

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor
Chair

GEORGEANNE CROSKEY
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

DAN HAMBURG
5th District
Supervisor
Vice-Chair



CARMEL J. ANGELO
Chief Executive Officer/
Clerk of the Board

KATHARINE L. ELLIOTT
County Counsel

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – July 18, 2017

**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 9:03 A.M.)

Present: Supervisor Carre Brown, Chair John McCowen, Supervisor Georgeanne Croskey, Supervisor Dan Gjerde, and Supervisor Dan Hamburg. Chair McCowen presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Katharine L. Elliott, County Counsel; and Ms. Karla Van Hagen, Deputy Clerk of the Board II.

The Pledge of Allegiance was led by: Mr. Kevin Kelley.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Shannon Cox, Deputy County Council; and Mr. George Gonzalez.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Supervisor McCowen.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Gjerde, IT IS ORDERED that consent items 4(a) – 4(s) are approved as follows. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 - None

4A) RATIFICATION OF SUBMISSION OF LETTER TO THE ASSEMBLY LOCAL GOVERNMENT COMMITTEE OPPOSING SB 649 REGARDING SPECIAL PERMITTING AND MANDATED LEASING OF PUBLIC PROPERTY FOR SMALL CELL WIRELESS INFRASTRUCTURE - SPONSOR: SUPERVISOR HAMBURG

Approved;

4B) ADOPTION OF RESOLUTION APPROVING A TEMPORARY LOAN/ADVANCE OF \$50,000 FROM THE 2017/18 TAX REVENUES FOR MENDOCINO COAST RECREATION AND PARK DISTRICT - SPONSOR: AUDITOR-CONTROLLER

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-099

RESOLUTION 17-099

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING TEMPORARY LOAN TO MENDOCINO COAST RECREATION AND PARK DISTRICT FROM AVAILABLE COUNTY FUNDS

4C) APPROVAL TO DESIGNATE SUPERVISOR CROSKEY AS MENDOCINO COUNTY'S REPRESENTATIVE TO THE MENDOCINO COUNTY FIRE SAFE COUNCIL - SPONSOR: SUPERVISOR CROSKEY

Approved;

4D) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE HOPLAND FIRE PROTECTION DISTRICT WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER DURING EVEN NUMBERED YEARS - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-100

RESOLUTION 17-100

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF HOPLAND FIRE PROTECTION DISTRICT WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER DURING EVEN-NUMBERED YEARS

4E) ADOPTION OF RESOLUTION AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF THE REDWOOD VALLEY CALPELLA FIRE DISTRICT WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER DURING EVEN NUMBERED YEARS - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 17-101

RESOLUTION 17-101

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE CONSOLIDATION OF ELECTION OF THE GOVERNING BOARD OF REDWOOD VALLEY – CALPELLA FIRE PROTECTION DISTRICT WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER DURING EVEN-NUMBERED YEARS

4F) ADOPTION OF RESOLUTION APPROVING AMENDMENT NO. 4 TO CASPAR TRANSFER STATION OPERATIONS AGREEMENT AND LEASE WITH SOLID WASTES OF WILLITS, INC., ADDING SCRAP METAL AND ELECTRONICS TO THE RECYCLING COMMODITY INDEX - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same.

Enactment No: Resolution 17-102, Agreement 11-008-A4

RESOLUTION 17-102

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE CASPAR TRANSFER STATION OPERATIONS AGREEMENT AND LEASE BETWEEN THE COUNTY OF MENDOCINO AND SOLID WASTES OF WILLITS, INC.

4G) APPROVAL OF AMENDMENT TO AGREEMENT NO. SS S16-065, PA No. 17-34 WITH FORD STREET PROJECT IN THE AMOUNT OF \$20,000 (FOR A NEW TOTAL OF \$70,000) TO PROVIDE RESIDENTIAL DRUG AND ALCOHOL TREATMENT FOR FAMILY AND CHILDREN'S SERVICES CLIENTS IN FISCAL YEAR 2016-17 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-061

