



## GUALALA MUNICIPAL ADVISORY COUNCIL

POST OFFICE BOX 67, GUALALA, CALIFORNIA 95445

### Minutes for 4 June 2020

The regular monthly meeting of the Gualala Municipal Advisory Council (GMAC) was held on Thursday, 4 June 2020 via Zoom Computer Teleconference Media. Council Members present were: Lloyd Chasey, Melissa Finley, Donald Hess, Robert Juengling, Sharon Maier, Tom Murphy and George Provencher. Sheriff Matt Kendall, Administrative Secretary Mary Mobert, and two members of the public were also present. **Council Chair Juengling** convened the meeting at 18:03.

#### 1. **Introductions and Announcements:**

**Council Member Provencher** stated *Redwood Coast Medical Services* (RCMS) has started their first Annual Wellness Check for people who are insured through Medicare. For the safety of patients, the main Gualala facility will handle urgent care patients and the Point Arena and Gualala Sea Watch facilities will handle primary care patients.

**Chairman Juengling** announced he had received a request for a late Agenda change from the owner of JR's Home Supply regarding a shed on the property but he declined. **Council Vice Chair Murphy** said he had some information regarding that and would report later in the meeting.

#### 2. **Consent Agenda:**

*Minutes: 14 May 2020*

**It was moved by Council Vice Chair Murphy, seconded by Council Member Provencher, and carried 6 YES (Council Members Chasey, Hess, Juengling, Maier, Murphy, and Provencher), 1 NO (Council Member Finley) that the Minutes be approve as amended by changing the wording on page 7, Item 9, Council Matters, vii. Discussion and Vote on Proposed Draft GMAC Bylaws, C., lines 2 through 3 from "Special meetings may be called by the Chair, or in the Chair's absence, the Vice Chair, or three Members of the Council..." to read (on line 4) "Special meetings may be called by the Chair or a majority of the Council..."**

i. **Correspondence:** None

#### 3. **Approval of Agenda:**

**It was moved by Council Member Provencher, seconded by Council Vice Chair Murphy, and unanimously carried that the Agenda be approved as presented.**

#### 4. **Public Input on Non-agenda Items:**

**George Provencher**, Gualala-area resident, said the PSPS and Emergency Preparations Ad Hoc Committee received information from John Bower, a Gualala-area resident, that on-line, fire cameras monitored forested areas throughout Mendocino County but not in the South Coast area.

#### 5. **Report: Mendocino County Law/Code Enforcement, Sheriff's Forum:**

**Sheriff Matt Kendall** reported there had been nine burglaries along coast in Fort Bragg and Irish Beach. The thief was a local man from Fort Bragg. There was probably a second person involved but they haven't been caught yet and other unreported burglaries to be discovered.

The South Coast doesn't have resident deputy yet. Men have been moved to other posts and some have retired. Due to sequestering, there has been a spike in violence, especially domestic violence. The countywide drop in child abuse cases is probably because school is out, churches aren't holding services, so teachers and pastors aren't seeing children on a daily or weekly basis.

**Council Member Provencher** noted Mendocino County 5<sup>th</sup> District Supervisor Ted Williams has seen many out-of-state license plates in the County. **Sheriff Kendall** said some are just visitors fleeing cities with high COVID-19 cases, and some are working in Marijuana farming, typical summer employment for the area.

GMAC's archives may be viewed at this website: [www.gualalamac.org](http://www.gualalamac.org), and/or by contacting Administrator Mobert: (707)884-3368.

*The Mendocino County Board of Supervisors established the Gualala Municipal Advisory Council (GMAC) to advise them on planning issues that affect or have the potential to affect the Gualala area. The GMAC's role is advisory only.*

Public Attendance and Participation is Encouraged at GMAC Meetings.

**Council Vice Chair Murphy** asked, if a person not wearing a mask enters a business and announces they are going to spread the virus, could they be prosecuted for assault, and if his office conducts background checks of their officers. **Sheriff Kendall** said no, the person cannot be prosecuted because there could be many reasons for their not wearing a mask, and yes, his office does background checks and won't retain a person if they don't meet the specifications.

**Council Chair Juengling** noted people are moving here from out-of-state into their newly-purchased residences; are people stopped to explain why they were here. Sheriff Kendall said if it wasn't an egregious violation of the law, they wouldn't be charged. If they weren't acting safely, that's different, they may be charged.

The protests in Ukiah and Fort Bragg were peaceful, organized, and well attended by local people. No racism or looting was involved. His officers were there to protect protesters and businesses. They are racially diverse and all were well received; they treat everyone equally and respectfully.

