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MAUREEN MULHEREN
DISTRICT 2, VICE-CHAIR
JOHN HASCHAK
DISTRICT 3
DAN GJERDE
DISTRICT 4
TED WILLIAMS
DISTRICT 5



DARCIE ANTLE
CHIEF EXECUTIVE OFFICER
CLERK OF THE BOARD

CHRISTIAN M. CURTIS
COUNTY COUNSEL

MENDOCINO COUNTY

GENERAL GOVERNMENT COMMITTEE

AGENDA

REGULAR MEETING

July 31, 2023 - 9:00 AM

Meeting Location(s): 501 Low Gap Road, Room 1070, Ukiah, CA. 95482 (Board Chambers)

Zoom Link: <https://mendocinocounty.zoom.us/j/87628970077>

Zoom Phone Number (if joining via telephone): 1 669 900 9128 ; Zoom Webinar ID: 876 2897 0077

Listed below are some of the Board of Supervisors Public Engagement options. For streaming options and a complete list of ways to interact with agenda items (or more information on any of these listed) please visit: <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>

Written Comment

- Submit online via the eComment platform at <https://mendocino.legistar.com/Calendar.aspx>

Verbal Comment

- Speak in person at any physical meeting location when the Chair calls for Public Comment
- Join the Zoom Webinar and use the "raise hand" feature when the Chair calls for Public Comment (if joining via telephone: press *9 to raise your hand, and *6 to unmute yourself when called)
- Leave a voicemail message, up to 3 minutes in length, by calling 707-234-6333

*Note: Voicemail comments will no longer be played back during Open Session, but are immediately available to the full Board of Supervisors upon submittal.

COMMITTEE MEMBERS: Supervisor Mulheren and Supervisor Haschak**1. CALL TO ORDER****2. COMMITTEE ACTION ITEMS**

- 2a) Discussion and Possible Action Including Providing Recommendations to Staff and a Referral to the Board of Supervisors Recommending Approval of the County of Mendocino Cannabis Department Monthly Update for June, 2023

(Sponsor: Cannabis)

Recommended Action:

Provide recommendations to staff and a referral to the Board of Supervisors recommending approval of the County of Mendocino Cannabis Department Monthly Update for June 2023.

Attachments: [2023.06 MCD Monthly Report - June](#)

- 2b) Discussion and Possible Action Regarding Request that Staff Include a Five (5) Year Renewal Cycle for Cannabis Cultivation Permits as Part of Future General Government Committee Cannabis Ordinance Update Item (Sponsor: Supervisor Haschak)

Recommended Action:

Request that staff include five (5) year renewal cycle for cultivation permits as part of future GGC Cannabis Ordinance update item.

Attachments: [2023.07.12 1 and 5 Year Renewal Projection Plan.pdf](#)

3. OTHER BUSINESS

- 3a) Approval of Minutes of June 26, 2023 Regular Meeting

Recommended Action:

Approve minutes of June 26, 2023 regular meeting.

Attachments: [06-26-23 Minutes](#)

3b) PUBLIC EXPRESSION

Members of the public are welcome to address the Committee on items not listed on the agenda, but within the jurisdiction of the Committee. The Committee is prohibited by law from taking action on matters not on the agenda.

Individuals wishing to address the Committee under Public Expression are welcome to do so via any method listed on the front page of this agenda or on our Public Engagement page, at: <https://rb.gy/d3p0>

For more information on any of these methods, please call the Mendocino County Clerk of the Board at (707) 463-4441

3c) ANNOUNCEMENTS**ADJOURNMENT****Additional Meeting Information for Interested Parties**

For a full list of the latest available options by which to engage with agenda items, please visit <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>

All electronically submitted comment is immediately available to Supervisors, staff, and the general public by clicking this meetings eComment link at: <https://mendocino.legistar.com/Calendar.aspx>

LIVE WEB STREAMING OF COMMITTEE MEETINGS is available at <https://mendocino.legistar.com> or visit the Mendocino County YouTube channel. Meetings are also livestreamed from the Mendocino County Facebook page. For technical assistance, please contact the Clerk of the Board at (707) 463-4441. Please reference the departmental website to obtain additional resource information for the Board of Supervisors: www.mendocinocounty.org/bos

Thank you for your interest in the proceedings of the General Government Committee.



