

BOARD OF SUPERVISORS

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



COUNTY STAFF

AMY S. NILSEN  
County Administrative Officer  
JEFFREY S. BLANCK  
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, November 19, 2019

9:00 AM

Regular Meeting

- 
- A. SALUTE TO THE FLAG**  
**B. MODIFICATIONS TO THE AGENDA**  
**C. CONSENT CALENDAR**

**Board of Supervisors**

1. Proclaim November 2019 as Adoption Awareness Month (Supervisor Rex Bohn)

**Recommendation:** That the Board of Supervisors:  
1. Adopt the proclamation.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

2. Letter of Appreciation to Dr. Hollie Hall for Her Service on the Cannabis Micro Grant and Loan Advisory Committee (Supervisor Mike Wilson)

**Recommendation:** That the Board of Supervisors:

1. Receive and file the report.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

### Clerk of the Board

3. Local Appointments List for 2020

**Recommendation:** That the Board of Supervisors:

1. Receive said list; direct the Clerk of the Board to send a copy of said list to the Humboldt County Library, Eureka Main Branch pursuant to Government Code Section 54973; and that the Board hereby designate the Humboldt County Library, Eureka Main Branch, as the public library required to receive a copy of such list.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

4. 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 Wilson, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

5. Approval of the Action Summary - Meeting of November 12, 2019

**Recommendation:** That the Board of Supervisors:

1. Approve the Action Summary for the meeting of November 12, 2019, 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 Bass, that the recommendations be approved. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**County Administrative Office**

6. Memorandum of Understanding between the Humboldt County Workforce Development Board and the America's Job Center of California Operators

**Recommendation:** That the Board of Supervisors:

1. Receive and ratify the Memorandum of Understanding (MOU) between the Humboldt County Workforce Development Board (HC-WDB) and America's Job Center of California (AJCC) partners.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

7. Humboldt County Learning Site Agreement with Humboldt State University

**Recommendation:** That the Board of Supervisors:

1. Approve the Student Placement Agreement with Humboldt State University for student placements with various Humboldt County departments for the term ending December 31, 2025; and
2. Authorize the County Administrative Officer (CAO) to execute one (1) copy of the Learning Site Agreement.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Department of Health and Human Services: Administration**

8. Amended Project Addenda to the Master Health Information Exchange Organization Participation Agreement with North Coast Health Improvement and Information Network Dated June 12, 2018

**Recommendation:** That the Board of Supervisors:

1. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute amended project addenda to the master health information exchange organization participation agreement with North Coast Health Improvement and Information Network dated June 12, 2018, in order to include the costs associated with licensure and platform development and maintenance therein and increase the maximum amount payable thereunder, after review and approval by County Counsel, Risk Management and the County Administrative Office.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Department of Health and Human Services: Mental Health**

9. Professional Services Agreement with Alcohol Drug Care Services, Inc. Regarding the Provision of Residential Substance Use Disorder Counseling and Detoxification Services to Eligible Humboldt County Residents

***Recommendation:*** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Alcohol Drug Care Services, Inc. regarding the provision of residential substance use disorder counseling and detoxification services for the period of Sept. 1, 2019 through Feb. 29, 2020;
2. Authorize the Department of Health and Human Services - Mental Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Alcohol Drug Care Services, Inc. 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 professional services agreement with Alcohol Drug Care Services, Inc. to the Department of Health and Human Services - Contract Unit for further processing.

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

**Aye:** 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**10. Professional Services Agreement with Humboldt Recovery Center, Inc. Regarding the Provision of Residential Substance Use Disorder Treatment and Counseling Services to Eligible Humboldt County Residents**

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Humboldt Recovery Center, Inc. regarding the provision of residential substance use disorder treatment and counseling services to eligible Humboldt County Residents for the period of Sept. 1, 2019 through June 30, 2020;
2. Authorize the Department of Health and Human Services - Mental Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Humboldt Recovery Center, Inc. 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 professional services agreement with Humboldt Recovery Center, Inc. to the Department of Health and Human Services - Contract Unit for further processing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Department of Health and Human Services: Public Health**

