

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

**COUNTY OF HUMBOLDT
BOARD OF SUPERVISORS
825 FIFTH STREET
EUREKA, CA 95501
SUPERVISORS' CHAMBER, FIRST FLOOR
AGENDA - Final**

Tuesday, December 12, 2023

9:00 AM

Regular Meeting - Hybrid

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 qualified disabilities as required under the Americans with Disabilities Act. 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.

The Fourth Street Courthouse entrance re-opened to the public on Monday, September 11, 2023; However, the Fourth Street parking lot will remain closed while exterior work is completed. ADA Accessible parking is available in the dirt parking lot on the north side of the jail, located on K and Fourth Streets

If you are unable to access the courthouse due to the closure of the 4th Street entrances remote/teleconferencing, live viewing of meetings is available on Access Humboldt as well as streaming of the meeting. Public comment can be made through Zoom or email.

REMOTE/TELECONFERENCE PARTICIPATION

Conference Line: 720 707 2699

Meeting ID: 889 0200 1441

Please note: Those not able to attend the Board of Supervisors meeting in person will have the opportunity to provide public comment via Zoom; however, the County of Humboldt cannot guarantee that the Zoom system will be available for the entirety of every meeting. The only ways to guarantee that your comment is received and considered by the Board of Supervisors are to attend the meeting in person or submit your comment in writing in advance of the meeting.

Zoom Public Comment:

When the Board of Supervisors announce the agenda item that you wish to comment on, call the conference line, enter Meeting ID 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, you'll hear a prompt that will indicate your phone is unmuted. Please state your name and the agenda item number you will be commenting on. You will have 2 minutes to comment. Please turn off your TV or live stream to avoid delays.

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.

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, during normal business hours.

Persons wishing to file documentation on any agenda item for the official record must submit an original and seven (7) copies of each document to the Clerk of the Board of Supervisors, Room 111 of the County Courthouse, 825 5th Street in Eureka. 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.)

You may access the live stream of the meeting by using the following link:

<https://humboldt.legistar.com>

A. ROLL CALL

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

Board of Supervisors

[23-1517](#)

- 1. Proclaim December 2023 as Human Rights Awareness Month (Supervisor Steve Madrone)**

Recommendation: That the Board of Supervisors:
1. Adopt the proclamation.

Attachments: [Staff Report](#)
[Human Rights Awareness Month Proclamation.pdf](#)
[23-1567](#)

2. Resolution in Support of Designating an Area on State Route 101 in Memory of Eugene B “Joe” Thomas (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:
1. Authorize the Chair go sign a cover letter and direct the Clerk of the Board to forward the letter and attached resolution to Senator Mike McGuire and Assembly Member Wood.

Attachments: [Staff Report](#)
[Eugene B Thomas Memorial Highway Naming Letter of Support.pdf](#)
[Eugene B Thomas Memorial Highway Naming Resolution 121223.pdf](#)
[Resolution No. 23-160.pdf](#)

[23-1611](#)

3. Retirement Resolution for Vesta Wunner (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:
1. Authorize the Chair to sign the resolution.

Attachments: [Staff Report](#)
[Retirement Resolution.pdf](#)

Clerk of the Board

[23-1610](#)

4. Approval of the Action Summary - Meeting of December 5, 2023

Recommendation: That the Board of Supervisors:
1. Approve the Action Summary for the meeting of December 5, 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.

