

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, August 15, 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 Humboldt County Courthouse 4th Street entrances will be closed Monday, August 7, 2023, and are scheduled to reopen to normal business hours on Monday, September 11, 2023. The 5th Street entrance to the courthouse will remain open. Accessible parking is available on the 5th Street side of the Courthouse.

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: 899 9335 7489

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 3 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

Agricultural Commissioner

[23-1116](#)

- 1. Approval of Cooperative Agreement No. 23-0282-000-SA, Known as the 2023 Noxious Weed**

Grant Program with the California Department of Food and Agriculture in the Amount of \$42,421.00 (4/5th Vote Required)

- Recommendation:** That the Board of Supervisors:
1. Approve Cooperative Agreement No. 23-0282-000-SA, known as the 2023 Noxious Weed Grant Program with the California Department of Food and Agriculture;
 2. Authorize the Chair to sign the original agreement, then return the signed original to the Agricultural Commissioner's Office for further processing;
 3. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines sections 15304/Class 4 and 15308/Class 8; and
 4. Grant a waiver from the provisions of the Nuclear Free Ordinance (4/5th vote required).

- Attachments:** [Staff Report](#)
[Cooperative Agreement 23-0282-000-SA.pdf](#)
[CoOp Agreement - 23-0282-000-SA.pdf](#)

Aviation

[23-955](#)

2. Memorandum of Understanding (MOU) between Redwood Coast Energy Authority (RCEA) and the County of Humboldt to Investigate Microgrid Development at County Airport Facilities.

- Recommendation:** That the Board of Supervisors:
1. Authorize the Director of Aviation to execute the attached Memorandum of Understanding between Redwood Coast Energy Authority and the County of Humboldt to investigate microgrid development at county airport facilities.

- Attachments:** [Staff Report](#)
[MOU_Regional Airport Microgrid Investigation](#)

Board of Supervisors

[23-1150](#)

3. Resolution Authorizing the Road Closures for the 43rd Annual Humboldt Redwoods Half Marathon and 5K on Oct. 8, 2023

- Recommendation:** That the Board of Supervisors:
1. Adopt the resolution and direct the Clerk of the Board to return a fully executed copy of the resolution to Six Rivers Running Club.

Attachments: [Staff Report](#)
[Humboldt Redwoods Marathon Letter.pdf](#)
[Humboldt Redwoods Half Marathon 5 K Road Closure Resolution 081523.doc](#)
[Resolution No. 23-117.pdf](#)

[23-1158](#)

4. Certificate of Adjournment for Sergeant Jim Mowrey

Recommendation: That the Board of Supervisors:
1. Sign the Certificate of Adjournment for Sergeant Jim Mowrey.

Attachments: [Staff Report](#)
[Certificate of Adjournment.pdf](#)

Clerk of the Board

[23-1057](#)

5. Retirement Resolution for Tim Ash for His Service on the Humboldt County Behavioral Health Advisory Board (Supervisor Steve Madrone)

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

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

County Counsel

[23-1085](#)

6. Delegation of Specified Responsibilities to Staff in Administering the California Environmental Quality Act (CEQA) Pursuant to 14 California Code of Regulations (CCR) Section 15025

Recommendation: That the Board of Supervisors:
1. Adopt the attached resolution assigning specified functions in administering CEQA to the Departments of Public Works and Health and Human Services-Division of Environmental Health and reaffirming the prior delegation to the Planning and Building Department, as authorized by 14 CCR 15025.

Attachments: [Staff Report](#)
[Attachment 1 - Resolution Delegation of CEQA Authority 7-25-23.docx](#)
[Resolution No. 23-118.pdf](#)

Department of Health and Human Services: Administration

[23-1083](#)

7. Hospital and Skilled Nursing Facility COVID-19 Worker Retention Payments for Department of Health and Human Services Behavioral Health Sempervirens Employees: Additional Payments

Recommendation: That the Board of Supervisors:

1. Authorize the Department of Health and Human Services (DHHS) to apply for and receive additional Hospital and Skilled Nursing Facility COVID-19 Worker Retention Payment (WRP) funds from the Department of Health Care Services;
2. Authorize DHHS to receive funds if awarded; and
3. Authorize DHHS and the Auditor-Controller's Office - Payroll Division to work together to ensure payments are issued to all eligible staff if the application for WRP funds is successful.

Attachments: [Staff Report](#)

Department of Health and Human Services: Public Health

[23-1090](#)

8. Public Health Fiscal Year (FY) 2022-23 California Home Visiting Program State General Fund Expansion Supplemental Budget (4/5th Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the attached supplemental budget in the amount of \$447,258 for FY 2022-23 Department of Health and Human Services - Public Health Fund 1175, Budget Unit 421 (4/5th Vote Required).

Attachments: [Staff Report](#)
[Public Health Fiscal Year \(FY\) 2022-2023 California Home Visiting Program Sta](#)

Public Works

[23-1086](#)

9. Second Amendment to the Consultant Services Agreement with Mark Thomas and Company, Inc. Regarding the Provision of On-Call Engineering and/or Environmental Services

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to execute, the attached second amendment to the consultant services agreement with Mark Thomas and Company, Inc. regarding the provision of on-call engineering and/or environmental services; and
2. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached second amendment to the consultant services agreement with Mark Thomas and Company, Inc. to the Department of Public Works for further processing.