Mendocino County Board of Supervisors Agenda Summary

Item #: 2a)

To: General Government Standing Committee

From: Cannabis

Meeting Date: July 31, 2023

Department Contact: Sara McBurney
CEO Contact: Steve Dunnicliff

Phone: 707-234-6680
Phone: 707-463-4441

Time Allocated: 30 Minutes

Agenda Title:

Discussion and Possible Action Including Providing Recommendations to Staff and a Referral to the Board of Supervisors Recommending Approval of the County of Mendocino Cannabis Department Monthly Update for June, 2023
(Sponsor: Cannabis)

Recommended Action/Motion:

Provide recommendations to staff and a referral to the Board of Supervisors recommending approval of the County of Mendocino Cannabis Department Monthly Update for June 2023.

Previous Board/Board Committee Actions:

On April 19, 2022, the Board directed Department staff to provide a written update during the second Board Meeting of every month. On August 16, 2022, the Board referred the topic of Cannabis to the General Government Committee.

Summary of Request/Referral:

Department staff requests that the General Government Committee provide recommendations to staff regarding the above referenced monthly update and consider a referral to the Board of Supervisors recommending approval of the Department's Monthly Update.

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: N/A
current f/y cost: N/A
annual recurring cost: N/A
budget clarification: N/A

budgeted in current f/y: N/A
if no, please describe:
revenue agreement: N/A

Item #: 2a)

CEO Liaison: Steve Dunnicliff, Deputy CEO

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Atlas Pearson, Senior Deputy Clerk

Final Status: Approved

Date: July 31, 2023





Mendocino County Cannabis Department Deliverables

DATE: July 31, 2023
TO: Mendocino County General Government Committee
FROM: Mendocino County Cannabis Department
RE: Monthly Activity Report – June 2023

Mendocino County Cannabis Department Mission Statement

“The Mendocino County Cannabis Department’s mission is to issue cannabis cultivation licenses in accordance with regulations as approved by the Board of Supervisors and ensure that all program cultivation sites comply with all applicable environmental, community safety, and regulatory performance standards. The Department shall implement these services fairly and equitably in a timely, professional, and compassionate manner.”

Department Priorities

The Mendocino County Cannabis Department (“MCD”) has identified the following priorities via Board of Supervisor (“BOS”) directives. These priorities are beyond the normal duties required for normal business operations and does not represent the entirety of all assigned objectives. In the future, the Department will request guidance from the Board to assist the Department in clarifying and prioritizing this list.

Planning

Staff Support
Process Management
Streamlining
Priority Reviews (PH. I & II DCC timelines)
Contract Planners
Phase III Applications
Monthly Reporting
Public Meetings

Administration

Staff Support
Process Management
Fiscal and Budget
Grant Management
PRAs

All the priorities listed above shall support the primary function of MCD, which is clearly outlined in the mission statement, which is to issue cannabis cultivation licenses within the regulatory framework.

Department Deliverables

MCD Activity

The total workload of MCD is best reflected by these two primary data sets;

Active Commercial Cannabis Cultivation Applications submitted to MCD:	604
Active Commercial Cannabis Cultivation Licenses issued by MCD ¹ :	229
Total:	833

Issued MCD License Status

When a commercial cannabis cultivation application meets all required criteria and is approved by MCD it becomes an issued license. Issued licenses are renewed annually and require a state license issued by the Department of Cannabis Control (“DCC”) to actively cultivate cannabis. The main objective is for all applicants and licensees to have an issued county license as well as an annual state license.

