

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
JEFFERSON BILLINGSLEY
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, March 8, 2022

9:00 AM

Regular Meeting - Hybrid

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

Approval of the Consent Agenda

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve the Consent Calendar. The motion carried by the following vote:

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

Board of Supervisors

1. Certificates of Recognition for Soroptimist International of Humboldt Bay (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:

1. Ratify the authorization for the Chair to sign the certificates of recognition.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve the staff

recommendations. The motion carried by the following vote:

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

2. The Greater Eureka Chamber of Commerce 2021 Business Award Winners (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:
1. Ratify the Chairs signature

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

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

3. Letter of Support for SB 1074 (McGuire) Cannabis: Excise Tax: Cultivation Tax. (Supervisor Michelle Bushnell)

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

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve the 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

4. Board of Supervisors Teleconferencing Meetings and AB 361: Continuation of Emergency

Recommendation: That the Board of Supervisors:
1. Find that the Board has reconsidered the circumstances of the state of emergency that continues to exist, that state or local officials continue to recommend measures for social distancing and the current Covid-19 emergency related to in-person meetings continues to present an imminent risk to health and safety of attendees.
2. Authorize the Chair to sign the resolution re-authorizing remote teleconference meetings for the period of March 8, 2022 through April 5, 2022.

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

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

5. Appoint Tammy Brown to Fill the Vacancy on the Headwaters Fund Board (HFB)

Recommendation: That the Board of Supervisors:
1. Appoint Tammy Brown to fill the vacant seat on the Headwaters Fund Board.

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

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

6. Notice of At-Large Vacancy on the North Coast Railroad Authority Board

Recommendation: That the Board of Supervisors:

1. Receive and file the report

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve the 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

7. Project Trellis Actions Concerning Board Liaison, Emergency Grants and Equity Grant Funding

Recommendation: That the Board of Supervisors:

1. Receive and approve the revised Bylaws and adopt the attached resolution amending Resolution 21-05 adding a Board liaison to the Project Trellis Committee;
2. Approve the slate of emergency micro-grant awards and authorize the County Administrative Officer, or designee, to sign the emergency micro-grant agreements when completed, after review and approval by County Counsel and Risk Management; and
3. Adopt the attached resolution authorizing the State of California Cannabis Equity Act Grant Funding and authorize the County Administrative Officer to execute the grant agreement and any subsequent amendments with the Governor's Office of Business and Economic Development for cannabis equity grant funding.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve the 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

10. Work Order Agreement with Heluna Health Regarding the Provision of COVID-19 Surveillance Testing Services and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Department of Health and Human Services - Public Health Director, or a designee thereof, to execute, the attached work order agreement with Heluna Health regarding the provision of COVID-19 surveillance testing services for the period of August 1, 2021 through June 30, 2022;
2. Authorize the Department of Health and Human Services - Public Health Director, or a designee thereof, to execute any and all subsequent amendments to, and any other documents directly associated with, the attached work order agreement with Heluna Health, after review and approval by County Counsel, Risk Management and the County Administrative Office;
3. Direct the Clerk of the Board to return one (1) fully executed copy of the attached work order agreement with Heluna Health to the Department of Health and Human Services - Contract Unit for further processing; and
4. Approve the attached supplemental budget in the amount of \$250,000 for Department of Health and Human Services - Public Health Emergency Preparedness budget unit 1175-455 (4/5 vote required).

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve the staff

recommendations. The motion carried by the following vote:

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

Human Resources

11. Adoption of Amended and Retitled Job Classification of Behavioral Health Medical Director (M&C)

Recommendation: That the Board of Supervisors:

1. Adopt the amended and retitled job classification of Behavioral Health Medical Director (Attachment 2) (class 0902, unit 008, replacing Mental Health Medical Director) into the salary range and classification plan effective immediately; and
2. Adopt Resolution No. _____ (Attachment 1) approving 1) the amendment of the January 1, 2022 - December 31, 2024 Compensation Plans for Management & Confidential Employees 2) a Comprehensive Compensation Schedule and Classification Summary effective March 20, 2022 (Attachment 3).

