

BOARD OF SUPERVISORS

REX BOHN
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Second District
MIKE WILSON
Third District
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County Administrative Officer
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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, March 7, 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

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 720 707 2699, enter Meeting ID 846 4427 1317 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>

A. ROLL CALL

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

Auditor/Controller

[23-180](#)

1. Extension of Extra Help Hours and Advanced Salary Step Increase for Executive Secretary, Hannah Klein - Auditor-Controller Budget Unit 1100-111 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Authorize the extension of extra-help employment hours for Executive Secretary, Hannah Klein, to a maximum of one thousand nine hundred twenty (1,920) hours for fiscal year 2022-2023 (4/5 vote required); and
2. Approve an advanced salary step increase for Hannah Klein, Executive Secretary (salary range 412, class 0167, position XI) from Step 1A to Step C, effective as of the beginning of the pay immediately following approval (4/5 vote required).

Attachments: [Staff Report](#)

Board of Supervisors

[23-228](#)

2. Certificates of Recognition for Soroptimist International of Eel River Valley and Soroptimist International of Eureka Annual Award Winners (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the Certificates of Recognition.

Attachments: [Staff Report](#)
[Soroptomist Eureka & Soroptomist Eel River Valley Certificates.pdf](#)
[Soroptimist Certificate.pdf](#)

[23-282](#)

3. Continuation of the Local Emergency Due to Drought (Supervisor Steve Madrone)

- Recommendation:** That the Board of Supervisors:
1. Declare that a local emergency remains in effect, per Resolution 21-77, until April 4, 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 drought.
 2. Authorize the Chair to sign the resolution re-authorizing the existence of a local emergency due to drought for the period of March 7, 2023 through April 4, 2023.

Attachments: [Staff Report](#)
[Resolution Reauthorizing Local Drought Emergency 011023.docx](#)
[Original Resolution 21-77.pdf](#)

[23-284](#)

4. Certificates of Recognition for Soroptimist International of Humboldt Bay Award Winners (Supervisor Mike Wilson)

- Recommendation:** That the Board of Supervisors:
1. Ratify the Board Chair's signature on the certificates.

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

Child Support Services

[23-144](#)

5. Allocation Modification for Information Systems Supervisor Position (4/5 Vote Required)

- Recommendation:** That the Board of Supervisors:
1. Allocate one (1.0) additional Full Time Employee (FTE) for the position of Information Systems Supervisor in preparation for succession planning (Salary Range 484, Class 0380, Position 02) effective March 7, 2023. (4/5 Vote Required)
 2. Deallocate one (1.0) FTE Information Systems Supervisor position (Salary Range 484, Class 0380, Position 01) effective June 1, 2023.

Attachments: [Staff Report](#)

Clerk of the Board

[23-301](#)

6. Approval of the Action Summary - Meeting of February 28, 2023

Recommendation: That the Board of Supervisors:
1. Approve the Action Summary for the meeting of February 28, 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.

Attachments: [Staff Report](#)
[Action Summary - February 28, 2023.pdf](#)
[MINUTE SHEET.docx](#)
[Executed Action Summary - February 28, 2023.pdf](#)

County Administrative Office

[23-251](#)

7. Resolution Requesting Humboldt County Delegates to Introduce Legislation Allowing Local Voter-Approved Sales Tax to Exceed State Limit and Legislation to Increase Allowable Abandoned Vehicle Abatement Service Fee

Recommendation: That the Board of Supervisors:
1. Adopt the attached Resolution requesting Humboldt County delegates to introduce legislation that would allow a local voter-approved sales tax to exceed the state limit, and legislation to increase the allowable abandoned vehicle abatement service fee.

