

BOARD OF SUPERVISORS

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



COUNTY STAFF

AMY S. NILSEN
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, May 18, 2021

9:00 AM

Regular Meeting - Virtual

In accordance with Executive Order N-29-20 the Humboldt County Board of Supervisors meetings will be held virtually until further notice.

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.

Zoom Public Comment:

When the Board of Supervisors announce the agenda item that you wish to comment on, call the conference line and turn off your TV or live stream. Please call 669-900-9128, enter Meeting ID 935 3417 9044 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, the Clerk of the Board of Supervisors staff will unmute your phone. You'll hear a prompt that will indicate your phone is unmuted. Staff will then ask you to state your name and begin your comment. 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>*

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A. ROLL CALL

Present: Supervisor Virginia Bass, Chair; Supervisor Mike Wilson, Vice Chair; Supervisor Rex Bohn; Supervisor Steve Madrone; Supervisor Michelle Bushnell

Staff Present: Amy Nilsen, County Administrative Officer; Jefferson Billingsley, County Counsel; and Ryan Sharp, Deputy Clerk of the Board

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

Agricultural Commissioner

1. Approval of Standard Agreement No. 21-0022, known as the CalCannabis Cultivation Licensing Inspection Agreement

Recommendation: That the Board of Supervisors:

1. Approve Standard Agreement No. 21-0022, known as the CalCannabis Cultivation Licensing Inspection Agreement;
2. Authorize the Chair to sign the original agreement, and the contractor certification form; and
3. Direct the Clerk of the Board to return all signed copies and a copy of the action summary order authorizing execution of this agreement to the agriculture department for further processing.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Board of Supervisors

2. Retirement Resolution for Legal Office Assistant John Wilson from the Humboldt County Sheriff's Office (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the Resolution.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

3. Resolution Authorizing Road Closures for the Garberville Rodeo Parade on June 19, 2021 (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Adopt the Resolution and direct the Clerk of the Board to prepare a fully executed copy for Supervisor Bushnell to deliver to Caltrans.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

4. Resolution Authorizing Road Closures for the Benbow Fourth of July Event (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Adopt the Resolution and direct the Clerk of the Board to prepare a fully executed copy for Supervisor Bushnell to deliver to Caltrans.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Child Support Services**5. Plan of Cooperation Agreement for State and Local Child Support Agency**

Recommendation: That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear-Free Ordinance with regard to the attached plan of cooperation (POC) with the State Child Support Agency;
2. Approve, and authorize the North Coast Regional Department of Child Support Services (NCRDCSS) Director, or a designee thereof, to execute the attached Cooperation Agreement with the State Child Support Agency, based on the attached template provided by the state, after review by County Counsel and the County Administrative Office; and
3. Approve, and authorize the NCRDCSS Director, or a designee thereof, to execute any necessary amendments to the final Cooperation Agreement after review by County Counsel and the County Administrative Office.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Clerk of the Board**6. Approval of the Action Summary - Meeting of May 11, 2021**

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of May 11, 2021 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

County Administrative Office**7. Prioritized Funding Requests for Congressionally Directed Funding**

Recommendation: That the Board of Supervisors:

1. Approve the prioritized list of funding requests for Congressionally Directed Funding; and
2. Authorize the Chair of the Board to sign documentation required to submit requests to Senator Alex Padilla, and direct the County Administrative Officer to transmit the requests.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Administration

8. The Department of Health and Human Services (DHHS), Public Health requests an allocation of a Laboratory Assistant I/II position and requests authorization of Supplemental Budget for Epidemiology and Laboratory Capacity (ELC) Enhancing Detection Expansion (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the allocation of 1.0 full time equivalent (FTE) 1.0, Laboratory Assistant I/II (salary range 308/349, class 1571A/B) in BU 1175-435; effective the pay period following Board of approval;
2. Approve the attached supplemental budget to supplement Fund 1175, Budget Unit 435 - Public Health Laboratory for Fiscal Year 2020-21 (4/5 vote required); and
3. Approve the attached supplemental budget to supplement Fund 1175, Budget Unit 455010 - ELC Enhancing Detection Expansion for Fiscal Year 2020-21 (4/5 vote required).