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

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

Public Works

12. 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 the selection of Mark Thomas and Company, Inc. as the consulting firm to provide on-call engineering and/or environmental services;
2. Approve and authorize the Chair of the Board to execute, the attached consultant services agreement with Mark Thomas and Company, Inc. regarding the provision of on-call engineering and/or environmental services;
3. Authorize the Public Works Director, or a designee thereof, to execute any and all future task orders issued pursuant to the terms and conditions of the attached consultant services agreement with Mark Thomas and Company, Inc., after review and approval by County Counsel and Risk Management; and
4. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached consultant services agreement with Mark Thomas and Company, Inc. to the Department of Public Works for further processing.

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

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

13. California Climate Investments Fire Prevention Grants Program Project Opportunities

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution authorizing the Humboldt County Department of Public Works Director, or a designee thereof, to apply for, and, if awarded, accept and administer, competitive grant funding made available through the California Climate Investments Fire Prevention Grants Program in order to fund implementation of actions identified in the Humboldt County Community Wildfire Protection Plan;
2. Adopt the attached resolution authorizing the Humboldt County Department of Public Works Director, or a designee thereof, to accept and administer noncompetitive grant funding made available through the California Climate Investments Fire Prevention Grants Program in order to support wildfire mitigation in the greater Willow Creek area of Humboldt County; and
3. Direct the Clerk of the Board to provide one (1) fully executed certified copy of each attached resolution to the Humboldt County Department of Public Works for submission to the California Department of Forestry and Fire Protection.

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

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

Sheriff

14. Resolution Recognizing, Endorsing and Accepting Support and Delegation of Authority for the Sheriff, Undersheriff and Deputy Director to accept gifts and donations from the Northern California Coalition to Safeguard Communities (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Adopt Resolution No. ____ recognizing, endorsing, and accepting the technical and financial support provided to Humboldt County by the Northern California Coalition to Safeguard Communities (Coalition) in an effort to address criminal activities associated with the illegal cultivation of cannabis by drug trafficking organizations (Attachment 1) (4/5 Vote Required); and
2. Authorize the Sheriff, Undersheriff, and Deputy Director of Sheriff's Administration to accept or reject any single gift, bequest or donation made to or in favor of the Humboldt County Sheriff's Office from the Coalition of any value with the combined total of all donations not to exceed \$600,000 over the next 4 years.

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

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

Treasurer/Tax Collector

15. Resolution to Auction Tax-Defaulted Properties

Recommendation: That the Board of Supervisors:

1. Approve Resolution #__, approving the sale of properties which are tax-defaulted and subject to sale (Attachment 1); and
2. Approve the Treasurer-Tax Collector to re-offer, within 90 days of the original sale date, any unsold parcels in accordance with Revenue and Taxation Code, section 3698.5; and
3. Direct the Clerk of the Board to provide the Treasurer-Tax Collector with one certified copy of the Resolution by March 15, 2022.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve the 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

DHHS: Public Health

1. Update on Local Conditions Surrounding COVID-19

Recommendation: That the Board of Supervisors:

1. Receive a report from Department of Health and Human Services (DHHS) - Public Health regarding the current status of novel coronavirus (COVID-19) in Humboldt County.

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

F. ITEMS PULLED FROM CONSENT

8. Adoption of an Ordinance of the Board of Supervisors of the County of Humboldt Amending Sections 712-2(b) and 712-3 of Chapter 2, Division 1 of Title VII to the Humboldt County Code Relating to the Transient Occupancy Tax and Placement of the Ordinance on June 7, 2022, Ballot.

Recommendation: That the Board of Supervisors:

1. Adopt Ordinance No. ____, Amending Sections 712-2(b) and 712-3 of Chapter 2, Division 1 of Title VII to the Humboldt County Code Relating to the Transient Occupancy Tax (Attachment 2); and
2. Approve the attached resolution and ballot statement (Attachment 4) to Amend the Transient Occupancy Tax (TOT) to be placed before the voters of Humboldt County on June 7, 2022.

