



Mendocino County

Legislation Details (With Text)

File #: 21-0403 **Version:** 1 **Name:**
Type: Approval **Status:** Agenda Ready
File created: 3/25/2021 **In control:** Executive Office
On agenda: 4/12/2021 **Final action:**
Title: 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)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 04-11-21 Wordhouse Correspondence, 2. 04-11-21 Zacherson Correspondence, 3. 04-12-21 Brown Correspondence, 4. 04-11-21 Covelo Cannabis Advocacy Group Correspondence, 5. 04-11-21 Hansen Correspondence, 6. 04-11-21 Mendocino Cannabis Alliance Correspondence, 7. 04-12-21 Wordhouse Correspondence, 8. 04-12-21 Weibel Correspondence, 9. 04-12-21 CBAMC Correspondence

Date	Ver.	Action By	Action	Result
4/12/2021	1	Board of Supervisors		

To: Board of Supervisors

From: Supervisor Williams

Meeting Date: April 12, 2021

Department Contact: Supervisor Williams

Phone: 4441

Item Type: Regular Agenda

Time Allocated for Item: 60 Min

Agenda Title:

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)

Recommended Action/Motion:

1) Encourage the Cannabis Program Manager to deny non-compliant Phase 1 Cannabis Cultivation

Applications; 2) Approve increased scope of work for existing outside counsel Abbott & Kindermann to assist with Phase 1 Cannabis Cultivation denials; 3) Direct Cannabis Manager to Obtain Satellite Imagery subscription for Cannabis program and Code Enforcement with budgetary request returning on Consent; 4) Direct 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.

Previous Board/Board Committee Actions:

None.

Summary of Request:

Non-compliant Cannabis Phase 1 applications are clogging the processing pipeline. It's unfair to other applicants and a poor use of public money. Non-compliant applications should be denied with cause.

County Counsel is overwhelmed. The scope of the existing contract with Abbott & Kindermann for outside counsel could assist our Cannabis Program Manager with operational details, including determination and documentation of application denial.

Satellite Imagery has potential to save time and money. Instead of visiting a farm, staff from the office will be able to open recent satellite images within seconds. This is a necessary tool for meeting pending deadlines.

It appears over 300 county Cannabis Cultivation applicants and permit holders lack a state provisional license, which is legal requirement to cultivate. Clarification is needed on who is in and who is out of the legal cannabis cultivation system. Attestation can be verified using the satellite imagery.

Alternative Action/Motion:

No action.

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: N/A

current f/y cost: N/A

annual recurring cost: N/A

budget clarification: N/A

budgeted in current f/y: N/A

if no, please describe: N/A

revenue agreement: N/A

Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Final Status: **Approved with Modification**

Date: April 13, 2021