**11. Grant Agreement with California Department of Public Health to Implement the Housing Opportunities for Persons with AIDS/HIV for the Term of July 1, 2019 through June 30, 2023**

**Recommendation:** That the Board of Supervisors:

1. Approve Grant Agreement #19-10513 with California Department of Public Health (CDPH) for \$340,524 for the term of July 1, 2019 through June 30, 2023;
2. Authorize the Director of Public Health, or designee, to sign four (4) original copies of the agreement and required certifications;
3. Authorize the Director of Public Health, or designee, to sign all amendments and documents directly related to Grant Agreement #19-10513 upon review and approval of County Counsel and Risk Management; and
4. Direct the Clerk of the Board to return one (1) copy of the certified board report to the Department of Health and Human Services (DHHS) - Contract Unit.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Libraries**

12. Fiscal Year 2019-20 Supplemental Budget Request for County Library Budget Unit 1500-621 (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Approve the attached supplemental budget request for budget unit 1500-621 in the amount of \$10,000 in fiscal year 2019-20 and the purchase of a replacement hot water heater (4/5 Vote Required).

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Planning and Building Department**

13. Reclassify Current Senior Office Assistant to Executive Secretary (M/C)

**Recommendation:** That the Board of Supervisors:

1. Approve correction of the position classification for the 1.0 FTE Senior Office Assistant from salary range 348, class 0163, Step E, unit 01 in budget unit 277 to a 1.0 FTE Executive Secretary (M/C), salary range 390, class 0167, Step A, unit 08 and reclassify the incumbent, Suzanne Lippre, in budget unit 277 effective retroactively to November 21, 2018.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

14. Pre-development Loan for Murray Apartments Rehabilitation

**Recommendation:** That the Board of Supervisors:

1. Authorize the use of unrestricted repaid housing funds to make a pre-development loan; and
2. Authorize the Planning and Building Director to sign loan documents for a pre-development loan to Redwood Community Action Agency after review and approval from County Counsel and Risk Management.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Probation**

15. Professional Services Agreement between County of Humboldt and Narum Clinical Services for Sex Offender Treatment Services

**Recommendation:** That the Board of Supervisors:

1. Approve the professional services agreement with Narum Clinical Services for sex offender treatment services in an amount not to exceed \$60,000 (Attachment 1); and
2. Direct the Clerk of the Board to return two executed agreements to Elisha Hardison, Legal Office Business Manager, Probation.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Public Defender**

16. Allocation of 1.0 Full-Time Equivalent (FTE) Social Worker III and approve a Supplemental Budget Request for Fiscal Year 2019-20 (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Allocate 1.0 FTE Social Worker III, (Class 0727, Salary Range 400, bargaining unit 004) in budget unit 219, amending Appendix A of the July 1, 2017- June 30, 2020 American Federation of State, County & Municipal Employees (AFSCME) Memorandum of Understanding classification plan effective immediately following approval; and
2. Adopt the attached fiscal year 2019-20 supplemental budget and direct the Auditor-Controller to perform the budget adjustment in the amount of \$93,900.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Public Works**

17. License Agreement with Kneeland Elementary School District for the Kneeland Elementary School District Storage Site, APN 314-131-013

**Recommendation:** That the Board of Supervisors:

1. Authorize the Chair of the Board to sign, in triplicate, the License Agreement between the County of Humboldt and Kneeland Elementary School District (Attachment 1); and
2. Direct the Clerk of the Board to return two executed License Agreements to the Department of Public Works Land Use Division for further processing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

18. Accept Completed Contracts for Storm Damage Repair to Harris Road (8B020) Post Mile 1.16 and Steelhead Road (8C080) Post Mile 1.00; Federal Project Number FEMA 4301-DR-CA PW-1048; Contract Numbers 217382 and 217343

