

**CARRE BROWN**  
1st District  
Supervisor

**JOHN MCCOWEN**  
2nd District  
Supervisor

**GEORGEANNE  
CROSKEY**  
3rd District  
Supervisor  
Vice-Chair

**DAN GJERDE**  
4th District  
Supervisor

**DAN HAMBURG**  
5th District  
Supervisor  
Chair



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

**KATHARINE L. ELLIOTT**  
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 BOARD OF SUPERVISORS**

### **ACTION MINUTES –November 16, 2018**

**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, Supervisor John McCowen, Supervisor Georgeanne Croskey, and Supervisor Dan Gjerde. Supervisor Dan Hamburg absent by pre-arrangement. Chair Croskey presiding.

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

**The Pledge of Allegiance was led by:** Mr. C. David Eyster.

#### **AGENDA ITEM NO. 3 – PUBLIC EXPRESSION**

**Presenter/s:** Mr. Ron Edwards; Mr. Louis Bigfoot; Ms. Katrina Fish; Ms. Marilyn Goldstein Schultz; Ms. Sarah Reith; Ms. Jude Thilman; Ms. Mary Buckley; Ms. Tracy Pellar; Mr. Richard Sears; Mr. Thomas Allman; Mr. C. David Eyster; Mr. Casey O'Neill; and Ms. Jessica Harness.



**5A) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR AMENDMENTS TO CHAPTER 10A.17 MENDOCINO CANNABIS CULTIVATION ORDINANCE AND CHAPTER 20.242 CANNABIS CULTIVATION SITES OF THE MENDOCINO COUNTY CODE; ADDING CHAPTER 20.118 "CA" CANNABIS ACCOMMODATION COMBINING DISTRICT AND CHAPTER 20.119 "CP" COMMERCIAL CANNABIS PROHIBITION COMBINING DISTRICT TO THE MENDOCINO COUNTY CODE; AND REZONING CERTAIN PARCELS TO APPLY THE CA AND CP COMBINING DISTRICTS; AND INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING CHAPTER 10A.17 MENDOCINO CANNABIS CULTIVATION ORDINANCE AND CHAPTER 20.242 CANNABIS CULTIVATION SITES OF THE MENDOCINO COUNTY CODE; ADDING CHAPTER 20.118 "CA" CANNABIS ACCOMMODATION COMBINING DISTRICT AND CHAPTER 20.119 "CP" COMMERCIAL CANNABIS PROHIBITION COMBINING DISTRICT TO THE MENDOCINO COUNTY CODE; AND REZONING CERTAIN PARCELS TO APPLY THE CA AND CP COMBINING DISTRICTS - SPONSORS: COUNTY COUNSEL AND PLANNING AND BUILDING SERVICES**

**Presenter/s:** Mr. Paul Junker, Michael Baker, International; Mr. Matthew Kiedrowski, Deputy County Counsel; and Mr. Jesse Davis, Planner III, Planning and Building Services.

**Public Comment:** Mr. James Green; Mr. Will Carson; Mr. Casey O'Neill; Ms. Valerie Edwards; Mr. Paul Hansbury; Mr. Barry Klippel; Ms. Cynthia Raiser Jeavons; Mr. Aaron Niederost; Mr. Chris Gurr; Ms. Meeka Feretta; Ms. Monique Ramirez; Ms. Tekla Broz; Mr. Ron Hock; Ms. Judy Tichinin; Mr. Doug Weston; Ms. Linda Rosengerten; Mr. Simeon Evans; Mr. Ron Edwards; and Mr. Swami Chatanya.

**Board Directive:** GENERAL CONSENSUS OF THE BOARD that staff shall prepare a future agenda item on how Cannabis cultivation administrative permits are administered, and consideration of greater distances between setbacks.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors adopts Resolution approving and adopting an addendum to the previously adopted Mitigated Negative Declaration, in compliance with California Environmental Quality Act Requirements, for amendments to Chapter 10A.17 Mendocino Cannabis Cultivation Ordinance and Chapter 20.242 Cannabis Cultivation Sites of the Mendocino County Code; adding Chapter 20.118 "CA" Cannabis Accommodation Combining District and Chapter 20.119 "CP" Commercial Cannabis Prohibition Combining District to the Mendocino County Code; and rezoning certain parcels to apply the CA and CP Combining Districts and authorizes Chair to sign same; and \*Introduces and waives first reading of an Ordinance amending Chapter 10A.17 Mendocino Cannabis Cultivation Ordinance and Chapter 20.242 Cannabis Cultivation Sites of the Mendocino County Code; adding Chapter 20.118 "CA" Cannabis Accommodation Combining District and Chapter 20.119 "CP" Commercial Cannabis Prohibition Combining District to the Mendocino County Code; and Rezoning Certain Parcels to Apply the CA and CP Combining Districts [*\*Incorporating the changes approved at today's meeting as shown by County Counsel.*] Motion carried by the following vote:

Aye: 4 – Supervisor Brown, Supervisor McCowen, Supervisor Croskey, and Supervisor Gjerde