4H) APPROVAL OF AMENDMENT TO AGREEMENT NO. SS S16-067 PA No. 17-28 WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$26,000 (FOR A NEW TOTAL OF \$75,000) TO COVER RESIDUAL COSTS FROM FISCAL YEAR 2015-16 RELATED TO THE PROVISION OF EXPANDED SUBSIDIZED EMPLOYMENT FOR CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CAI WORKS) JOB SERVICES APPROVED CUSTOMERS - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-062

4I) APPROVAL OF AGREEMENT WITH CANYON MANOR IN THE AMOUNT OF \$222,753 TO PROVIDE LICENSED RESIDENTIAL TREATMENT FOR BEHAVIORAL HEALTH AND RECOVERY SERVICES (BHRS) ADULT CLIENTS IN FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-063

4J) ADOPTION OF RESOLUTION AND APPROVAL OF AGREEMENT WITH THE EMPLOYMENT DEVELOPMENT DEPARTMENT (EDD) OF THE STATE OF CALIFORNIA IN THE AMOUNT OF \$75,806 TO PROVIDE JOB DEVELOPMENT SERVICES FOR CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS (CALWORKS) PARTICIPANTS IN FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same.

Enactment No: Resolution 17-103, Agreement 17-064

RESOLUTION 17-103

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO APPROVE AGREEMENT BETWEEN THE STATE OF CALIFORNIA EMPLOYMENT DEVELOPMENT DEPARTMENT AND MENDOCINO COUNTY HEALTH AND HUMAN SERVICES AGENCY, CALWORKS JOB SERVICES

4K) APPROVAL OF AGREEMENT WITH CHABOT LAS POSITAS COMMUNITY COLLEGE DISTRICT IN THE AMOUNT OF \$1,500,000 TO PROVIDE EVIDENCE BASED TRAINING FOR FOSTER CARE PROVIDERS, GROUP HOME STAFF, AND COUNTY STAFF SERVING MENDOCINO COUNTY'S TITLE IV-E FEDERALLY ELIGIBLE CHILDREN IN FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-065

4L) APPROVAL OF AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC. IN THE AMOUNT OF \$437,760 TO CONTINUE IMPLEMENTATION OF CAM'S PLACE, A RESIDENTIALLY BASED SERVICES PILOT DEMONSTRATION PROJECT, IN FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-066

4M) APPROVAL OF AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC. IN THE AMOUNT OF \$1,129,443 TO PROVIDE EMERGENCY SHELTER SERVICES FOR CHILDREN PLACED BY FAMILY AND CHILDREN'S SERVICES IN FISCAL YEAR 2017-18 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-067

4N) APPROVAL OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT EM 2017 0002 (MAZZONI) FOR CONSTRUCTION OF A SLOPE STABILIZATION STRUCTURE - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4O) ACCEPTANCE OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT NO. EM 2017-0003 (UBELL) FOR REMOVAL OF DEAD AND DECAYING TREES - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4P) APPROVAL OF AMENDMENT TO AGREEMENT NUMBER PR B15-085 WITH FORD STREET PROJECT TO PROVIDE A CLEAN AND SOBER SUPERVISED HOUSING PROGRAM IN UKIAH, INCREASING THE TOTAL AGREEMENT AMOUNT FROM \$90,000 TO \$270,000, AND EXTENDING THE TERMINATION DATE FROM JUNE 30, 2016, TO JUNE 30, 2018 - SPONSOR: PROBATION

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-068

4Q) APPROVAL OF AGREEMENT WITH HUMBOLDT COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES MENTAL HEALTH IN THE AMOUNT OF \$600,000, AND A MAXIMUM OF \$150,000 PER FISCAL YEAR, TO PROVIDE SPECIALIZED MENTAL HEALTH SERVICES FOR MENDOCINO COUNTY PROBATION YOUTH PLACED IN THE LOCKED FACILITY FOR FISCAL YEARS 2017-2018 THROUGH 2020-2021 - SPONSOR: PROBATION

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-069

4R) ADOPTION OF PROCLAMATION RECOGNIZING JULY 16-22, 2017, AS PROBATION SERVICES WEEK IN MENDOCINO COUNTY - SPONSOR: PROBATION

Adopted;

4S) APPROVAL OF AGREEMENT WITH LEGACY INMATE COMMUNICATIONS IN THE AMOUNT OF \$73,643.18 TO PROVIDE INFRASTRUCTURE FOR SECURE INTERNET CONNECTION AND LEASE OF EIGHTY (80) EDOVO TABLETS FOR INMATE EDUCATION AT THE MENDOCINO COUNTY JAIL FOR THE TERM OF JUNE 1, 2017 THROUGH MAY 31, 2018 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same.