Active Commercial Cannabis Cultivation Licenses issued by MCD

MCD Issued License w/ DCC (Annual):	11
MCD Issued License w/ DCC (Provisional):	209
MCD Issued w/o DCC:	9
TOTAL:	229

Annual MCD License Renewals (Applies to the issued licenses above)

Renewals Issued YTD:	39
Renewals Approved (Pending issuance) YTD:	0
Renewals pending (waiting for review by staff) ² :	86

MCD Applications/Issued Licenses

Information regarding current “under review” applications is as follows:

Review Data

Number of Applications assigned to contract planners:	358
Preliminary review and deficiency notice submitted to applicant (If needed) ³ :	51
Sensitive Species Habitat Review Completed in-house:	3

Referrals

¹ Renewals are accounted for within the Issued Licenses data set.

² Renewals are entered into pending once the license is within 90 days of the license annual expiration.

³ “Under review” applications only, renewals may already have the AQMD referral completed.

Department Deliverables

Sensitive Species Habitat Review: 57

Air Quality Management District³: 61

Site Inspections

Number of Inspections Month of June: 12

Miles Traveled Month of June: 1,013

Is MCD on track?

In previous months, the Department was utilizing a chart that tracked license applications and issued license renewals in time for expiring DCC provisional licenses. Since mid-June, the Department identified a more effective way to divide labor between the contract planners and MCD staff planners. Going forward, DCC will serve as lead agency under California Environmental Quality Act ("CEQA") for cultivation licenses in Mendocino County. This work will be supported by a contractor, Ascent Environmental. DCC and Ascent Environmental are performing a programmatic environmental impact report ("EIR") for a streamlined CEQA analysis of specific cultivation sites. This has extended the previous July 1, 2023 deadline for annual licensure for applicants as the EIR process is being worked through. Moving forward, it is anticipated MCD will divide the labor to review applications as noted below:

- Internal staff will focus on phase three applications, site inspections, renewals and applications with no DCC provisional licenses, and applications with an annual license.
- Contract planners will continue to focus on under-review applications with expiring DCC provisional licenses by order of expiration and renewals with a DCC provisional license as a condition of the contract planner funding source, the local jurisdiction assistance program grant.

Once we gather July 2023 data, we will include a chart to showcase forward progress.

MCD Application Status

Active commercial cannabis cultivation license applications that have been submitted to MCD and are in one of the following stages of review.

<u>Status</u>	<u>Responsibility</u>	<u>Applications</u>
Applications received, pending review	Department	362
Active Review	Department	205
Non-responsive or inadequate material ⁴	Applicant	37
TOTAL:		604

Environmental Review

Future CEQA review:

Department Deliverables

The process for the programmatic EIR described above may result in the identification of specific sites that can satisfy CEQA using other documentation, such as a negative declaration or mitigated negative declaration.

Existing Appendix G work product:

Because DCC (rather than the County) will now serve as lead agency under CEQA for cultivation licenses in Mendocino County, DCC does not anticipate that it will be possible to complete CEQA review, going forward, using only Appendix G.

DCC recognizes that provisional cultivation licensees in Mendocino County have often expended significant effort in connection with the preparation of Appendix G. To prevent wasted effort, wherever possible, DCC intends to use Appendix-G-related work product to assist in the preparation of the appropriate CEQA documents for a site.

Training Materials

MCD is training staff on reviewing applications and renewals under the new streamlined Cannabis Cultivation Ordinance. Guidance materials are being updated to reflect the changes. Staff and contract planners have received training on referral processes including to outside agencies and departments, as well as how to notify applicants regarding completion of internal reviews.

MCD has streamlined the process for internal review and notice to applicants that they will need to potentially follow up with Mendocino County Air Quality Management District (“MCAQMD”) for certain criteria. Once MCD or contract staff sign, no further action or documentation is needed for MCD to complete the MCAQMD portion of the application review. In working with California Department of Fish and Wildlife (“CDFW”), MCD has implemented requesting response within 30 days for SSHR referrals. If an extension for review time is requested in writing by CDFW, an extension may be granted.