**6. CDP #2019-0017 (Tjogas); Location 41779 Roseman Creek Road, Gualala; APN**

**143-010-29-05;** Development Permit after the fact request to install a 24 ft. by 32 ft. shed and 8 ft. by 20 ft. ship-ping container on a vacant lot. Council Members Chasey, Murphy, and Juengling walked the site on separate visits. The owner wasn't in attendance for the hearing and there was no public comment.

**Council Vice Chair Murphy** met Mr. Tjogas during his visit and found there was a working, twenty gallon-per-minute well, 300 gallon water tank, large Airstream trailer (the owner lives there part-time), cargo container, locked trailer, generator, and four, five-gallon gasoline containers on the property.

The cabin was begun without a permit and halted mid-building by the County; the 2017 CDP was withdrawn. The plans and visit showed a "shell" house with Milgard windows, cedar shingles, stairs, and narrow doors. It doesn't look like an Agricultural Shed, which would normally have different windows, doors, no stairs, etc. At present, there's no solar or septic. The owner said he may seek a residential permit later with solar. It was not clear what happened to waste water and effluent from the trailer. Last winter, a tree fell on the shed snapping a rafter, and there were other trees above the shed that appeared unstable. The hillside needs a wall to hold it during winter storms and protect the nearby creek. The driveway is VERY steep. Council Vice Chair Murphy suggested the owner may want to seek a residential permit to allow changes now, noting that further non-compliance could result in new fines and require permits in the long run.

**After much discussion, it was moved by Council Vice Chair Murphy, seconded by Council Member Chasey and carried 6 YES (Council Members Chasey, Finley, Hess, Juengling, Maier, and Murphy), 1 NO (Council Member Provencher who didn't believe the present structure was intended for agricultural use), that the project be recommended for approval provided the County requires:**

- 1. the shed be restricted for agricultural use only, and no residential use be permitted, even on a temporary basis;**
- 2. a deed restriction be added to prohibit sale of the property—unless the shed is found to be in non-residential use—and that appropriate permits exist for the then-existing use of the property, including the container.**
- 3. the on-site trailer not be used more than two weeks per six-month period.**
- 4. a retaining wall be erected to hold the hillside behind the structure.**
- 5. that, if the well is to be used for any purpose, its location be verified by a qualified surveyor and tested for contaminants before being used for human consumption.**
- 6. the owner consult the County now on the option of seeking residential permits (if that is his intention) so he won't face additional financial penalties and permit requirements if he's again found to be non-compliant.**

**Council Vice Chair Murphy** will write the letter to the County.

**7. Report: Status of the Gualala Water Moratorium:**

**Council Chair Juengling** referred everyone to an e-mail from David Bower, President of *North Gualala Water Company* (NGWC), addressing some of the concerns expressed by Council Members (see attached). He reported there was progress on finding future water resources but the reservoir location issues aren't resolved as yet and the *California State Water Resource Board's* (CSWRB) bypass requirement for low-flow minimums was lowered on 31 May from 21 cubic feet a second (CFS) to 4 CFS. The 4 CFS bypass flow rate has long been recognized to be the bare minimum needed to keep all species in the river alive. He felt much of Gualala's infrastructure

GMAC's archives may be viewed at this website: [www.gualalamac.org](http://www.gualalamac.org), and/or by contacting Administrator Moberg: (707)884-3368.

*The Mendocino County Board of Supervisors established the Gualala Municipal Advisory Council (GMAC) to advise them on planning issues that affect or have the potential to affect the Gualala area. The GMAC's role is advisory only.*

Public Attendance and Participation is Encouraged at GMAC Meetings.

depended on solving present water issues. He has been collecting the various reports generated over years of studies and combing through them for possible answers would be helpful; he'll continue to work on it.

**Council Member Provencher** noted the CSWRB is starting a new study; gaining this study's results was their reason gave for not reviewing past technical evaluations. He felt it was a stall tactic to avoid the present problems and put them on hold, e. g., construction of a reservoir, withdrawing bypass restrictions, etc. According to several studies, the primus for the bypass restrictions is non-existent and the impact to pumping from the aquifer may be negligible. It's difficult to equalize protecting the environment with having water for the community.

**Council Vice Chair Murphy** stated, presently the State is studying well water usage to assess how it's depleting ground water supplies. He noted the town need housing, especially worker housing.

**Council Member Finley** said the moratorium may never be raised because the maximum number of people who can be supported by the present water supply are here already and climate change may bring less rainfall, thus less access to water in the future.

