

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, January 10, 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

- 4. 12:00 PM - (CLOSED SESSION) Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9(d)(2) and (e)(3) regarding exposure to litigation in three potential cases: claims for property tax refund from Pacific Bell, AT&T Mobility and T-Mobile West

This item was pulled from the agenda to be brought back to the January 24, 2023 Board of Supervisors meeting.

D. CONSENT CALENDAR

Approval of the Consent Agenda

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

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

Board of Supervisors

- 1. Proclaim January 2023 as National Mentoring Month in Humboldt County (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:
 I. Adopt the Proclamation

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

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

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

Recommendation: That the Board of Supervisors:
 I. Declare that a local emergency remains in effect, per Resolution 21-77, until February 7, 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.
 I. Authorize the Chair to sign the resolution re-authorizing the existence of a local emergency due to drought for the period of January 10, 2023 through February 7, 2023.

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

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

- 4. Appointment of Iver Skavdal to the Humboldt County Planning Commission Representing the First District (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:
 I. Receive and file the report

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

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

Clerk of the Board

- 5. Consider the Reappointments of Cyndy-Day Wilson, Dustin Owens, and Steven Loreus to the Humboldt County Law Library Board

Recommendation: That the Board of Supervisors:
 I. Reappoint Cyndy-Day Wilson, Dustin Owens, and Steven Loreus to the 2023 Humboldt County Law Library Board.

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

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

- 6. Appoint Brian Davis to the First Five Humboldt Commission

Recommendation: That the Board of Supervisors:
 I. Appoint Brian Davis to the First Five Commission

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

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

7. 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 January 10, 2023 through February 7, 2023..

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

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

8. Approval of the Action Summary - Meeting of December 6, 2022

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of December 6, 2022, 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 Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried by the following vote:

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

9. Approval of the Action Summary - Meeting of December 13, 2022

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of December 13, 2022, 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 Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried by the following vote:

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

10. Approval of the Action Summary - Meeting of December 22, 2022

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of Dec. 22, 2022, 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 Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried by the following vote:

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

11. Quarterly Report of Current and Projected Vacancies on Humboldt County Board of Supervisors Appointed Boards, Committees and Commissions

Recommendation: That the Board of Supervisors:

1. Receive and file the report

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

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

County Administrative Office

12. Veterans Buildings Stipend Payment Increase and Budget Transfer from Contingencies (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the attached Veterans stipend payment increases; and
2. Approve the attached budget transfer in the amount of \$4,935 for fiscal year 2022-2023 from General Fund Contingencies (4/5 vote required).

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

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

13. Professional Services Agreements with Shaw Yoder Antwih Schmelzer & Lange, Inc. and Paragon Government Relations Regarding the Provision of State and Federal Legislative Advocacy and Representation Services

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Shaw Yoder Antwih Schmelzer & Lange, Inc. regarding the provision of state legislative advocacy and representation services for the period of January 1, 2023 through December 31, 2025;
2. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Paragon Government Relations regarding the provision of federal legislative advocacy and representation services for the period of January 1, 2023 through December 31, 2025;
3. Authorize the County Administrative Officer, or a designee thereof, to execute any and all subsequent amendments to the attached professional service agreements with Shaw Yoder Antwih Schmelzer & Lange, Inc. and Paragon Government Relations, after review and approval by County Counsel and Risk Management; and
4. Direct the Clerk of the Board to return one (1) fully executed copy of each of the attached professional services agreements with Shaw Yoder Antwih Schmelzer & Lange, Inc. and Paragon Government Relations to the County Administrative Office for further processing.

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

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

14. Letter to Proceed with Preliminary Analysis to Consider an Advanced Energy Development Project and Mutual Non-Disclosure Agreement with Trane U.S. Inc. and Trane Technologies Company LLC

Recommendation: That the Board of Supervisors:

1. Approve, and ratify the County Administrative Officer's execution of, the attached Letter to Proceed with Preliminary Analysis to Consider an Advanced Energy Development Project and Mutual Non-Disclosure Agreement with Trane U.S. Inc. and Trane Technologies Company LLC; and
2. Authorize the County Administrative Officer, or a designee thereof, to execute any and all subsequent amendments to the attached Letter to Proceed with Preliminary Analysis to Consider an Advanced Energy Development Project and Mutual Non-Disclosure Agreement with Trane U.S. Inc. and Trane Technologies Company LLC, after review and approval of County Counsel and Risk Management.

