BOARD OF SUPERVISORS

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COUNTY OF HUMBOLDT BOARD OF SUPERVISORS

825 FIFTH STREET EUREKA, CA 95501 SUPERVISORS' CHAMBER, FIRST FLOOR

AGENDA

Tuesday, October 27, 2020

9:00 AM

Regular Meeting

In accordance with Executive Order N-29-20 the Humboldt County Board of Supervisors meetings will be held virtually until further notice.

Email Public Comment:

To submit public comment to the Board please email cob@co.humboldt.ca.us, provide your name and the agenda item number(s) on which you wish to comment. All public comment submitted after the agenda has been published will be included with the administrative record after the fact.

Zoom Public Comment:

When the Board of Supervisors announce the agenda item that you wish to comment on, call the conference line and turn off your TV or live stream. Please call 669-900-9128, enter Meeting ID 953 7385 5214 and press star (*) 9 on your phone, this will raise your hand. You'll continue to hear the Board meeting on the call.

When it is time for public comment on the item you wish to speak on, the Clerk of the Board of Supervisors staff will unmute your phone. You'll hear a prompt that will indicate your phone is unmuted. Staff will then ask you to state your name and begin your comment. You will have 3 minutes to comment.

You may access the live stream of the meeting by using the following link: https://humboldt.legistar.com The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Clerk of the Board Office at 707-476-2390 or by email cob@co.humboldt.ca.us or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

These matters are routine in nature and are usually approved by a combined single vote.

Board of Supervisors

1. Consider the Appointment of Larry Doss as an Alternate to the Assessment Appeals Board (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

1. Appoint Larry Doss to the Assessment Appeals Board as an Alternate

member.

Attachments: Staff Report

Assessment Appeals Board Roster10272020.pdf

Larry Doss Application Redacted.pdf

2. Proclaim November 2020 as Native American Heritage Month (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors:

1. Adopt the proclamation.

Attachments: Staff Report

Proclamation.pdf

Clerk of the Board

3. Submittal of Supervisor's Monthly Expense Report on Meetings Pursuant to Government Code Section 53232.3(d)

Recommendation: That the Board of Supervisors:

1. Receive and file the report.

Attachments: Staff Report

Expense Reporting Forms.pdf

4. Approval of the Action Summary - Special Meeting of October 19, 2020

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of October 19, 2020 and authorize the Clerk of the Board and Board Chair to sign the minute book in

accordance with California Government Code Section 25103.

Attachments: Staff Report

10-19-2020 Special Meeting Action Summary.pdf

5. Approval of the Action Summary - Meeting of October 20, 2020

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of October 20, 2020 and authorize the Clerk of the Board and Board Chair to sign the minute book in

accordance with California Government Code Section 25103.

Attachments: Staff Report

10-20-2020 Action Summary

County Administrative Office

6. Headwaters Fund Board's Recommended Extension of Temporary Amendments to the Headwaters Fund Revolving Loan Fund Business Resilience Emergency Loan Fund (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve extending the end date of the Headwaters Fund (HWF) Business Resilience Emergency Loan Fund (BRELF) and all related documents as approved by your Board on April 28, 2020 from October 28, 2020 through June

30, 2021 (4/5 vote required).

Attachments: Staff Report

7. County Considerations Related to Office Hours in Response to COVID-19

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution related to office hours in response to COVID-19.

Attachments: Staff Report

Att 1 Updated EE Resolution.docx

Att 2 Resolution 20-20.pdf Att 3 Resolution 20-25.pdf

Att 4 2015 Revised Office Hours.pdf

Resolution 20-100

Department of Health and Human Services: Administration

8. Professional Services Agreement with Humboldt Senior Resource Center Regarding the Provision of Housing Maintenance and Supportive Services that are Designed to Prevent Senior Citizens and Adults with Disabilities from Becoming Homeless

Recommendation: That the Board of Supervisors:

- 1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Humboldt Senior Resource Center regarding the provision of housing maintenance and supportive services that are designed to prevent senior citizens and adults with disabilities from becoming homeless for the period of May 1, 2020 through Nov. 30, 2021;
- 2. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Humboldt Senior Resource Center, after review and approval by County Counsel, Risk Management and the County

Administrative Office; and

3. Direct the Clerk of the Board to return one fully executed original copy of the attached professional services agreement with Humboldt Senior Resource Center to the Department of Health and Human Services - Contract Unit for further processing.