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

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

9. Appointment of Interim Human Resources Director

Recommendation: That the Board of Supervisors:

1. Accept the resignation of Darlene Rhodes, Interim Human Resources Director, effective Friday, Feb. 25, 2022; and
2. Appoint Zachary O'Hanen to the position of Interim Human Resources Director, effective Mar. 6, 2022, and continuing until the appointment of a permanent Human Resources Director is made.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve the 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

County Administrative Office

1. Mid-Year Budget Review for Fiscal Year 2021-22 and Budget Outlook for FY 2022-23

Recommendation: That the Board of Supervisors:

1. Receive and file a review of the current fiscal year (FY) 2021-22 and projected FY 2022-23 budget year;
2. Direct the County Administrative Officer (CAO) to prepare the FY 2022-23 budget based on the following parameters:
 - a. Set departmental allocations from the General Fund at FY 2021-22 level with a department adjustment for projected salary & benefit increases (average of all departments is 16%);
 - b. Limit requests for additional General Fund appropriations to one-time urgent requests only;
 - c. Set the annual departmental contribution to Public Agency Retirement Services (PARS) to 2% of salaries and direct staff to return with an update on the status of the county's pension funding policy, including Other Post-Employment Benefits (OPEB); and
 - d. Provide direction to staff on actions to close the FY 2022-23 projected General Fund budget deficit.
3. Provide additional direction to staff as appropriate.

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, Virginia Bass, and Steve Madrone

2. Vaccination and Testing Policy and Authorization to Enter into An Agreement for Contact Tracing and Other Services

Recommendation: That the Board of Supervisors:

1. Adopt a Vaccination and Testing Policy (Attachment 1) that will be a substantially similar version containing minor edits approved by the County Administrative Officer (CAO) and County Counsel following final meet and confers with applicable employee bargaining groups, and return a final version to the Clerk of the Board to file;
2. Approve delaying implementation and authorize the Employee Policy Group, consisting of the CAO, Sheriff, County Counsel and Human Resources, to determine if and when the policy should be implemented and expire, with a requirement that bargaining groups are engaged as required per the Meyers-Milias-Brown Act prior to implementation, and the Board is notified of any changes;
3. Authorize the County Administrative Officer (CAO) to execute a cooperative purchasing agreement with Maximus not to exceed \$260,388 for contact tracing and other services to implement the Board's direction, after approval from Risk Management and County Counsel.

A motion was made by Supervisor Bushnell, seconded by Supervisor Bohn, that staff 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 Suspending a Portion of Cultivation Year 2021 Due in Tax Year 2022 Cannabis Excise Tax and Deferring Certain Dates and Penalties

Recommendation: That the Board of Supervisors:

1. Adopt the resolution and direct the Treasurer-Tax Collector for cultivation year 2021, collected in tax year 2022, to bill and collect the Cannabis Excise Tax at a rate of 15% of the currently authorized rates, with the remaining 85% of the tax suspended for the 2022 billing cycle; and
2. As set forth in the resolution, direct the Treasurer-Tax Collector to not assess fees for late payment of the October 2021 excise tax installment (cultivation year 2020 2nd installment collected in tax year 2021), so long as all taxes are paid by Sept. 15, 2022.

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

Aye: 4 - Rex Bohn, Mike Wilson, Virginia Bass, and Steve Madrone

Recused: 1 - Michelle Bushnell

Sheriff

4. Compensation Range Increase for Humboldt County Sheriff's Office Supervising Correctional Deputies (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve an increase of the compensation range for Class 0420 Supervising Correctional Deputy by 12% or 24 salary ranges effective the first full pay period in April 2022 (4/5 Vote Required) This action is not recommended by the County Administrative Office; and
2. Instruct Human Resources and Payroll to make the approved changes to the class and compensation tables effective the first full pay period in April 2022.

