

# CALAVERAS COUNTY BOARD OF SUPERVISORS

GARY TOFANELLI  
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JOHN "JACK" GARAMENDI – VICE-CHAIR  
DISTRICT 2  
MICHAEL C. OLIVEIRA - CHAIR  
DISTRICT 3  
DENNIS MILLS  
DISTRICT 4  
CLYDE CLAPP  
DISTRICT 5



TIMOTHY LUTZ  
COUNTY ADMINISTRATIVE OFFICER  
MEGAN STEDTFELD  
COUNTY COUNSEL  
REBECCA TURNER  
CLERK OF THE BOARD  
DIANE SEVERUD  
DEPUTY CLERK  
891 MOUNTAIN RANCH ROAD  
SAN ANDREAS, CA 95249 TEL: 209/754-6370

April 18, 2017  
SPECIAL MEETING

## CALAVERAS COUNTY BOARD OF SUPERVISORS IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY CALAVERAS COUNTY AIR POLLUTION CONTROL DISTRICT COMMUNITY SERVICE AREA #1, #2, #4, #8 AND #12 BOARDS

**THIS MEETING WILL BE HELD IN THE BOARD OF SUPERVISORS CHAMBERS  
891 Mountain Ranch Road, San Andreas, CA 95249**

In Compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Clerk to the Board of Supervisors at 209/754-6370 at least 48 hours prior to the start of the meeting. Notification in advance will allow reasonable arrangements to be made to ensure accessibility to this meeting. Government Code §54954.2(a).

The agenda packet and supporting documentation are available for public review in the Clerk-Recorder's Office, during regular business hours.

If you wish to address the Board on an agenda item, please come to the rostrum when public comment on that item is opened and give your name, if you choose, and your comments. Time limits and order of items shall be the discretion of the Chair, including a break for lunch which generally will be from 12:00 p.m. to 1:00 or 1:30 p.m., unless otherwise noted under Announcements.

**10:00 AM:**     **Call to Order**  
Pledge of Allegiance  
Announcements

### **PUBLIC COMMENT - 30 MINUTES**

Any item of interest to the public that is within the subject matter jurisdiction of the Board and is not posted on the Consent or Regular agendas may be addressed during the Public Comment period. California law prohibits the Board from taking action on any matter which is not posted on the agenda unless it is determined to be an emergency by the Board of Supervisors. If Public Comment is completed before the 30 minute allotted time period, the Board may immediately move to the next order of business. If Public Comment is not completed during the allotted time period, it will be continued as the last item of business in order to provide an opportunity for the remainder of comments to be heard.

### **REGULAR AGENDA**

1.     **ADMINISTRATIVE OFFICE** Adopt a Resolution to 1) Dissolve the Cannabis Ad Hoc Committee; 2) Adopt the position of Cannabis Control Coordinator; 3) Receive a report from the County Administrative Officer on the Cannabis Control Coordinator and feedback from impacted Departments; and 4) Reaffirm the Board of Supervisors priorities pertaining to the effective and timely implementation of the provisions within the May 10, 2016 Urgency Ordinance, particularly in regard to the processing of cannabis grower permits and abatement of illegal cannabis grows within the County.

### **SUPERVISOR ANNOUNCEMENTS**

Board Member Announcements - In compliance with AB 1234, chaptered as Government code Section 53232.3(d), this is the time for board members to report on meetings attended on behalf of the County and to carry out their duties as a County Supervisor.



**CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL**

<b>Short Name/Subject</b> Adoption of the Cannabis Ad Hoc Committee Recommendations	<b>Board Meeting Date</b> April 18, 2017	<b>Agenda Number</b> 1
<b>Dept:</b> Administrative Office <b>Sponsor:</b> John Garamendi, Dennis Mills <b>Contact:</b> Tim Lutz <b>Phone:</b> 209/754-6025	<b>Supervisory District Number</b>	Regular Agenda
<b>Published Notice Required?</b> No <b>Public Hearing Required?</b> No		<b>Estimated Time:</b> 1 Hour 30 Minutes
<b>Type of Document?</b> Resolution <b>PowerPoint Presentation Included?</b> No <b>Budget Transfer Included (Must be signed by Auditor)?</b> No <b>Complete Agreement Required?</b> No <b>Position Allocation Change?</b> No		

**RECOMMENDATION:**

Adopt a Resolution to 1) Dissolve the Cannabis Ad Hoc Committee; 2) Adopt the position of Cannabis Control Coordinator; 3) Receive a report from the County Administrative Officer on the Cannabis Control Coordinator and feedback from impacted Departments; and 4) Reaffirm the Board of Supervisors priorities pertaining to the effective and timely implementation of the provisions within the May 10, 2016 Urgency Ordinance, particularly in regard to the processing of cannabis grower permits and abatement of illegal cannabis grows within the County.

**DISCUSSION/SUMMARY:**

The Board of Supervisors voted to establish a Cannabis Ad Hoc Committee at their regular meeting on March 14, 2017, appointing District 2 Supervisor Jack Garamendi and District 4 Supervisor Dennis Mills as the Board representatives on the committee. Following the Committee's review of the current challenges with the effective implementation of the May 10, 2016 Urgency Ordinance, it is recommended that the following be implemented immediately.