Attachments: Staff Report

Professional Services Agreement with Humboldt Senior Resource Center Regarding

DHHS Liab & Auto DHHS Umbrella **DHHS Workers Comp**

Executed Professional Services Agreement with Humboldt Senior Resource Center

Department of Health and Human Services: Behavioral Health

9. Mental Health Services Act Annual Update for Fiscal Year 2019-2020 and Mental Health Services Act 3-Year Plan for Fiscal Years 2020-2021, 2021-2022, and 2022-2023

Recommendation: That the Board of Supervisors:

> 1. Adopt the attached Mental Health Services Act Annual Update for Fiscal Year 2019-2020 and the Mental Health Services Act 3-Year Plan for Fiscal Years 2020-2021, 2021-2022, and 2022-2023; and

2. Direct the Clerk of the Board to return one certified copy of the Board report to the Department of Health and Human Services - Contract Unit.

Attachments: Staff Report

Mental Health Services Act Annual Update for Fiscal Year 2019-2020

Mental Health Services Act Three Year Plan for Fiscal Years 2020-2021, 2021-2022

Department of Health and Human Services: Public Health

10. Epidemiology and Laboratory Capacity - Coronavirus Aid, Relief and Economic Security Act (ELC-CARES) Work Order Agreement with Heluna Health

Recommendation: That the Board of Supervisors:

1. Approve the Work Order Agreement between the Department of Health and Human Services (DHHS) - Public Health and Heluna Health for \$201,536 for ELC-CARES activities;

2. Authorize the Director of Public Health, or a designee thereof, to sign one original of the agreement; and

3. Authorize the Director of Public Health, or a designee thereof, to sign all future amendments and documents directly related to the Work Order Agreement upon review and approval of County Counsel and Risk Management.

Attachments: Staff Report

Work Order Agreement with Heluna Health

<u>Master</u>

Planning and Building Department

11. Building Code Amendments Implementing the Accessory Dwelling Unit Ordinance

Recommendation:

- 1. Adopt the attached resolution (Resolution 20-__ (Attachment 1)) making all the required findings for approval of the Alternative Owner Builder (AOB) Ordinance amendments;
- 2. Adopt the attached ordinance (Ordinance No. _____ (Attachment 2)) amending the existing AOB Ordinance (Sections 331-12 and 331.5 of Title III, Division 3, Chapter 1 of the Humboldt County Code) and incorporating by reference Appendix Q of the 2019 California Building Standards Code, Tiny Houses (Section 331-11 in Chapter 1 of Division 3 of Title III of the Humboldt County Code);
- 3. Direct the Planning and Building Department to transmit the Building Code Amendments to the State Department of Housing and Community Development and the California Building Standards Commission and file a Notice of Exemption with the Humboldt County Recorder's Office, and
- 4. Direct the Clerk of the Board to publish a summary of the Ordinance amendments within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against each ordinance (Attachment 3) and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance.

Attachment 1 AOB Resolution 10-5-20.docx

Attachment 2 AOB and Appendix Q Ordinance 10-5-20.docx

Attachment 3 POST AOB and App Q Summaries.docx

Ordinance 2656
Resolution 20-101

12. Adoption of Ordinance Amending the Tax Code

Recommendation: That the Board of Supervisors:

1. Determine that the ordinance amendments are exempt from the California Environment Quality Act (CEQA) pursuant to CEQA Guidelines sections

15050(c)(2) and 15060(c)(3);

2. Adopt Ordinance No. ____ amending Sections 719-4, 719-6, 719-7 and 719-12 of Chapter 9 of Division 1 of Title VII of the of the Humboldt County Code

(Attachment 1); and

3. Direct Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research pursuant to the California

Environmental Quality Act.

Attachments: Staff Report

Attachment 1 Tax Ordinance 10-5-20.docx

Attachment 2 POST Tax Ordinance Summary 10-5-20.docx

Ordinance 2657

Public Works

13. Ratify Approval for Lessee's Option to Extend Term of the Lease at the Courthouse Café (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Ratify and approve the lessee's option to extend the term of the lease at the

Courthouse Cafe with Christopher J. Rohrs to Sept. 30, 2021.

