

**BOARD OF SUPERVISORS**

REX BOHN  
First District  
MICHELLE BUSHNELL  
Second District  
MIKE WILSON  
Third District  
VIRGINIA BASS  
Chair - Fourth District  
STEVE MADRONE  
Vice 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, August 30, 2022

9:00 AM

Regular Meeting - Hybrid

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**A. ROLL CALL**

Present: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson,  
Supervisor Virginia Bass, and Supervisor Steve Madrone

Absent: 0

**B. SALUTE TO THE FLAG**

**C. MODIFICATIONS TO THE AGENDA**

**D. CONSENT CALENDAR**

*A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, that the Consent Calendar with the following modifications be approved.*

*D15 pulled to be brought back at a later date.*

*D19, D20, D21 pulled for discussion.*

*The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Aviation**

1. Professional Services Agreement with Kimley Horn and Associates, Inc. for Acquisition of Aqueous Film Forming Foam (AFFF) Materials Testing Equipment.

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize Chair of the Board to execute, the attached Professional Services Agreement with Kimley Horn and Associates, Inc. regarding Per- and Polyfluoroalkyl Substances (PFAS) Materials Testing Equipment; and
2. Authorize the Director of Aviation to execute any amendments after review 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 Kimley Horn and Associates, Inc. to the Department of Aviation.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**2. Purchase of One Cyclone Ultra-High Pressure Rubber and Paint Removal System**

**Recommendation:** That the Board of Supervisors:

1. Authorize the purchase of one Cyclone Technologies, LLC's Ultra-High Pressure Rubber and Paint Removal System.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**3. Purchase of One (1) New Caterpillar Model 259D3 Compact Construction Equipment**

**Recommendation:** That the Board of Supervisors:

1. Authorize the purchase of one (1) New Caterpillar Model 259D3 Compact Construction Equipment.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**4. Resolution Authorizing the Submittal of an Application, Acceptance of an Allocation of Funds, and Execution of a Grant Agreement with the California Department of Transportation (DOT), for an Airport Improvement Program (AIP) Matching Grant**

**Recommendation:** That the Board of Supervisors:

1. Adopt the attached resolution authorizing the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the California Department of Transportation (DOT), for an airport improvement program (AIP) matching grant.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Board of Supervisors**

**5. Continuation of the Local Emergency Due to Drought**

**Recommendation:** That the Board of Supervisors:

1. Declare that a local emergency remains in effect, per Resolution 21-77, until September 27, 2022, enabling the County of Humboldt and other local government entities to adequately plan, prepare and implement policy to be able to effectively respond to the threat posed by the drought.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**6. Proclaim September 2022 as National Recovery Month (Supervisor Bass)**

**Recommendation:** That the Board of Supervisors:

1. Authorize the Chair to sign the proclamation.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**7. Proclaim September 11-17, 2022 as Assisted Living Week in Humboldt County (Supervisor Madrone)**

**Recommendation:** That the Board of Supervisors:

1. Adopt the proclamation.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**8. Suicide Prevention and Awareness Proclamation (Supervisor Bass)**

**Recommendation:** That the Board of Supervisors:

1. Authorize the Chair to sign the proclamation.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**9. Appoint Jamie Jensen and Ellen Murphy to the Human Rights Commission Representing the Third District (Supervisor Wilson)**

**Recommendation:** That the Board of Supervisors:

1. Receive and file the report.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Clerk of the Board**

10. Submittal of Supervisors' Monthly Expense Report on Meetings Pursuant to Government Code Section 53232.3(d)

**Recommendation:** That the Board of Supervisors:

1. Receive and file the Supervisors' Monthly Expense Report.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

11. Approval of the Action Summary - Meeting of August 16, 2022

**Recommendation:** That the Board of Supervisors:

1. Approve the Action Summary for the meeting of Aug. 16, 2022, 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 Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

