

Memorandum

To: Board of Supervisors
From: Supervisor McCowen
Date: October 6, 2020
Re: Consent Calendar - Minutes and Directives

Background: The Mendocino County Grand Jury report titled Who Runs Mendocino County, issued May 31, 2019 found that the Board of Supervisors does not adequately track Board Directives given to the CEO and that the current list has inadequate status and descriptors and no timelines or milestones for completion. The Board agreed that additional information should be supplied regarding updates, status and timelines. The Grand Jury recommended that the Board include expectations for completion at the time Board Directives are given. The Board agreed and stated that the recommendation would be implemented at the time Board Directives are given.

I requested the list of Board Directives on June 8, 2020 and noted that the most recent listing was for March 10, 2020. I was informed that tracking Board Directives has not been a priority due to the pandemic and local declaration of emergency. Through a series of email exchanges I have been informed that the list of Board Directives is maintained by the Executive Office; that Board Directives are not recorded in real time, but are gleaned from Board of Supervisors minutes and must then be reviewed before they are finalized.

Issues: The fact that Board Directives are not recorded in real time certainly raises questions about tracking and implementation, as well as accuracy. I recall that past practice was for the Clerk of the Board to incorporate Board Directives into the draft minutes by asking clarifying questions to confirm that a Board Directive was being given and to capture the preferred wording and intent.

Having reviewed the draft minutes on today's consent calendar, I am concerned that Board Directives, at least in some instances, are not being recorded. How then can they be extracted from the minutes by Executive Office staff? And how can they be tracked and implemented? However, even if all Board Directives are recorded in the minutes, if they have not been added to the list of Board Directives since March 10 how are they to be tracked or implemented?

Comments to Draft Minutes:

July 14, 2020 Agenda Item 5f - I believe Board Direction was given to staff regarding the business license process but the minutes say no action was taken.

July 31, 2020 Agenda Item 6c - As the maker of the motion I distinctly recall that the motion included the six requests listed on the powerpoint slide labeled "Requests (not an exhaustive list)" and consisting of six text boxes with specific requests. The Board

Action as listed incorporates these requests generally but not specifically except for formation of an Equity, Diversity & Inclusion Task Force.

August 4, 2020 Agenda Item 5b - The minutes correctly capture a Board Directive for the appointment of an ad hoc committee "to work with staff and outside agencies on a pathway for cannabis cultivators to get their annual licenses" and a motion directing staff "to initiate the steps needed to create a land use ordinance for commercial cannabis discretionary permits" as well as direction to work with existing applicants and the ad hoc committee. The minutes do not capture a Board Directive authorizing me to work with staff on the land use ordinance for commercial cannabis cultivation permits.

August 18, 2020 No comments.

September 1, 2020 Agenda Item 5a - Board Direction was given for the Executive Office to move forward with implementation of a Promotores de Salud model for community outreach to address health inequities of Covid-19 without the need to return to the Board for further approval.

September 11, 2020 Agenda Item 3a - The specific amendments to the Resolution ratifying the declaration of a local emergency approved by the Board are not listed. I believe a Board Directive was also given to request representatives of the United States Forest Service to attend a future Board meeting to discuss the Forest Service response to fighting wildland fires.

September 22, 2020 Agenda Item 5a - Board Directive was given that Supervisors having Covid related questions should direct such questions to the Call Center, either by phone or email, and not to the Department Operations Center.

September 22, 2020 Agenda Item 5b - Board Directive was made, by Order of the Chair, authorizing Supervisors Williams and McCowen, (acting as the Fire and EMS Services Sustainability Ad Hoc) to work with staff to bring forward ordinance changes necessary to implement the "Road Naming Issues Proposal."