Attachments: [Staff Report](#)
[Action Summary - December 5, 2023.pdf](#)
[Minute Sheet.docx](#)
[Executed Action Summary - December 5, 2023.pdf](#)

County Clerk/Recorder/Registrar of Voters[23-1566](#)

5. Approval of Help America Vote Act Contract No. 23G26112 and Supplemental Budget for Elections, 1100140. (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Authorize the county to receive the sum of \$20,000 through grant funding provided by the Help America Vote Act (HAVA) Polling Place Accessibility Training Program;
2. Approve the attached supplemental budget for fiscal year (FY)2023-24 in the amount of \$20,000 for Elections' budget 1100140 (4/5 vote required);
3. Authorize the Clerk/Recorder/Registrar of Voters, or their designee, to execute the necessary documents and the attached contract to carry out the purpose of the Board's order to receive the sum of \$20,000 through grant funding provided by the Help America Vote Act Polling Place Accessibility Training Program; and
4. Adopt the attached resolution authorizing the county to receive the sum of \$20,000 through grant funding provided by the Help America Vote Act (HAVA) for efforts to improve polling place accessibility.

Attachments: [Staff Report](#)
[Agreement 23G26112.pdf](#)
[Supplemental Budget HAVA.xlsx](#)
[Resolution.docx](#)
[Resolution No. 23-152.pdf](#)

Department of Health and Human Services: Behavioral Health[23-1588](#)

6. Subcontract Agreement with Advocates for Human Potential, Inc. Regarding Implementation of the Behavioral Health Bridge Housing Program in Humboldt County and Supplemental Budget Request (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear-Free Ordinance with regard to the attached subcontract agreement with Advocates for Human Potential, Inc.;
2. Approve, and authorize the Department of Health and Human Services Director, or a designee thereof, to execute, the attached subcontract agreement with Advocates for Human Potential, Inc. regarding implementation of the Behavioral Health Bridge Housing Program in Humboldt County for the period of September 5, 2023, through June 30, 2027;
3. 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 subcontract agreement with the Advocates for Human Potential, Inc., after review and approval by County Counsel, Risk Management and the County Administrative Office;

4. Approve the attached supplemental budget request in the amount of One Million One Hundred Twenty-Eight Thousand Two Hundred Five Dollars (\$1,128,205.00) for Department of Health and Human Services - Social Services budget unit 1160-520 (4/5 vote required); and

5. 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.

Attachments:

[Staff Report](#)

[Subcontract Agreement with Advocates for Human Potential, Inc. Regarding Imp Supplemental Budget BHBH](#)

Human Resources

[23-1538](#)

7. Adopt Resolutions for Bargaining Units 1 - 11 to Implement 2024 Cost of Living Adjustments (COLAs) Effective December 24, 2023

Recommendation:

That the Board of Supervisors:

1. Approve the implementation of the 2.5% cost-of-living adjustments (COLAs) scheduled for first full pay period in January 2024, early effective the pay period beginning Dec. 24, 2023, for all classifications represented by AFSCME Local 1684 Units 1-4;

2. Approve the implementation of the 3% cost-of-living adjustments (COLAs) scheduled for first full pay period in January 2024, early effective the pay period beginning Dec. 24, 2023, for all classifications in the following bargaining units:

* County Attorneys Association (CAA) Unit 5

* Humboldt Deputy Sheriff Organization (HDSO) Unit 6

* Law Enforcement Management Unit 7

* Management & Confidential Units 8 - 9

* Appointed Department Heads Unit 10

* Elected Department Heads Unit 11;

3. Approve the salary range correction for Laboratory Technician I (classification #0571A), from salary range 319 to salary range 344, effective the pay period beginning December 24, 2023;

4. Approve the salary increase correction for Laboratory Technician II (classification #0571B), from salary range 360 to salary range 364, effective the pay period beginning December 24, 2023;

5. Approve a step advancement, from Step 1A to Step A, and reset salary advancement step hours for their next salary advancement effective the pay period beginning December 24, 2023, to all employees who are Step 1A in the classifications represented by AFSCME Local 1684 Units 1-4:

6. Adopt the resolution (Attachment 1) approving the amendments to the

Memorandum of Understanding (MOU) between the County of Humboldt and the American Federation of State, County and Municipal Employees (AFSCME) Local 1864 for Units 1-4;