#### 8. **Council Matters:**

- a. **Report: Gualala Community Action Plan (GCAP) Ad Hoc Committee:** (Council Members Juengling and Murphy)

**Council Chair Juengling** spoke with CalTrans Supervisor Frank Demling because months had gone by with no update from his office. Mr. Demling said the GCAP design is still being drawn and an update would be coming soon.

**Council Vice Chair Murphy** noted the present 64-foot paving plan includes no landscaping, which is contrary to the *Gualala Town Plan* that 89% of residents support. The decision is based on an exclusion that reads: "Exceptions to the strict application of these standards may be granted by the County, with the prior approval of the CalTrans District Director, where existing development, site topography or physical constraints mandate a greater or lesser right-of-way width." He doesn't believe any of those situations exist in this case, as they did when the plan was narrowed from 80 to 60 feet years ago. Committee Members will speak with Julia Acker, *Mendocino county Planning and Building Department* Head Planner about this. He also noted, past Council Member, contractors, and President of Friends of the Gualala River (FoGR) Charles Ivor opined earlier that day at the Committee meeting that landscaping should be included; Naomi Schwartz wondered if landscaping would be compatible with the concept presented during last fall's Town Hall meeting. The Committee said the project bears close watching by the Council.

**Council Member Finley** wanted landscaping reinstated in the plan using native species, not invasive plants.

**Council Members Provencher** stated GMAC must act as one. Invite Mr. Demling to speak at a future meeting when the conceptual design is in place, he can present it, and take comments. The present plan is based on input from the community and was agreed upon last fall; that needs to be respected.

A lengthy discussion ensued on why the Council is discussing the matter after Caltrans held a Town Hall Meeting last fall that generated the concept that Caltrans is now developing into a plan that will come back for further review. Businesses opting out on parking as part of the plan was also discussed though it wasn't a vote on at the fall meeting.

**It was moved by Council Member Chasey, seconded by Council Member Provencher to strike wording related to "opt-out" because it was not agreed to by the community at last fall's meeting failed; 3 YES )Council Members Chasey, Maier, and Provencher), 4 NO (Council Members Finley, Hess, Juengling, and Murphy).**

Any further information the Committee receives from CalTrans will be forwarded to all Members.

- b. **Report: PSPS and Emergency Preparations Ad Hoc Committee:** (Council Members Hess, Maier, & Provencher)

**Council Member Provencher** said the month was very productive with three committee meetings (see 27 May and 4 June Minutes, attached). They produced a rough draft of the Community Guide but not a lengthy, whole plan; each household takes the materials and makes a plan for itself. The final draft or guide will be posted by July and be a baseline plan to add to for each specific household's needs. This will bring basic elements to the community for dia-

GMAC's archives may be viewed at this website: [www.gualalamac.org](http://www.gualalamac.org), and/or by contacting Administrator Mober: (707)884-3368.

*The Mendocino County Board of Supervisors established the Gualala Municipal Advisory Council (GMAC) to advise them on planning issues that affect or have the potential to affect the Gualala area. The GMAC's role is advisory only.*

Public Attendance and Participation is Encouraged at GMAC Meetings.

logue and exchange of ideas. If the plan is ready before GMAC's 2 July meeting, it will be included when the Agenda is posted.

- c. **Report: Housing & Economic Development Standing Committee:** (Council Members Finley & Murphy)

**Council Vice Chair Murphy** reported the Committee Meeting this morning was attended by ten people, including Una Wirkebau, who is coördinating Mendocino2030 and is considering using Gualala's HED effort as a prototype for other communities. Attendees discussed several agendized matters including various types of worker housing, attracting higher-paid workers, GCAP, safely reopening businesses after the COVID-19 shutdown, and the current status of the Gualala Visitors Center and Chamber of Commerce.

Regarding the ability to attract higher paid workers, he said a large, new survey shows 98% of those presently employed at Bay Area tech companies would choose to work remotely at home. Workers in San Jose are fleeing the city for urban living. Gualala is leading the County in this and is way ahead of the game.

**Council Chair Juengling** met with *West Business Development Center* about a \$300,000 grant for Microbusinesses.

**Council Member Finley** didn't attend the meeting this morning because the focus had been on business development more than housing, which is the reason for her being on the committee; everyone attending was a business owner. She felt Gualala's dark skies was an attraction that could bring visitors and money to area for astronomy events and lectures.

**Council Member Maier** noted young people in their mid-thirties have left the area because there is nothing here for them to do, e. g., nightlife, nightclubs, music, theater, shopping, etc. Most local residents are over the age of fifty-five and schools aren't as good as urban ones.

