

**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 16, 2022

9:00 AM

Regular Meeting - Hybrid

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**Email Public Comment:**

To submit public comment to the Board please email [cob@co.humboldt.ca.us](mailto: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 720 707 2699, enter Meeting ID 839 5427 2282 and press star (\*) 9 on your phone, this will raise your hand. You'll continue to hear the Board meeting on the call.

**PLEASE TURN OFF YOUR TV OR LIVE STREAM TO AVOID DELAYS.**

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 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 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](mailto:cob@co.humboldt.ca.us) or the ADA Coordinator at 844-365-0352 or by email at [ada@co.humboldt.ca.us](mailto:ada@co.humboldt.ca.us)**

#### **A. ROLL CALL**

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

Absent: 0

#### **B. SALUTE TO THE FLAG**

#### **C. MODIFICATIONS TO THE AGENDA**

#### **D. CONSENT CALENDAR**

##### *Approval of the Consent Agenda*

*A motion was made by Supervisor Bushnell, seconded by Wilson, to approve the Consent Agenda. 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 Armstrong Consultants, Inc. for ACV Parking Lot Rehabilitation Phase 1 and 2

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

1. Approve, and authorize Chair of the Board to execute, the attached Professional Services Agreement with Armstrong Consultants, Inc. regarding the ACV Parking Lot Rehabilitation Phase 1 and 2;
2. Authorize the Director of Aviation to execute any amendments after review by County Counsel, County Administrative Office, and Risk Management; and
3. Direct the Clerk of the Board to return one fully executed original copy of the attached Professional Services Agreement with Armstrong Consultants, Inc. to the Department of Aviation.

*A motion was made by Supervisor Bushnell, seconded by Wilson, 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. Resolution Authorizing the Humboldt County Department of Aviation to Accept the U.S. Department of Transportation (DOT) Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant Offers for Airport Projects

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

1. Adopt the attached resolution authorizing the Humboldt County Director of Aviation, or a designee thereof, to execute all documents related to the AIP Grant, including without limitation, professional services agreements (PSAs) necessary to apply for, accept, and secure funding made available through the following AIP Grants: 3-06-0010-053-2022, and 3-06-0010-054-2022;
2. Authorize the Director of Aviation to execute Airport Improvement Program (AIP) grant offers and all necessary documents related to the AIP Grants; and
3. Authorize the Director of Aviation, or designee, to sign future amendments to these grant agreements after review by County Counsel, Risk Management and the County Administrative Office.

**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

3. Resolution Authorizing the Humboldt County Department of Aviation to Accept the U.S. Department of Transportation (DOT) Federal Aviation Administration (FAA) Airport Improvement Program (AIP) for Airport Projects

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

1. Adopt the attached resolution authorizing the Humboldt County Director of Aviation, or a designee thereof, to execute all documents related to the AIP Grant, including without limitation, professional services agreements (PSAs) necessary to apply for, accept, and secure funding made available through the following AIP: 3-06-0072-017-2022, and 3-06-0072-018-2022;
2. Authorize the Director of Aviation to execute the Airport Improvement Program (AIP) grant offers and all other documents necessary for the grants; and
3. Authorize the Director of Aviation, or designee, to sign future amendments to these grant agreements after review by County Counsel, Risk Management, and the County Administrative Office.

**A motion was made by Supervisor Wilson, 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

### **Board of Supervisors**

4. Retirement Resolution for Jim Storm (Supervisor Virginia Bass)

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

1. Authorize the Chair to sign the Resolution.

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

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

5. Letter of Support for Sorrel Leaf Healing Center's Grant Application (Supervisor Rex Bohn)

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

1. Authorize the Chair to sign the letter of support.

**A motion was made by Supervisor Bushnell, seconded by Wilson, 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. Certificate of Appreciation for Assistant Chief Sean Campbell (Supervisor Steve Madrone)

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

1. Authorize the Chair to sign the certificate of appreciation.

**A motion was made by Supervisor Bushnell, seconded by Wilson, 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**

7. Humboldt County Human Rights Commission Human Trafficking Fund Dispersal

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

1. Approve the recommendation to fund the grant application in the amount of \$4,918.

**A motion was made by Supervisor Bushnell, seconded by Wilson, 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**

8. Amendments to the Headwaters Revolving Loan Fund Master Participation and Lender Agreements with Redwood Region Economic Development Commission (RREDC) and Arcata Economic Development Corporation (AEDC)

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

1. Approve a resolution authorizing the Board Chair to sign the RREDC Second Amendment of the Master Participation Agreement and the Fourth Amendment to the RREDC Lender's Manual; and
2. Approve a resolution authorizing the Board Chair to sign the AEDC Second Amendment of the Master Participation Agreement.