**Recommendation:** That the Board of Supervisors:

1. Accept the completed contracts, including all change orders approved by the Public Works Department, between Van Meter Logging, Inc., and Humboldt County for construction of Storm Damage Repair to Harris Road (8B020) Post Mile 1.16 and Steelhead Road (8C080) Post Mile 1.00; and
2. Approve the final claims for payment, as submitted by the Public Works Department to the Auditor/Controller, in the amounts of \$500 for Harris Road and \$523.24 for Steelhead Road, which will bring the total amount paid to 100 percent of the contract.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

19. Transfer 1.0 Full-time Equivalent (FTE) Public Works Dispatcher Position (M/C) and one (1) Extra Help Public Works Dispatcher Position from Roads-Maintenance to Roads Administration, and Supplemental Budget (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Transfer 1.0 FTE Public Works Dispatcher position (M/C) (salary range 361, class 0129) and one (1) Extra Help Public Works Dispatcher position (salary range 361, class 0129) from fund 1200, budget unit (BU) 325- Roads-Maintenance to fund 1200, BU 320- Roads Administration, effective the next pay period following approval; and
2. Approve the supplemental budget (Attachment 1) transferring funding for these positions from 1200-325 Roads-Maintenance to 1200-320 Roads-Administration.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

20. Request to Use Humboldt County Public Works - Road's Equipment in the 31st Annual Truckers' Christmas Parade

**Recommendation:** That the Board of Supervisors:

1. Authorize the use of Humboldt County Public Works - Road's equipment in the 31st Annual Truckers' Christmas Parade on Saturday, December 14, 2019.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone



21. Purchase of One Portable Generator, Authorization to Enter into Purchase Agreement and Approve the Supplemental Budget (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Authorize the purchase of one portable generator;
2. Authorize the Purchasing Agent to enter into a purchase agreement with Pape Machinery;
3. Approve the attached supplemental budget for Facility Management 1100162 for Fiscal Year (FY) 2019-20 (4/5 vote required).

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

### Sheriff

22. Establishing Fixed Asset Line for Budget Unit 221400 Sheriff Coroner's Office

**Recommendation:** That the Board of Supervisors:

1. Approve an appropriations transfer request establishing a fixed asset line in FY 2019-20 Budget Unit 221400 Coroner's Office for purchase of a gurney power lift (Attachment 1).

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

### Treasurer/Tax Collector

23. Second Amendment to Airbnb Voluntary Collection Agreement (VCA)

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute a Second Amendment to the Voluntary Collection Agreement (VCA) with Airbnb, Inc. to stop the collection of the Humboldt County Tourism Business Improvement District (HCTBID) Assessments (Attachment 1).

*This item was pulled from consent for discussion.*

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Steve Madrone

Nay: 1 - Mike Wilson

## **D. ITEMS PULLED FROM CONSENT**

**E. PUBLIC COMMENT ON NON-AGENDA ITEMS****F. SPECIAL PRESENTATIONS****G. MATTERS INITIATED BY BOARD MEMBERS****Board of Supervisors**

1. Resolution Designating the Second Monday in October of Each Year as Indigenous Peoples' Day in Humboldt County (Supervisor Steve Madrone)

**Recommendation:** That the Board of Supervisors:  
1. Consider adopting the Resolution.

*A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to adopt the Resolution designating the second Monday in October of each year as Indigenous Peoples' day in Humboldt County. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

2. Letter of Support to the California Public Utilities Commission regarding the Pacific Gas and Electric Bankruptcy (Supervisor Mike Wilson)

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

*A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved and the letter modified as discussed. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**H. DEPARTMENT REPORTS****Clerk of the Board**

1. Appointment of Chair and Vice Chair for the Board of Supervisors - Calendar Year 2020

**Recommendation:** That the Board of Supervisors:  
1. Appoints a Chair and Vice Chair for the Board of Supervisors for Calendar Year 2020.