7. Adopt the resolution (Attachment 2) approving the amendment to the Memorandum of Understanding (MOU) between the County of Humboldt and County Attorneys Association (CAA) for Unit 5;

8. Adopt the resolution (Attachment 3) approving the amendments to the Memorandum of Understanding (MOU) between the County of Humboldt and the Humboldt Deputy Sheriffs' Organization (HDSO) for Unit 6;

9. Adopt the resolution (Attachment 4) approving the amendments to the Memorandum of Understanding (MOU) between the County of Humboldt and Law Enforcement Management (LEM) for Unit 7;

10. Adopt the resolution (Attachment 5) approving the amendment to the Compensation Plan between the County of Humboldt and designated Management & Confidential Employees for Units 8 & 9;

11. Adopt the resolution (Attachment 6) approving the amendment to the Compensation Plan between the County of Humboldt and designated Elected & Appointed Department Heads for Units 10 & 11; and

12. Adopt the Dec. 24, 2023, Comprehensive Compensation Schedule and Classification Summary (Attachment 7).

Attachments:

[Staff Report](#)

[Attachment 1 Resolution No. AFSCME](#)

[Attachment 2 Resolution No. CAA](#)

[Attachment 3 Resolution No. HDSO](#)

[Attachment 4 Resolution No. LEM](#)

[Attachment 5 Resolution No. M&C](#)

[Attachment 6 Resolution No. Elected and Appointed Department Heads](#)

[Attachment 7 2023-12-24 Comprehensive Compensation Schedule and Classification
Resolution No. 23-156.pdf](#)

[Resolution No. 23-157.pdf](#)

[Resolution No. 23-155.pdf](#)

[Resolution No. 23-154.pdf](#)

[Resolution No. 23-153.pdf](#)

[23-1581](#)

8. Appointment of an Appeal Panelist Under the Merit System Rules

Recommendation:

That the Board of Supervisors:

1. Appoint Kyla Baxley as the county representative panelist; and
2. Delegate authority to the Director of Human Resources to appoint an alternate panelist should the selected panelist not be available at the time of the hearing; and
3. Delegate authority to the Director of Human Resources to appoint the county's representative panelist for all future Merit System Appeals and inform

the Board of Supervisors through confidential communication.

Attachments: [Staff Report](#)

Public Works

[23-1549](#)

9. Change Order and Project Contingency Authorization for Storm Damage Repairs to Panther Gap Road (4D010) Post Mile 0.50 (4/5 vote required)

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Director of Public Works to execute, the attached change order number 5 to contract number 217387 for the total amount of \$32,976.90 (4/5 Vote Required);
2. Approve, and authorize the Director of Public Works to execute, the attached change order number 7 to contract number 217387 for the total amount of \$95,000 (4/5 Vote Required).
3. Approve additional project contingency funds in the amount of \$500,000; and
4. Authorize the Director of Public Works to execute change orders up to the amount of \$210,000.

Attachments: [Staff Report](#)
[Change Order Number 5 to Contract Number 217387](#)
[Change Order Number 7 to Contract Number 217387](#)

Sheriff

[23-1569](#)

10. Resolution and Supplemental Budget for Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Award 2023 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve acceptance of the Byrne JAG Local Award for 2023;
2. Approve and authorize the Chair to sign the resolution (Attachment 1) authorizing the Sheriff's Office to submit the governing body resolution for the Byrne JAG 2023 program, accept grant funds, and sign any documents required for participation in the grant program;
3. Approve the Supplemental Budget request for budget unit 1100-221911 - Byrne JAG Local 2023 Grant (Attachment 2) (4/5 vote required);
4. Authorize the Sheriff, Undersheriff or Sheriff's Deputy Director of Financial and Support Services to sign all future amendments, terminations, extensions, and documents directly related to the Edward Byrne Memorial JAG Program Local Award 2023 upon review of County Counsel, Risk Management and the County Administrative Office; and
5. Direct the Clerk of the Board to return completed and signed copy of the Resolution to the Sheriff's Office, Attention: Julie Martin for submittal to funding agency.