Local Equity Entrepreneur Program (LEEP) Grant

Mendocino County was awarded three rounds of funding from the Cannabis Equity Grants Program for Local Jurisdictions which is being administered by the Governor’s Office of Business and Economic Development (GO-Biz). LEEP aims to provide funding and services for those hardest hit by the War on Drugs by lowering barriers to cannabis licensing. All waivers submitted to MCD have been processed and completed.

Please note: MCD has received notice from the State that the program is under a routine audit for all 3 awarded rounds of funding. As MCD is actively working with the State through these audits, MCD has suspended processing all Direct Grant applications. Once the audit is complete, MCD will continue to process Direct Grants that are awaiting in queue until all funding is exhausted.

MCD is planning on applying for the next available round of funding this fall.

Eligibility

Applications received:

141

Department Deliverables

Direct Grants

Processed to completion YTD:	54
In Review:	23
In que:	71
Cancelled:	5
TOTAL:	153

Waivers processed

Agricultural Department (TD):	66
Agricultural Department (June):	2
Environmental Health Department (TD):	2
Environmental Health Department (June):	1
Mendocino Cannabis Department (TD):	96
Mendocino Cannabis Department (June):	11
Planning and Building Services Department (TD):	330
Planning and Building Services Department (June):	116
Treasurer Tax Collector (TD):	453
Treasurer Tax Collector (June):	150

Waivers in que

Agricultural Department:	0
Environmental Health Department:	0
Mendocino Cannabis Department:	0
Planning and Building Services Department:	0
Treasurer Tax Collector:	0

Local Jurisdiction Assistance Grant Program (LJAGP)

On March 14th, the BOS unanimously voted on item (4)(f), directing MCD to work with the DCC to identify mechanisms to streamline CEQA reviews and to support the timely compliance of provisional licensees with state law. To resource this effort, the DCC requested that Mendocino County pause the issuance of unspent Local Jurisdiction Grant funds to assess how best to align the use of these dollars to support CEQA compliance of provisional license holders. In light of this assessment, Mendocino County will discontinue any disbursement of funds including those towards the grant program until the assessment is complete. Both Departments are committed to work collaboratively and have initiated their assessment efforts.

The Departmental accounting system and methodology is in the process of being restructured to ensure proper reconciliation of the internal data. These figures will be added to the report once it becomes available.

Department Deliverables

Department Efficiency Study

As of May 2023

MCD Planners:	6
Contract Planners:	16
Review time:	Approximately 16 to 80 Hours*

As of June 2023

MCD Planners:	6
Contract Planners:	16
Review Time:	Approximately 16 to 80 Hours*

*The above review time is still reflected based on the Departments previous time study. The Department is still working to gather new time study data that incorporates the new streamlined Cannabis Cultivation Ordinance.

Data Management

As of June 1, 2023, Accela is officially live and the Department has implemented the software into our workflow. The Department is actively working to correct bugs and is working on acquiring funds for the Phase 2 implementation. There are ongoing phases of data transfer into the Accela platform. Once data transfer and updates have been completed, Accela will become our authoritative resource for data in the Department.

Department Staffing levels

Planning

Filled positions:	Chief Planner
	Senior Planner
	Cartographer
	Planner I/II (x6)

Vacant Positions:	Planner I/II (x4)
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Administration

Filled positions:	Department Head (Interim)
	Senior Program Manager
	Office Services Supervisor
	Administrative Assistant

Vacant positions:	Program Administrator
	Department Analyst I/II

Department Deliverables

Administrative Assistant

Staff Assistant I/II/III

Current Recruitments

Program Administrator

For additional and up-to-date information regarding the Cannabis Department Activities please sign up for “Canna-Notes” through the county’s eNotification system at the following link:
<https://www.mendocinocounty.org/government/cannabis-cultivation/enotifications>