Enactment No: Agreement 17-070

5A) DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION TO PRESENT TO THE VOTERS OF THE COUNTY A MEASURE ADDING CHAPTER 5.180 TO THE MENDOCINO COUNTY CODE ENTITLED THE "MENTAL HEALTH TREATMENT ACT" ADOPTING A COUNTY TRANSACTIONS (SALES) AND USE TAX FOR THE SPECIFIC PURPOSE OF FUNDING IMPROVED SERVICES, TREATMENT AND FACILITIES FOR PERSONS WITH MENTAL HEALTH CONDITIONS AND ORDERING CONSOLIDATION OF SAID ELECTION WITH THE CONSOLIDATED GENERAL ELECTION CALLED FOR ON NOVEMBER 7, 2017; AND INTRODUCTION AND WAIVE READING OF ORDINANCE ADOPTING A COUNTY TRANSACTIONS (SALES) AND USE TAX (COUNTYWIDE) FOR THE SPECIFIC PURPOSE OF FUNDING IMPROVED SERVICES, TREATMENT AND FACILITIES FOR PERSONS WITH MENTAL HEALTH CONDITIONS (SPONSORS: SHERIFF'S OFFICE; HEALTH AND HUMAN SERVICES AGENCY; BEHAVIORAL HEALTH ADVISORY BOARD CHAIR; MENTAL HEALTH INITIATIVE AD HOC COMMITTEE - SPONSORS: SHERIFF'S OFFICE; HEALTH AND HUMAN SERVICES AGENCY; BEHAVIORAL HEALTH ADVISORY BOARD CHAIR; MENTAL HEALTH INITIATIVE AD HOC COMMITTEE (SUPERVISORS MCCOWEN AND HAMBURG); AND COUNTY COUNSEL

Presenter/s: Chair McCowen; Supervisor Hamburg; Sheriff Allman; and Ms. Katharine Elliott, County Counsel.

Public Comment: Ms. Anne Molgaard, Chief Operations Officer, Health and Human Services Agency; Ms. Jan McGourty; Mr. Lloyd Weer, Auditor Controller; Dr. Ace Barrash; Ms. Kate Gaston; Ms. Mikka Freda; Ms. Camille Schraeder; and Ms. Cathy Harpe.

BOARD RECESS: 10:30 A.M. - 10:44 A.M.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Croskey, IT IS ORDERED that the Board of Supervisors adopts Resolution presenting to the voters of Mendocino County a Measure adopting the Ordinance [with revisions] adding Chapter 5.180 entitled the "Mental Health Treatment Act" to the Mendocino County Code adopting a County transactions (sales) and use tax for the specific purpose of funding improved

services, treatment and facilities for persons with mental health conditions, and ordering consolidation of said election with the consolidated general election called for November 7, 2017; and introduces and waives reading of the Ordinance [with revisions]

[Revisions to the Ordinance: Section D, 4th line, change to: review the annual "independent" audit of expenditures and "the " performance management plan; change Section D to "The Mendocino County Board of Supervisors "is" encouraged; change the verbiage "each member" to "the Board"; change the last line of Section F to treatment fund shall be used for "ongoing operations", services and treatment; add the word "the" before the word "State" in Measure Box, page 1; Section D, page 2, after the words five committee members add, "selected by the Board"; and change are to "is" in Section D.]

[Revisions to the Resolution: Correct spelling of 'health" in the all-capitals section; change 5th line from bottom to "with annual audits and a citizen's oversight committee"; and add: funds cannot be taken by "the" state" in the next-to-last line.]

The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 – None

Board Directive: BY ORDER OF THE CHAIR if there are additional nonsubstantive changes to the Ordinance, consistent to the changes discussed, County Counsel is authorized to make the changes to the documents prior to presenting the Ordinance to the Board of Supervisors for adoption.