*A motion was made by Supervisor Bohn, seconded by Supervisor Bass, to appoint Supervisor Fennell as the Chair and Supervisor Wilson as the Vice Chair for the Board of Supervisors for Calendar year 2020. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**County Administrative Office****2. Memorandums of Understanding Regarding the Allocation of Measure Z Funding for Fiscal Year 2019-2020*****Recommendation:*** That the Board of Supervisors:

1. Approve, and authorize the County Administrative Officer, or a designee thereof, to execute, the attached memorandums of understanding with the City of Arcata, City of Eureka, City of Ferndale, City of Fortuna, K'ima:w Medical Center, Orleans Volunteer Fire District, Redwood Community Radio and Southern Trinity Area Rescue regarding the allocation of Measure Z funding for the period of July 1, 2019 through June 30, 2020, as approved by the Board during the fiscal year 2019-2020 annual Measure Z funding application process;
2. Approve, and authorize the County Administrative Officer, or a designee thereof, to execute substantially similar versions of, the attached memorandums of understanding with the City of Rio Dell, Eel River Cleanup Project and Humboldt County Fire Chiefs' Association regarding the allocation of Measure Z funding for the period of July 1, 2019 through June 30, 2020, as approved by the Board during the fiscal year 2019-2020 annual Measure Z funding application process, after review and approval by County Counsel and Risk Management;
3. Authorize the County Administrative Officer, or a designee thereof, to execute any and all subsequent amendments to the attached memorandums of understanding with the City of Arcata, City of Eureka, City of Ferndale, City of Fortuna, City of Rio Dell, Eel River Cleanup Project, Humboldt County Fire Chiefs' Association, K'ima:w Medical Center, Orleans Volunteer Fire District, Redwood Community Radio and Southern Trinity Area Rescue, after review and approval by County Counsel and Risk Management;
4. Authorize the County Administrative Officer, or a designee thereof, to execute any and all future memorandums of understanding regarding the allocation of Measure Z funding following the Board's annual funding recommendations, and any amendments thereto, after review and approval by County Counsel and Risk Management; and
5. Receive the attached letter from the Measure Z Citizen Advisory Committee requesting a meeting with a subcommittee of your Board to discuss concerns relating to ongoing funding and allocation trends and provide direction to staff on a response.

***A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, to approve staff recommendations and direct staff to return with a report on 12/10/2019 about modifying the allocation process of Measure Z funds. The motion carried by the following vote:***

**Aye:** 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

3. Approval of Amended Administrative Regulations Regarding Collection of the Humboldt County Commercial Marijuana Cultivation Tax and Consideration of Potential Tax Incentives for Solar and Clean Renewable Energy, Road Improvements and Small Cultivators

**Recommendation:** That the Board of Supervisors:

1. Approve the amended administrative regulations regarding collection of the Humboldt County Commercial Marijuana Cultivation Tax; and
2. Direct staff to return to the Board with appropriate documentation to implement recommended tax incentives for solar and clean renewable energy, road improvements and small cultivators.

*A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve staff recommendations and add a three year sunset clause on tax incentives number one and two. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

### **Planning and Building Department**

4. Introduction of Ordinance Amending County Code relative to Code Enforcement Procedures Relating to Public Nuisances, Abatement and Penalties

**Recommendation:** That the Board of Supervisors:

1. Introduce the proposed ordinance amending Section 351-6 of Chapter 1, Division 5, Title III, and Sections 352-3, 352-4, 352-56, 352-8 and 352-13 of Chapter 2, Division 5, Title III of Humboldt County Code (HCC) relating to public nuisances, abatement and penalties by title and waive the first reading;
2. Set the ordinance for adoption on December 10, 2019, or at least one week from this hearing date;
3. Direct the Clerk of the Board to publish a Summary for Publication prior to adoption of ordinance. The summary shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the proposed ordinance is to be adopted (Government Code section 25124(b)(1));
4. Direct the Clerk of the Board, within fifteen (15) days after adoption of the ordinance, to publish a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance (Government Code section 25124(b)(1)); and
5. Direct staff to file the attached Notice of Exemption with the Humboldt County Clerk in accordance with the requirements of the California Environmental Quality Act.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**I. PUBLIC HEARINGS****Planning and Building Department**