**A motion was made by Supervisor Bushnell, seconded by Wilson, 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. Third Modification to Humboldt County Local Equity Program Manual

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

1. Approve modifications to the Humboldt County Local Equity Program (LEP) Manual;
2. Approve, and authorize the County Administrative Officer (CAO) and Agricultural Commissioner, or a designee thereof, to execute, the attached Memorandum of Understanding (MOU) between the County Administrative Office Economic Development Division and the Agricultural Department for the Project Trellis Local Equity Program;
3. Authorize the CAO and Agricultural Commissioner, or a designee thereof, to execute any and all subsequent amendments to the attached MOU, after review and approval by County Counsel and Risk Management;
4. Approve, and authorize staff, to draft an MOU with Coast Central Credit Union for business account services to be provided to Local Equity Program recipients; and
5. Authorize the CAO, or a designee thereof, to execute any and all agreements with partner agencies to provide services for the LEP recipients after review and approval by County Counsel and Risk Management.

***A motion was made by Supervisor Bushnell, seconded by Supervisor Madrone, 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

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

- 10.** Professional Services Agreement with Christian Agricola Regarding the Provision of Psychiatric Services within the Humboldt County Correctional Facility and Other Behavioral Health Facilities Located Throughout Humboldt County

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

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Christian Agricola regarding the provision of psychiatric services at the Humboldt County Correctional Facility, and other behavioral health facilities located throughout Humboldt County, 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 Christian Agricola, 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 Christian Agricola to the Department of Health and Human Services - Contract Unit for further processing.

***A motion was made by Supervisor Bushnell, seconded by Wilson, 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.** Professional Services Agreement with Dr. John L. Shaeffer, Inc., Doing Business As American Telepsychiatrists, Regarding the Provision of Telepsychiatry Services to Children and Adults Suffering from Mental Illness

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

1. Approve, and authorize the Chair of the Board to execute the attached professional services agreement with Dr. John L. Shaeffer, Inc., doing business as American Telepsychiatrists, regarding the provision of telepsychiatry services to children and adults suffering from mental illness 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 Dr. John L. Shaeffer, Inc. 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 to the Department of Health and Human Services - Contract Unit.

**A motion was made by Supervisor Bushnell, seconded by Wilson, 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**

12. Professional Services Agreement with the Humboldt Independent Practice Association for direct education, substance use prevention, and brief intervention in a school setting for the term of January 1, 2022, through June 30, 2025

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

1. Approve the Professional Service Agreement with the Humboldt Del Norte Independent Practice Association in the amount of \$297,980 for the term of January 1, 2022, through June 30, 2025;
2. Authorize the Director of Public Health, or a designee thereof, to sign the agreement;
3. Authorize the Director of Public Health, or a designee thereof, to approve any and all future amendments and documents directly related to this agreement upon approval by County Counsel and Risk Management; and
4. Direct the Clerk of the Board to return one (1) copy of the certified board report to the DHHS- Contract Unit.

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

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

### **Human Resources**

13. Resolution of Intention to Introduce an Ordinance to Amend the Contract Between the County of Humboldt and CalPERS

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

1. Adopt and sign a certified copy of the Resolution No. \_\_\_\_\_ (Attachment 1) to amend the Contract Between the County of Humboldt and CalPERS to end the share of cost of .25% pursuant to Government Code Section 20516, for new local safety members in the Humboldt County Deputy Sheriff's Organization (HDSO), and;
2. Introduce the Ordinance by title (Attachment 2), conduct the first reading, and schedule the adoption of the final Ordinance for at least 20 days following introduction pursuant to Government Code sections 20471 and 25123(e) and (f), and;
3. Direct the Clerk of the Board to publish the pre-adoption summary 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 publication and posting to be done at least 5 days prior to the Board meeting at which the Ordinance will be adopted pursuant to Government Code 25124(b)(1), and;
4. Direct the Clerk of the Board, within 15 days after adoption of the Ordinance, to publish a postadoption 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 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 pursuant to Government Code 25124(b)(1), and;
5. Amend resolution 16-103 (Attachment 3) to include retirement enrollment eligible unrepresented employees in the share of cost based on the position assignment and associated bargaining group, and;
6. Direct the Clerk of the Board to sign the "Certification of Governing Body's Action" (Attachment 3), the "Certification of Compliance with Government Code Section 7507" (Attachment 4), and the "Certification of Compliance with Government Code Section 20516" on behalf of the County of Humboldt Board of Supervisors.