Enactment No: Resolution 17 104

RESOLUTION 17-104

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO, STATE OF CALIFORNIA, CALLING FOR AN ELECTION TO PRESENT TO THE VOTERS OF THE COUNTY A PROPOSED ORDINANCE ADDING CHAPTER 5.180 TO THE MENDOCINO COUNTY CODE ENTITLED THE "MENTAL HEALTH TREATMENT ACT" ADOPTING A COUNTY TRANSACTIONS (SALES) AND USE TAX FOR THE SPECIFIC PURPOSE OF FUNDING IMPROVED SERVICES, TREATMENT AND FACILITIES FOR PERSONS WITH MENTAL HEALTH CONDITIONS AND ORDERING CONSOLIDATION OF SAID ELECTION WITH THE CONSOLIDATED SPECIAL ELECTION CALLED FOR NOVEMBER 7, 2017 (COUNTYWIDE)

5B) DISCUSSION AND POSSIBLE ACTION REGARDING INFORMATIONAL UPDATE FROM THE BEHAVIORAL HEALTH ADVISORY BOARD IN PREPARATION FOR THE FISCAL YEAR 2016-17 ANNUAL REPORT - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Jan McGourty, Chair, Behavioral Health Advisory Committee.

Public Comment: None.

Board Action: No action taken.

5C) DISCUSSION AND POSSIBLE ACTION TO AMEND THE BOARD OF SUPERVISORS 2017 MASTER MEETING SCHEDULE ADDING A POTENTIAL REGULAR MEETING ON AUGUST 8, 2017 - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Chair McCowen; and Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors amends the Board of Supervisors 2017 Master Meeting Schedule to include a Regular Meeting on August 8, 2017. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, Supervisor Gjerde, and Supervisor Hamburg

No: 0 - None

5D) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF THE DEPARTMENT OF PLANNING AND BUILDING SERVICES DEVELOPMENT ACTIVITY REPORT FOR THE MONTH OF JUNE, 2017 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Adrienne Thompson, Administrative Services Manager, Planning and Building Services; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: None.

Board Action: No action taken.

5E) TRANSPORTATION DIRECTOR'S REPORT - SPONSOR: TRANSPORTATION

Presenter/s: Chair McCowen.

Public Comment: None.

Board Action: No action taken.

5F) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE - WITHDRAWN**5G) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM - SPONSOR: EXECUTIVE OFFICE - WITHDRAWN****6A) SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST**

Presenter/s: Supervisors

Public Comment: None.

Board Action: No action taken.

ADJOURNED TO CLOSED SESSION FOLLOWED BY LUNCH RECESS: 11:25 A.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR AGENCY NEGOTIATORS: CARMEL J. ANGELO, HEATHER COFFMAN, HEIDI DUNHAM, ALAN FLORA, CHERIE JOHNSON AND DONNA WILLIAMSON; EMPLOYEE ORGANIZATION(S): ALL**9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: JESSICA BARRILLEAUX V. COUNTY OF MENDOCINO, ET AL, MENDOCINO COUNTY SUPERIOR COURT CASE NO. C141373 TEH**

9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: LINDA MORALES V. COUNTY OF MENDOCINO, ET AL. MENDOCINO COUNTY SUPERIOR COURT CASE NO. 16 CV 02429 EMC

9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9C – CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION: ONE CASE

RECONVENED IN OPEN SESSION 1:40 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair McCowen.

Board Action: In respect to agenda items 9a) – 9b), direction was given to staff.

5H) DISCUSSION AND POSSIBLE ACTION REGARDING INFORMATIONAL UPDATE ON THE IMPLEMENTATION OF THE MENDOCINO COUNTY CANNABIS CULTIVATION PROGRAM AND CANNABIS COMPLIANCE AND CODE ENFORCEMENT UNIT – SPONSOR: AGRICULTURE

SUPERVISOR HAMBURG STATED A POTENTIAL CONFLICT WITH AGENDA ITEMS 5H) AND 5I) AND RECUSED HIMSELF.

SUPERVISOR HAMBURG ABSENT AT 1:43 P.M.