Attachments: Staff Report

Attachment No. 1 - Lease

Attachment No. 2 - First Amendment
Attachment No. 3 - Lessee Notice
Attachment No. 4 - County letter

14. Exercise the Option to Extend the Term of the Lease for 555 H Street, Suites C and D in Eureka

Recommendation: That the Board of Supervisors:

1. Approve exercising the option to extend the term of the lease for 555 H Street, Suites C and D in Eureka with PWM, Inc. and Fred Lundblade for the period

beginning Mar. 1, 2021 through Feb. 28, 2022; and

2. Authorize Humboldt County Public Works Real Property to send a notice to PWM, Inc. and Fred Lundblade that the county is exercising the option to extend the term of the lease for one (1) additional year.

Attachments: Staff Report

Exhibit A - Lease dated October 23 2007

Exhibit B - First Option
Exhibit C - Second Option
Exhibit D - Amendment

Exhibit E - Amendment's First Option

15. Approval of Schirmann & Valadao Subdivision, APN 509-114-016, McKinleyville Area

Recommendation: That the Board of Supervisors:

- 1. Accept and approve the subdivision map (Attachment 1) for filing with the County Recorder;
- 2. Accept the dedication to the County of Humboldt of Parcel A for sidewalk and public utility purposes;
- 3. Direct the Clerk of the Board to sign the subdivision map (Attachment 1) on behalf of the Board of Supervisors;
- 4. Authorize the Chair to execute the Conveyance and Agreement (Attachment 2); and
- 5. Direct the Clerk of the Board to transmit the subdivision map and the Conveyance and Agreement to the County Recorder.

Attachments: Staff Report

Attachment 1 Subdivision Map

Attachment 2 Conveyance & Agreement
Executed Conveyance & Agreement.pdf

Sheriff

16. Resolution for the Off-Highway Motor Vehicle Division Grant Program Calendar Year 2021 and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

- 1. Accept and adopt Resolution No.____ (Attachment 1) authorizing the Chair to sign the Off-Highway Motor Vehicle governing body resolution with the California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division for the period January December 2021;
- 2. Approve the Supplemental Budget for the Off-Highway Motor Vehicle Division Grant Budget Unit 1100-221941 (Attachment 2) (4/5 vote required);
- 3. Authorize the Sheriff, Undersheriff and Deputy Director of Sheriff's Administration to execute all the necessary reimbursement claims, applications, contracts, and agreements and amendments thereto, in the name of the County of Humboldt, and all other documents required by the California Department of

Parks and Recreation for participation in the Off-Highway Motor Vehicle program with approval from County Counsel and Risk Management; and 4. Direct the Clerk of the Board to return a signed copy of the governing body resolution to the Humboldt County Sheriff's Office, Attention: Katie Collender for submittal to funding agency.

Attachments:

Staff Report

Resolution Off-Highway Motor Vehicle Governing Body Resolution

Supplemental Budget 1100-221941

Resolution 20-102

17. Resolution for Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Award 2020 and Supplemental Budget (4/5 Vote Required)

Recommendation:

That the Board of Supervisors:

- 1. Approve and authorize the Chair to sign Resolution No._____ (Attachment 1) authorizing the Sheriff's Office to submit the governing body resolution for the Byrne JAG 2020 program, accept grant funds, and sign any documents required for participation in the grant program;
- 2. Approve and authorize the Chair to sign the Certifications and Assurances by the Chief Executive of the Applicant Government (Attachment 2);
- 3. Approve the Supplemental Budget request for budget unit 1100-221910 Byrne JAG Local 2020 Grant (Attachment 3) (4/5 vote required);
- 4. Authorize the Sheriff, Undersheriff or Deputy Director Sheriff's Administration to sign all future amendments, terminations, extensions, and documents directly related to the Edward Byrne Memorial JAG Program Local Award 2020 upon review of County Counsel and Risk Management; and
- 5. Direct the Clerk of the Board to return completed and signed copy of the Resolution to the Sheriff's Office, Attention: Katie Collender for submittal to funding agency.

Attachments:

Staff Report

Governing Body Resolution.docx

Certifications and Assurances by the Chief Executive of the Applicant Government.

Supplemental Budget for BU 221910 Byrne JAG Local

Executed Certifications and Assurances by the Chief Executive of the Applicant Go

Resolution 20-103

18. Ratification of Agreements by and Between the Humboldt County Sheriff's Office and Various Community Partners in Response to COVID-19

Recommendation:

- 1. Ratify the execution of various agreements by the Humboldt County Sheriff in response to COVID-19; and
- 2. Direct the Clerk of the Board to return a certified copy of the Board order to the Department of Health and Human Services Contract Unit.