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

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

### **Planning and Building Department**

14. Cease Planning and Building Department Satellite Office Hours in Southern Humboldt

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

1. Approve the Planning and Building Department's request to cease satellite office hours in southern Humboldt effective Oct. 1, 2022.

***A motion was made by Supervisor Wilson, 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

15. Submittal of an Application to the Humboldt Association of Governments for Regional Early Action Planning Grant funds in the amount of \$290,000

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

1. Authorize the Director of Planning and Building to submit an application to the Humboldt County Association of Governments (HCAOG) for Regional Early Action Planning (REAP) Grant funds in the amount of \$290,000 by approving the attached resolution (Attachment 1);
2. Authorize the Director of Planning and Building to accept the award of grant funding and to execute and submit all documents necessary to administer the funded programs, including, but not limited to, applications, agreements, and payment requests; and
3. Direct the Auditor-Controller to assign a new organizational key to track grant revenue and expenses; and
4. Direct Planning and Building Department staff under the direction of the department Director to administer the grant program as described in Attachment 1.

**A motion was made by Supervisor Bushnell, seconded by Wilson, 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**

**16. United States Coast Guard Tower Telecommunications License at Shelter Cove**

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

1. Authorize the Chair of the Board to sign the United States Coast Guard Telecommunications License at Shelter Cove.

**A motion was made by Supervisor Bushnell, seconded by Wilson, 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. Appointment of Robert Bronkall as County Surveyor**

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

1. Appoint Robert Bronkall as County Surveyor, Class 0207, at Salary Range 610, Step B, effective Aug. 21, 2022.

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

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

### **Sheriff**

**19. Request for Proposal No. SHF-22-001 Humboldt County Sheriff's Patrol Boat and Trailer**

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

1. Approve issuance of Request for Proposal No. SHF-22-001

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



**20. Accept a Donation to Support the Humboldt County Animal Shelter**

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

1. Accept a donation in the amount of \$52,121.17 from The Diane George and Catherine L. Webber 2005 Revocable Trust to support the Humboldt County Animal Shelter; and
2. Authorize the Sheriff to sign the Receipt of Distribution (Attachment 1).

**A motion was made by Supervisor Bushnell, seconded by Wilson, 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. Donation of Trailers and Emergency Response Equipment from the California Fire Service Training Institute**

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

1. Accept the donation of a 20' Cargo Mate trailer with Generator, two 16' Cargo Mate trailers, and various Community Emergency Response Team (CERT) training and emergency response supplies.

**A motion was made by Supervisor Bushnell, seconded by Wilson, 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****17. Commercial Lease Agreement for the Sheriff to Operate a Perishable Skills Training Facility**

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

1. Approve the Commercial Lease Agreement between the County of Humboldt and DC & RC Properties, LLC (Landlord);
2. Authorize the Chair of the Board to sign the Commercial Lease Agreement; and
3. Direct the Clerk of the Board to return an executed Commercial Lease Agreement to Public Works Real Property.

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

Aye: 4 - Rex Bohn, Michelle Bushnell, Mike Wilson, and Virginia Bass

Nay: 1 - Steve Madrone

**G. MATTERS INITIATED BY BOARD MEMBERS****Board of Supervisors****1. Letter of Opposition for "Limited Duration Employment" (Supervisor Rex Bohn)**

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

1. Authorize the Chair to sign the letter of opposition.

*A motion was made by Supervisor Bushnell, seconded by Supervisor Bohn, 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