Attachments: [Staff Report](#)
[Bryne JAG Local 2023 - Grant Acceptance Resolution - Revised](#)
[Bryne JAG Local 2023 - Supplemental Transfer](#)
[Resolution No. 23-158.pdf](#)

[23-1570](#)

11. Resolution for the Boating Safety and Enforcement (BS&E) Financial Aid 2024-2025 Program

Recommendation: That the Board of Supervisors:

1. Accept and adopt the resolution (Attachment 1) authorizing the Sheriff, Undersheriff or Deputy Director of Financial & Support Services at the Sheriff's Office to sign the application, contract, and reimbursement claims for the Boating Safety and Enforcement Financial Aid Program and authorizing the Auditor-Controller or designee to certify the prior year vessel taxes; and
2. Direct the Clerk of the Board to return a certified signed copy of the resolution to the Humboldt County Sheriff's Office (HCSO), Attention: Julie Martin for submittal to funding agency.

Attachments: [Staff Report](#)
[Boating Safety Grant Resolution FY24-25](#)
[Resolution No. 23-159.pdf](#)

E. ITEMS PULLED FROM CONSENT

F. PUBLIC COMMENT ON NON-AGENDA ITEMS

G. MATTERS SET FOR TIME CERTAIN

Planning and Building Department

[23-1606](#)

1. 10:00 AM - Continued 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.

Attachments:

[Staff Report](#)

[Attachment 1 Resolution Final](#)

[Attachment 1A - Conditions of Approval](#)

[Attachment 1B - Cultivation Operations Plan](#)

[Attachment 1C - Site Plan](#)

[Attachment 1D - CEQA Addendum](#)

[Attachment 2 - Justification for Appeal of Decision](#)

[Attachment 3 - Planning Commission Staff Report](#)

[Attachment 4A - Big River Farms Signed LSAA Agreement 03.19.2019](#)

[Attachment 4B - Hydrologic Isolation Assessment SIGNED 04.13.2023](#)

[Attachment 4C - Update to Well Analysis 07.18.2023](#)

[Attachment 4D - Light Management Plan 05.01.2019](#)

[Attachment 4E - NOI 6.30.2017](#)

[Attachment 4F - Property Boundary Survey 03.19.2019](#)

[Attachment 4G - Road Evaluation 06.01.2018](#)

[Attachment 4H - Water Well Application 12.18.2018](#)

[Attachment 4I - Well Completion Report 12.18.2018](#)

[Attachment 4J - WRPP 12.18.2018](#)

[Attachment 4K - DEH Worksheet 6.30.2017](#)

[Attachment 4L - Restocking Plan 07.10.2023](#)

[Attachment 4M - Wildlife Assessment Report 04.26.2019](#)

[Attachment 5 - Adopted Resolution of the Planning Commission, Resolution No.](#)

[Attachment 6 - Public Comments Submitted to the Planning Commission](#)

[Attachment 7 - Referral Agency Comments and Recommendations](#)

[Updated Conditions Big River.pdf](#)

[Resolution No. 23-161.pdf](#)

H. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

[23-1574](#)

1. Policy Considerations for Board Member Travel Expense Account Management (Supervisor Steve Madrone)

- Recommendation:*** That the Board of Supervisors:
1. Consider adopting a set of policies for Board Member travel expense account management to include:
 - a. Board Members shall not exceed their annual allotments of \$10,300 without Board majority approval in advance.
 - b. Board Members serving in their final term shall not spend more than 50% of their annual allotments in their final year.
 - c. Board Members shall review district total expenses to date at the end of the 2nd and 3rd quarters. Board members shall estimate their anticipated expenses for the remainder of the year at the beginning of the 4th quarter and any anticipated un-used district balances shall be allocated by Board majority based on anticipated benefits to the county.
 - d. Board members budget allocation of approximately \$3,000 per district may be utilized for other district travel, other than California State Association of Counties, at the discretion of the district Supervisor.