MOU with Humboldt County Office of Education

First Amendment to the MOU with Humboldt County Office of Education

MOU with the City of Arcata

Donation and Release Agreement with Hub City Terminals, Inc.

D. ITEMS PULLED FROM CONSENT

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

This portion of the meeting is reserved for persons desiring to address the Board on any matter not on this agenda that is under the jurisdiction of the Board. Although the Board may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Board at this time.

1. Public Comment Sign-In Sheet and Handouts

Attachments: Public Comment Non Agenda Items

F. SPECIAL PRESENTATIONS

G. MATTERS INITIATED BY BOARD MEMBERS

H. DEPARTMENT REPORTS

Planning and Building Department

1. Planning Department Request for Direction from Board on Processing of Cannabis Retirement, Remediation and Relocation (RRR) permits

Recommendation: That the Board of Supervisors:

Receive the staff report, and
 Provide Board direction.

Attachments: Staff Report

Public Comment H1.pdf

Public Works

2. Introduction of an Ordinance Adding Chapter 3, Relating to Private Roads, to Division 2 of Title IV of the Humboldt County Code

Recommendation:

That the Board of Supervisors:

- 1. Introduce the attached ordinance by title and waive the first reading;
- 2. Set the attached ordinance for adoption on Nov. 3, 2020, or at least one (1) week away from the date of the Board of Supervisors meeting at which the ordinance is first introduced;
- 3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [Government Code Section 25124(b)(1)];
- 4. Direct the Clerk of the Board of Supervisors, within 15 days after adoption of the attached ordinance, to publish a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance, and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance and amendments along with the names of those Supervisors voting for and against the ordinance [Government Code Section 25124(b)(1)]; and
- 5. Direct Department of Public Works staff to file the attached Notice of Exemption with the Humboldt County Clerk in accordance with the California Environmental Quality Act.

Attachments:

Staff Report

Proposed Ordinance

Pre-Adoption Summary

Post-adoption summary

CEQA NOE Memo - Private Road Ordinance

3. Introduction of an Ordinance Amending Sections 431-78 and 431-79, Relating to Parking Restrictions in the Trinidad and Samoa Areas, of Chapter 1 of Division 3 of Title IV of the Humboldt County Code

Recommendation:

That the Board of Supervisors:

- 1. Introduce the attached ordinance by title and waive the first reading;
- 2. Set the attached ordinance for adoption on November 3, 2020, or at least one (1) week away from the date of the Board of Supervisors meeting at which the ordinance is first introduced:
- 3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [California Government Code Section 25124(b)(1)];
- 4. Direct the Clerk of the Board of Supervisors, within fifteen (15) days after adoption of the attached ordinance, to publish a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance, and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance and amendments along with the names of those Supervisors voting for and against the ordinance [California Government Code Section 25124(b)(1)]; and 5. Direct Department of Public Works staff to file the attached CEQA Determination Form stating that the proposed action is exempt from environmental review with the Humboldt County Clerk in accordance with the California Environmental Quality Act.

Attachments:

Staff Report

Attachment 1 - Ordinance.docx

Attachment 2 - Map of Proposed Parking Restriction New Navy Base Rd.pdf

Attachment 3 - Pre-Adoption Summary

Attachment 4 - Post Adoption Summary

Attachment 5 - CEQA Determination Form.pdf

Treasurer/Tax Collector

4. Introduction of Ordinance Amending Humboldt County Code 811-1 through 816-2 Updating Regulations for Business Licenses in the County

Recommendation:

That the Board of Supervisors:

- 1. Introduce the attached ordinance (attachment 1) and waive the first reading;
- 2. Set the ordinance for adoption on November 3, 2020 or at least one week from October 27, 2020;
- 3. Direct the Clerk of the Board to publish the required pre-adoption summary (attachment 2) of the Ordinance and to post a certified copy of the full text of the proposed Ordinance in the office of the Clerk of the Board, both the publication and posting to be done at least five (5) days prior to the Board meeting at which the Ordinance will be adopted [Government Code Section 25124 (b)(1)]; and

4. Direct the Clerk of the Board, within 15 days after the adoption of the Ordinance, to publish a post-adoption summary (attachment 3) of the Ordinance with the names of the Supervisors voting for and against the Ordinance, and to post in the office of the Clerk of the Board a certified copy of the full text of the adopted ordinance and amendments along with the names of the Supervisors voting for and against the Ordinance [Government Code Section 25124 (b)(1)].