Attachments: [Staff Report](#)
[FY 21-22 Mark Thomas and Company On-Call Engineering and Environmental S](#)
[First Amendment to Mark Thomas On-Call Engineering Services Agreement_Exc](#)
[Second Amendment to Mark Thomas On-Call Engineering Services Agreement_1](#)
[Agreement.pdf](#)
[Executed Second Amendment - Mark Thomas and Co..pdf](#)

[23-1088](#)

10. Bid Award Authorization for Storm Damage Repairs to Alderpoint Road (F6B165) Post Miles 2.10, 2.70, and 2.98

Recommendation: That the Board of Supervisors:

1. Receive and file the bid proposals submitted for the Alderpoint Road (F6B165) Post Miles 2.10, 2.70, and 2.98 Storm Damage Repair Project;
2. Award the attached project agreement to Stimpel-Wiebelhaus Associates, Inc., for the total amount of \$5,135,657.40;
3. Authorize the Chair of the Board to execute the attached project agreement with Stimpel-Wiebelhaus Associates, Inc., upon submittal of the appropriate bonds and insurance; and
4. Authorize the Public Works Director to execute contract change orders up to the amounts of \$66,775 for Post Mile 2.10, \$192,690 for Post Mile 2.70, and \$34,815 for Post Mile 2.98.

Attachments: [Staff Report](#)
[Bid Results for the Alderpoint Road \(F6B165\) Post Miles 2.10, 2.70, and 2.98 Stc](#)
[Construction Agreement for the Alderpoint Road \(F6B165\) Post Miles 2.10, 2.70,](#)

[23-1101](#)

11. Storm Damage Repair to Mattole Road (3C010) Post Mile 17.83

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Storm Damage Repair to Mattole Road (3C010) Post Mile 17.83 project;
2. Find that the project is exempt from California Environmental Quality Act (CEQA) Guidelines pursuant to California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15302 - "Replacement or Reconstruction" and 15269(a) - "Emergency Projects"; and,
3. Direct the Clerk of the Board to advertise the above-mentioned project as required by Section 22037 of the California Public Contract Code, with bids to be opened on Tuesday, Sept. 12, 2023, at 2:00 p.m.

Attachments: [Staff Report](#)
[CEQA NOE - Storm Damage - Mattole Road PM 17.83.pdf](#)
[Mattole Rd PM 17.83 Plans_2023-07-26_jb TS signed.pdf](#)
[Mattole Rd PM 17.83 Specs 2023-07-26_jb TS signed.pdf](#)

Sheriff[23-1055](#)**12. Humboldt County Sanctuary Ordinance Semiannual Report**

Recommendation: That the Board of Supervisors:
1. Accept the attached report pursuant to the Humboldt County Sanctuary Ordinance Section 9121-10

Attachments: [Staff Report](#)
[2023 Semiannual Measure K Data Report.docx](#)

E. ITEMS PULLED FROM CONSENT**F. PUBLIC COMMENT ON NON-AGENDA ITEMS****G. MATTERS SET FOR TIME CERTAIN****County Counsel (Closed Session)**[23-1147](#)

1. 11:00 AM - Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d) (1) to Discuss Existing Litigation in the Case of Green Leaf Nurseries LLC, et al. v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2300937

H. MATTERS INITIATED BY BOARD MEMBERS**I. DEPARTMENT REPORTS****County Administrative Office**[23-1120](#)

1. Fiscal Year 2022-23 Grand Jury Responses: Incorporating the City of McKinleyville: To Be, or Not to Be?

Recommendation: That the Board of Supervisors:
1. Review and modify as necessary the proposed Grand Jury responses from the Board of Supervisors. (Attachment 2);
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 2022-23 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.

Attachments:

[Staff Report](#)

[Incorporating the City of McKinleyville: To Be, or Not to Be? Report](#)

[Incorporating the City of McKinleyville: To Be, or Not to Be? Report - Board Res](#)

[Incorporating the City of McKinleyville: To Be, or Not to Be? - MCSD Respons](#)

[Incorporating the City of McKinleyville: To Be, or Not to Be? - MMAC Respons](#)

[MCMAC Rules, Regulations and Procedures for Operation](#)

Public Works

[23-1081](#)

2. Ordinance Authorizing the Director of Public Works or Designee to Acquire and Accept Interest in Real Estate on Behalf of the Board of Supervisors

Recommendation:

That the Board of Supervisors:

1. Introduce by title and waive the first reading of the ordinance;
2. Set the ordinance for adoption at least one (1) week away;
3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [California Government Code Section 25124(b)(1)]; and
4. Direct the Clerk of the Board of Supervisors, within fifteen (15) days after adoption of the ordinance, to publish a post-summary of the ordinance with the names of the Supervisors voting for and against the ordinance, and 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)].

Attachments:

[Staff Report](#)

[Attachment 1 - Resolution 06-120 \[0.1 MB\]](#)

[Attachment 2 - Ordinance No. ____ \[0.1 MB\]](#)

[Attachment 3 - Pre-adoption Summary \[0.1 MB\]](#)

[Ordinance No. 2724.pdf](#)

J. PUBLIC HEARINGS

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

L. ADJOURNMENT

