

BOARD OF SUPERVISORS

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



COUNTY STAFF

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

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

ACTION SUMMARY

Tuesday, May 2, 2023

9:00 AM

Regular Meeting - Hybrid

A. ROLL CALL

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

Absent: 0

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA / ITEMS PULLED FROM CONSENT

D. CONSENT CALENDAR

A motion was made by Supervisor Wilson and seconded by Supervisor Bushnell, to approve the Consent Agenda. The motion carried with the following vote:

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

Board of Supervisors

23-623

1. National Small Business Week Proclamation (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Adopt the Proclamation.

A motion was made by Supervisor Wilson and seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

Clerk of the Board

23-614

2. Approval of the Action Summary - Meeting of April 25, 2023

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of April 25, 2023 and authorize the Clerk of the Board and the Board Chair to sign the minute book in accordance with California Governmental Code Section 25103.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

County Administrative Office

23-135

3. Employment and Training Administration (ETA) Quality Jobs, Equity, Strategy, and Training (QUEST) Disaster Recovery National Dislocated Worker Grant Acceptance of Funds (NDWG) and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the following supplemental budget for Fiscal Year 2022-23 in Fund 1120, Budget Unit 287105 to accept grant funding (4/5 vote required); and
2. Approve and authorize the Workforce Development Board's Executive Director to sign the Professional Services Agreement and subsequent amendments between the County of Humboldt and the Humboldt State University Sponsored Programs Foundation relating to Quest NDWG grant activity.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

County Clerk/Recorder/Registrar of Voters

23-599

4. Certification of the Results of the March 07, 2023, Salmon Creek Fire Protection District Formation Election

Recommendation: That the Board of Supervisors:

1. Accept the Certified Statement of Results of the Official Canvass for the March 7, 2023 Salmon Creek Fire Protection District Formation Election.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff

recommendations.

The motion carried with the following vote:

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone
23-601

- 5. Certification of the Results of the March 07, 2023, Garberville Fire Protection District Annexation Election

Recommendation: That the Board of Supervisors:

- 1. Accept the Certified Statement of Results of the Official Canvass for the March 7, 2023 Garberville Fire Protection District Annexation Election.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

Department of Health and Human Services: Administration

23-512

- 6. Approval of Memorandum of Understanding with Klamath-Trinity Joint Unified School District for the Facilitation of Dental Screenings for Elementary School Students

Recommendation: That the Board of Supervisors:

- 1. Approve the memorandum of understanding with Klamath-Trinity Joint Unified School District regarding the facilitation of dental screenings for elementary school students; and
- 2. Authorize the Department of Health and Human Services - Public Health Director or designee thereof, to sign any and all subsequent amendments, and any other documents directly related to existing memoranda of understandings with Humboldt County elementary schools to support the facilitation of dental screenings for students, after review and approval of County Counsel, Risk Management, and County Administrative Office; and
- 3. Authorize the Department of Health and Human Services - Public Health Director or designee thereof, to execute additional memoranda of understanding regarding the facilitation of dental screenings for students, after review and approval of County Counsel, Risk Management, and County Administrative Office; and
- 4. Direct the clerk of the Board to return one certified copy of the order pertaining to this item to the Department of Health and Human Services - Contracts Unit.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

Planning and Building Department

23-478

7. Moore Lot Line Adjustment and Joint Timber Management Plan (4/5 Vote Required)

APNs: 205-011-037, 205-081-012, 205-011-007, 205-031-005

Record Number: PLN-2022-18031

Recommendation: That the Board of Supervisors:

1. Adopt the resolution (Attachment 1) to
 - a. Find the project exempt from environmental review pursuant to Sections 15061(b) (3) and 15305(a) of the State CEQA Guidelines and make all the required findings to approve the Lot Line Adjustment; and
2. Approve (4/5 Vote Required) the Joint Timber Management Plan (Attachment 4) prepared pursuant to Section 51119.5 of the California Government Code (C.G.C.); and
3. Direct the Planning Division staff to record the Declaration with the JTMP and the Notices of Lot Line Adjustment and Certificate of Subdivision Compliance; and
4. Direct the Clerk of the Board to give notice of the decision to owners, the County Assessor's Office and any other interested party.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