Mendocino County Board of Supervisors Agenda Summary

Item #: 2b)

To: General Government Standing Committee

From: Supervisor Haschak

Meeting Date: July 31, 2023

Department Contact: Supervisor Haschak

Phone: 707-463-4441

CEO Contact: N/A

Phone: N/A

Time Allocated: 30 Minutes

Agenda Title:

Discussion and Possible Action Regarding Request that Staff Include a Five (5) Year Renewal Cycle for Cannabis Cultivation Permits as Part of Future General Government Committee Cannabis Ordinance Update Item

(Sponsor: Supervisor Haschak)

Recommended Action/Motion:

Request that staff include five (5) year renewal cycle for cultivation permits as part of future GGC Cannabis Ordinance update item.

Previous Board/Board Committee Actions:

County Code 10A.17.090 and various other locations in the Cannabis Cultivation ordinance were approved by the Board of Supervisors.

Summary of Request/Referral:

Efforts have been made to streamline Ordinance 10A.17. A second round of changes are forecasted to take place this summer. One item which needs to be reconsidered is the annual renewal of permits. If a permit is in good standing and isn't a change in size or type, the renewal period should be increased to every 5 years.

Currently, applications for cannabis cultivation need to be renewed annually as stated in 10A.17.090 (see below). When the permit is in good standing and has not changed in size or type, this renewal process is an unnecessary bureaucratic step. Permits in good standing should require the minimal amount of review and that the renewal take place every 5 years. This would decrease the amount of fees paid by the cultivator, decrease the time and staffing required of staff, and allow the Mendocino Cannabis Department to focus on more pressing issues.

There are notations in 10A.17 in various sections referring to annual renewals. 10A.17.070(H)(1), 10A.17.090 and others.

Direction should be given to staff to find applicable references and change these as needed to streamline the ordinance. This could be done in coordination with the second round of edits to the ordinance which is forecasted to take place later this summer

Item #: 2b)

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: Fees may need to be modified-
Current expense reduction of approx. \$500,000 annually

budget clarification: N/A

budgeted in current f/y: Yes

if no, please describe:

revenue agreement: N/A

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Atlas Pearson, Senior Deputy Clerk

Date: July 31, 2023

Final Status: Approved





Renewal Projection Worksheet

Please see the below Mendocino County Cannabis Department ("MCD") Projection for staffing and fiscal impact for both 5-year and 1-year renewals. Please note the below numbers are subject to change.

Cannabis Application Detail:

833	Total applications in program
450	Previous renewal projection
20 hours	Average hours needed to complete a renewal

1 Year Plan:

450	Annual reviews
9,000 hours	Total hours needed to complete all reviews
2072 hours	259 working days at 8 hours per day
518 hours	25% of 2072 to account for PTO, Sick, and Administration tasks
1554 hours	Total working hours in a year
6	Planners needed (5.79 rounded up)

5 Year Plan:

90	Annual reviews (450 renewals divided across 5 years)
1800 hours	Total hours needed to complete all reviews
2072 hours	259 working days at 8 hours per day
518 hours	25% of 2072 to account for PTO, Sick, and Administration tasks
1554 hours	Total working hours in a year
1	Planners needed (1.16 rounded down)



Mendocino County Board of Supervisors Agenda Summary

Item #: 3a)

To: General Government Standing Committee

From: Executive Office

Meeting Date: July 31, 2023

Department Contact: Atlas Pearson

Phone: 707-463-4441

CEO Contact: Darcie Antle

Phone: 707-463-4441

Time Allocated: N/A

Agenda Title:

Approval of Minutes of June 26, 2023 Regular Meeting

Recommended Action/Motion:

Approve minutes of June 26, 2023 regular meeting.