12. Approval of the Action Summary - Meeting of August 23, 2022

**Recommendation:** That the Board of Supervisors:

1. Approve the Action Summary for the meeting of August 23, 2022, 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 Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

### **County Administrative Office**

13. Installation of an Americans with Disabilities Act Accessible Beach Access Mat at Clam Beach

**Recommendation:** That the Board of Supervisors:

1. Approve the proposed installation of an Americans with Disabilities Act accessible beach access mat at Clam Beach.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

14. Approval of Settlement Agreement with the State Controller Regarding Case CV2200584 The People vs. Karen Paz Dominguez and the County of Humboldt

**Recommendation:** That the Board of Supervisors:

1. Approve the settlement agreement with the State Controller Regarding Case CV2200584 The People vs. Karen Paz Dominguez and the County of Humboldt; and
2. Authorize the Chair of the Board to sign the settlement agreement.

*A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Department of Health and Human Services: Administration**

16. Agreement with Ascendant Strategy Management Group, LLC for Software Maintenance and Support of ClearPoint, a Performance Management Software Platform

**Recommendation:** That the Board of Supervisors:

1. Approve and authorize the Chair to execute the attached agreement between Ascendant Strategy Management Group, LLC and the Department of Health and Human Services, for the period of Sept. 21, 2022 through Sept. 20, 2027; and
2. Authorize the Department of Health and Human Services (DHHS) Director, or designee thereof, to execute any subsequent amendments to the agreement upon review and approval from County Counsel, Risk Management and the County Administrative Office.

*A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Department of Health and Human Services: Behavioral Health**

17. Memorandum of Understanding with Davis Guest Home regarding the Provision of Long-Term Residential Mental Health Treatment Services

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached memorandum of understanding with Davis Guest Home regarding the Provision of Long-Term Residential Mental Health Treatment Services;
2. Authorize the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with Davis Guest Home 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 (1) fully executed copy of the attached memorandum of understanding with Davis Guest Home to the Department of Health and Human Services - Contract Unit for further processing.

*A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

18. Professional Services Agreement with Arcata House Partnership Regarding the Provision of Peer Coaching and Support Services to Eligible Individuals Living at the Arcata Bay Crossing Apartment Complex

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Arcata House Partnership regarding the provision of peer coaching and support services to eligible individuals living at the Arcata Bay Crossing apartment complex for the period of July 1, 2022, through June 30, 2025;
2. Authorize the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Arcata House Partnership, after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to return two (2) fully executed original copies of the attached professional services agreement with Arcata House Partnership, to the Department of Health and Human Services - Contract Unit for further processing.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Department of Health and Human Services: Public Health**

20. Annual Certification of Compliance for the Child Health Disability Prevention, Health Care Program for Children in Foster Care and California Children's Services Programs for Fiscal Year 2022-2023

**Recommendation:** That the Board of Supervisors:

1. Authorize the Chair of the Board to execute the attached certification statements for the Child Health and Disability Prevention, Health Care Program for Children in Foster Care and California Children's Services Programs; and
2. Direct the Clerk of the Board to return the three (3) fully executed original copies of the attached certification statements to the Department of Health and Human Services - Public Health Administration for submission to the California Department of Health Care Services.

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

23. Memorandum of Understanding by and between the County of Humboldt and the Board of Trustees of the California State University for HIV and HCV Testing and Prevention Services

**Recommendation:** That the Board of Supervisors:

1. Approve the Memorandum of Understanding (MOU) by and between the County of Humboldt and the Board of Trustees of the California State University (Humboldt State University);
2. Authorize the Public Health Director, or designee thereof, to sign the MOU; and
3. Authorize the Public Health Director, or designee thereof, to sign all future amendments and documents directly related to this grant agreement upon review and approval of County Counsel and Risk Management.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Department of Health and Human Services: Social Services**

24. Approval of the Memorandum of Understanding for the California Department of Social Services Work Number Express Service Agreement

**Recommendation:** That the Board of Supervisors:

1. Approve the attached Memorandum of Understanding with the California Department of Social Services regarding participation in the Work Number Express (TALX Corporation) Service Agreement;
2. Grant a waiver of the Nuclear Free Ordinance;
3. Authorize the Board Chair to execute four originals of the Memorandum of Understanding, and;
4. Direct the Clerk of the Board to return three fully executed original copies of the attached Memorandum of Understanding with the California Department of Social Services (CDSS) to the DHHS-Contract Unit for forwarding to DHHS-Social Services.