23-511

8. Carolan Lot Line Adjustment and Zone Boundary Adjustment (4/5th Vote Required)

APNs: 220-271-001, 220-282-012, 220-282-013, 220-301-007

Record ID.: PLN-14387-LLA

Location: Briceland Area

- Recommendation:** That the Board of Supervisors:
1. Introduce the ordinance (Attachment B) by title and waive further reading; and
 2. Open the public hearing, receive, and consider the staff report, the Planning Commission's findings and accept public comments; and
 3. Close the public hearing; and
 4. Adopt the attached resolution (Attachment A) to take the following actions:
 - a. Find the project exempt from CEQA pursuant to Section 15305(a), 15061(b)(3) and 15264 of the CEQA Guidelines; and
 - b. Make the necessary findings to approve the Lot Line Adjustment (LLA) and Zone Boundary Adjustment (ZBA) and
 - c. Approve the Lot Line Adjustment
 5. Adopt the Ordinance (Attachment B) (4/5 Vote Required) amending Section 311-7 of the Humboldt County Code by reclassifying the property as follows: approximately 4.8 acres of Unclassified (U) into Timberland Production Zone, approximately 4.8 acres of Timberland Production Zone (TPZ) into Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)) and approximately 79 acres of Unclassified (U) into Forestry Recreation with a 40-acre minimum parcel size (FR-B-5(40)); and
 6. Direct the Clerk of the Board to publish a summary of the ordinance within 30 days after adoption of the ordinance (Attachment D), and
 7. Direct the Chair of the Board to sign and the Clerk of the Board to record a Certificate of Rezoning (Notice of Timberland Production Zone Status) (Attachment C); and
 8. Direct the Clerk of the Board to give notice of the decision to the applicant/owner, the County Assessor's Office, the Planning Department, and any other interested party; and
 9. Direct Planning and Building Department to file a Notice of Exemption pursuant to California Environmental Quality Act (CEQA).

By Order of the Chair, this item is to return to a date undetermined. This item was listed as a consent item; however, was noticed as a public hearing. This item will return as a public hearing once the re-noticing has been completed by the department.

23-518

9. Strombeck Zone Reclassification Petition
APN: 511-491-021
Case No.: PLN-2022-17943

- Recommendation:** That the Board of Supervisors:
1. Adopt the attached resolution (Attachment 1) to accept the rezone petition; and
 2. Direct the Clerk of the Board to give notice of the decision to the applicant and any other interested party.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

Public Works

23-509

10. Americans with Disabilities Act (ADA) Curb Ramp Improvements Project (Phase 3)

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Americans with Disabilities Act Curb Ramp Improvements Project (Phase 3); and
2. 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, June 6, 2023 at 2:00 p.m.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

23-510

11. Bid Award Authorization for the McKinleyville Safe Routes to Schools Project

Recommendation: That the Board of Supervisors:

1. Receive and file the bid proposals submitted for the McKinleyville Safe Routes to Schools Project; and
2. Award the project agreement to RAO Construction Co, Inc., for the total amount of \$645,911;
3. Authorize the Chair of the Board to execute the project agreement upon submittal of the appropriate bonds and insurance; and
4. Authorize the Public Works Director to execute contract change orders up to the amount of \$25,000.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

23-520

12. First Option to Extend the Lease Agreement with Rachel-Jill Hemmert Regarding the Use of Office Space Located at 824 Harris Street, Eureka, California

Recommendation: That the Board of Supervisors:

1. Authorize the Humboldt County Public Works Director to exercise the first option to extend the term of the lease agreement with Rachel-Jill Hemmert regarding the use of office space located at 824 Harris Street, Eureka, California; and
2. Direct the Clerk of the Board to provide the Humboldt County Department of Public Works - Real Property Division with one (1) fully executed certified copy of the Board Order relating to this item.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone
23-546

13. Agreement with the Humboldt Transit Authority, City of Arcata and the Humboldt County Association of Governments Regarding the Provision of Region-Wide Dial-A-Ride Services

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached agreement with the Humboldt Transit Authority, City of Arcata and the Humboldt County Association of Governments regarding the provision of region-wide Dial-A-Ride services for the period of July 1, 2023 through June 30, 2024; and
2. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached agreement to the Department of Public Works for further processing.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

Sheriff

23-576

14. Continuation of Local Emergency Due to the 6.4 Magnitude Earthquake Occurring on December 20, 2022

Recommendation: That the Board of Supervisors:

1. Declare that a local emergency remains in effect until May 23, 2023 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 6.4 magnitude earthquake occurring on December 20, 2022; and
2. Authorize the Chair to sign the resolution re-authorizing the existence of a local emergency due to the 6.4 Magnitude Earthquake that occurred on December 20, 2022.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

23-581

15. Continuation of Local Emergency Due to Consecutive Major Winter Storm Events Commencing on January 3, 2023, Which Have Resulted in Downed Trees, Disrupted Utility Services, Damaged and Flooded Roadways, Mudslides and Damaged Homes, Such Damages Exceeding Available County Resources

Recommendation: That the Board of Supervisors:

1. Declare that a local emergency remains in effect until May 23, 2023 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 consecutive major winter storm events commencing on January 3, 2023, which have resulted in downed trees, disrupted utility services, damaged and flooded roadways, mudslides and damaged homes, such damages exceeding available county resources; and
2. Authorize the Chair to sign the resolution re-authorizing the existence of a local emergency due to consecutive major winter storm events commencing on January 3, 2023, which have resulted in downed trees, disrupted utility services, damaged and flooded roadways, mudslides and damaged homes, such damages exceeding available county resources.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

