UNDER LBMC SECTION 5.90.030.**  
20 **THE PROPOSED BUSINESS LOCATION OF 5752 E 2<sup>ND</sup> STREET VIOLATES**  
21 **THE “PUBLIC BEACH” BUFFER FOR MOTHER’S BEACH.**

22 Appellant contends that because the City only provides a zoning classification of “park” to  
23 Mother’s Beach (also known as “Marine Park” for its park area), the “public beach” buffer does  
24 not apply to Mother’s Beach. Appellant also relies on a portion of the City’s website where  
25 Marine Park/Mother’s Beach falls under the category of “Parks and Facilities” – coincidentally,  
26 such webpage states that the location “**offers both a great beach for kids and a nearby grassy**  
27 **play area**” (emphasis added).<sup>1</sup> In order to remain consistent with the voter intent and spirit of  
Chapter 5.90, Appellant’s arguments must and do fail as follows.

28 <sup>1</sup> See Appellant’s Exhibit (“Ex.”) 1, admitted into evidence during administrative hearing.

1                   **A. LBMC SECTION 5.90.030 REQUIRES A 1,000 FOOT BUFFER FROM**  
2                   **“PUBLIC BEACHES” AND A 600 FOOT BUFFER FROM “PUBLIC**  
3                   **PARKS,” CLEARLY DISTINGUISHING BEACHES FROM PARKS**  
4                   **WITH RESPECT TO BUFFER APPLICATION.**

5                   The fact that the City does not have a separate zoning classification for “public beaches”<sup>2</sup>  
6 is immaterial to applying “public beach” and “public park” buffers under LBMC Section 5.90.030.  
7 The voters passed an ordinance which clearly establishes separate buffers for “public parks” and  
8 “public beaches,” including assigning a different radius requirement for these buffers. If the  
9 voters had intended for “public beaches” to be grouped with “public parks,” the language of the  
10 ordinance would have omitted the “public beach” buffer altogether or would have mandated that  
11 both buffers have the same radius requirement. A determination that public beaches are only  
12 “parks” under LBMC Chapter 5.90 would be completely contrary to the voter intent and clear  
13 language of the ordinance.

14                   **B. LBMC SECTION 5.90.020 PROVIDES A DEFINITION FOR “PUBLIC**  
15                   **PARK,” WHICH MUST BE USED IN DETERMINING APPLICABLE**  
16                   **LOCATIONS FOR THE “PUBLIC PARK” BUFFER. MARINE PARK**  
17                   **MEETS THIS DEFINITION; HOWEVER, THE PROPOSED LOCATION**  
18                   **DOES NOT VIOLATE THE “PUBLIC PARK” BUFFER.**

19                   Under LBMC Section 5.90.020, a “public park” is defined as a “publicly owned natural or  
20 open area set aside for active public use for recreational, cultural or community service activities.”  
21 Mother’s Beach is a beach and park owned by the City which has been set aside for recreational  
22 use for the public. Recreational use of Marine Park includes, but is not limited to, swimming,  
23 stand-up paddle boarding, picnicking, volleyball, general use of the beach and general use of the  
24 play equipment. Thus, the City correctly applied the “public park” buffer to Marine Park and is  
25 not contesting that 5752 E. 2<sup>nd</sup> Street does not fall within a 600 foot radius of such “public park.”  
26 Nonetheless, this determination does not negate the fact that the “public beach” buffer does apply  
27 to Mother’s Beach.

28                   ///

<sup>2</sup> Testimony of Alexis Oropeza, Planner with the Long Beach Department of Development Services’ Planning Bureau, confirmed the City’s zoning code does not have a zoning classification for “beaches,” but instead categorizes beaches under “park districts”.

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**C. CHAPTER 5.90 OF THE LBMC DOES NOT PROVIDE A DEFINITION FOR “PUBLIC BEACH”; THEREFORE, THE ORDINARY MEANING OF THAT TERM MUST BE APPLIED. MOTHER’S BEACH MEETS THIS ORDINARY MEANING.**

As aforementioned, when called upon to interpret a voter initiative, courts turn to the specific language of the statute and provide words their ordinary meaning. (*People v. Elliot*, 37 Cal.4th at 478.) The ordinary meaning of “beach” is “a shore of a body of water covered by sand, gravel, or larger rock fragments.” (“beach.” Merriam-Webster Online Dictionary, available at <https://www.merriam-webster.com/dictionary/beach> [last visited Aug. 15, 2017].)<sup>3</sup> Mother’s Beach is a sand covered shore of a portion of the body of water, Alamitos Bay, and therefore meets the ordinary meaning of a beach. Further, a “[p]ublic beach or recreation area” means a “beach area or an open-space recreational area that is owned or operated by a state or local agency.” (Cal. Gov’t Code § 53077.5(a)(4).) Mother’s Beach is a beach by the ordinary meaning of the definition “beach” and is owned and operated by the City and open to the public; thus, Mother’s Beach is a “public beach” by way of voter intent.