Attachments: [Staff Report](#)
[Resolution](#)
[Resolution No. 23-26.pdf](#)

[23-295](#)

8. Appropriation Transfers from the "Contingencies" Budget Unit for the Courts-County Contribution to Indigent Defense in Fiscal Years 2020-21 and 2021-22 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:
1. Approve an appropriation transfer from the "Contingencies" budget unit for the Courts-County Contribution (fund 1100, budget unit 250) in the amount of \$260,000 for unanticipated indigent defense expenses for fiscal year 2020-21 (4/5 vote required); and
2. Approve an appropriation transfer from the "Contingencies" budget unit for the Courts-County Contribution (fund 1100, budget unit 250) in the amount of \$466,000 for unanticipated indigent defense expenses for fiscal year 2021-22 (4/5 vote required).

Attachments: [Staff Report](#)
[Budget Adjustment 1100250 Contingency 20-21](#)
[Budget Adjustment 1100250 Contingency 21-22](#)

[23-305](#)

9. McLean Foundation Fiscal Agent Memorandum of Understanding in Response to the 2022 December Ferndale Earthquake

- Recommendation:** That the Board of Supervisors:
1. Approve, and authorize the County Administrative Officer to sign the attached Memorandum of Understanding (MOU) with the McLean Foundation for fiscal agent services in the amount of \$250,000 to aid in the long-term recovery of the City of Rio Dell and surrounding areas from the 2022 December Ferndale Earthquake upon receipt of the required insurance certificate; and
 2. Authorize the County Administrative Officer to execute any and all subsequent amendments or agreements with McLean Foundation, after review and approval by County Counsel and Risk Management.

- Attachments:** [Staff Report](#)
[McLean MOU.pdf](#)
[Executed MOU - Humboldt County and McLean Foundation.pdf](#)

County Clerk/Recorder/Registrar of Voters

[23-185](#)

10. Extension of Extra-Help Hours for Recorder Budget Unit 1100-271 (4/5 Vote Required)

- Recommendation:** That the Board of Supervisors:
1. Approve the extension of extra-help employment hours for Sebastian Guevara Olhagaray, Hourly Extra Help, to a maximum of 1,920 hours for fiscal year 2022-2023 (4/5 vote required);
 2. Approve the extension of extra-help employment hours for Emily Rose Laursen, Hourly Extra Help, to a maximum of 1,920 hours for fiscal year 2022-2023 (4/5 vote required); and
 3. Approve the attached Budget Adjustment increasing Extra Help and decreasing Salaries and Wages allocated cost by \$20,100.00.

- Attachments:** [Staff Report](#)
[Budget Adjustment Form 03.22.19 271 ExtraHelp.xls](#)

Department of Health and Human Services: Administration

[23-304](#)

11. Resolution Dissolving the Housing Trust Fund and Homelessness Solutions Committee

- Recommendation:** That the Board of Supervisors:
1. Adopt the attached resolution Dissolving the Housing Trust Fund and Homelessness Solutions Committee; and
 2. Direct the Clerk of the Board to provide the Department of Health and Human Services with one (1) fully executed certified copy of the attached

resolution.

Attachments: [Staff Report](#)
[HTFHSC Resolution](#)
[Resolution No. 23-30.pdf](#)
[Public Comment - D-11.pdf](#)

Department of Health and Human Services: Behavioral Health

[23-198](#)

12. Third Amendment to the Professional Services Agreement with David S. Kornblum and Associates Regarding the Provision of Medicare Cost Reporting Services

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached third amendment to the professional services agreement with David S. Kornblum and Associates dated Oct. 23, 2018 regarding the provision of Medicare cost reporting services for the period of Oct. 23, 2018 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 professional services agreement with David S. Kornblum and Associates dated Oct. 23, 2018, 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 fully executed original copy of the attached third amendment to the professional services agreement with David S. Kornblum and Associates dated Oct. 23, 2018 to the Department of Health and Human Services - Contract Unit for further processing.