- 1) The Cannabis Ad Hoc Advisory Committee should be dissolved. Rather than rely on the committee to garner public feedback, it is the recommendation of the committee that the matter be brought back to the full Board of Supervisors.
- 2) The position of Cannabis Control Coordinator should be established. The Coordinator will serve as a single point of contact to the Board of Supervisors and County Departments for the administration of the May 10, 2016 Urgency Ordinance. The Coordinator will be responsible for providing progress updates at every meeting of the Board of Supervisors, identifying obstacles to quickly and effectively implement the Urgency Ordinance, identifying communication and coordination issues impacting the Departments that are implementing the Urgency Ordinance and ensure the timely and efficient execution of the Urgency Ordinance. The Coordinator will have the ability, working through existing County policy, to contract with outside agencies and contractors to ensure the goals of the Board are quickly and thoroughly executed. The position will be established effective May 1, 2017, expiring December 31, 2017, unless extended by the Board of Supervisors through additional action.
- 3) Reaffirm the Board of Supervisors' priorities in regard to the regulation of cannabis in the County under the May 10, 2016 Urgency Ordinance. The Board has expressed concerns in regard to the substantial delay in reviewing and approving or denying all grower permits that have been submitted under the Urgency Ordinance. Additionally, there has

been sizable delays in abating and cleaning up of illegal cannabis grow sites. The Board is thus reaffirming its desire to see a significant increase in permit processing and abatement efforts within the cannabis program. The Board would like to see the abatement of all illegal grows during the 2017 growing and harvesting season.

The County Administrative Office is recommending that the Cannabis Control Coordinator's duties be clarified to include a full cost analysis of all expenditures related to the cannabis program to date, as previously requested by the Board on the January 31, 2017 meeting. Additionally, the Coordinator should take the primary lead in finishing the development of a permanent ordinance regarding cannabis in Calaveras County; though this process, the Coordinator can gather both Department and community feedback and host study sessions to develop final recommendations on any permanent ordinance for the County. The Coordinator should also liaison closely with the Tax Collector in an effort to help ensure timely mailing of tax bills and receipt of tax revenues in regard to the November 2016 voter approved Measure C sales tax on cannabis. The County Administrative Office is recommending a salary range or contracted rate of \$110,614 to \$148,241, to be consistent with other municipalities that have similar positions.

**FINANCING:**

The funding for this position would be borne entirely from the cannabis grower permit registration fees. There is no General Fund impact. Should a permanent ban be adopted by the Board of Supervisors and the registration fees be returned to applicants, the Board would have the option to terminate the contract or utilize General Fund for the remainder of the contract term.

**ALTERNATIVES:**

The Board could not adopt the Cannabis Control Coordinator position and instead reaffirm the Board's priorities regarding cannabis grows in the County and direct County Departments to work expeditiously through the 2017 growing season to complete the permitting process and abate all illegal grows in the County. Department Heads could be asked to appear before the Board at each meeting to report on the progress toward these goals.

**OTHER AGENCY INVOLVEMENT:**

Board of Supervisors

**APPROVED BY:**

Tim Lutz, County Administrative Officer

4/17/2017

Diane Beverud, Deputy Clerk of the Board of Supervisors

4/17/2017

David Sirias, Assistant County Counsel

4/17/2017

Tim Lutz, County Administrative Officer

4/17/2017

BOARD OF SUPERVISORS, COUNTY OF CALAVERAS  
STATE OF CALIFORNIA  
April 18, 2017

Resolution  
No. (ID # 2902)

**A RESOLUTION ADOPTING THE RECOMMENDATIONS OF  
THE CANNABIS AD HOC COMMITTEE AND  
ESTABLISHING A COUNTY CANNABIS CONTROL  
COORDINATOR.**

WHEREAS, the Board of Supervisors, County of Calaveras, established a Cannabis Ad Hoc Committee at its March 14, 2017 regular meeting; and

WHEREAS, the Cannabis Ad Hoc Committee met and developed a set of recommendations for consideration by the full Board of Supervisors, County of Calaveras; and

WHEREAS, there has been a significant delay in the processing of cannabis grower permits since the adoption of the Cannabis Urgency Ordinance on May 10, 2016; and

WHEREAS, there continues to be delays in the abatement of illegal or unpermitted cannabis grows throughout the County of Calaveras; and

WHEREAS, the Cannabis Ad Hoc Committee is recommending the establishment of a Cannabis Control Coordinator to serve as the primary liaison between the Board of Supervisors, County of Calaveras, and County Departments in regard to ensuring effective implementation of the Cannabis Urgency Ordinance and the timely abatement of illegal or unpermitted cannabis grows; and

WHEREAS, where County resources are insufficient to accomplish full abatement of illegal or unpermitted cannabis grows, there are funds available to hire contractors to assist in the abatement efforts; and

WHEREAS, the Cannabis Ad Hoc Committee is recommending that the committee be dissolved and cannabis-related matters be brought back to the Board of Supervisors, Calaveras County.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors, Calaveras County, establishes the position of Cannabis Control Coordinator, for an effective term of May 1, 2017 through December 31, 2017, with a compensation amount between \$110,614 and \$148,241; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the Board of Supervisors, Calaveras County, reaffirms to all of the Departments of Calaveras County that all outstanding cannabis permits should be reviewed and either approved or denied by the end of the 2017 growing season; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the Board of Supervisors, Calaveras County, establishes the priority goal that all illegal and unpermitted cannabis grows in the County be abated by the end of the 2017 grown season; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the Board of Supervisors, Calaveras County, authorizes the Cannabis Control Coordinator to negotiate and bring back for ratification by the Board, any necessary contracts to meet the above goals; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the Board of Supervisors, Calaveras County, dissolves the Cannabis Ad Hoc Committee.

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Chair

**ATTEST**

Rebecca Turner, Ex-Officio Clerk  
of the Board of Supervisors, County of Calaveras

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Deputy Clerk