Attachments: [Staff Report](#)
[Board Travel Expenditures.docx](#)

I. DEPARTMENT REPORTS

County Administrative Office

[23-1587](#)

1. Board Meetings - Calendar Year 2024

- Recommendation:*** That the Board of Supervisors:
1. Cancel Board meetings on the following dates in calendar year 2024;
 - * Tuesday, Jan. 2, 2024 (following a county holiday on Jan. 1, 2024)
 - * Tuesday, Jan. 16, 2024 (following a county holiday on Jan. 15, 2024)
 - * Tuesday, Feb. 13, 2024 (following a county holiday on Feb. 12, 2024)
 - * Tuesday, February 20, 2024 (following a county holiday on Feb. 19, 2024)
 - * Tuesday, March 19, 2024 (Pacific Offshore Wind Conference)
 - * Tuesday, April 2, 2024 (following a county holiday on April 1, 2024)
 - * Tuesday, April 16, 2024 (CSAC legislative conference)
 - * Tuesday, April 30, 2024 (5th Tuesday)
 - * Tuesday, May 28, 2024 (following a county holiday on May 27, 2024)
 - * Tuesday, June 18, 2024 (preceding a county holiday on June 19, 2024)
 - * Tuesday, July 16, 2024 (NACo annual conference)
 - * Tuesday, July 30, 2024 (Board break)
 - * Tuesday, Aug. 6, 2024 (Board break)
 - * Tuesday, Sep. 3, 2024 (following a county holiday on Sep. 2, 2024)
 - * Tuesday, Sep. 17, 2024 (RCRC annual conference)
 - * Tuesday, Oct. 15, 2024 (following All Hands Training Day on Oct. 14, 2024)
 - * Tuesday, Nov. 12, 2024 (following a county holiday on Nov. 11, 2024)
 - * Tuesday, Nov. 19, 2024 (CSAC annual conference)
 - * Tuesday, Dec. 24, 2024 (Board break)

- * Tuesday, Dec. 31, 2024 (Board break); and
- 2. Direct the Clerk of the Board to notify all county departments of these cancelled meetings.

Attachments: [Staff Report](#)
 [2024 BOS Calendar](#)

J. PUBLIC HEARINGS

County Administrative Office

[23-1559](#)

1. Public Hearing to Consider Adoption of an Ordinance Amending and Updating the Humboldt County Schedule of Fees and Charges for Permits and Services of the Various Humboldt County Departments (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Open the public hearing;
2. Introduce the attached ordinance amending and updating the Humboldt County Schedule of Fees and Charges for permits and services of the various Humboldt County departments and waive the first reading thereof;
3. Receive the staff report and public comments;
4. Approve, and/or modify the new, increased, decreased, deleted or changed fees, as shown in the 2024 Humboldt County Schedule of Fees and Charges;
5. Adopt the attached ordinance amending and updating the Humboldt County Schedule of Fees and Charges for permits and services of the various Humboldt County departments (4/5 vote required);
6. Direct the Clerk of the Board, within fifteen 15 days after adoption of the attached ordinance, to publish a post-adoption summary of the ordinance (Attachment IV) 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
7. Close the public hearing.

Attachments:

[Staff Report](#)

[Ia - 2024 Humboldt County Schedule of Fees Charges](#)

[Ib - 261 Agricultural Commission](#)

[Ib - 262 Building Inspection](#)

[Ib - 321 Materials Testing Division](#)

[Ib - 411 Hazardous Materials Program](#)

[Ib - 416 Public Health - Field Nursing](#)

[Ib - 422 Public Health - Clinic Services](#)

[II - 2024 Fee Schedule Justifications](#)

[III - Fee Ordinance](#)

[IV - Public Hearing Notice](#)

K. CLOSED SESSION

L. ADJOURNMENT