Attachments: [Staff Report](#)
[Third Amendment to FY 18-19 Kornblum Medicare Cost Reporting Services Agr](#)
[A02 2021-8-13 Kornblum 21-22](#)
[A01 David S Kornblum and Associates FY 18-22](#)
[David S. Kornblum Associates FY 18-20](#)
[Executed Third Amendment PSA - David S. Kornblum and Associates.pdf](#)

Department of Health and Human Services: Public Health

[23-87](#)

13. Grant Award from the California Department of Justice Prop 56 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 agreement with the California Department of Justice to implement tobacco enforcement and education in Humboldt County;

2. Authorize the Department of Health and Human Services - Public Health Director, or a designee thereof, to execute any and all subsequent amendments, and any other agreements, certifications, attestations, and documents directly related, to the attached grant agreement, after review and approval by County Counsel, and Risk Management; and
3. Approve the attached supplemental budget in the amount of \$148,693 for FY 2022-2023 for the Department of Health and Human Services - Public Health Fund - Active Transportation Program Budget Unit 1175-414002 (4/5 Vote Required).
4. Direct Auditor-Controller to supplement Fund 1175, per Attachment B.

Attachments:[Staff Report](#)[Att.1-Award Letter](#)[Att.2-2022-23_MOU_Humboldt County DHHS](#)[Att.3-Supplemental Budget 414002](#)**Planning and Building Department**[23-163](#)

14. Advance Salary Step from Step A to Step B for Tana Reynolds, Permit Specialist II

Recommendation:

That the Board of Supervisors:

1. Approve the advanced salary step for Tana Reynolds, Permit Specialist II (Class 0325B, Range 409) from Step A to Step B.

Attachments:[Staff Report](#)[23-187](#)

15. Authorization to Increase the Amount Requested in a Coastal Commission Local Coastal Program Grant Application to Fund Humboldt Bay Area Plan Update from \$100,000 to up to \$500,000.

Recommendation:

That the Board of Supervisors:

1. Adopt the attached resolution that:
 - a. Authorizes submittal of a grant application (Attachment 1a) to the California Coastal Commission to provide financial and planning assistance, under authority of the California Coastal Act, in an amount up to \$500,000 to fund completion of the update to the Humboldt Bay Area Plan to address land use mapping changes, including possible changes to the location of the Coastal Dependent Industrial Zone, tsunami hazards and sea level rise;
 - b. Authorizes the Director of the Planning and Building Department to execute any contracts, agreements and amendments thereto necessary to prepare and submit the grant application package.

Attachments:[Staff Report](#)[Attachment 1b - Coastal Commission application form](#)[Attachment 1a BOS Resolution final Word](#)[Resolution No. 23-28.pdf](#)

[23-191](#)

16. Extension of Extra-Help Hours for the Long-Range Planning Unit 1100-282 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the extension of 160 additional extra help hours beyond the 960 hour limit for Planner I, Sarah Wickman, to a maximum of 1,120 hours through March 31, 2023, pursuant to Section 7 of the Humboldt County Salary Resolution. (4/5 vote required)

Attachments: [Staff Report](#)

Public Works[23-179](#)

17. Storm Damage Repair to Alderpoint Road (6B165) Post Miles 5.00, 6.98, 7.25, 7.37 and 7.58

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Storm Damage Repair to Alderpoint Road (6B165) Post Miles 5.00, 6.98, 7.25, 7.37 and 7.58 project;
2. Find that the project is exempt from environmental review pursuant to Section 15302 and 15269 of the California Environmental Quality Act (CEQA) Guidelines; 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, April 11, 2023, at 2:00 p.m.

Attachments: [Staff Report](#)
[Alderpoint Rd PM 5.0-7.58 Plans-signed.pdf](#)
[Alderpoint Rd PM 5.0-7.58 Special Provisions-signed.pdf](#)

Sheriff[23-278](#)

18. Waiver of Extra-Help Hours for Sheriff's Office Staff (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve an extension of extra-help employment hours for Chaz Schlesiger, Community Service Officer to a maximum of 1,920 hours for Fiscal Year 2022-23, pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 Vote Required).

Attachments: [Staff Report](#)

[23-279](#)

19. Continuation of Local Emergency Due to Consecutive Major Winter Storm Events Commencing on Jan. 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 (Supervisor Steve Madrone)

- Recommendation:** That the Board of Supervisors:
1. Declare that a local emergency remains in effect until April 4, 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 Jan. 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;
 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.