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

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

Department of Health and Human Services: Behavioral Health

15. Resolution Authorizing Acceptance of Funding Made Available through the California Access to Technology Program and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution which authorizes the Department of Health and Human Services Director, or a designee thereof, to execute and deliver State of California Standard Agreement Number AT-2223-12, and any amendments thereto, along with any and all other agreements, certifications and documents necessary to accept and secure funding made available through the California Access to Technology Program;
2. Approve the attached Supplemental Budget in the amount of Three Hundred Seventy Thousand Four Hundred Sixty-Six Dollars (\$370,466.00) for Department of Health and Human Services - Social Services budget unit 1160-511(4/5 vote required); and
3. Direct the Clerk of the Board to return one (1) fully executed certified copy of the attached resolution to the Department of Health and Human Services - Contract Unit for submission to the California Department of Aging.

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

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

16. Application Process for Collaborative Partnership Agreements Regarding the Provision of Professional Services Intended to Reduce the Number of Adverse Childhood Experiences Occurring Within Humboldt County

Recommendation: That the Board of Supervisors:

1. Approve the attached collaborative partnership agreement application package;
2. Approve the attached collaborative partnership agreement templates regarding the provision of professional services intended to reduce the number of Adverse Childhood Experiences occurring within Humboldt County;
3. Authorize the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute collaborative partnership agreements that are substantially similar to the attached collaborative partnership agreement templates, and any subsequent amendments thereto, after review and approval by County Counsel, Risk Management and the County Administrative Office; and
4. Direct the Clerk of the Board to provide the Department of Health and Human Services - Contract Unit with one (1) fully executed copy of the Board Order regarding this item.

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

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

Human Resources

17. Appointment of an Appeal Panelist Under the Merit System Rules

Recommendation: That the Board of Supervisors:

1. Appoint Will Folger as the county representative appeal panelist

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

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

18. Ratification of a Side Letter of Agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 1684 Units 1 - 4 for Library Holidays

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to sign a Side Letter of Agreement with AFSCME Units 1 - 4 for Library Department Holiday Hours;
2. Authorize the Library Department to implement the provisions of the Side Letter with AFSCME Units 1 - 4 effective December 24, 2022;
3. Adopt Resolution No. _____ amending the Memorandum of Understanding (MOU) between the County of Humboldt and the American Federation of State, County and Municipal Employees (AFSCME) Local 1864 for Units 1-4.

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

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

19. Adopt the amended Job Specification for Correctional Work Crew Leader.

Recommendation: That the Board of Supervisors:

1. Adopt the amended job specification for Correctional Work Crew Leader (class 0427, salary range 405, bargaining unit 002) into the classification plan effective immediately;

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

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

Libraries

20. Supplemental Budget Request for County Library Budget Unit 1500-621 for a Municipal Resource Group (MRG) Classification Review (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the attached proposal from MRG for a classification review for the Department of Library Services; and
2. Approve the attached supplemental budget request for budget unit 1500-621 in the amount of \$22,468 for Fiscal Year (FY) 2022-23. (4/5 Vote Required)

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

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

Planning and Building Department

21. County of Humboldt Extraction Review Team (CHERT) Appointment of New Consultants

Recommendation: That the Board of Supervisors:

1. Appoint Geoff Hales, John Bair and Andrew Stubblefield to CHERT; and
2. Enter into contracts with each appointee pursuant to procedures for appointment, duties and compensation mechanism for CHERT members, Chapter 2 to Division 9 of Title III of the Humboldt County Code.

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

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

22. Submission of a Program Income Only Application to the California Department of Housing and Community Development's Community Development Block Grant Program to Continue Funding the Micro-Enterprise Technical Assistance Program.

Recommendation: That the Board of Supervisors:

1. Adopt the attached Resolution (Resolution 23-__) (Attachment 1) doing the following:
 - a. Approving submission of an application to the California Department of Housing and Community Development (HCD) Community Development Block Grant Program (CDBG) to use \$66,000 of Program Income on hand for the Micro-Enterprise Technical Assistance Program, with the ability to add Program Income as needed.
 - b. Authorizing and directing the Planning and Building Department Director to execute, in the name of the County of Humboldt, the application and all other documents required by HCD for a Program Income Application, the Standard Agreement and any amendments.