- d. **Report: Public Electric Vehicle Charging Station in Gualala Report:** (Council Member Hess & Juengling)

**Council Member Hess** stated little was done last month. The option of installing a charging station in the CalTrans pull-out is fading. CalTrans isn't responding to his e-mails about obtaining an exemption for an easement for a for-pay charger. A private business needs to do this. The community needs a fast charger; it would be a plus for the area and none are here now. It would be important infrastructure for the future. He doesn't know how to get the things needing completed done by 8 July, the date the grant application should be submitted.

The COVID-19 situation, with business shut down and not wanting to spend money, isn't helping the situation. Maybe installing a phase 2 charger would be better. It takes longer to supply a full charge but it would be there. Neither CalTrans nor GMAC can own the charger. The County may be able to own it but it really should be an individual or organization. He spoke with John Bower about the Chevron station being interested. It's centrally located and would make the charging stations publicly available at all times.

**Council Member Finley** ask if Tesla is still installing stations free of charge; the Sea Cliff Center would be a good place to put one. **Council Member Hess** met a Tesla employee who said they have no plans to put a station on Highway One.

**Council Chair Juengling** noted easement donations are tough to get. The CalTrans pull-out is the only viable property to develop with a charging station at present.

- e. **Telecommunications Committee:** Report on GMAC You Tube Zoom Meeting Update. (Council Members Hess & Murphy)

**Council Vice Chair Murphy** reported the Committee met to discuss the Council's use of videos from their meetings. At the prior council meeting, Members reached a consensus to post meeting videos for now to help extend public outreach; although the Council already posts audio recordings permanently on its website, some Council Members felt uneasy about leaving them up forever on the Internet. He had monitored the public access of the videos, and fifteen people had watched the last meeting via YouTube.

Presently, all County Departments meet via Zoom and Planner Julianna Cherry stated she likes watching meetings on YouTube to aide her in her research. The council now uses a "meeting" format on Zoom, but Council Vice Chair Murphy thought a "webinar" format might be better for Town Halls and other events. He might try the Webinar format for a Town Hall about COVID-19. The Committee decided it was possible to record meetings on Zoom after the council returns to in-person meetings and could decide the questions related to posting them later. The two committee members agreed GMAC shouldn't have a Facebook page.

GMAC's archives may be viewed at this website: [www.gualalamac.org](http://www.gualalamac.org), and/or by contacting Administrator Mober: (707)884-3368.

*The Mendocino County Board of Supervisors established the Gualala Municipal Advisory Council (GMAC) to advise them on planning issues that affect or have the potential to affect the Gualala area. The GMAC's role is advisory only.*

Public Attendance and Participation is Encouraged at GMAC Meetings.

**Administrative Secretary Moberg's Report:**

**Administrative Secretary Moberg** reported working 36.966 hours; materials were \$5.52, for a total of \$560.02.

**9. Treasurer Chasey's Report:**

**Council Treasurer Chasey** reported the budget was doing well; GMAC is able to pay its bills.

**10. Council Vice-Chairman Murphy's Report:**

**Council Vice Chairman Murphy** posted a summary of last month's meeting on how much time was spent discussing each Agenda item. Of the four hour meeting, Committee Reports took up 2.5 hours and changes to the Agenda and Minutes took half an hour. GMAC's doing a lot but it's taking a lot of time to do it. He would like to see meetings kept to three hours.

He reported he heard from the County's Code Compliance Officer that *Jr's Building Supply* was issued a stop-work order for a shed being built. Reportedly, the shed doesn't belong to Jr. but to a steel shed manufacturer. The demo building was being built under a Temporary Use Permit requiring it be removed in six months. A second shed erected over six months ago is still on the property. The new shed is larger and looks as if it was being erected permanently. Now, they must go through the County for another permit.

**11. Council Chair Juengling's Report:**

**Council Chair Juengling** said the area has bounced back from emergencies and crises before; COVID's no different. The Coast is a major attraction. The area must move forward and stay united.

**12. Holding July Meeting 2 July 2020:**

Everyone felt GMAC should stick with four weeks between meetings and it was mutually agreed to meet 2 July.

**13. Adjournment:**

**It was moved by Council Vice Chair Murphy, seconded by Council Member Maier, and unanimously carried that the meeting adjourn at 21:33.**

DRAFT Minutes prepared by Administrative Secretary Moberg

GMAC's archives may be viewed at this website: [www.gualalamac.org](http://www.gualalamac.org), and/or by contacting Administrator Moberg: (707)884-3368.

*The Mendocino County Board of Supervisors established the Gualala Municipal Advisory Council (GMAC) to advise them on planning issues that affect or have the potential to affect the Gualala area. The GMAC's role is advisory only.*

Public Attendance and Participation is Encouraged at GMAC Meetings.