***A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:***

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Public Defender**

25. Thomson Reuters West Publishing Agreement for Online Research Services

**Recommendation:** That the Board of Supervisors:

1. Approve the attached agreement between the County of Humboldt Public Defender and Thomson Reuters West Publishing; and
2. Authorize the Purchasing Agent to execute the attached contract agreement with Thomson Reuters West Publishing for online legal research subscription services.

***A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:***

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Public Works**

26. Consultant Services Agreement with PACE Engineering, Inc. Regarding the Provision of Electrical Engineering Services for the Courthouse Transformers Replacement Project

**Recommendation:** That the Board of Supervisors:

1. Approve the selection of PACE Engineering, Inc. as the consulting firm to provide electrical engineering services for the Courthouse Transformers Replacement Project;
2. Approve, and authorize Chair of the Board to execute, the attached consultant services agreement with PACE Engineering, Inc. regarding the provision of electrical engineering services for the Courthouse Transformers Replacement Project;
3. Authorize the Public Works Director, or a designee thereof, to execute any and all subsequent amendments to the attached consultant services agreement with PACE Engineering, Inc. after review and approval by County Counsel, Risk Management, and the County Administrative Office; and
4. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached consultant services agreement with PACE Engineering, Inc. to the Department of Public Works for further processing.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

27. Accept Completed Contracts for Storm Damage Repairs to Mattole Road (F3C010) Post Miles 36.06 and 36.16 (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Director of Public Works to execute, the attached Contract Change Order Number 2-Supplement 1 for Contract Number 217207 (Post Mile 36.06) for the total amount of \$20,758.26 (4/5 Vote Required);
2. Accept the completed contracts, including all change orders approved by the Public Works Department, between Wahlund Construction, Inc., and Humboldt County for construction of Storm Damage Repairs to Mattole Road (F3C010) Post Miles 36.06 and 36.16; and
3. Approve the final claims for payment, as submitted by the Public Works Department to the Auditor/Controller, in the amount of \$20,758.26 for Post Mile 36.06 and \$280.00 for Post Mile 36.16, which will bring the total amounts paid to 100 percent of the contracts.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

28. Authorize a Temporary Increase in Pay for Paul Donoho, Road Maintenance Supervisor, Pursuant to Section 12.4 of the American Federation of State, County and Municipal Employees (AFSCME) Memorandum of Understanding (MOU)

**Recommendation:** That the Board of Supervisors:

1. Authorize a temporary increase in pay for Road Supervisor, Paul Donoho (class 0204, range 416) as though promoted to Road Superintendent (class 0201, range 468) beginning Sept. 11, 2022, and continuing until Mar. 4, 2023.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

29. Authorize a Temporary Increase in Pay for Scott Carns, Road Maintenance Worker III, Pursuant to Section 12.4 of the American Federation of State, County and Municipal Employees (AFSCME) Memorandum of Understanding (MOU)

**Recommendation:** That the Board of Supervisors:

1. Authorize a temporary increase in pay for Road Maintenance Worker III, Scott Carns (class 0230, range 376) as though promoted to Road Supervisor (class 0204, range 416) beginning Sept. 11, 2022, and continuing until Oct. 29, 2022.

