

BOARD OF SUPERVISORS

REX BOHN
Vice-Chair - First District
MICHELLE BUSHNELL
Second District
MIKE WILSON
Third District
NATALIE ARROYO
Fourth District
STEVE MADRONE
Chair - Fifth District



COUNTY STAFF

ELISHIA HAYES
County Administrative Officer
SCOTT MILES
Interim County Counsel
KATHY HAYES
Clerk of the Board

**BOARD OF SUPERVISORS
COUNTY OF HUMBOLDT
825 FIFTH STREET
EUREKA, CA 95501
SUPERVISORS' CHAMBER, FIRST FLOOR
ACTION SUMMARY**

Tuesday, December 5, 2023

9:00 AM

Regular Meeting - Hybrid

A. ROLL CALL

Present: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson,
Supervisor Natalie Arroyo, and Supervisor Steve Madrone

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve the Consent Calendar with the suggested modifications to item D-3. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson,
Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Aviation

23-1383

1. Professional Services Agreement with Armstrong Consultants, Inc. for Installation of Murray Field Airport (EKA) Runway 12/30 Vertical Guidance Systems (PAPI-4) Final Design

Recommendation: That the Board of Supervisors:

1. Approve, and authorize, the Humboldt County, Director of Aviation, or designee thereof, to execute the attached Professional Services Agreement with Armstrong Consultants, Inc. for Murray Field Airport (EKA) Runway 12/30 Vertical Guidance Systems (PAPI-4) final design in the amount of \$98,620 for the period of Nov. 28, 2023 through Dec. 31, 2024; and
2. Authorize the Director of Aviation, or designee thereof, to execute any and all subsequent amendments, to the attached Professional Services Agreement with Armstrong Consultants Inc., after review and approval by County Counsel, Risk Management, and the County Administrative Office.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

23-1509

2. Resolution Authorizing the Humboldt County Department of Aviation to Apply for, Accept an Allocation of Funds, and Execute a Grant Agreement with the California Department of Transportation, for Airport Improvement Program (AIP) Matching Grants in Relation to Federal Aviation Administration (FAA) Grant No. 3-06-0072-019-2023 and No. 3-06-0072-020-2023

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolutions authorizing the Humboldt County, Director of Aviation, or designee thereof, to execute any and all documents necessary to apply for and accept California Department of Transportation, Airport Improvement Program (AIP) Matching Grants related to Federal Aviation Administration (FAA) Grant No. 3-06-0072-019-2023 and No. 3-06-0072-020-2023; and
2. Authorize the Director of Aviation, or designee thereof, to execute future amendments to the above-mentioned State of California, Department of Transportation (DOT) AIP Matching Grants, after review by County Counsel, Risk Management, and the County Administrative Office.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Board of Supervisors

23-1563

3. Letter Regarding the 2023 Nearshore Groundfish Fishery Season Closure Northern Groundfish Management Area (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the letter of opposition to the closure of the 2023 nearshore rockfish season in marine waters off the coast.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Clerk of the Board

23-1352

4. Local Appointments List for 2024

Recommendation: That the Board of Supervisors:

1. Receive the Local Appointments List for 2024; and
2. Direct the Clerk of the Board to send a copy of the Local Appointments List for 2024 to the Humboldt County Library, Eureka Main Branch pursuant to Government Code Section 54973; and
3. Designate the Humboldt County Library, Eureka Main Branch, as the public library required to receive a copy of such list.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

23-1594

5. Approval of the Action Summary - Meeting of November 28, 2023

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of November 28, 2023, and authorize the Clerk of the Board and the Board Chair to sign the minute book in accordance with California Governmental Code Section 25103.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

County Administrative Office

23-1513

6. Request a Transfer from Contingencies in the amount of \$35,000: \$5,000 for Orick Volunteer Fire Department, \$5,000 for a Fire Study, and \$25,000 for Southern Humboldt Business Improvement District (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the transfer from Contingencies in the amount \$10,000 to the Forester & Warden budget (1100281), \$5,000 for repairs to the apparatus and personnel gear for the Orick Volunteer Fire Department, \$5,000 for a deposit on a fire services scoping study (4/5 Vote Required); and
2. Approve the transfer from Contingencies in the amount of \$25,000 to the Contributions to Other Funds (1100199) and associated Supplemental Budget in the County Administrative Office Economic Development Division (1120275) to fund a contract amendment for Civitas to perform services related to formation of the Southern Humboldt Business Improvement District (4/5 Vote Required).

