

GLENN MCGOURTY
1st District
Supervisor

MAUREEN
MULHEREN
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor
Chair

TED WILLIAMS
5th District
Supervisor
Vice-Chair



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

CHRISTIAN M. CURTIS
County Counsel

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – April 12, 2021

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 9:02 A.M.)

Present: Supervisor Glenn McGourty, Supervisor Maureen Mulheren, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams. Chair Gjerde presiding.

Staff Present: Carmel J. Angelo, Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Deputy Clerk of the Board; Lindsey Daugherty, Deputy Clerk of the Board; and Deena Gera, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Supervisor Williams.

AGENDA ITEM NO. 2 – PUBLIC EXPRESSION

Presenter/s: Ron Edwards; Michael Katz; Lynn Davis; Devora Stearn; and Blaire AuClair.

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING A WORKSHOP ON WATER SUPPLY CONDITIONS IN MENDOCINO COUNTY; AND APPROVAL OF IMPLEMENTATION OF A DROUGHT PREPAREDNESS CAMPAIGN ADMINISTERED BY THE MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT – SPONSORS: SUPERVISOR MCGOURTY AND SUPERVISOR MULHEREN

Presenter/s: Supervisor McGourty; Supervisor Mulheren; Don Seymour, Sonoma County Water Agency; Jared Walker, Redwood Valley County Water District; Sean White, City of Ukiah; Andrew Bake, CivicSpark Fellow, Department of Transportation; Janet Pauli, Inland Water and Power Commission; John Smith, City of Fort Bragg; Beth Solomone, Russian River Flood Control and Water Conservation Improvement District; and Deborah Edelman, Mendocino County Resource Conservation District.

Public Comment: Monique Ramirez; Michael Katz; Devon Jones; Corinne Powell; Susan Tibbon; and Paul Hansbury.

Board Action: Upon motion IT IS ORDERED that the Board of Supervisors conducts workshop on water supply conditions in Mendocino County; and approves implementation of a Drought Preparedness Campaign administered by the Mendocino County Resource Conservation District. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

BOARD RECESS: 11:33 A.M. – 11:45 A.M.

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING PRESENTATION BY CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (CDFW) REGARDING CURRENT AND FUTURE IMPACTS OF LEGAL AND ILLEGAL CANNABIS CULTIVATION IN MENDOCINO COUNTY – SPONSORS: SUPERVISOR HASCHAK AND SUPERVISOR WILLIAMS

Presenter/s: Supervisor Haschak; Supervisor Williams; Angela Liebenberg, Senior Environmental Scientist, California Department of Fish and Wildlife; Sarah Gallagher, Senior Environmental Scientist, California Department of Fish and Wildlife; Jennifer Garrison, Senior Environmental Scientist, California Department of Fish and Wildlife; and Curt Babcock, Northern Region Conservation Program Manager, California Department of Fish and Wildlife.

Public Comment: Monique Ramirez; Michael Katz; Ron Edwards; Anna Stockel; Susan Tibbon; and Paul Hansbury.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors directs the Cannabis Program Manager to work with State Partners, Community Partners, and County Staff to return to the Board with information on future impacts of legal and illegal Cannabis Cultivation in Mendocino County. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

ADJOURNED TO LUNCH: 1:15 P.M. – 1:45 P.M.

5D) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION FROM CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA), CALCANNABIS DIVISION, AND CANNABIS PROGRAM MANAGER – SPONSORS: CANNABIS PROGRAM AND CANNABIS AD HOC OF SUPERVISOR HASCHAK AND SUPERVISOR WILLIAMS

Presenter/s: Supervisor Haschak; Supervisor Williams; Richard Parrot, Director, California Department of Food and Agriculture CalCannabis Division; Lindsey Rains, California Department of Food and Agriculture CalCannabis Division; Crystal D'Souza, California Department of Food and Agriculture CalCannabis Division; and Kristin Nevedal, Cannabis Program Manager.

Public Comment: Hannah Nelson; Monique Ramirez; Michael Katz; Karen Byars; Paul Hansbury; and Ron Edwards.

Board Action: No Action Taken.

3A) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF URGENCY ORDINANCE EXTENDING A TEMPORARY MORATORIUM ON THE COMMENCEMENT OF PHASE THREE CANNABIS CULTIVATION PERMITTING UNDER MENDOCINO COUNTY CODE CHAPTERS 10A.17 AND 20.242 PENDING THE STUDY AND CONSIDERATION OF LAND USE AND OTHER REGULATIONS PERTAINING TO CANNABIS CULTIVATION – SPONSORS: COUNTY COUNSEL AND PLANNING AND BUILDING SERVICES

Presenter/s: Matthew Kiedrowski, Deputy County Counsel.

Public Comment: John Almida; Paul Hansbury; and Susan Tibbon.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors adopts urgency ordinance extending a temporary moratorium on the commencement of Phase Three cannabis cultivation permitting under Mendocino County Code Chapters 10A.17 and 20.242 pending the study and consideration of land use and other regulations pertaining to cannabis cultivation; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Ordinance 4490

ORDINANCE NO. 4490

AN URGENCY ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXTENDING A TEMPORARY MORATORIUM ON THE COMMENCEMENT OF PHASE THREE CANNABIS CULTIVATION PERMITTING UNDER MENDOCINO COUNTY CODE CHAPTERS 10A.17 AND 20.242 PENDING THE STUDY AND CONSIDERATION OF LAND USE AND OTHER REGULATIONS PERTAINING TO CANNABIS CULTIVATION

BOARD RECESS: 2:42 P.M. – 3:00 P.M.