**A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

## E. SPECIAL PRESENTATIONS

## F. ITEMS PULLED FROM CONSENT

15. Establish Fixed Asset Lines for Budget Unit 3552-152 ADA Compliance and Approve Appropriation Transfer (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Approve an appropriation transfer request establishing fixed asset lines in fiscal year (FY) 2021-22 in budget unit 3552-152 ADA Compliance for ADA Compliance Capital Projects (Attachment 1) (4/5 vote required).

**This item was pulled to be brought back at a later date.**

19. Professional Services Agreement with Traditions Behavioral Health, a Psychological Corporation, Regarding the Provision of Licensed Personnel to Fill Various Psychiatrist Positions at Department of Health and Human Services - Behavioral Health Facilities

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Traditions Behavioral Health, a Psychological Corporation, regarding the provision of licensed personnel to fill various psychiatrist positions at Department of Health and Human Services - Behavioral Health facilities for the period of July 1, 2022 through June 30, 2023;
2. Authorize the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Traditions Behavioral Health, a Psychological Corporation, 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 (1) fully executed original copy of the attached professional services agreement with Traditions Behavioral Health, a Psychological Corporation, to the Department of Health and Human Services - Contract Unit for further processing.

**A motion was made by Board Supervisor Wilson, seconded by Supervisor Bushnell, to approve**

*staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**21. Request to Increase Ambulance Fee for Service Areas 3 (Eureka) and 4 (Fortuna/ Garberville)**

**Recommendation:** That the Board of Supervisors:

1. Approve and authorize an increase in billing rates for ambulance services provided in Service Areas 3 (Eureka) and 4 (Fortuna/Garberville).

*A motion was made by Supervisor Bushnell, seconded by Supervisor Bohn, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**22. Request to Increase Ambulance Fees for Service Area 1 (Northwestern Humboldt County)**

**Recommendation:** That the Board of Supervisors:

1. Approve and authorize an increase in billing rates for ambulance services provided in Service Area 1 (Northwestern Humboldt County).

*A motion was made by Supervisor Bushnell, seconded by Supervisor Bohn, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

## **G. MATTERS INITIATED BY BOARD MEMBERS**

### **H. DEPARTMENT REPORTS**

#### **Planning and Building Department**

**1. Planning Commission Letter on Water Storage Requirements**

**Recommendation:** That the Board of Supervisors:

1. Consider the Letter Submitted by the Planning Commission; and
2. Provide Direction to the Planning Commission.

*A motion was made by Supervisor Bushnell, seconded by Supervisor Bohn, to have the Planning and Building staff bring back recommendations regarding forbearance and storage; have Director Ford send a letter to the Planning Commission with feedback from the Board. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**2. Monthly Report from Drought Task Force (DTF)**

**Recommendation:** That the Board of Supervisors:

1. Receive the report from the Drought Task Force.

*A motion was made by Supervisor Madrone, seconded by Supervisor Bushnell, that the recommendations be approved. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

## I. PUBLIC HEARINGS

### Planning and Building Department

1. Pacific Gas and Electric (PG&E) Appeal of the Planning Commission's Denial of a Coastal Development Permit for the Installation of Three Utility Poles and a Voltage Regulator along Patrick's Point Drive

**Recommendation:** That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the appellant (applicant), and public; and
2. Close the public hearing; and
3. Adopt the resolution (Resolution 22-\_\_). (Attachment 1) which does the following:
  - a. Finds that project exempt from environmental review pursuant to Section 15270 of the CEQA Guidelines; and
  - b. Finds that the proposed project is inconsistent with the Trinidad Area Local Coastal Plan; and
  - c. Denies the Appeal submitted by Pacific Gas & Electric; and
  - d. Denies the Coastal Development Permit.
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 Madrone, seconded by Supervisor Bohn, to continue the appeal and direct staff work with PG&E to bring back alternative options. The motion carried by the following vote:***