1. The Hawk Valley Farms, LLC Appeal of the Planning Commission Denial of The Hawk Valley Farms, LLC Conditional Use Permit to Allow 43,560 Square Feet of Outdoor Commercial Cannabis Cultivation Operations

**Recommendation:** That the Board of Supervisors:

1. Open the public hearing and survey the audience for any concerned members of the public that can not attend the January 14, 2020 public hearing; and
2. Continue the appeal hearing to the January 14, 2020 Board of Supervisors hearing, to be heard as a time certain matter at 1:30 p.m.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Public Works**

2. Speed Hump with Raised Crosswalk on Peninsula Drive (County Road No. 3K905) near the Manila Community Center

**Recommendation:** That the Board of Supervisors:

1. Open the public hearing regarding the installation of a speed hump with a raised crosswalk on Peninsula Drive near the Manila Community Center in the Manila area, receive public testimony, and close the public hearing; and
2. Based upon the public testimony, approve or deny the request for the installation of a speed hump with a raised crosswalk on Peninsula Drive near the Manila Community Resource Center.

***A motion was made by Supervisor Bass, seconded by Supervisor Wilson, to approve the request for the installation of a speed hump with a raised crosswalk on Peninsula Drive near the Manila Community Resource Center. The motion carried by the following vote:***

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

3. Speed Hump with Raised Crosswalk on Hiller Road (County Road No. C3L080) at the Hammond Trail Crossing in the McKinleyville Area

**Recommendation:** That the Board of Supervisors:

1. Open the public hearing regarding the installation of a speed hump with a raised crosswalk on Hiller Road at the Hammond Trail crossing in the McKinleyville area, receive public testimony, and close the public hearing; and
2. Based upon the public testimony, approve or deny the request for the installation of a speed hump with a raised crosswalk on Hiller Road at the Hammond Trail crossing in the McKinleyville area and waiver of the fee for the Encroachment Permit.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bass, to approve the request for the installation of a speed hump with a raised crosswalk on Hiller Road at the Hammond Trail crossing in the McKinleyville area and waiver of the fee for the Encroachment Permit. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

## J. DISCUSSION ITEMS

## K. MATTERS SET FOR TIME CERTAIN

### Board of Supervisors - Closed Session

1. 11:30 a.m. - Pursuant to Government Code sections 54954.5 and 54957, to consider a Public Employee Performance Evaluation for the position of the County Counsel.  
*The Board of Supervisors met in conference pursuant to Government Code sections 54954.5 and 54957, to consider a Public Employee Performance Evaluation for the position of the County Counsel. There was no action to report.*
2. 11:30 a.m. - A conference with legal counsel pursuant to Government Code section 54956.9(d)(1) in the matter of Jeffrey S. Blanck v. County of Humboldt et al. – case number CV190389.  
*The Board of Supervisors met in conference with legal counsel pursuant to Government Code section 54956.9(d)(1) in the matter of Jeffrey S. Blanck v. County of Humboldt et al. – case number CV190389. There was no action to report.*
3. 11:30 a.m. - A conference with legal counsel pursuant to Government Code section 54956.9(d)(1) in the matter of Jeffrey S. Blanck v. County of Humboldt et al. – case number 1:19-cv-3055.  
*The Board of Supervisors met in conference with legal counsel pursuant to Government Code section 54956.9(d)(1) in the matter of Jeffrey S. Blanck v. County of Humboldt et al. – case number 1:19-cv-3055. There was no action to report.*
4. 11:30 a.m. - A conference with legal counsel pursuant to paragraph 1 of Government Code section 54956.9(d) in the matter of Jeffrey S. Blanck v. Lisa Dematteo et al.; case number DR190340.  
*The Board of Supervisors met in conference with legal counsel pursuant to paragraph 1 of Government Code section 54956.9(d) in the matter of Jeffrey S. Blanck v. Lisa Dematteo et al.; case number DR190340. There was no action to report.*

5. 11:30 a.m. - A conference with legal counsel pursuant to Government Code section 54956.9(d)(1) in the matter of United States of America ex rel. Doe v. Humboldt County – case number 17-CV-05090-RMI.