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

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

M. CLOSED SESSION

1. Conference with Legal Counsel - Pursuant to Government Code section 54954.5 and 54957 to consider Public Employee Appointment for the position of the Agricultural Commissioner

The Board of Supervisors met in Conference with Legal Counsel - Pursuant to Government Code section 54954.5 and 54957 to consider Public Employee Appointment for the position of the Agricultural Commissioner. There was no reportable action.

J. DISCUSSION ITEMS

K. MATTERS SET FOR TIME CERTAIN

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

I. PUBLIC HEARINGS

Planning and Building Department

1. North McKay Ranch Subdivision Project
General Plan Amendment, Zone Reclassification, Tentative Subdivision Map, Planned Unit Development, Development Agreement, and Special Permit
APNs: 017-032-003, 017-071-004, 017-071-009, 017-072-002, 017-072-003, 017-073-007, 017-073-009 and 303-012-020
Record No.: PLN-9902-GPA

Recommendation: That the Board of Supervisors:

1. Introduce by title Ordinance No. __ (Attachment 2b-i) Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Cutten Area (PLN-9902-GPA (Fairhaven Cottages, LLC)), amending the zoning map and changing 2.2 acres from R-1 Single Family Residential Zoning with overlays for Planned Development, Recreation and Greenway and Open Space with overlays for Planned Development, Recreation and Greenway and Open Space to Neighborhood Commercial (C-1) and changing 18.5 acres from R-1 Single Family Residential Zoning with overlays for Planned Development, Recreation and Greenway and Open Space to with overlays for Planned Development, Recreation and Greenway and Open Space to Apartment-Professional (R-4); and
2. Introduce by title Ordinance No. __ (Attachment 3) Approving the Development Agreement between Kramer Properties Inc. and the County of Humboldt for the North McKay Ranch Subdivision Project, and waive the first reading; and
3. Set Ordinance No. __ (Attachment 3) Approving the Development Agreement between Kramer Properties Inc. and the County of Humboldt for the North McKay Ranch Subdivision Project for adoption on March 15, 2022, or at least 1 week away from the date of the Board of Supervisors meeting at which the Ordinance is first introduced; and
4. Direct the Clerk of the Board to publish the pre-adoption summary of the Ordinance (Attachment 3C), 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. [Government Code Section 25124 (b)(1)]; and
5. Direct the Clerk of the Board, within 15 days after adoption of the Ordinance, to publish a post-adoption summary of the ordinance (Attachment 3D) 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. [Government Code Section 25124 (b)(1)]; and
6. Open the public hearing and receive the staff report, testimony by the applicant and public; and
7. Close the public hearing; and
8. Adopt the Resolution 22- ____ (Attachment 1) Adopting Findings for Certification of the Final Environmental Impact Report, Certifying the Final Environmental Impact Report, Adopting the Statement of Overriding Considerations, and Adopting the Mitigation and Monitoring and Reporting Program for the project, pursuant to the California Environmental Quality Act; and
9. Adopt the Resolution 22- ____ (Attachment 2a) adopting findings in support of the General Plan Amendment and approving the General Plan Amendment to change 18.5 acres of land designated as Residential low Density to residential Medium Density and 2.2 acres of land designated as Residential Low Density to Commercial General; and
10. Adopt the Resolution 22- ____ (Attachment 2b) adopting findings in support of the Zone Reclassification; and
11. Adopt Ordinance No. ____ (Attachment 2b-i) redesignating zone districts within the project boundary; and
12. Adopt the Resolution 22- ____ (Attachment 2) adopting findings in support of the Tentative Subdivision Map, Planned Unit Development and Special Permit and

approving the Tentative Subdivision Map, Planned Unit Development and Special Permit; and

13. Direct the Clerk of the Board, within 15 days after adoption of the Ordinance redesignating zone districts within the project boundary (Attachment 2b-i), to publish a post-adoption summary of the ordinance (Attachment 2b-ii) 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.

This item was continued to the March 22nd Board of Supervisors meeting.

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.



03/08/2022