Attachments:

Staff Report

Ordinance No. , Amending Title VIII Division 1 of Humboldt County Co

Summary for Publication Prior to Adoption of Ordinance
Summary for Publication after Adoption of Ordinance

I. PUBLIC HEARINGS

J. DISCUSSION ITEMS

K. MATTERS SET FOR TIME CERTAIN

Sheriff

1. 9:00 a.m. - Resolution Proclaiming the Existence of a Facilities Emergency Regarding the County's 911 Radio Communications System (4/5 Vote Required)

Recommendation:

- 1. Adopt the attached resolution which proclaims that the current condition of the County's 911 Radio Communications System constitutes a facilities emergency (4/5 Vote Required);
- 2. Approve the attached Change Order from Motorola pursuant to California Public Contract Code Section 22050 (4/5 Vote Required); and
- 3. Grant authority for County Public Works to take any and all actions necessary to repair the radio communications system.

Resolution Proclaiming a Facilities Emergency

Humboldt County Change Order CO002 DDR All Pages MSI Signed.pdf

Resolution 20-104

Executed Humboldt County Change Order CO002 DDR All Pages MSI Signed.pdf

Planning and Building Department

2. 1:30 p.m. - Appeal of the Planning Commission actions to Approve the Adesa Organic LLC, Conditional Use Permits and to Adopt a Mitigated Negative Declaration for the cultivation of 86,400 square feet of new mixed light cannabis cultivation and associated infrastructure on Assessor Parcel Numbers (APNs): 315-145-002, 315-211-003 and 315-211-004, including improvements to an existing road located on APN 315-222-002

Recommendation:

- 1. Open the public hearing and receive the staff report, testimony by the appellant, applicant, and public;
- 2. Close the public hearing;
- 3. Adopt the resolution (Resolution 20-__). (Attachment 1) which does the following:
- a. Makes the findings required to deny the appeal and approve the Conditional Use Permits;
- b. Adopts the Initial Study and Mitigated Negative Declaration, State Clearinghouse No. 2020060675;
- c. Denies the Appeal;
- d. Approves the Conditional Use Permits subject to the conditions of approval (Attachment 1A); and
- e. Adopts the Revised Mitigation, Monitoring, and Reporting Program with substituted Mitigation Measure BIO-2.
- 4. Direct the Clerk of the Board to give notice of the decision to the appellant, the project applicant, the property owner, and any other interested party; and
- 5. Direct the Planning and Building Department to file a Notice of Determination with the Humboldt County Recorder's Office, pursuant to the California Environmental Quality Act.

Attachment 1 - Draft Board Resolution Findings and Conditions of Approval.docx

Attachment 2 - Appeal filed by Friends of the Mad River 09.17.2020.pdf

Attachment 3 - Additional Materials.pdf

Attachment 4 - PC Resolution 20-60 Adesa Organic 11923.pdf
Attachment 5 - PC Staff Report and Supplemental 1 and 2.pdf

Attachment 6 - Adesa ISMND with Attachments.pdf

Attachment 7 - Public Comments.pdf

Public Comment COB.pdf
Public Comment K2.pdf

Resolution 20-105

L. CLOSED SESSION

M. ADJOURNMENT

Any written materials related to an item on this agenda submitted to the Board of Supervisors less than 72 hours prior to the Board meeting, and that are public records subject to the Public Records Act, are available for public inspection in the Office of the Clerk of the Board at 825 5th Street, Suite 111, Eureka (476-2384), during normal business hours.

Persons wishing to file documentation on any agenda item for the official record must submit an original and nine (9) copies of each document to the Clerk of the Board of Supervisors, Room 111 of the County Courthouse, 825 5th Street in Eureka (476-2384). Documentation includes, but is not limited to, written correspondence, audio and video tapes, maps, photographs, and petitions. Failure to submit the required number of copies will result in the document/s not being placed in the official record. (Per Board of Supervisors' policy adopted on March 21, 1995.)

The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board at (707) 476-2384, or (707) 445-7299 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.

BARRING ANY UNFORESEEN TECHNICAL DIFFICULTIES OR SCHEDULING CHANGES, REGULAR MEETINGS OF THE BOARD OF SUPERVISORS ARE BROADCAST LIVE ON SUDDEN LINK, CHANNEL 10, AND ARE REBROADCAST ON FRIDAY AT 6:30 P.M.

County of Humboldt Web Site: http://humboldtgov.org/