*The Board of Supervisors met in conference with legal counsel pursuant to Government Code section 54956.9(d)(1) in the matter of United States of America ex rel. Doe v. Humboldt County – case number 17-CV-05090-RMI. There was no action to report.*

**County Administrative Office**

6. 1:30 p.m. - Pension Rate Stabilization Program Update from Public Agency Retirement Services

**Recommendation:** That the Board of Supervisors:

1. Receive a report on the county's Pension Rate Stabilization Program (PRSP) from Public Agency Retirement Services (PARS) and staff.

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

**Aye:** 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**Planning and Building Department**

7. 2:30 p.m. - Industrial Hemp Land Use Ordinance  
Project # PLN-2019-15590

***Recommendation:*** That the Board of Supervisors:

1. Introduce by title and waive further reading of Ordinance No. \_\_\_\_ [Attachment 3], adding section 313-55.5 (Industrial Hemp Activities in the Coastal Zone) to Chapter 3 of Division 1 of Title III of the County Code;
2. Introduce by title and waive further reading of Ordinance No. \_\_\_\_ [Attachment 4], adding section 314-55.5 (Industrial Hemp Activities in the Non-Coastal Areas) to Chapter 4 of Division 1 of Title III of the County Code;
3. Open the public hearing and receive the staff report and public testimony;
4. Close the public hearing and consider the Planning Commission's recommendations and alternatives for allowing Industrial Hemp activities within the unincorporated areas of Humboldt County; and
5. Adopt the proposed ordinances by taking the following actions:
  - a. Adopt Resolution No. \_\_\_\_ [Attachment 1] A Resolution of the Board of Supervisors of the County of Humboldt finding that the project is exempt from environmental review and making findings pursuant to Humboldt County Code Section 312-50 concerning adoption of zoning ordinance amendments and consistency with the Coastal Act to prohibit cultivation, processing, manufacturing and distribution of hemp, and transmitting the coastal zoning ordinance, including all necessary supporting documentation, to the California Coastal Commission as an amendment to the certified Local Coastal Program for their review and certification in accordance with Public Resources Code Section 30514; and
  - b. Adopt Resolution No. \_\_\_\_ [Attachment 2] A Resolution of the Board of Supervisors of the County of Humboldt finding that the project is exempt from environmental review and making findings pursuant to Humboldt County Code Section 312-50 concerning adoption of zoning ordinance amendments to prohibit cultivation, processing, manufacturing and distribution of hemp outside the coastal zone.
  - c. Adopt Ordinance No. \_\_\_\_ [Attachment 3] approving the proposed Coastal Zoning Ordinance changes adding section 313-55.5 (Industrial Hemp Activities in the Coastal Zone) to Chapter 3 of Division 1 of Title III of the County Code; and
  - d. Adopt Ordinance No. \_\_\_\_ [Attachment 4] approving the proposed Inland Zoning Ordinance changes adding section 314-55.5 (Industrial Hemp Activities in the Non-Coastal Areas) to Chapter 4 of Division 1 of Title III of the County Code; and
  - e. Direct the Clerk of the Board to publish Summaries of the Ordinances within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against each ordinance [Attachments 7 and 8] and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of each adopted ordinance along with the names of those Supervisors voting for and against the ordinance; and
  - f. Direct Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

*A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to not adopt the ordinance and to direct staff to pursue alternative number three. The motion carried by the following vote:*



Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

**L. 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*


  
\_\_\_\_\_  
NOVEMBER 20, 2019




MINUTES  
TUESDAY, NOVEMBER 19, 2019  
Regular Session

The Honorable Board of Supervisors of the County of Humboldt met in regular session on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Tuesday, December 10, 2019 with the vote as shown below.

AYES: Supervisors: Fennell, Bohn, Wilson, Madrone, Bass  
NAYS: Supervisors: --  
ABSENT: Supervisors: --

  
\_\_\_\_\_  
RYAN SHARP  
Deputy Clerk of the Board

  
\_\_\_\_\_  
REX BOHN  
Chair of the Board