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

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

Public Works

24. Bid Award Authorization for Bridge Preventive Maintenance Project at Six Locations in Humboldt County

Recommendation: That the Board of Supervisors:

1. Receive and file the bid proposals submitted for Bridge Preventive Maintenance Project at Six Locations in Humboldt County;
2. Award the project agreement to Mercer-Fraser Company for the total amount of \$572,521;
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 \$41,126.

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

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

25. 1017 4th Street Escrow Extension

Recommendation: That the Board of Supervisors:

1. Approve Addendum No. 1 of the Purchase Agreement and Joint Escrow Instructions for the proposed purchase of 1017 4th Street; and
2. Authorize Director of Public Works to execute and date Addendum No. 1.

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

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

26. Local Transportation Fund Claim for Fiscal Year (FY) 2022-23

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached Local Transportation Fund Claim for FY 2022-23; and
2. Direct the Clerk of the Board to return a fully executed copy of the attached Local Transportation Fund Claim to the Department of Public Works for submittal to the Humboldt County Association of Governments.

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

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

27. Resolution Authorizing the Humboldt County Department of Public Works to Apply for, Accept and Administer, on behalf of the North Coast Resource Partnership, Proposition 1, Round 2 Integrated Regional Water Management Grant Funding Made Available by the California Department of Water Resources

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, accept and administer, on behalf of the North Coast Resource Partnership, Proposition 1, Round 2 Integrated Regional Water Management Grant funding made available by the California Department of Water Resources; and
2. Direct the Clerk of the Board to provide a fully executed certified copy of the attached resolution to the Humboldt County Department of Public Works for submission to the California Department of Water Resources.

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

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

Sheriff

28. Awarding of Request for Proposal (RFP) No. SHF-22-001, Humboldt County Sheriff's Patrol Boat and Trailer, for the Humboldt County Sheriff's Office to NW Bend Boats LLC, dba North River Boats (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Receive and file the RFP Vendor Response Scoring Document (Attachment 1) and bid proposals submitted for RFP No. SHF-22-001, Sheriff's Patrol Boat and Trailer (Attachments #2 and 3);
2. Award the RFP No. SHF-22-001, Sheriff's Patrol Boat and Trailer build project to North River Boats;
3. Authorize the Humboldt County Sheriff's Office (HCSO) to contract with North River Boats for the provision of the Sheriff's Patrol Boat and Trailer using a county standard agreement and authorize the Humboldt County Purchasing Agent to execute the negotiated agreement with North River Boats pending approval of the agreement by County Counsel, Risk, and the CAO's Office; and
4. Authorize the Sheriff, Undersheriff, or Deputy Director of Sheriff's Financial and Support Services to execute any future amendments or extensions of the agreement with North River Boats pending approval by County Counsel, Risk, and the CAO's Office.

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

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

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. SPECIAL PRESENTATIONS

G. ITEMS PULLED FROM CONSENT

23. A Resolution Authorizing the Submittal of a Regional Early Action Planning Grant Application to Establish a Regional Housing Trust Fund, a Regional Housing Catalyst Fund and to Conduct Regional Housing and Transportation Planning.

Recommendation: That the Board of Supervisors:

- I. Adopt the attached Resolution No. 23-____:
 - a. Authorizing an application to be submitted to the Department of Housing and Community Development (HCD) for the Tribal and Rural Allocation of the Regional Early Action Planning Grant Program (REAP 2.0) for \$2,680,000; and
 - b. Authorizing and directing the Planning and Building Department Director to execute in the name of the County of Humboldt the application, the Standard Agreement, and all other documents required by HCD for participation in the REAP 2.0 Program, and any amendments.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, that the recommendations be approved and to include the revised resolution that was presented at the meeting by Director Ford. The motion carried by the following vote:

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

3. Letter of Appreciation to Alan Bongio for His Service on the Humboldt County Planning Commission (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

- I. Authorize the Chair to sign the letter of appreciation.

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

H. MATTERS INITIATED BY BOARD MEMBERS

I. DEPARTMENT REPORTS

Auditor/Controller

1. Appointment to the Humboldt County Redevelopment Oversight Board

Recommendation: That the Board of Supervisors:

1. Appoint a Board representative to the Humboldt County Redevelopment Oversight Board.

A motion was made by Supervisor Bushnell, seconded by Supervisor Arroyo, to appoint Supervisor Bohn to the Humboldt County Redevelopment Oversight Board. The motion carried by the following vote:

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

Clerk of the Board

2. Appointment of Board Members to Various Boards, Commissions and Committees for Calendar Year 2023

Recommendation: That the Board of Supervisors:

1. Appoint Board Members to various Boards, Commissions and Committees for calendar year 2023.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, 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

3. Consider the At-Large Appointments to the Resource Conservation District Board

Recommendation: That the Board of Supervisors:

1. Consider the reappointment of Zach Cahill and Daniel Cohoon; and
2. Consider the new appointment of Jim Cotton to the existing vacancy.