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

County Clerk/Recorder/Registrar of Voters

23-1534

7. Appointment of Special District Directors

Recommendation: That the Board of Supervisors:

1. Receive staff report; and
2. Appoint attached slates of individuals to special district governing boards, pursuant to California Elections Code, Sections 10515 and 10517.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Department of Health and Human Services: Behavioral Health

23-1432

8. Subcontract Agreement with Advocates for Human Potential, Inc. Regarding Implementation of the California Behavioral Health Mentored Internship Program in Humboldt County

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Department of Health and Human Services - Behavioral Health Director, and/or designees thereof, to execute, the attached subcontract agreement with Advocates for Human Potential, Inc. regarding implementation of the California Behavioral Health Mentored Internship Program in Humboldt County for the period of October 1, 2023 through December 31, 2024;
2. Authorize the Department of Health and Human Services - Behavioral Health Director, and/or designees thereof, to execute any and all subsequent amendments to, and any other agreements, certifications, attestations and documents associated with, the attached subcontract agreement with Advocates for Human Potential, Inc., after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to provide one (1) fully executed certified copy of the Board Order related to this item to the Department of Health and Human Services - Contract Unit.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Department of Health and Human Services: Public Health

23-1526

9. Grant Award from the California Strengthening Public Health Initiative (CASPHI)

Recommendation: That the Board of Supervisors:

1. Retroactively accept the Public Health allocation agreement with CASPHI in the amount of \$131,224 for the period of Fiscal Year 22/23;
2. Approve grant agreement #CASPHI0012 with California Department of Public Health (CDPH) California Strengthening Public Health Initiative (CASPHI) in the amount of \$656,121.00 for the term of December 1, 2022 to November 30, 2027;
3. Authorize the Department of Health and Human Services Director of Public Health or designee thereof to sign the yearly allocation agreement for Fiscal Years 2023-2028;
4. Authorize the Department of Health and Human Services Director of Public Health or designee thereof to execute all subsequent amendments, and any other agreements, certifications, attestations, and documents directly related to the attached grant agreement, including subcontracts, after review of County Counsel and Risk Management; and
5. Direct the Clerk of the Board to return one (1) copy of the certified Board report to the DHHS - Contracts Unit.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Department of Health and Human Services: Social Services

23-1543

10. Memorandum of Understanding with the California Department of Social Services Regarding the Provision of Mass Care and Shelter Supplies

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Department of Health and Human Services Director, or a designee thereof, to execute, the attached memorandum of understanding with the California Department of Social Services regarding the provision of mass care and shelter supplies;
2. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute any and all subsequent amendments to, and any other agreements, certifications, attestations and documents directly associated with, the attached memorandum of understanding with the California Department of Social Services, after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to provide the Department of Health and Human Services - Contract Unit with one (1) fully executed, certified copy of the Board order related to this item.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Human Resources

23-1550

11. Approval of a Side Letter of Agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 1684

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to sign a Side Letter of Agreement with the AFSCME regarding Paid Lost Time.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Planning and Building Department23-1542

12. Cooper General Plan Amendment and Zone Reclassification Petition
APN: 405-211-001
Case No.: PLN-2022-17694

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution (Attachment 1) to accept the application for a General Plan Amendment and Zone Reclassification; and
2. Direct the Clerk of the Board to give notice of the decision to the applicant and any other interested party.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Public Works23-1548

13. Consultant Services Agreement with Paragon Partners Consultants, Inc., Regarding the Provision of On-Call Professional Real Estate and Right-of-Way Services

Recommendation: That the Board of Supervisors:

1. Approve the selection of Paragon Partners Consultants, Inc. as the consulting firm to provide on-call professional real estate and right-of-way services;
2. Approve and authorize the Chair of the Board to execute, the attached consultant services agreement with Paragon Partners Consultants, Inc. regarding the provision of on-call professional real estate and right-of-way services;
3. Authorize the Public Works Director, or a designee thereof, to execute any and all future task orders issued pursuant to the terms and conditions of the attached consultant services agreement with Paragon Partners Consultants, Inc., after review and approval by County Counsel and Risk Management;
4. Authorize the Public Works Director, or a designee thereof, to execute amendments to the agreement after review and approval by County Counsel, Risk Management and the County Administrative office; and
5. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached consultant services agreement with Paragon Partners Consultants, Inc. to the Department of Public Works for further processing.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

23-1551

14. Accept a Donation of \$25,000 for Development of Equestrian Trails within the McKay Community Forest in Memory of Former Humboldt County Supervisor and Planning Commissioner Seferino (Sef) Raul Murguia

Recommendation: That the Board of Supervisors:

1. Accept a donation of \$25,000 for development of equestrian trails within the McKay Community Forest in memory of Sef Murguia;
2. Authorize the Chair of the Board to sign the attached letter of appreciation; and
3. Authorize installation of a plaque at the trailhead of the Northridge parking area in memory of Sef Murguia.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Sheriff