Presenter/s: Ms. Diane Curry, Interim Commissioner, Agriculture; Mr. Matthew Kiedrowski, Deputy County Counsel; Ms. Jennifer Krauss, Office Services Supervisor, Agriculture; and Ms. Mary Lynn Hunt, Chief Planner, Planning and Building Services; Mr. Trey Strickland, Manager, Environmental Health; and Mr. Nash Gonzalez, Interim Director, Planning and Building Services.

Public Comment: Mr. Craig Pederson; Ms. Angela Lisenberg; Mr. Matt Johanson; Ms. Johanna Mortz; Mr. Drew Phillips; Mr. Steven Amato; Mr. Roger Wheeler; Mr. Todd Franciskavic; Mr. Ron Edwards; Mr. Michael Bailey; Ms. Julia Dakin; Mr. Brandon Wheeler; Ms. Ashley Oldham; Mr. Alex Anzilotti; Mr. Steve Miller; Mr. Aaron Niderost; Mr. Bob Taylor; Ms. Nadine Boer; Ms. Karen Byars; Ms. Charlotte Beaumont; Ms. Cherolyn Forbes; Mr. John Lee; Mr. Blair Phillips; Ms. Valerie Edwards; Ms. Margaret Andrews; Ms. Erin Carney; Ms. Amanda Reiman; Mr. Marvin Levin; Mr. Michael Green; Ms. Petra Buchanan; Ms. Alwyn Loir; Mr. Ted Liese; Ms. Monique Ramirez; Mr. Swami Chaitanya; Mr. Marc Glomb; Ms. Anna Birkas; Ms. Sandra Berman; Ms. Anna Birkas; Ms. Hannah Nelson; Mr. Jed Davis; Ms. Corinne Powell; and Mr. Tom Loring.

CHANGE IN COUNTY COUNSEL TO CHIEF DEPUTY COUNTY COUNSEL CURTIS

COUNTY COUNSEL ELLIOTT ABSENT AT 3:40 P.M.

CHANGE IN COUNTY COUNSEL TO COUNTY COUNSEL ELLIOTT AT 4:25 P.M.

Board Action: No action taken.

GENERAL CONSENSUS OF THE BOARD that staff shall find an interim mechanism for individuals in the application process that would state the County finds them in compliance, therefore making them eligible to apply for State permits.

GENERAL CONSENSUS OF THE BOARD that any existing structure not in compliance with building code is eligible for amnesty and would not prohibit issuance of a permit, subject to a completed application. Individuals will have one year to fix violation so long as they are diligently pursuing remedies to address the code violation issues.

GENERAL CONSENSUS OF THE BOARD that the application deadline shall be extended to June 30, 2018.

GENERAL CONSENSUS OF THE BOARD that staff shall develop an overlay or exemption for areas who wish to opt out of cannabis cultivation.

GENERAL CONSENSUS OF THE BOARD that individuals removing trees for the purpose of cannabis cultivation or removed without permission from CalFire, prior to May 4th, 2017, will not be eligible for a permit; and directing County Counsel to research the earliest operative date that is reasonable to impose this permit denial criteria.

GENERAL CONSENSUS OF THE BOARD that staff may combine cultivation types into one permit, not to exceed 10,000 square feet per parcel of mixed license types.

GENERAL CONSENSUS OF THE BOARD that exemption stacking is prohibited.

GENERAL CONSENSUS OF THE BOARD that staff shall review the issue of road easements that allow access to cannabis cultivation sites, including potential limitation regarding use of neighbor's roads and bridges.

BY ORDER OF THE CHAIR staff shall investigate and provide information regarding transferability of permits from coastal to inland zone.

GENERAL CONSENSUS OF THE BOARD for staff to return to the Board with details regarding enforcement concerns and processes.

GENERAL CONSENSUS OF THE BOARD for staff to research the State requirements in respect to prohibition regarding felonies, wherein "felonies" only refers to violent or serious crimes; and modify our requirements to conform accordingly.

GENERAL CONSENSUS OF THE BOARD for staff to include language that allows extinguish and transfer for properties not subject to the sunset provision.

GENERAL CONSENSUS OF THE BOARD that staff shall provide recommendations to the Board regarding provisional permit status.