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, 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

4. Consider Making the At-Large Appointment to the Assessment Appeals Board

Recommendation: That the Board of Supervisors:

1. Consider making the at-large appointment to the Assessment Appeals Board.

A motion was made by Supervisor Bohn, 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

County Administrative Office

5. Funding for Displaced Residents Impacted by Earthquakes and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Direct staff to develop an Earthquake Recovery & Assistance Program to provide aid to displaced residents impacted by the Dec. 20, 2022 earthquake and subsequent aftershocks;
2. Approve the attached supplemental budget (Attachment 1) in the amount of \$1 million to be allocated to the Earthquake Assistance 2022 budget unit (3232-120-204); and
3. Provide additional direction as needed.

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

Planning and Building Department

6. Introduction of Ordinance No. _____, an Ordinance of the Board of Supervisors of the County of Humboldt Amending Chapter 1 to Division 3 Of Title III of the Humboldt County Code, Incorporating by Reference Model Water Efficient Landscape Requirements, which Amends the Humboldt County Code, Section 331-11 - Incorporation of Uniform Codes by Reference, Incorporating by Reference the Model Water Efficient Landscape Ordinance (MWELo), Sections 490-495, Chapter 2.7, Division 2, Title 23 in the California Code of Regulations

Recommendation:

1. Introduce the attached ordinance by title and waive the first reading;
2. Set the ordinance for adoption at least 1 week from today's meeting;
3. Find this ordinance is exempt from CEQA (California Public Resources Code Section 21000 et seq.) review under a Class 7 Categorical Exemption, pursuant to CEQA Guidelines Section 15307 (14 Cal. Code Regs., ? 15307) which exempts actions taken to assure the maintenance, restoration, enhancement, or protection of a natural resource, where the regulatory process involves procedures for protection of the environment, because adoption of the updated MWELo assures the protection of water resources;
4. Direct the Clerk of the Board to publish the required pre-adoption summary of the ordinance and to post a certified copy of the full text of the proposed ordinance in the office of the Clerk of the Board, both the 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)];
5. Direct the Clerk of the Board, within 15 days after the adoption of the ordinance, to publish a post-adoption summary of the Ordinance with the names of the Supervisors voting for and against the against the ordinance [Government Code Section 25124 (b)(1)].

A motion was made by Supervisor Wilson and seconded by Supervisor Arroyo to approve staff recommendations as submitted and to direct staff to come back with possible other considerations for native plants to a date uncertain. The motion carried with the following vote:

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

J. PUBLIC HEARINGS

Planning and Building Department

1. Hunter Ranch Agricultural Preserve and Zone Reclassification

Recommendation: That the Board of Supervisors:

1. Introduce Ordinance No. ____ by title and waive further reading;
2. Open the public hearing, receive and consider the staff report, the Planning Commission's findings and accept public comment;
3. Close the public hearing;
4. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15317 (open space contracts) and 15061(b)(3) and direct department staff to file a Notice of Exemption;
5. Adopt Ordinance No. ____ amending section 311-7 of the Humboldt County Code by reclassifying property within the proposed Hunter Ranch Agricultural Preserve currently zoned Unclassified and Agriculture Exclusive to Agriculture Exclusive with a Special Building Site combining zone specifying a minimum lot size of 160 acres (AE B-5(160));
6. Direct the Clerk of the Board to publish a summary of the zoning changes withing 15 days of the date of the hearing (Attachment B);
7. Adopt Resolution No. ____ forming the Hunter Ranch Agricultural Preserve (Attachment 3);
8. Adopt Resolution No. ____ making all required findings for approval of the zone reclassification (Attachment 6); and
9. Direct the Chair to execute the Hunter Ranch Land Conservation Contract (Attachment 4).