- Attachments:** [Staff Report](#)
[RESOLUTION EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY](#)
[Resolution No. 23-29.pdf](#)
[23-281](#)

20. Continuation of Local Emergency Due to the 6.4 Magnitude Earthquake Occurring on Dec. 20, 2022 (Supervisor Steve Madrone)

- Recommendation:** That the Board of Supervisors:
1. Declare that a local emergency remains in effect until April 4, 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 Dec. 20, 2022.
 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 Dec. 20, 2022

- Attachments:** [Staff Report](#)
[RESOLUTION EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY](#)
[Resolution No. 23-27.pdf](#)

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. SPECIAL PRESENTATIONS

G. ITEMS PULLED FROM CONSENT

H. MATTERS INITIATED BY BOARD MEMBERS

I. DEPARTMENT REPORTS

Clerk of the Board

[23-233](#)

1. Consider Making the At-Large Appointment to the Humboldt County Planning Commission

Recommendation: That the Board of Supervisors:
1. Consider making the At-Large appointment to the Planning Commission.

Attachments: [Staff Report](#)
[Melanie McCavour - At Large Application_Redacted.pdf](#)
[Mike Newman - At Large Application_Redacted.pdf](#)
[Jerome Qiriazzi_Redacted.pdf](#)
[Sarah West_Redacted.pdf](#)

DHHS: Administration

[23-235](#)

2. Form an Ad Hoc Committee Regarding the Department of Health and Human Services' Relations with Big Lagoon Rancheria, Blue Lake Rancheria, Bear River Band of Rohnerville, Cher-Ae Heights Indian Community of the Trinidad Rancheria, Hoopa Valley Tribe, Karuk Tribe, and Yurok Tribe

Recommendation: That the Board of Supervisors:
1. Approve the creation of an Ad Hoc Committee regarding the Department of Health and Human Services' relations with Big Lagoon Rancheria, Blue Lake Rancheria, Bear River Band of Rohnerville, Cher-Ae Heights Indian Community of the Trinidad Rancheria, Hoopa Valley Tribe, Karuk Tribe, and Yurok Tribe;
2. Appoint two Supervisors to the Ad Hoc Committee regarding the Department of Health and Human Services' relations with Big Lagoon Rancheria, Blue Lake Rancheria, Bear River Band of Rohnerville, Cher-Ae Heights Indian Community of the Trinidad Rancheria, Hoopa Valley Tribe, Karuk Tribe, and Yurok Tribe; and,
3. Direct staff to draft a letter for the Ad Hoc Committee members to send to the eight Tribal Councils in Humboldt County informing them of the formation of the Ad Hoc Committee as a venue for government-to-government communications.

Attachments: [Staff Report](#)
[Letters to the Tribes.pdf](#)

Planning and Building Department

[23-186](#)

3. Analysis and Recommendations related to the Humboldt Cannabis Reform Initiative

- Recommendation:** That the Board of Supervisors:
1. Receive the staff presentation on the Humboldt Cannabis Reform Initiative (HCRI).
 2. Allow public input on the findings of the Analysis and Recommendations
 3. Make a motion to form an Ad Hoc Committee to work on the following:
 - a. Meet with sponsors of the HCRI to determine if alternative actions to voter consideration of the initiative are feasible,
 - b. Work with the HCRI sponsors, the public, cannabis industry stakeholders and staff to develop ordinance modifications,
 - c. In the event items a and b above are not feasible, develop a strategy to respond to the HCRI as submitted.