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION REGARDING CRISIS INTERVENTION TRAININGS (CIT) PROVIDED IN MENDOCINO COUNTY AND DIRECTION TO STAFF REGARDING POSSIBLE FUTURE PARTICIPATION IN CRISIS INTERVENTION TEAM INTERNATIONAL – SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Jenine Miller, Behavioral Health and Recovery Services Director; Jan McGourty; and Matthew Kendall, Sheriff-Coroner.

Public Comment: Michael Katz; and Monique Ramirez.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors accepts presentation regarding Crisis Intervention Trainings (CIT) provided in Mendocino County and directs staff to work with community stakeholders, Sheriff, County Law Enforcement and return with a specific proposal to be funded by Measure B and presented on the consent calendar; and directs staff to also provide a summary comparing the Memphis Model with the model already approved by Measure B.

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

5E) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION ON CODE ENFORCEMENT IN MENDOCINO COUNTY – SPONSORS: SUPERVISOR GJERDE AND SUPERVISOR MCGOURTY

Presenter/s: Supervisor McGourty; Supervisor Gjerde; John Ford, Humboldt County Code Enforcement; Matthew Kendall, Sheriff-Coroner; Nash Gonzalez, Interim Director, Department of Planning and Building Services; Kristin Nevedal, Cannabis Program Manager; John Burkes, Supervisor, Code Enforcement; Christian Curtis, County Counsel; and Michael Makdisi, Deputy County Counsel.

THE BOARD OF SUPERVISORS UNANIMOUSLY DECIDED TO MERGE ITEM 5E WITH ITEM 5F, AND TAKE ALL PUBLIC COMMENT FOR THE TWO ITEMS AT ONCE.

5F) DISCUSSION AND POSSIBLE DIRECTION REGARDING PHASE 1 CANNABIS PERMIT APPLICATIONS INCLUDING: (1) ENCOURAGING DENIAL OF NON-COMPLIANT PHASE 1 CANNABIS CULTIVATION APPLICATIONS; (2) APPROVING INCREASED SCOPE OF WORK FOR EXISTING OUTSIDE COUNSEL ABBOTT & KINDERMANN TO ASSIST WITH PHASE 1 CANNABIS CULTIVATION DENIALS; (3) OBTAINING SATELLITE IMAGERY SUBSCRIPTION FOR CANNABIS PROGRAM AND CODE ENFORCEMENT WITH BUDGETARY REQUEST RETURNING ON CONSENT; (4) REQUIRING PHASE 1 CANNABIS PERMIT AND EMBOSSED RECEIPT HOLDERS TO DEMONSTRATE STATE PROVISIONAL LICENSE OR ATTEST TO NON-CULTIVATION WITHIN 45 DAYS – SPONSOR: SUPERVISOR WILLIAMS

Presenter/s: Supervisor Williams; Kristin Nevedal, Cannabis Program Manager; Christian Curtis, County Counsel; and Michael Makdisi, Deputy County Counsel.

Public Comment: Paul Hansbury; Susan Tibbon, Monique Ramirez; Michael Katz; Ron Edwards; Karen Byars; Ellen Drell; Hannah Nelson; Alex Cummings; Devon Jones; Sarah Bodnar; Joshua Keats, and Anna Stockel.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors 1) Encourages the Cannabis Program Manager to deny non-compliant Phase 1 Cannabis Cultivation Applications; 2) Approves increased scope of work for existing outside counsel Abbott & Kindermann to assist with Phase 1 Cannabis Cultivation denials; 3) Directs Cannabis Manager to Obtain Satellite Imagery subscription for Cannabis program and Code Enforcement with budgetary request returning on Consent; 4) Directs Cannabis Program Manager to Require Phase 1 Cannabis permit and embossed receipt holders to demonstrate state provisional license or attest to non-cultivation within 45 days; 5) Directs Code Enforcement, Cannabis Program, and County Counsel, with input from Sheriff, to return with an enforcement plan aligned with Humboldt's model. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

BOARD RECESS: 5:54 P.M. – 6:04 P.M.

5G) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING 12 FUNDED AND VACANT POSITIONS AT THE MENDOCINO COUNTY SHERIFF'S OFFICE; AND SHERIFF PRESENTATION ON SPECIFIC CANNABIS ENFORCEMENT OUTCOMES BOARD OF SUPERVISORS CAN EXPECT WITH POSITIONS FILLED – SPONSORS: SUPERVISOR MULHEREN, SUPERVISOR WILLIAMS, AND SHERIFF-CORONER

Presenter/s: Supervisor Mulheren; and Matthew Kendall, Sheriff-Coroner.

Public Comment: Hannah Nelson; Monique Ramirez; Michael Katz; Ron Edwards; and Anna Stockel.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors directs the Sheriff to work with the Executive Office, other county departments, state partners, and federal partners to develop a proposal for state, federal, and local government to address twenty first century challenges associated with illegal, large scale cultivation taking place in rural Northern California.

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None


Absent: 0 – None

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 7:05 P.M.

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



Attest: LINDSEY DAUGHTERY
Senior Deputy Clerk of the Board



DAN GJERDE, 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