23-1571

15. Resolution for the Off-Highway Motor Vehicle Division Grant Program Calendar Year 2024 and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Accept and adopt the resolution (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 2024;
2. Approve the fiscal year 2023-24 supplemental budget for Off-Highway Vehicle Grant 1100-221940 (Attachment 2) (4/5 Vote Required);
3. Authorize the Sheriff, Undersheriff and Deputy Director of Financial and Support Services to execute all the necessary reimbursement claims and future applications, in the name of the County of Humboldt, required by the California Department of Parks and Recreation for participation in the Off-Highway Motor Vehicle;
4. Authorize the Sheriff, Undersheriff and Deputy Director of Deputy Director of Financial and Support Services to execute all the necessary contracts, 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, Risk Management and County Administrative Office; and
5. Direct the Clerk of the Board to return a signed copy of the governing body resolution to the Humboldt County Sheriff's Office, Attention Julie Martin for submittal to funding agency.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve staff recommendations. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

E. ITEMS PULLED FROM CONSENT**F. PUBLIC COMMENT ON NON-AGENDA ITEMS****G. MATTERS SET FOR TIME CERTAIN****County Counsel**23-1591

1. 11:00 AM - Closed Session - Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) (one potential case)

There was no reportable action

Board of Supervisors23-1501

2. 11:00 AM - Closed Session - Pursuant to Government Code Sections 54954.5 and 54957 to Consider a Public Employee Performance Evaluation for the Position of the Director of Child Support

There was no reportable action

23-1502

3. 11:00 AM - Closed Session - Pursuant to Government Code Sections 54954.5 and 54957 to

Consider a Public Employee Performance Evaluation for the Position of the Library Director

There was no reportable action

County Administrative Office

23-1456

4. 2:30 PM - Measure Z Ad Hoc Recommendations

Recommendation: That the Board of Supervisors:

1. Receive a report from the Board of Supervisors Measure Z Ad Hoc regarding percentage-based allocations; and
2. Decide on an approach to set Measure Z allocations for Fiscal Year (FY) 2024-25 through FY 2026-27.

A motion was made by Supervisor Bohn, seconded by Supervisor Bushnell, to approve option #2 as presented. The motion carried by the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

A motion was made by Supervisor Arroyo, seconded by Supervisor Bushnell, to direct staff to bring back an item addressing the issue of the remaining fund balance and other issues as discussed, to a date undetermined in January 2024. The motion carried by the following vote:

Aye: 4 - Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

Absent: 1 - Supervisor Rex Bohn

H. MATTERS INITIATED BY BOARD MEMBERS

I. DEPARTMENT REPORTS

Clerk of the Board

23-1289

1. Appointment of Chair and Vice Chair for the Board of Supervisors - Calendar Year 2024

Recommendation: That the Board of Supervisors:

1. Appoint a Chair and Vice Chair for the Board of Supervisors for Calendar Year 2024.

A motion was made by Supervisor Madrone, seconded by Supervisor Arroyo, to appoint Supervisor Bohn as Chair and Supervisor Bushnell as Vice Chair of the Board of Supervisors for Calendar Year 2024. The motion carried by the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

23-1397

2. Appointment of Board Members to Various Boards, Commissions and Committees for Calendar Year 2024

Recommendation: That the Board of Supervisors:

1. Appoint Board Members to various boards, commissions and committees for calendar year 2024.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to accept the new appointments as assigned. The motion carried by the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

J. PUBLIC HEARINGS

Planning and Building Department

23-1515

1. Appeal of the Planning Commission Decision to Deny a Conditional Use Permit for 22,000 Square Feet (SF) Existing Outdoor Cannabis Cultivation on a 90-Acre Parcel, and a Special Permit to Reduce the Setback to BLM Public Land

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the appellant (applicant), and testimony from the public;
2. Close the public hearing;
3. Adopt the resolution (Attachment 1) which does the following:
 - a) Finds that the Humboldt County Board of Supervisors has considered the Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance and the project specific addendum prepared for the Big River Farms, LLC project);
 - b) Finds the proposed project complies with the General Plan and Zoning Ordinance;
 - c) Approves the Appeal submitted by Big River Farm, LLC; and
 - d) Approves the Conditional Use Permit and Special Permit subject to the recommended conditions of approval; and
4. Direct the Clerk of the Board to give notice of the decision to the appellant, the Planning and Building Department, and any other interested party.

A motion was made by Supervisor Bushnell and seconded by Supervisor Wilson, to continue this hearing to the December 12, 2023 Board of Supervisors meeting at 10:00 am. The motion carried with the following vote:

Aye: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, Supervisor Natalie Arroyo, and Supervisor Steve Madrone

K. CLOSED SESSION (See Matters Set for Time Certain)

L. ADJOURNMENT

I, NIKKI TURNER, Deputy Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above-entitled meeting of the Humboldt County Board of Supervisors held in Eureka California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

NIKKI TURNER

Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California.



12/05/2023