- Attachments:**
- [Staff Report](#)
 - [Attachment 1 - HCRI Analysis and Recommendations_Final 275 Formatted 03.01](#)
 - [Attachment 2 - 22-1390 - Full Initiative Text](#)
 - [Public Comment - I-3.pdf](#)

J. PUBLIC HEARINGS**Planning and Building Department**[23-112](#)

1. General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit hearing for the Lucas & Myrtle Mini-Storage Center by J&J Family, LLC

- Recommendation:** That the Board of Supervisors:
1. Re-open the public hearing on new information and receive presentation by county staff, the applicant, and receive public comment; and
 2. Close the public comment portion of the hearing; and
 3. Deliberate on the General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit; and
Make a motion to take the following actions
 4. Adopt the resolution (Resolution 23-___) (Attachment 1) to find the requirements of the California Environmental Quality Act have been complied with and adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit; and
 5. Adopt the resolution (Resolution 23-___) (Attachment 2) making findings in support of the General Plan Amendment and approving the General Plan Amendment to change a 9,000 square-foot portion of the property currently designated Residential Medium Density to Commercial General; and
 6. Adopt the resolution (Resolution 23-___) (Attachment 3) making findings in

support of the Zone Reclassification and approving the Zone Reclassification to change 1.42 acres of property from Neighborhood Commercial (C-1/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), 0.4 acres from Apartment Professional (R-4/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), and 0.5 acres from Neighborhood Commercial (C-1) to Qualified Neighborhood Commercial (C-1-Q); and

7. Adopt the Ordinance (Attachment 4) to approve Zone Reclassification and Qualified zoning of 1.42 acres on APN 015-111-006 from Neighborhood Commercial (C-1/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), 0.4 acres on APN 015-111-012 from Apartment Professional (R-4/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), and 0.5 acres on APN's 015-111-012, and 015-111-013 from Neighborhood Commercial (C-1) to Qualified Neighborhood Commercial (C-1-Q); and

8. Adopt the resolution (Resolution 23-___) (Attachment 5) which does the following:

a. Finds the Lot Line Adjustment and Conditional Use Permit comply with the General Plan and Zoning; and

b. Approves the Lot Line Adjustment between Assessor's Parcel Numbers 015-111-006, and 015-111-012, and 015-111-013; and

c. Approves the Conditional Use Permit (CUP) to develop Lucas & Myrtle Mini-Storage Center.

9. Direct the Clerk of the Board to give notice of the decision to J&J Family, LLC, the Planning and Building Department, and any other interested party.

Attachments:

[Staff Report](#)

[Attachment 1 Resolution Adopting Mitigated Negative Declaration.docx](#)

[Attachment 2 Resolution making findings in support of the General Plan Amendm](#)

[Attachment 3 Resolution making findings in support of the Zone Reclassification.](#)

[Attachment 4 Ordinance Adopting Rezone \(Revised\).docx](#)

[Attachment 5 Resolution adopting findings for approval of and approving CUP ar](#)

[Attachment 6 16400 Approved Site Plan 10.14.22.pdf](#)

[Attachment 6a 16400 Map Set 06.11.2020.pdf](#)

[Attachment 6b 16400 Wetland Delineation Report 2021.pdf](#)

[Attachment 7 16400 IS&MND 2022.pdf](#)

[Attachment 8 Referral Agency comments and recommendations.pdf](#)

[Attachment 9 CEQA Comment - Jason Whitcomb - Paye Lucas and Myrtle Mini :](#)

[Attachment 10 Planning Commission Resolution.pdf](#)

[Attachment 11 Zoning Ordinance Post Adoption Summaries.pdf](#)

[Resolution No. 23-31.pdf](#)

[Resolution No. 23-33.pdf](#)

[Resolution No. 23-32.pdf](#)

[Resolution No. 23-34.pdf](#)

[Ordinance 2710.pdf](#)

2. North McKay Ranch Subdivision Project
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 Ordinance No. _____, Ordinance Approving the Development Agreement Between Kramer Properties, Inc. and the County of Humboldt (PLN-9902-GPA; North McKay Ranch Subdivision Project (Attachment 3), and waive the first reading;
 2. Open the public hearing and receive the staff report, testimony by the applicant and public;
 3. Close the public hearing;
 4. Adopt the Resolution 23- ____ (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 directing Planning Staff to file a Notice of Determination; and
 5. Adopt the Resolution 23- ____ (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
 6. Adopt the Resolution 23- ____ (Attachment 2B) adopting findings in support of the Zone Reclassification; and
 7. Adopt the Resolution 23- ____ (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
 8. Adopt 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)), reclassifying approximately 18.5 acres of R-1 Residential One Family with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO), to Apartment Professional (R-4) with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO), and 2.2 acres of Residential One Family with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO) to Neighborhood Commercial (C-1) with combining zones indicating Planned