Aye: 4 - Rex Bohn, Michelle Bushnell, Virginia Bass, and Steve Madrone

Nay: 1 - Mike Wilson

2. An Appeal of the Planning Commission's Approval of a Conditional Use Permit for 24,634 Square Feet of Existing Commercial Cannabis Cultivation Consisting of 22,380 Square Feet of Outdoor and 2,254 Square Feet of Mixed Light Cultivation, the Appeal Relates Specifically to the Addition of Conditional of Approval A. 25 Requiring 20% Rainwater Catchment within 2 years as Well as Staff Recommended Condition of Approval A11 which Requires Capping of a Second Well

**Recommendation:** That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by appellant, and testimony from the public; and
2. Close the public hearing; and
3. Adopt the resolution (Resolution 22-\_\_). (Attachment 1) which does the following:
  - a. Finds that the Board of Supervisors has considered the Addendum to the Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance that was prepared for the Dyerville Farms, LLC project); and
  - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
  - c. Sustain the Appeal submitted by Dyerville Farms LLC; and
  - d. Approves the Conditional Use Permit subject to the recommended conditions of approval.
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, seconded by Supervisor Bushnell, to continue this item to September 27, 2022. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

3. An Appeal of the Planning Commission's Approval of a Conditional Use Permit for 18,492 Square Feet of Existing Outdoor Commercial Cannabis Cultivation, the Appeal Relates Specifically to the Addition of Conditional of Approval A6 Requiring 20% Rainwater Catchment within 2 Years

**Recommendation:** That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by appellant, and testimony from the public; and
2. Close the public hearing; and
3. Adopt the resolution (Resolution 22-\_\_). (Attachment 1) which does the following:
  - a. Finding the Board of Supervisors have considered the Addendum to the Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance that was prepared for the MHG, LLC project); and
  - b. Finding the proposed project complies with the General Plan and Zoning Ordinance; and
  - c. Sustain the Appeal submitted by MHG LLC; and
  - d. Approving the Conditional Use Permit subject to the recommended conditions of approval.
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, seconded by Supervisor Bohn, that the recommendations be approved. The motion carried by the following vote:**

Aye: 3 - Rex Bohn, Michelle Bushnell, and Virginia Bass

Nay: 2 - Mike Wilson, and Steve Madrone

## K. MATTERS SET FOR TIME CERTAIN

### Board of Supervisors

1. 12:00 PM - Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Northcoast Environmental Center, et al. v. County of Humboldt, Humboldt Superior Court Case No. CV 2100518

*There was no reportable action taken.*

2. 12:00 PM - Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Timothy Brennfleck v. Shannon Conway, et al., Humboldt County Superior Court Case No. CV2200567

*The Board voted unanimously to authorize the office of County Counsel to represent the County of Humboldt in the case of Timothy Brennfleck v. Shannon Conway, et al., Humboldt County Superior Court Case No. CV2200567.*

3. 12:00 PM - Conference with Labor Negotiator - Pursuant to Government Code section 54957.6 it is the intention of the Board of Supervisors to meet in closed session to review the County's position and instruct its designated labor negotiator. Labor negotiators: Tabatha Miller, Paige Plummer, and Jack Hughes. Employee Organizations (represented and unrepresented): SEIU/In-Home Support Services, American Federation of State, County and Municipal Employees (AFSCME local 1684), Humboldt County Attorneys Association, Humboldt Deputy Sheriffs Organization (Law Enforcement Non-Management Unit), Humboldt Deputy Sheriffs Organization (Law Enforcement Management Unit), Appointed Department Heads, and Management and Confidential employees

*There was no reportable action taken.*

#### **L. PUBLIC COMMENT ON NON-AGENDA ITEMS - 1:30 PM**

#### **M. CLOSED SESSION**

#### **J. DISCUSSION ITEMS**

#### **N. ADJOURNMENT**

*I, BROOKE EBERHARDT, 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.*

*BROOKE EBERHARDT*

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

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*September 1, 2022*