

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
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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –June 12, 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, Supervisor Dan Gjerde, and Supervisor Dan Hamburg. Chair Hamburg 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: Ms. Sarah Reith.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Ron Edwards; Ms. Hannah Nelson; Mr. Casey O'Neill; Ms. Sarah Reith; Ms. Jude Thilman; and Mr. Mark Shaffer.

5B) DISCUSSION AND POSSIBLE ACTION TO (1) ADOPT RESOLUTION APPROVING AND ADOPTING AN ADDENDUM TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION, IN COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT REQUIREMENTS, FOR AMENDMENTS TO SECTION 10A.17.090 OF THE MENDOCINO COUNTY CODE; AND (2) INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE AMENDING SECTION 10A.17.090 OF THE MENDOCINO COUNTY CODE TO ALLOW FOR A STAY IN DENIAL OF CANNABIS CULTIVATION PERMIT APPLICATIONS DURING A ONE-YEAR NON-CULTIVATION PERIOD - SPONSORS: COUNTY COUNSEL AND AGRICULTURE

Presenter/s: Mr. Matthew Kiedrowski, Deputy County Counsel; and Mr. Michael Makdisi, Deputy County Counsel.

Public Comment: Ms. Hannah Nelson.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Croskey, 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 Section 10A.17.090 of the Mendocino County Code, and authorizes Chair to sign same; and introduces and waives first reading of an Ordinance amending Section 10A.17.090 of the Mendocino County Code to allow for a stay in denial of cannabis cultivation permit applications during a one-year non-cultivation period. The motion carried by the following vote:

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

No: 0 – None

Enactment No: Resolution 18-080

RESOLUTION 18-080

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 SECTION 10A.17.090 OF THE MENDOCINO COUNTY CODE

5C) DISCUSSION AND ACTION INCLUDING DIRECTION TO STAFF AND CONSULTANTS REGARDING FRAMEWORK FOR CANNABIS OVERLAY ZONES AND CANNABIS EXCEPTIONS AND REQUEST FOR DIRECTION REGARDING USE PERMITS - SPONSORS: PLANNING AND BUILDING SERVICES AND COUNTY COUNSEL

Presenter/s: Mr. Nash Gonzalez, Interim Director, Planning and Building Services; Mr. Matthew Kiedrowski, Deputy County Counsel; Mr. Paul Junker, Certified Planner, Michael Baker International; and Mr. Mark Corcoran, Project Manager, Michael Baker International.

Public Comment: Mr. Michael Strupp; Ms. Kim Tate; Mr. Dylan McGinty; Mr. Casey O'Neill; Mr. Will Carson; Mr. Sam Cookson; Mr. Simeon Evans; Mr. Ron Edwards; Ms. Monique Ramirez; Ms. Samantha Ward; Mr. Mark Shaffer; Mr. Russell Perrin; Ms. Hannah Nelson; and Ms. Jude Thilman.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Opt out does not apply only to cannabis cultivation, but all commercial cannabis activity.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the threshold for opt-out petition process should be set at 60%.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall present options to Planning Commission for recommendations including what it takes to begin petition process for opt-in, and how that would work; as well as issue of ten year term.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Opt out sunset period for permitted cultivation should be 3 years (legality to be investigated by consultant's counsel).

Board Directive: GENERAL CONSENSUS OF THE BOARD that consultants should investigate an overlay area for Covelo core area.

Board Directive: GENERAL CONSENSUS OF THE BOARD that draft Ordinance does not need to return to Board of Supervisors before going to Planning Commission.

Board Directive: GENERAL CONSENSUS OF THE BOARD that Public Meetings shall be held in Covelo, Laytonville, and Fort Bragg before draft Ordinance going to Planning Commission.

Board Directive: GENERAL CONSENSUS OF THE BOARD that minimum size of overlay zone should be 10 parcels (to be investigated by consultant's counsel).

Board Directive: GENERAL CONSENSUS OF THE BOARD to remove the term "Greenhouse" from exceptions.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall immediately review General Plan to identify possible changes to Corridor of Preservation.

BOARD RECESS: 10:29 A.M. – 10:46 A.M.

LUNCH RECESS: 12:24 P.M. – 1:31 P.M.

5A) 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: CANNABIS PROGRAM

Presenter/s: Ms. Chevon Holmes, Cannabis Program Administrator; Ms. Mary Lynn Hunt, Senior Planner, Planning and Building Services; and Mr. Matthew Kiedrowski, Deputy County Counsel.

Public Comment: Ms. Julia Carrera; Mr. Ron Edwards; Ms. Jude Thilman; Ms. Dionne Ayres; Mr. Mark Shaffer; Ms. Corrinne Powell; Mr. Casey O'Neill; Ms. Hannah Nelson; Ms. Monique Ramirez; Mr. Ed Lissaro and Ms. Mary Lynn Borgess.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall review relocation of Dragonfly in Fort Bragg, and if they believe warranted, make an administrative determination that there is no new impact to sensitive receptor that change in location is acceptable; alternately, if sensitive receptor does not consider themselves engaged in religious worship/activities, staff could find that they do not meet the definition of church.

Board Directive: GENERAL CONSENSUS OF THE BOARD that staff shall clarify language regarding separate setback from access easement.

Board Directive: GENERAL CONSENSUS OF THE BOARD that there should be greater staff participation in Working Groups. Executive Office will return with a plan for working groups – starting with status of current groups of Track and Trace; State Requirements; Building Use Requirements; and Overlay.

ADJOURNED TO CLOSED SESSION: 3:16 P.M.

AGENDA ITEM NO. 9 – CLOSED SESSION

9A) PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE APPOINTMENT – ACTING PUBLIC DEFENDER

9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9D(2) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – ONE CASE

RECONVENED IN OPEN SESSION: 3:53 P.M.

SUPERVISOR BROWN ABSENT: 3:53 P.M.

AGENDA ITEM NO. 9 – CLOSED SESSION – REPORT OUT OF CLOSED SESSION

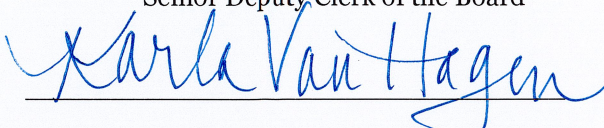
Presenter: Chair Hamburg.

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

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 3:54 P.M.

Attest: KARLA VAN HAGEN
Senior Deputy Clerk of the Board



DAN HAMBURG, 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
- 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