**D. 5752 E 2<sup>ND</sup> STREET CLEARLY VIOLATES THE “PUBLIC BEACH” BUFFER OF 1,000 FEET FOR MOTHER’S BEACH, A FACT NOT CONTESTED IN APPELLANT’S GROUNDS FOR APPEAL.**

It has been clearly established that the proposed location violates the “public beach” buffer by falling within approximately 843.8 feet<sup>4</sup> of Mother’s Beach. What’s more, Appellant did not raise the measurement issue of the “public beach” buffer in its grounds<sup>5</sup> for appeal, waiving its right to challenge such determination. Nevertheless, it has been undoubtedly established by CITY that the subject location is in violation of the “public beach” buffer.

**E. APPELLANT HAS ULTIMATELY FAILED TO PROVE ITS CASE THAT MOTHER’S BEACH IS NOT A “PUBLIC BEACH” PER LBMC CHAPTER 5.90 AND THAT THE PROPOSED BUSINESS LOCATION DOES NOT VIOLATE THE “PUBLIC BEACH” BUFFER.**

Appellant has failed to provide sufficient evidence showing that the voter intent of Chapter 5.90 was to require beaches, such as Mother’s Beach, to be subject to only the “public parks”

<sup>3</sup> See CITY Ex. 9 at Tab 6, admitted into evidence during administrative hearing.

<sup>4</sup> See CITY Ex. 7, admitted into evidence during administrative hearing.

<sup>5</sup> See CITY Ex. 9 at Tab 4, admitted into evidence during administrative hearing.

1 buffer. As discussed herein, CITY provided evidence<sup>6</sup> related to Mother's Beach which supports  
2 the plain meaning of a "public beach" and also establishes that Mother's Beach is treated  
3 differently than parks without beach areas. If CITY were to apply Appellant's interpretation, there  
4 would essentially be no "public beaches" in the City of Long Beach under LBMC Chapter 5.90  
5 solely due to a nonexistent "public beach" zoning classification. Appellant also did not provide  
6 any evidence challenging the CITY's measurement of the "public beach" buffer radius for  
7 Mother's Beach. As such, the CITY's measurement must be accepted.

8 **III. NAPLES CANALS MEET THE DEFINITION OF "PUBLIC PARKS" PER**  
9 **LBMC SECTION 5.90.020, AND THE PROPOSED BUSINESS LOCATION OF**  
10 **5752 E 2<sup>ND</sup> STREET VIOLATES THE "PUBLIC PARK" BUFFER FOR NAPLES**  
11 **CANALS.**

12 Appellant argues that Naples Canals are not "public parks" under Chapter 5.90 as they are  
13 not zoned as a park district per the CITY zoning code and, thus, the proposed business location  
14 need not fall outside a 600 foot radius of Naples Canals. Appellant's argument fails in accordance  
15 with the following.

16 **A. NAPLES CANALS MEET THE LBMC CHAPTER 5.90 DEFINITION OF**  
17 **"PUBLIC PARK," WHICH MUST BE USED IN DETERMINING**  
18 **APPLICABLE LOCATIONS FOR THE "PUBLIC PARK" BUFFER.**

19 Naples Canals meet the aforementioned definition of "public park" pursuant to Section  
20 5.90.020 of the LBMC. Naples Canals are publicly owned, open waterways that are set aside for  
21 active public use for recreational activities, including but not limited to kayaking, paddle boarding,  
22 boating, gondola tours, and so on. The "public park" definition in LBMC Section 5.90.020 makes  
23 no reference to CITY's zoning code or any other local or state law and, although Naples Canals  
24 may be associated with "designated" City parks as indicated by CITY during the subject hearing,  
25 ultimately a Court must refer to the definition approved by the voters. Naples Canals clearly meet