GENERAL CONSENSUS OF THE BOARD that staff shall provide additional information regarding transferability of permits from coastal to inland zone.

GENERAL CONSENSUS OF THE BOARD to modify Ordinance allowing applicants to submit copies of Board of Equalization sales (wholesale) reports or receipts of transactions with legitimate patient dispensing collectives, processors or manufacturers after transactions have occurred, rather than requiring proof of an upfront agreement.

GENERAL CONSENSUS OF THE BOARD that staff shall provide language clarifying compliance for proof of prior cultivation, as follows: If applicant was out of compliance with Ordinance in 2010 when setbacks requirements were adopted, they have no valid entitlement to seek to transfer. If they could not possibly comply, then they never could have received a permit, and therefore have nothing to transfer. If they could comply going forward (even if not in compliance in the past) then they would be eligible to apply and move forward on existing cultivation site. However, they still must be able to comply with setbacks on their current parcel; and must have been cultivating prior to January 1, 2016, with exceptions to 2016 permit program, limited to those in that program.

GENERAL CONSENSUS OF THE BOARD for staff to determine whether CalFire has a preference regarding the use of the term "Timberland" vs. "Resource Land."

BOARD RECESS: 3:43 P.M. – 3:56 P.M.

5I) DISCUSSION AND POSSIBLE ACTION REGARDING THE COUNTY'S CANNABIS PROGRAM IMPLEMENTATION INCLUDING CREATION OF A STAND ALONE CANNABIS PROGRAM UNIT AND CREATION OF A CANNABIS MANAGER POSITION – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: None.

Upon motion by Supervisor Croskey, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors receives information and recommendations regarding the creation of a stand- alone Cannabis Program Unit, creation of a Cannabis Program Manager Position and provides direction to staff as appropriate. The motion carried by the following vote:

Aye: 5 - Supervisor Brown, Supervisor McCowen, Supervisor Croskey, and Supervisor Gjerde

No: 0 – None

Recused: 1 – Supervisor Hamburg

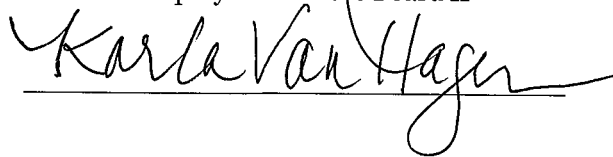
AGENDA ITEM NO. 10 – COMMUNICATIONS

- 10a) United States Federal Energy Regulatory Commission - Notice of Intent to File License Application for Pacific Gas Electric Company. For more information, please contact John Mudre at (202) 502-8902.
- 10b) Sonoma County Water Agency - Russian River Hydrologic Status Report 06-15-17. For more information, please contact Mr. John Mendoza at (707) 547 1929.
- 10c) Sonoma County Water Agency - Russian River Hydrologic Status Report 06-22-17. For more information, please contact Mr. John Mendoza at (707) 547-1929.
- 10d) Sonoma County Water Agency - Russian River Hydrologic Status Report 06-29-17. For more information, please contact Mr. John Mendoza at (707) 547-1929.
- 10e) Federal Energy Regulatory Commission - Scoping Document 1 for Potter Valley Project. For more information, please refer to www.pge.com/pottervalley.
- 10f) US Department of Homeland Security - Notice of Requirement for Approved Floodplain Management Measures. For more information, please contact Ms. Rachel Sears at (510) 627-7100.
- 10g) State Water Resources Board - Temporary Urgency Change Order for 5-19-17 for Russian River. For more information, please contact Mr. John Mendoza at (707) 547-1929.
- 10h) California State Controller - Mendocino County Audit Report Court Revenues. For more information, please contact Ms. Gonzalez at (916) 324-0622.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:40 P.M.

Attest: KARLA VAN HAGEN
Deputy Clerk of the Board II


JOHN MCCOWEN, Chair



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

- Effective March 1, 2009, Board of Supervisors minutes will be produced in "action only" format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors' website in indexed audio format.
- LIVE WEB STREAMING OF BOARD MEETINGS is now available via the County's YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 463-4441.
- 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: www.mendocinocounty.org/government/board-of-supervisors
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441.
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: www.mendocinocounty.org/government/board-of-supervisors

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