No: 0 – None

Absent: 1 – Supervisor Hamburg

Enactment No: Resolution 18-174

#### RESOLUTION 18-174

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR AMENDMENTS TO CHAPTER 10A.17 MENDOCINO CANNABIS CULTIVATION ORDINANCE AND CHAPTER 20.242 CANNABIS CULTIVATION SITES OF THE MENDOCINO COUNTY CODE; ADDING CHAPTER 20.118 "CA" CANNABIS ACCOMMODATION COMBINING DISTRICT AND CHAPTER 20.119 "CP" COMMERCIAL CANNABIS PROHIBITION COMBINING DISTRICT TO THE MENDOCINO COUNTY CODE; AND REZONING CERTAIN PARCELS TO APPLY THE CA AND CP DISTRICTS

**BOARD RECESS:** 10:10 A.M. – 10:28 A.M.

**5B) DISCUSSION AND POSSIBLE ACTION REGARDING CANNABIS AD HOC COMMITTEE PROPOSED RECOMMENDATIONS AND DISCUSSION POINTS - SPONSOR: CANNABIS AD HOC COMMITTEE (SUPERVISORS HAMBURG AND MCCOWEN)**

**Presenter/s:** Supervisor McCowen; Mr. Matthew Kiedrowski, Deputy County Counsel; Ms. Sarah Dukett, Deputy Chief Executive Officer; Ms. Chevon Holmes, Program Administrator, Agriculture; and Mr. Harinder Grewal, Agricultural Commissioner/Sealer of Weights and Measures.

**Public Comment:** Ms. Corrinne Powell; Ms. Monique Ramirez; Ms. Linda Gray; Mr. Paul Hansbury; Mr. Jed Davis; Ms. Kim Tate; Mr. Casey O'Neill; Mr. Swami Chatanya; Mr. Ron Edwards; Mr. David Drell; Mr. Mark Thies; Ms. Julia Carrera; Mr. Doug Kerseg; Ms. Marie Hoff; Mr. John Andersen; Mr. Park Steiner; Ms. Heidi Woodhouse; Ms. Sheila Jenkins; Mr. Riley Shields; Mr. Mark Shaffer; Mr. Dennis Slota; Mr. Ed Lissaver; Ms. Devon Jones; Ms. Kate Marianchild; and Ms. Kim Tate.

*BOARD RECESS: 11:34 A.M. – 11:36 A.M.*

*ADJOURNED TO LUNCH RECESS: 11:44 A.M.*

*RECONVENED IN OPEN SESSION: 1:31 P.M.*

*COUNTY COUNSEL ABSENT: 3:50 P.M.*

*COUNTY COUNSEL PRESENT: 4:20 P.M.*

*BOARD RECESS: 3:58 P.M. – 4:13 P.M.*

**Board Directive:** GENERAL CONSENSUS OF THE BOARD that the Board of Supervisors endorses the following bullet points from the “Major Discussion Points” of the Ad Hoc Committee recommendations memo: Number 1, removing begin date for phase three; and Number 4 (with staff investigating a tiered system and returning recommendations to the Board of Supervisors). Additionally, the Board endorses the following from the Ad Hoc Committee’s “Additional Recommendations”: Numbers 1; 3; 4 (staff to investigate options related to this); Number 5 (only if staff returns with suggested language to allow small sized generators as limited use, (as further defined by County Counsel and staff) as a source of back-up power, with demonstrated other energy support for normal season/normal weather); Number 6 (with the deletion of “wildlife exclusionary” and deletion of “immediate” next to garden area); Numbers 7-11; Number 12 (Planning Commission to review); Number 13 (Planning Commission to review); Numbers 14-15; and Number 17.

*CHANGE IN COUNTY COUNSEL TO ASSISTANT COUNTY COUNSEL CURTIS: 5:08 P.M.*

**Board Directive:** GENERAL CONSENSUS OF THE BOARD that staff to prepare an item for the December 4, 21018, Board of Supervisors meeting to amend the Master Meeting calendar by adding a Regular meeting on December 11, 2018.

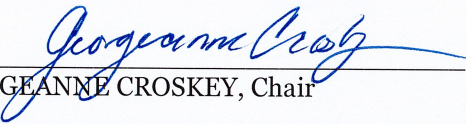
**5C) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR AMENDMENTS TO CHAPTER 10A.17 OF THE MENDOCINO COUNTY CODE; AND INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING CHAPTER 6.36 – CANNABIS FACILITIES BUSINESSES AND CHAPTER 10A.17 – MENDOCINO CANNABIS CULTIVATION ORDINANCE – SPONSOR: COUNTY COUNSEL AND AGRICULTURE –WITHDRAWN**

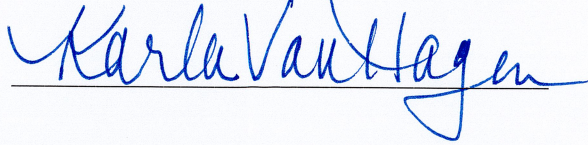
**Public Comment:** Mr. C. David Eyster, District Attorney.



THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:14 P.M.

Attest: Karla Van Hagen  
Senior Deputy Clerk of the Board

  
\_\_\_\_\_  
GEORGEANNE CROSKEY, Chair

  
\_\_\_\_\_  
Karla Van Hagen

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](http://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](http://www.mendocinocounty.org/government/board-of-supervisors)

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