## H. DEPARTMENT REPORTS

### County Administrative Office

#### 1. Fiscal Year 2021-22 Grand Jury Responses

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

1. Review and modify as necessary the proposed Grand Jury responses from the County Administrative Office, Department of Health and Human Services, and Human Resources (Attachments 2, 4, 5, 6 and 8);
2. Approve the documents, as may be modified, as the response;
3. Direct the Clerk of the Board, within 5 working days, to submit the final response with an accompanying Board Order to the 2021-22 Grand Jury and the Presiding Judge of the Superior Court;
4. Direct the Clerk of the Board, within 5 working days, to submit a copy of all attached responses to the County Clerk/Recorder, together with a copy of the original report; and
5. Direct the Clerk of the Board, within 5 working days, to submit two copies of all attached responses to the Clerk of the Court, one of which will be forwarded to the State Archivist, together with a copy of the original report.

*A motion was made 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

### DHHS: Public Health

#### 2. Discussion Regarding the Potential for a Tobacco Retail Licensing Ordinance

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

1. Receive a report from Department of Health and Human Services (DHHS) - Public Health; and
2. Authorize staff to draft a Tobacco Retail Licensing ordinance to be considered by the Board at a later date.

*A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, 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

### Public Works

#### 3. Authorization to Negotiate Terms to Purchase Property for Humboldt County Welcome Center

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

1. Approve and authorize the Public Works Director, and designees thereof, to negotiate terms for the purchase of real property in Cooks Valley with its current owner, California Department of Transportation (Caltrans), and duly authorized agents thereof, for the purposes of developing a Humboldt County Welcome Center.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bohn, 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

## J. DISCUSSION ITEMS

## K. MATTERS SET FOR TIME CERTAIN

### County Administrative Office - Closed Session

1. 9:30 AM - Pursuant to Government Code Sections 54954.5 and 54957 to consider a Public Employee Performance Evaluation for the position of the Director of Planning and Building  
*The Board of Supervisors met in conference Pursuant to Government Code Sections 54954.5 and 54957 to consider a Public Employee Performance Evaluation for the position of the Director of Planning and Building. There was no reportable action.*
2. 9:30 AM - Pursuant to Government Code Sections 54954.5 and 54957 to consider a Public Employee Performance Evaluation for the position of the County Administrative Officer  
*The Board of Supervisors met in conference Pursuant to Government Code Sections 54954.5 and 54957 to consider a Public Employee Performance Evaluation for the position of the County Administrative Officer. There was no reportable action.*
3. 9:30 AM - Conference with Legal Counsel – Public Employment: Pursuant to Government Code section 54954.5 and 54957 to consider Public Employee Appointment for the position of the Director of Human Resources  
*The Board of Supervisors met in Conference with Legal Counsel – Public Employment: Pursuant to Government Code section 54954.5 and 54957 to consider Public Employee Appointment for the position of the Director of Human Resources. There was no reportable action.*
4. 9:30 AM - Pursuant to Government Code Sections 54954.5 and 54957 to consider a Public Employee Performance Evaluation for the position of the interim director of Human Resources  
*The Board of Supervisors met in conference Pursuant to Government Code Sections 54954.5 and 54957 to consider a Public Employee Performance Evaluation for the position of the interim director of Human Resources. There was no reportable action.*

### County Counsel - Closed Session

5. 9:30 AM - Conference with Legal Counsel – Anticipated Litigation: Pursuant to Government Code Section 54956.9 subd. (d)(2) and (e)(3) to discuss exposure to litigation in one potential case: appeal

of denial of damages submitted by Lindsay Merryman

*The Board of Supervisors met in Conference with Legal Counsel – Anticipated Litigation: Pursuant to Government Code Section 54956.9 subd. (d)(2) and (e)(3) to discuss exposure to litigation in one potential case: appeal of denial of damages submitted by Lindsay Merryman. There was no reportable action.*

### **Planning and Building Department - Public Hearing**

6. 11:30 AM - Lost Coast Elixirs, LLC's appeal of the Planning Commission denial of a Conditional Use Permit for 16,144 Square Feet of existing outdoor and 7,710 Square Feet of existing Mixed-Light Commercial Cannabis Cultivation in the Whitethorn Area.

**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 the Board of Supervisors has considered the Addendum to the Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance prepared for the Lost Coast Elixirs, LLC project; and
  - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
  - c. Approves the Appeal submitted by Lost Coast Elixirs, 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 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

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

### **M. CLOSED SESSION**

### **N. 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.*

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08/16/2022