26 <sup>6</sup> Testimony of Elvira Hallinan, Manager, Marine Bureau, Long Beach Department of Parks, Recreation & Marine,  
27 confirmed that 15 beaches, including Mother's Beach, in the City of Long Beach undergo weekly water testing as  
28 required by the Health Department; Ms. Hallinan further confirmed Mother's Beach is a "beach" with lifeguards,  
designated swimming areas, etc. Testimony of Alexis Oropeza, City Planner, explained that although Mother's Beach  
is not designated as a beach (as such designation does not exist in the CITY zoning code), Mother's Beach is a public  
beach per CITY Ex. 3, admitted into evidence during administrative hearing, a map from the CITY's adopted Local  
Coastal Program (LCP).



1 the definition of “public parks” as provided by the voters.

2 **B. 5752 E 2<sup>ND</sup> STREET UNDOUBTEDLY VIOLATES THE “PUBLIC**  
3 **PARK” BUFFER OF 600 FEET FOR NAPLES CANALS, A FACT NOT**  
4 **CONTESTED IN APPELLANT’S GROUNDS FOR APPEAL.**

5 The CITY has established that the proposed location violates the “public park” buffer by  
6 falling within approximately 353.8 feet<sup>7</sup> from Naples Canals. Again, Appellant did not raise the  
7 measurement issue regarding Naples Canals in its grounds<sup>8</sup> for appeal, waiving any right to argue  
8 against such measurement determination. Even so, it has been clearly proven by CITY that the  
9 subject location is in violation of the “public park” buffer for Naples Canals.

10 **C. APPELLANT HAS FAILED TO PROVE ITS CASE THAT NAPLES**  
11 **CANALS ARE NOT “PUBLIC PARKS” PER LBMC CHAPTER 5.90 AND**  
12 **THAT THE PROPOSED BUSINESS LOCATION DOES NOT FALL**  
13 **WITHIN A 600 FOOT RADIUS OF NAPLES CANALS.**

14 Appellant has once again clearly failed to establish that Naples Canals are not “public  
15 parks” for purposes of applying the “public park” buffer. Appellant argues that Naples Canals are  
16 not designated as “public parks” per the City’s zoning code and really only serve the same purpos  
17 as public roads: as modes of transportation. Even though Naples Canals may get individuals from  
18 one place to another, the canals are clearly set aside for the public’s *recreational* use for water  
19 activities. Appellant also did not provide any evidence challenging the CITY’s measurement of  
20 the “public park” buffer for Naples Canals. Accordingly, CITY’s measurement determination  
21 must be accepted.

