



Mendocino County Board of Supervisors  
501 Low Gap Road  
Ukiah, CA 95482

October 21st, 2019

**Re: Agenda Items 5j, 5q, 5r for 10-22-19 BOS meeting**

Honorable Board of Supervisors,

The Mendocino Cannabis Alliance has the following specific comments for the agenda items listed below. As always, we appreciate the opportunity to engage in this process.

**Agenda Item: 5j**

*Discussion and Possible Action Including Acceptance of the 2018 Mendocino County Crop Report Presentation from the Agricultural Commissioner*

With the recent passage of SB 657, MCA looks forward to seeing cannabis included in future Mendocino County Crop Reports.

**Agenda Item: 5q**

*Discussion and Possible Action Including Adoption of Resolution Establishing the Cannabis Business Tax Appellate Process and Delegating Authority to a Hearing Officer to Hear Appeals*

MCA continues to object to limiting the basis for appeal so narrowly and respectfully advocates for additional reasons to be considered. The recent freeze that happened in many valleys of our County caused many farms to lose up to 50% of their crops. Instances of crop loss should be a consideration for appeal.

MCA recommends that Item 3 of the Resolution be reworded so that it's clear that applicants initially only pay the Administrative Review Fee. After the Administrative Review is complete and it's determined that a hearing is needed, then the hearing fee would be required by the applicant before the hearing could be conducted. In addition to providing applicants an opportunity to decide if they want to bear the additional cost of proceeding with a hearing or not, it would also avoid issuing refunds for the hearing portion of the fees if the matter is resolved during the administrative review.

**Agenda Item: 5r**

*Noticed Public Hearing - Discussion and Possible Action Including Adoption of Resolution Amending Exhibit X - Master Fee Schedule Effective November 21, 2019, for Health and Human Services Agency, Environmental Health and Public Health Nursing Divisions; and for Department of Planning & Building Services, Cannabis Management Unit*

On the first pages related to the appeal fees (Part A, pages 1 & 3) it states 10 hours for the PBS Director even though the process is for the Director to meet with the Tax Collector and Cannabis Manager who each only have 5 hours listed, but in Part B, page 1, the time is 1 hour and .50 hours. This might be a typo but either way,, the PBS Director is listed as taking twice the amount of time than the other two. If the Administrative Review is being conducted by all three, wouldn't it take them the same amount of time and then any clerical work informing the appellant of the decision could be done by a non-department head?

If the Administrative Review fees are included in the Hearing Fee, that should be clarified. If not, MCA suggests that the Administrative Review Fees be listed as a separate item in the list of Hearing Fees so it is clear that there are ADDITIONAL fees to those listed on page 14 (\$625, \$1000 & \$1250).

On page 6, Items 516-519 (Environmental Health Cannabis related fees), there are 4 types. What is an Amended Renewal Application Review? Is this for amendments, renewals or both? How is it different from an Annual Cannabis Review? Why is it \$281 instead of the \$182 of the annual? How are these different from the Facility License Review in terms of the amount of time it takes to review? A Facilities License review costs \$155 but the Initial Cannabis Review is \$343. This is \$43 MORE than a Coastal Development Permit Review. What is Staff basing these number of hours on? It may be worth noting that Body Art Facilities have lower fees in their categories.

With respect to Planning and Building Services Cannabis fees, Item 1170 on page 13 should be removed since the Department no longer allows pre-application meetings. Item 1171 on page 13 is \$5826 + \$90/hour for a Cannabis Coastal Development Permit. Why is this fee more than a regular Coastal Development Permit? Item 1172 for an Administrative Permit on page 14 is listed as \$1261+ \$90/hour while a regular Administrative Permit (Item 1140) on page 13 is \$825+ \$90/hr.

In further examination, across the board, Use Permit fees for Cannabis are more than non-cannabis fees with the exception of specialized fees. MCA seeks clarity in understanding the lack of parity to other types of applications in these fees.

We appreciate your time to review our suggestions and comments on all of the mentioned agenda items.

Sincerely,

The Mendocino Cannabis Alliance