Unit Recommendation: Development (P), Recreation (R), and Greenway and Open Space (GO); and

9. 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; and

10. Actions Re: Development Agreement

a. Set the Ordinance Approving the Development Agreement for adoption March 14, 2023, or at least one week away from the date of the Board of Supervisors meeting at which the Ordinance is first introduced; and

b. 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 March 10, 2023 (at least five (5) days prior to the Board meeting at which the Ordinance will be adopted). [Government Code Section 25124 (b)(1)]; and

c. 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)].

Attachments:

- [Staff Report](#)
- [Attachment 1A - MMRP](#)
- [Attachment 1 - McKay CEQA BOS Reso findings.docx](#)
- [Attachment 1B Draft EIR north mckay ranch subdivision project](#)
- [Attachment 1C McKay Ranch Partial Recirc DEIR OCR](#)
- [Attachment 1D N McKay Ranch Subdivision FEIR](#)
- [Attachment 1E FEIR.Errata 1](#)
- [Attachment 1F Supplement to the FEIR](#)
- [Attachment 2 - Entitlement BOS Resolution Final](#)
- [Attachment 2- Entitlement Exhibit A Attachment 1 PW Conditions](#)
- [Attachment 2a McKay GPA BOS Resolution](#)
- [Attachment 2b McKay Rezone BOS Resolution](#)
- [Attachment 2b-i - Ordinance, Zone District Reclassification](#)
- [Attachment 2b-ii Post Adoption of Ordinance](#)
- [Attachment 3A McKay DA 2-25-22](#)
- [Attachment 3 - DA Ordinance.docx](#)
- [Attachment 3B McKay DA Exhibits](#)
- [Attachment 3C DA Pre-Adoption Summary](#)
- [Attachment 4 March 22, 2022 BOS Staff Report](#)
- [Attachment 3D DA Post-Adoption Summary.docx](#)
- [Attachment 4A Chandler email](#)
- [Resolution No. 23-35.pdf](#)
- [Resolution No. 23-36.pdf](#)
- [Resolution No. 23-37.pdf](#)
- [Resolution No. 23-38.pdf](#)
- [Ordinance No. 2709.pdf](#)
- [Public Comment - J-2.pdf](#)

K. DISCUSSION ITEMS

L. MATTERS SET FOR TIME CERTAIN

County Counsel

23-283

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 Elisabeth Schwab, et al. v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2201700

M. CLOSED SESSION

N. ADJOURNMENT

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 (476-2384), during normal business hours.

Persons wishing to file documentation on any agenda item for the official record must submit an original and nine (9) copies of each document to the Clerk of the Board of Supervisors, Room 111 of the County Courthouse, 825 5th Street in Eureka (476-2384). 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.)

The Chamber is wheelchair accessible, the accessible entrance to the Courthouse is the 4th Street entrance. Accessible parking is available adjacent to the 4th Street entrance and on the 4th Street side of the K Street lot. If you are a person with a qualified disability, and need a modification or accommodation to participate in this meeting, please contact the Clerk of the Board at (707) 476-2384, or (707) 445-7299 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.

BARRING ANY UNFORESEEN TECHNICAL DIFFICULTIES OR SCHEDULING CHANGES, REGULAR MEETINGS OF THE BOARD OF SUPERVISORS ARE BROADCAST LIVE ON SUDDEN LINK, CHANNEL 10, AND ARE REBROADCAST ON FRIDAY AT 6:30 P.M.

County of Humboldt Web Site: <http://humboldt.gov/>