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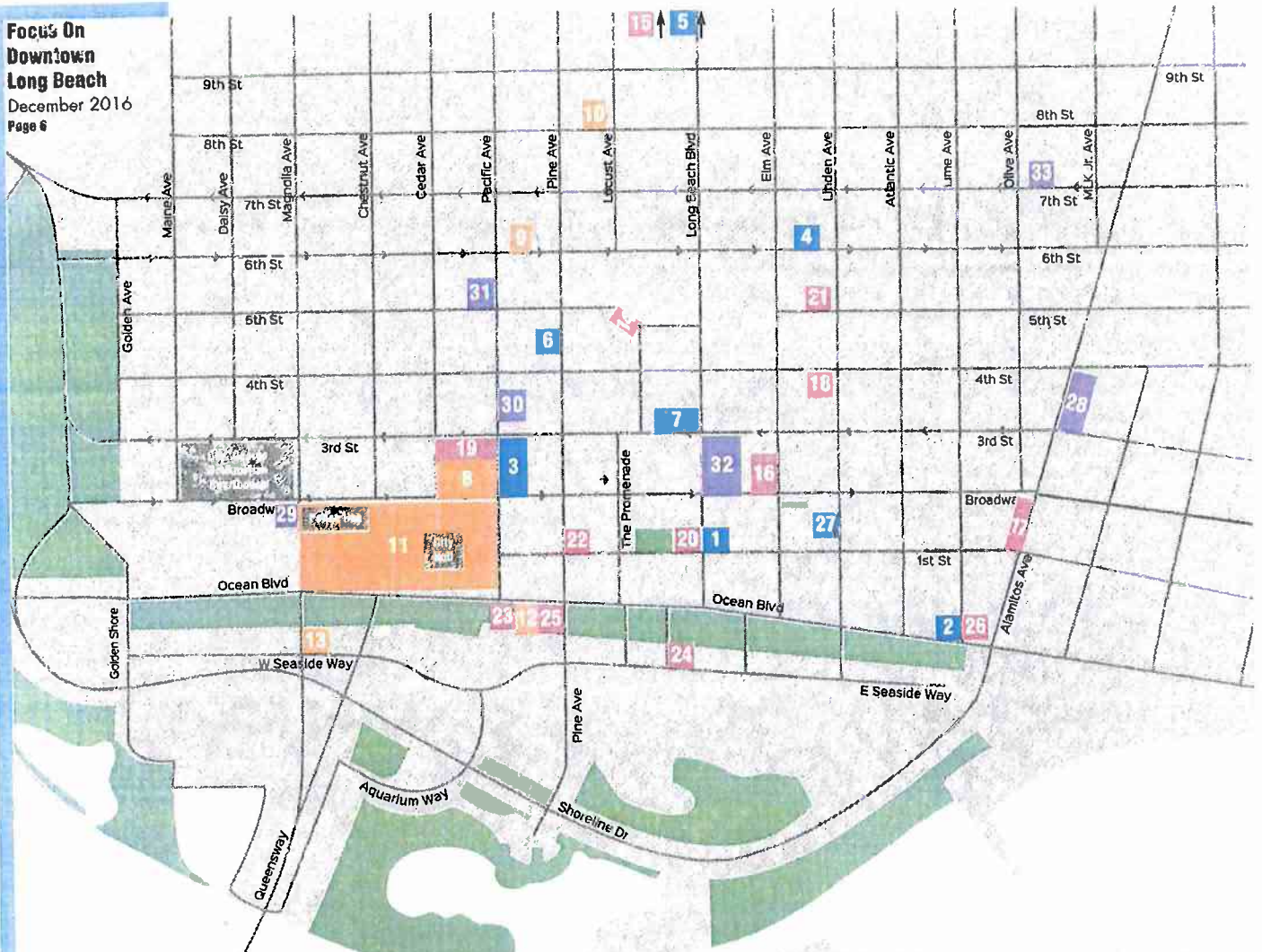
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28 <sup>7</sup> See CITY Ex. 6, admitted into evidence during administrative hearing.

<sup>8</sup> See CITY Ex. 9 at Tab 4, admitted into evidence during administrative hearing.





## City Of Long Beach Downtown Residential/Mixed-Use Development Projects

### Completed

- 1 Edison – 100 Long Beach Blvd.; Transit-oriented development across from Metro Blue Line; 114,267-square-foot, mixed-use development consisting of a 12-story apartment complex and more than 3,600 square feet of retail space. Reinvention of original mid-century design and facade and sustainable design approach with on-site bicycle storage areas to encourage alternative modes of transportation.
- 2 The Current – 707 E. Ocean Blvd.; City's first high-rise apartment complex in over a decade. 17-story, mixed-use complex including 223 luxury rental units; a 25,000-square-foot plaza; and additional retail space on the ground floor. With close proximity to dining and entertainment districts like Pine Avenue and the East Village and easy access to the waterfront, the project is expected to enhance economic energy by attracting more restaurants and shops to the busy corridor.
- 3 Pacific Court Apartments – 245 Pine Ave./250 Pacific Ave.; Adaptive-reuse of the former AMC Pine Square movie theater to a multi-family residential development consisting of 69 loft-style apartment units.
- 4 Sixth Street Lofts – 431 E. 6th St.; Four-story, 30-unit residential apartment building.
- 5 Urban Village – 1081 Long Beach Blvd.; Mixed-use, transit-oriented development; five-story, 129 units.
- 6 Newberry Lofts – 433 N. Pine Ave.; An adaptive reuse project to convert a building that once housed the Newberry department store into a mixed-use complex, including 28 residential units and 6,500 square feet of ground floor retail.
- 7 Studio One Eleven – 245 East 3rd St.; Two-story, 34,321-square-foot office remodel project. New headquarters for architectural firm and its parent company, Retail Design Collaborative (formerly P + R Architects). Completion of the first project as part of the ongoing revitalization of City Place Long Beach was celebrated in October 2016.