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

2. Hansen Family Agricultural Preserve and Zone Reclassification

Recommendation: That the Board of Supervisors:

1. Introduce Ordinance No. ____ by title and waive further reading;
2. Open the public hearing, receive and consider the staff report, the Planning Commission's findings and accept public comment;
3. Close the public hearing;
4. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15317 (open space contracts) and 15061(b)(3) and direct Department staff to file a Notice of Exemption;
5. Adopt Ordinance No. ____ amending section 311-7 of the Humboldt County Code by reclassifying property within APN 106-111-002 currently zoned Unclassified to Agriculture Exclusive;
6. Direct the Clerk of the Board to publish a summary of the zoning changes within 15 days of the date of the hearing (Attachment 2);
7. Adopt Resolution No. ____ forming the Hansen Family Agricultural Preserve (Attachment 3);
8. Adopt Resolution No. ____ making all required findings for approval of the zone reclassification (Attachment 6); and
9. Direct the Chair to execute the Hansen Family Land Conservation Contract (Attachment 4).

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

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

Recommendation: That the Board of Supervisors:

1. Open the public hearing 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 Initial Study/Mitigated Negative Declaration 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 Zone Reclassification 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 Ordinance (Attachment 3) to approve Zone Reclassification for a 9,000 square foot portion of the property currently zoned R-4 to C-1, Neighborhood Commercial; and
7. Adopt the resolution (Resolution 23-___) (Attachment 4) which does the following:
 - a. Finding 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.
8. 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.

A motion was made by Supervisor Arroyo, seconded by Supervisor Bushnell, to amend staff recommendations as listed below:

1. *Direct staff to continue this item to an undetermined date in the future, before the end of February 2023, to allow staff to discuss with the property owner the options of having an overlay on the re-zoning request. This is a request from the Board; therefore, any additional cost incurred during this process will not be charged to the property owner.*

The motion carried by the following vote:

Aye: 3 - Mike Wilson, Natalie Arroyo, and Steve Madrone

Nay: 2 - Rex Bohn, and Michelle Bushnell

K. DISCUSSION ITEMS

L. MATTERS SET FOR TIME CERTAIN

Board of Supervisors

1. 9:30 AM - Recognition of the Humboldt County Building Inspectors for Their Efforts During the December 20, 2022, Earthquake Response (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Recognize the individuals who assisted during the earthquake emergency response.

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

County Administrative Office

2. 11:30 AM - Adoption of 2023 State and Federal Legislative Platforms

Recommendation: That the Board of Supervisors:

1. Provide input and direction to staff as desired regarding the proposed state and federal legislative platforms for 2023;
2. Provide input and direction to staff as desired on federal policy issues to receive priority federal advocacy services;
3. Provide input and direction to staff as desired on state issues to receive priority state advocacy services;
4. Adopt the proposed state and federal legislative platforms, incorporating any changes desired by the Board, as the final platforms for 2023;
5. Direct the County Administrative Officer to submit the final version of the state legislative platform to Governor Gavin Newsom, Assembly Member Jim Wood, State Senator Mike McGuire, California State Association of Counties, Rural County Representatives of California and Shaw/Yoder/Antwih/Schmelzer/Lange;
6. Direct the County Administrative Officer to submit the final version of the federal legislative platform to President Joe Biden, Vice President Kamala Harris, U.S. Representative Jared Huffman, U.S. Senator Dianne Feinstein and National Association of Counties and Paragon Government Relations; and
7. Authorize and direct the County Administrative Officer to advocate as needed to support the county's legislative platform, and resolutions adopted by the Board, during 2023.

A motion was made by Supervisor Bushnell, seconded by Supervisor Arroyo, to direct staff to work with the Board on changes and to bring this item back to the 1/24/2023 Board Meeting.

The motion carried by the following vote:

Aye: 4 - Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

Nay: 1 - Rex Bohn

County Counsel

3. 12:00 PM - (CLOSED SESSION) Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Steven A. Santos v. County of Humboldt, Case No. 1:22-cv-07485-RMI

The Board voted 4-1 to authorize the Risk Manager to enter into agreement with Liebert, Cassidy and Whitmore to defend the case. Supervisors Bushnell, Madrone, Wilson and Arroyo voted yes and Supervisor Bohn voted no.

5. 2:30 PM - (CLOSED SESSION) Conference with Legal Counsel – pursuant to Government Code

Section 54956.9(d)(1) to discuss an inquiry by the California State Bar, Case No. 22-O-03375

The Board unanimously voted to authorize the Risk Manager to enter into agreement with Banks and Watson for the defense of this case.

M. CLOSED SESSION

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.



01/10/2023