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

9. Memorandum of Understanding with the Housing Authority of the County of Humboldt Regarding the Referral of Eligible Individuals to the Mainstream Voucher Program

Recommendation: That the Board of Supervisors:

1. Approve, and authorize and the Department of Health and Human Services Director, or a designee thereof, to execute, the attached memorandum of understanding with the Housing Authority of the County of Humboldt regarding the referral of eligible individuals to the Mainstream Voucher Program for the period of April 1, 2021 through March 31, 2026;
2. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with the Housing Authority of the County of Humboldt after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to provide the Department of Health and Human Services - Contract Unit with one certified copy of the Board Order regarding the attached memorandum of understanding with the Housing Authority of the County of Humboldt.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

District Attorney

10. Authorization for the District Attorney to Execute any and all Documents Necessary to Accept, Administer, Modify, Amend and Reapply for Funding Made Available by the California Governor's Office of Emergency Services through the Victim Witness Assistance Program, Allocation of 2.0 Full-Time Equivalent Victim Witness Program Specialist Positions and Deallocation of .5 Permanent Part-Time Equivalent Victim Witness Program Specialist Position (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Ratify the District Attorney's execution and submission of any and all documents necessary to accept, administer, which includes any amendments and extensions, there of, modify and reapply for funding made available by the California Governor's Office of Emergency Services through the Victim Witness Assistance Program for the second through fourth quarters of the fiscal year 2019-2020 and the first quarter of fiscal 2020-2021 (requires 4/5 vote);
2. Authorize the District Attorney to execute any and all documents necessary to accept, administer, which includes any amendments and extensions, there of, modify and reapply for funding made available by the California Governor's Office of Emergency Services through the Victim Witness Assistance Program for the remainder of fiscal year 2020-2021 and the first quarter of fiscal year 2021-2022 (requires 4/5 vote);
3. Allocate 2.0 full-time equivalent Victim Witness Program Specialist positions (class 0689, salary range 352) in budget unit 208 effective immediately (requires 4/5 vote); and
4. Deallocate the 0.5 permanent PTE Victim Witness Program Specialist position (class 0689, salary range 352) in budget unit 208 effective immediately (requires 4/5 vote).

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

11. Authorization for the District Attorney to Execute any and all Documents Necessary to Administer, Modify, Amend and Reapply for Funding Made Available by the California Governor's Office of Emergency Services through the Unserved/Underserved Victim Advocacy and Outreach Program (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Ratify the District Attorney's execution and submission of any and all documents necessary to accept, administer, which includes any amendments and extensions, thereof, modify and reapply for funding made available by the California Governor's Office of Emergency Services through the Unserved/Underserved Victim Advocacy and Outreach Program for the second through fourth quarters of fiscal year 2019-2020 and the first through third quarters of fiscal year 2020-2021 (requires 4/5 vote);
2. Authorize the District Attorney to execute any and all documents necessary to accept, administer, which includes any amendments and extensions, thereof, modify and reapply for funding made available by the California Governor's Office of Emergency Services through the Unserved/Underserved Victim Advocacy and Outreach Program for the remainder of calendar year 2021 (requires 4/5 vote); and
3. Authorize the District Attorney to execute any and all documents necessary to apply for any additional funding that may be made available by the California Governor's Office of Emergency Services through the Unserved/Underserved Victim Advocacy and Outreach Program (requires 4/5 vote).

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Human Resources

12. Adoption of the Amended and Retitled Job Classifications of Youth Support Specialist I/II and Senior Youth Support Specialist

Recommendation: That the Board of Supervisors:

1. Adopt the amended and retitled job classification of Youth Support Specialist I/II (class #1735, salary range 369/389, Unit 1) (replacing Children Center Specialist I/II) into the classification plan effective immediately;
2. Adopt the amended and retitled job classification of Senior Youth Support Specialist (class #1736, salary range 409, Unit 1) into the classification plan effective immediately; and
3. Adopt Resolution No. _____ (Attachment 4) approving 1) amendments to the Memorandum of Understanding between the County of Humboldt and the American Federation of State, County and Municipal Employees (AFSCME) local 1684 and 2) Adopting a Comprehensive Compensation Schedule and Classification Summary (Attachment 3) effective May 18, 2021.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Public Works**13. Approval of Eureka Veterans Memorial Hall Agreement**

Recommendation: That the Board of Supervisors:

1. Approve and execute the Eureka Veterans Memorial Hall Agreement; and
2. Authorize the Clerk of the Board to return one (1) executed agreement to Public Works, Facilities Management.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

14. Tower and Space License with the Hoopa Valley Tribe for the Sugar Pine Mountain Communication Site

Recommendation: That the Board of Supervisors:

1. Authorize the Chair of the Board to sign three (3) original copies of the Tower and Space License between the County of Humboldt and the Hoopa Valley Tribe for the Sugar Pine Mountain Communications Site; and
2. Direct the Clerk of the Board to return two (2) fully executed copies of the Tower and Space License to Public Works Facility Management.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

15. Tower and Space License with the Hoopa Valley Tribe for the Big Hill Communications Site

Recommendation: That the Board of Supervisors:

1. Authorize the Chair of the Board to sign (3) original copies of the Tower and Space License between the County of Humboldt and the Hoopa Valley Tribe for Big Hill Communications Site; and
2. Direct the Clerk of the Board to return two (2) fully executed copies of the Tower and Space License to Public Works Facility Management.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

16. First Amendment to Telecommunication License with the United States Coast Guard at Trinidad Head, Trinidad, California

Recommendation: That the Board of Supervisors:

1. Authorize the Chair of the Board to sign (2) copies of the First Amendment to Telecommunications License with the United States Coast Guard (USCG) at Trinidad Head; and
2. Direct the Clerk of the Board to return an executed copy of the First Amendment to Telecommunications License to Public Works Facility Management.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

17. Approval of Sheriff's Woodley Island Boat Slip Rental Agreement

Recommendation: That the Board of Supervisors:

1. Grant a waiver of the Nuclear Free Ordinance;
2. Authorize the Chair of the Board to sign and execute the attached Sheriff's Woodley Island Boat Slip Rental Agreement; and
3. Direct the Clerk of the Board to return the executed Rental Agreement to Public Works - Real Property, for transmittal to the Humboldt Bay Harbor, Recreation, and Conservation District.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

18. Approval of Annual Revisions to, and Acceptance of Additional Roads into, the County of Humboldt Maintained Road System for Fiscal Year 2020-2021

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution approving annual revisions to the County of Humboldt Maintained Road System for fiscal year 2020-2021;
2. Adopt the attached resolution accepting additional roads into the County of Humboldt Maintained Road System for fiscal year 2020-2021; and
3. Direct the Clerk of the Board to provide certified copies of the board order and attached resolutions to the Department of Public Works for submittal to the California Department of Transportation.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

19. Allocate One Full-Time Equivalent Program Coordinator Position for the Department of Public Works - Solid Waste Division

Recommendation: That the Board of Supervisors:

1. Allocate one Full-Time Equivalent Program Coordinator (salary range 427, class 1425, unit 1) position in budget unit 3691-438 effective at the beginning of the next bi-weekly pay period following approval.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. 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 & Humans Services (DHHS) - Public Health and other county staff regarding the current status of novel coronavirus (COVID-19) in Humboldt County.

Approved per order of the Chair.

G. ITEMS PULLED FROM CONSENT

H. MATTERS INITIATED BY BOARD MEMBERS

I. DEPARTMENT REPORTS

County Administrative Office

1. Rules of the Board of Supervisors

Recommendation: That the Board of Supervisors:

1. Review and adopt a resolution approving the attached revised Rules of the Board of Supervisors.

A motion was made by Supervisor Bohn, seconded by Supervisor Bushnell, to accept the Board Rules as presented. The motion carried by the following vote:

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

Planning and Building Department**2. Status Report on the Draft Regional Climate Action Plan**

Recommendation: That the Board of Supervisors:

1. Receive the staff report and presentation for filing.

A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, to accept and file the report; give direction to move forward towards the qualified version of the climate action plan; direct staff to update the climate action committee roster; and direct staff to bring back an item for Board consideration to consider initiating zoning ordinance amendments to facilitate permitting solar facilities. The motion carried by the following vote:

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

J. PUBLIC HEARINGS**Planning and Building Department****1. Adoption of an Urgency Ordinance Establishing a Temporary Moratorium on the Cultivation of Industrial Hemp in the Coastal Zone (4/5 Vote Required) Case # PLN-2021-17163**

Recommendation: That the Board of Supervisors:

1. Adopt the Interim Urgency Ordinance declaring a temporary moratorium on the cultivation of industrial hemp by "Established Agricultural Research Institutions" and any growers of industrial hemp in the Coastal Zone of Humboldt County based on the findings set forth within the Interim Urgency Ordinance under the provisions contained in California Government Code Sections 25123 (d) and 65858 (4/5 vote required); and
2. If adopted, direct the Clerk of the Board to publish the post-adoption summary of the ordinance within 15 days.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

K. DISCUSSION ITEMS

L. MATTERS SET FOR TIME CERTAIN**Human Resources**

1. 1:30 p.m. - Study Session: Board of Supervisors Code of Conduct and Ethics

Recommendation: That the Board of Supervisors:

1. Conduct a Study Session in regard to the Board of Supervisors Code of Conduct and Ethics;
2. Provide Feedback and General Guidance; and
3. Direct Staff to Return with a Code of Conduct and Ethics for Approval and Adoption.

A motion was made by Supervisor Wilson, seconded by Supervisor Bohn, to accept the draft code of conduct and ethics as presented today and direct staff to return to the Board at a future date incorporating the final code of conduct and ethics and incorporating the rules of the Board of Supervisors as a single document. The motion carried by the following vote:

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

M. CLOSED SESSION

1. Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Meniooh v. Two Jinn, et al., Case No. 21-cv-02840-RMI.

The Board of Supervisors met in conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Meniooh v. Two Jinn, et al., Case No. 21-cv-02840-RMI. The Board voted 4 to 1 with Supervisor Bushnell voting no, to authorize the Risk Manager to enter into an agreement with the Mitchell Brisso firm for defense of the matter.

N. ADJOURNMENT

I, RYAN SHARP, 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.

RYAN SHARP

Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California

May 19, 2021