### Under Construction

- 8 The Park Broadway – 245 W. Broadway (site of former State Office Building); 222 residential units with 8,500 square feet of retail space on the ground floor, including an art gallery, café, and "bike kitchen."
- 9 137 W. 6th St. – Four-story, mixed-use development will include a 10-unit residential component, and an additional 1,200 square feet of commercial retail space.
- 10 117 E. 8th St. – Adaptive reuse of designated landmark building, including two levels of medical offices, and a six-story, 49-unit assisted living component for seniors.
- 11 Long Beach Civic Center – 411-415 W. Ocean Blvd. – Re-envisioned Civic Center project to include a new 11-story, 254,000-square-foot City Hall; an 11-story, 237,000-square-foot Port Building; a 92,500-square-foot Main Library; and a 73,000-square-foot Civic Plaza with subterranean parking structure; and a renewed Lincoln Park.
- 12 Oceanaire – 150 W. Ocean Blvd. – Groundbreaking held on December 6 for seven-story, 216-unit residential project with 1,500 square feet of retail space located adjacent to the historic Ocean Center Building.
- 13 442 W. Ocean Blvd. – Mixed-use development, consisting of a five-story building with 94 residential units and 1,455 square feet of retail.

### Approved/In Plan Check

- 14 Residences at City Place – 495 Promenade North; four-story, mixed-use project with 20 residential units, and 5,220 square feet of ground floor commercial space.
- 15 Beacon Apartments – 1201-1235 Long Beach Blvd.; 121-unit affordable housing development that

will serve extremely low- to low-income seniors 62 years and over, and a 39-unit supportive housing building for extremely low-income veterans who are homeless or at risk of homelessness.

- 16 227 Elm Ave. – Developer City Ventures proposes 40 townhomes consisting of three-story dwellings over one car garages.
- 17 101 Alamitos Ave. – Mixed-use project consisting of a seven-story, 136 condominium development; including 10 studio units, and 2,560 square feet of pedestrian-oriented retail/restaurant; located in the East Village Arts District.
- 18 434 E. 4th St. – Mixed-use project with 49 apartment units over ground floor resident amenities and retail space with 82 parking stalls.
- 19 230 W. 3rd St. – Mixed-use residential complex including 163 dwelling units, 261 subterranean parking spaces, community spaces for tenants, pool deck and fitness area.
- 20 107 Long Beach Blvd. – Proposed new hotel; 30,620 square feet with 34 guest rooms.
- 21 437 E. 5th St. – Mixed-use project; 18 apartment units and 230 square feet of commercial space.
- 22 Security Pacific National Bank Building – 110 Pine Ave. – An adaptive reuse project to convert office space at the 13-story building into 118 residential units above the Federal Bar.
- 23 Ocean View Tower – 200 W. Ocean Blvd.; An adaptive reuse project of the Verizon Building, converting over 95,000 square feet into a mixed-use development consisting of a nine-story, 94-unit residential apartment complex with over 4,500 square feet of retail space.
- 24 207 Seaside Way – The proposed mixed-use development project includes 113 residential units and 2,000 square feet of retail at a five-story building. Construction has begun on a public pedestrian bridge located adjacent to the site.
- 25 Ocean Center Building – An adaptive reuse project to convert office space at the historic Ocean Center Building at 110 W. Ocean Blvd. into approximately 74 residential units with ground-floor retail and restaurant space.
- 26 777 E. Ocean Blvd. – Part of the Shoreline Gateway Master Plan; East Tower; proposed with 315 residential units and 6,711 square feet of retail/restaurant space.

**Pending/Under Review**

- 27 135 Linden Ave. – Proposed five-story building includes up to 44 residential units above about 2,688 square feet of retail space.
- 28 320 Alamitos Ave. – Proposed 77 market-rate apartments with 109 parking stalls (located on 2 levels and below grade and a grade level).
- 29 Broadway & Magnolia Apartments – 500 W. Broadway – Proposed seven-story, 142-unit apartment building with 2,954 square feet of commercial space.
- 30 Pacific Avenue/3rd and 4th – Proposed 325 residential units.
- 31 507 Pacific Ave. – Proposed mixed-use project consisting of 134 residential condos with 7,000 square feet of commercial church and retail space.
- 32 Broadway Block – 240 Long Beach Blvd. – Proposed two-building, mixed-use project consisting of a total of 375 residential units, 5,212 square feet of retail space, and 5,773 square feet of creative office space.
- 33 825 E. 7th St. – Proposed 19 residential units.

(Source: Prepared by the City of Long Beach Development Services Department and the Long Beach Business Journal)