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Atlas Pearson, Senior Deputy Clerk

Final Status: Approved

Date: July 31, 2023



GLENN MCGOURTY
1st District
Supervisor
Chair

MAUREEN MULHEREN
2nd District
Supervisor
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5th District
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DARCIE ANTLE
Chief Executive Officer/
Clerk of the Board

CHRISTIAN M. CURTIS
County Counsel

COUNTY ADMINISTRATION CENTER
501 Low Gap Road, Room 1070
Ukiah, CA 95482
(707) 463-4441 (t)
(707) 463-5649 (f)
cob@mendocinocounty.org

MENDOCINO COUNTY GENERAL GOVERNMENT COMMITTEE ACTION MINUTES – June 26, 2023

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO - STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)**

AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:00 A.M.)

Present: Committee Member/Supervisor Maureen Mulheren and Committee Member/Chair John Haschak. Chair Haschak presiding.

Staff Present: Darcie Antle, Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Senior Deputy Clerk of the Board; and Lillian Bearden, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Sarah McBurney.

AGENDA ITEM NO. 2 – REGULAR CALENDAR**2A) DISCUSSION AND POSSIBLE ACTION INCLUDING PROVIDING RECOMMENDATIONS TO STAFF AND A REFERRAL TO THE BOARD OF SUPERVISORS RECOMMENDING APPROVAL OF THE COUNTY OF MENDOCINO CANNABIS DEPARTMENT MONTHLY UPDATE FOR MAY, 2023 - SPONSOR: CANNABIS**

Presenter/s: Elora Babbini, Chief Planner, Cannabis; Christian Curtis, County Counsel; and John Burkes, Acting Senior Program Manager on Special Assignment, Cannabis.

Public Comment: Michael Katz; Hannah Nelson; Corrin Powell; Chantal Simonpietri; and Avery Evans.

Committee Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Haschak, IT IS ORDERED that the General Government Committee provides recommendations to staff and a referral to the Board of Supervisors recommending approval of the County of Mendocino Cannabis Department Monthly Update for May 2023. The motion carried by the following vote:

Aye: 2 – Supervisor Mulheren and Supervisor Haschak

No: 0 – None

Absent: 0 – None

AGENDA ITEM NO. 3 – OTHER BUSINESS**3A) APPROVAL OF MINUTES OF MAY 22, 2023 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE/CLERK OF THE BOARD**

Presenter/s: Atlas M.A. Pearson, Senior Deputy Clerk of the Board.

Public Comment: None.

Committee Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Haschak, IT IS ORDERED that the General Government Committee approves minutes of May 22, 2023 regular meeting. The motion carried by the following vote:

Aye: 2 – Supervisor Haschak and Supervisor Mulheren

No: 0 – None

Absent: 0 – None

3B) PUBLIC EXPRESSION

Presenter/s: Michael Katz; and Hannah Nelson.

3C) ANNOUNCEMENTS

None.

THERE BEING NOTHING FURTHER TO COME BEFORE THE COMMITTEE, THE MENDOCINO COUNTY GENERAL GOVERNMENT COMMITTEE ADJOURNED AT 10:16 A.M.

Attest: ATLAS M.A. PEARSON
Senior Deputy Clerk of the Board


JOHN HASCHAK, Chair


ATLAS M.A. PEARSON

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes are produced in “action only” format
- LIVE WEB STREAMING OF BOARD MEETINGS is available via the County’s YouTube Channel, which can be found here: <https://www.youtube.com/@MendocinoCountyVideo>
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors’ action minutes are also posted on the County of Mendocino website at: <https://mendocino.legistar.com/Calendar.aspx>
- For technical assistance or any requests for official meeting records of the Mendocino County Board of Supervisors, please contact the Clerk of the Boards Office at (707) 463-4441
- Additional resource information: <https://www.mendocinocounty.org/government/board-of-supervisors>

Thank you for your interest in the proceedings of the Mendocino County Board of Supervisors