23-582

16. Continuation of Local Emergency Due to Consecutive Major Winter Storm Events Commencing on March 1, 2023, Which Have Resulted in Large Accumulations of Snow, Impassable Roadways, Downed Trees, Disrupted Utility Services, Damaged and Flooded Roadways, Mudslides and Damaged Structures, and Dead Livestock, Such Damages Exceeding Available County Resources

Recommendation: That the Board of Supervisors:

1. Declare that a local emergency still exists through May 23, 2023 due to consecutive major winter storm events commencing on March 1, 2023, which have resulted in large accumulations of snow, impassable roadways, downed trees, disrupted utility services, damaged and flooded roadways, mudslides and damaged structures, and dead livestock, such damages exceeding available county resources; and
2. Authorize the Chair to sign the resolution re-authorizing the existence of a local emergency due to consecutive major winter storm events commencing on March 1, 2023, which have resulted in large accumulations of snow, impassable roadways, downed trees, disrupted utility services, damaged and flooded roadways, mudslides and damaged structures, and dead livestock, such damages exceed available county resources.

A motion was made by Supervisor Wilson and Seconded by Supervisor Bushnell to approve staff recommendations.

The motion carried with the following vote:

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

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. MATTERS SET FOR TIME CERTAIN

County Counsel

23-594

1. 10:00 AM - (CLOSED SESSION) Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(1) to Discuss Existing Litigation in the Case of White Circle Commerce, LLC, et al. v. County of Humboldt, Humboldt County Superior Court Case Nos. CV2000513 and CV2000623

No reportable action

23-621

2. 10:00 AM - (CLOSED SESSION) Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(1) to Discuss Existing Litigation in the Case of Christopher Conway v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2300070

By a unanimous vote, the Board authorized the Risk Manager, to enter into an agreement with the Mitchell Law Firm to defend the case of Christopher Conway v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2300070

G. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

23-612

1. Modification to the Board Meeting Schedule - Cancel May 9, 2023 Board Meeting

Recommendation: That the Board of Supervisors:

1. Cancel the May 9, 2023 Board of Supervisors Meeting.

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, Natalie Arroyo, and Steve Madrone

23-619

2. Consider a 1% Contribution of the Local Assistance and Tribal Consistency Funds (LATCF) to the newly created National Center for Public Lands Counties (The Center) (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Consider a 1% contribution of Humboldt County Local Assistance and Tribal Consistency Funds to the Center; and
2. Take appropriate action as needed.

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

Aye: 3 - Rex Bohn, Michelle Bushnell, and Steve Madrone

Nay: 2 - Mike Wilson, and Natalie Arroyo

H. DEPARTMENT REPORTS

Board of Supervisors

23-620

1. Board Resolution Affirming Our Stance Against Hate

Recommendation: That the Board of Supervisors:

1. Adopt the resolution; and
2. Receive the attached letter Affirming Our Stance Against Hate.

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

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

Clerk of the Board23-611

2. Consider the Appointment of an At-Large Member to the Audit Committee

Recommendation: That the Board of Supervisors:

1. Reappoint Corey Weber to the At-Large vacancy on the Audit Committee.

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

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

Public Works23-624

3. 2022 Pavement Management Program Update and Future Maintenance Funding Options and Supplemental Budget for CAO-Management & Budget Team, Budget Unit 1100-103 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Receive and discuss the 2022 Pavement Management Program;
2. Review and discuss possible future funding sources;
3. Approve the formation of a Roads Ad Hoc Committee and appoint two members of the Board of Supervisors to the Roads Ad Hoc Committee to review and recommend actions related to a local revenue measure in 2024;
4. Authorize the County Administrative Office (CAO) to execute a professional services agreement, and any amendments, with Lew Edwards Group (LEG) to conduct public opinion research on the public's priorities and needs, engage the community, and advise on potential update and reform measures in 2024, and perform other services as required, up to \$336,250; and
5. Approve the attached supplemental budget request for CAO-Management & Budget Team Budget Unit 1100-103 in the amount of \$336,250 for fiscal year (FY) 2022-23 (4/5 Vote Required).

A motion was made by Supervisor Bohn, seconded by Supervisor Wilson, that the recommendations be approved to include the following amendment.

1. Form a Roads Ad Hoc Committee and appoint Supervisor Madrone and Supervisor Bushnell to the Roads Ad Hoc Committee.

The motion carried by the following vote:

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

I. PUBLIC HEARINGS

J. CLOSED SESSION (SEE MATTERS SET FOR TIME CERTAIN)

K. 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



May 2, 2023