

BOARD OF SUPERVISORS

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



COUNTY STAFF

AMY S. NILSEN
County Administrative Officer
JEFFERSON BILLINGSLEY
County Counsel
KATHY HAYES
Clerk of the Board

**BOARD OF SUPERVISORS
COUNTY OF HUMBOLDT**

**825 FIFTH STREET
EUREKA, CA 95501
SUPERVISORS' CHAMBER, FIRST FLOOR**

ACTION SUMMARY

Tuesday, March 16, 2021

9:00 AM

Regular Meeting - Virtual

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

Email Public Comment:

To submit public comment to the Board please email cob@co.humboldt.ca.us, provide your name and the agenda item number(s) on which you wish to comment. All public comment submitted after the agenda has been published will be included with the administrative record after the fact.

Zoom Public Comment:

When the Board of Supervisors announce the agenda item that you wish to comment on, call the conference line and turn off your TV or live stream. Please call 669-900-9128, enter Meeting ID 999 5261 9307 and press star () 9 on your phone, this will raise your hand. You'll continue to hear the Board meeting on the call.*

When it is time for public comment on the item you wish to speak on, the Clerk of the Board of Supervisors staff will unmute your phone. You'll hear a prompt that will indicate your phone is unmuted. Staff will then ask you to state your name and begin your comment. You will have 3 minutes to comment.

*You may access the live stream of the meeting by using the following link:
<https://humboldt.legistar.com>*

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 disabilities as required under the Americans with Disabilities Act (ADA). 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

A. ROLL CALL

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

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

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

Board of Supervisors

1. 2021 Tsunami Preparedness Proclamation (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:

1. Adopt the proclamation.

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

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

2. Proclaim March 2021 as Social Workers Appreciation Month in Humboldt County (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:

1. Adopt the Proclamation.

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

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

3. Appoint Datso Perkins to the Human Rights Commission Representing the Second District (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Receive and file the report.

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

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

4. Appoint Mark Distefano to the Forestry Review Committee Representing the Second District (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Receive and file the report.

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

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

5. Letter in Support of Increased State Funding to Protect Drinking Water Supplies in and Around the Eureka Area (Supervisor Mike Wilson and Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the letter of support.

A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, that the recommendations be approved with the modification as discussed. The motion carried by the following vote:

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

Clerk of the Board

6. Approval of the Action Summary - Meeting of March 9, 2021

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of March 9, 2021 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

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

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

County Administrative Office

7. Board of Supervisors Supplemental Budget Request to Support McKinleyville Municipal Advisory Committee (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve a supplemental budget in budget unit 1100-101 (Board of Supervisors) in the amount of \$3,000 to support McKinleyville Municipal Advisory Committee (MMAC). (4/5 vote required)

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

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

Department of Health and Human Services: Administration

8. Professional Services Agreement with the City of Eureka Regarding the Provision of Rental Assistance, Case Management and Supportive Services to Individuals and Families Who Are Experiencing Homelessness in Humboldt County

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with the City of Eureka regarding the provision of rental assistance, case management and supportive services to individuals and families who are experiencing homelessness in Humboldt County for the period of March 16, 2021 through March 15, 2023;
2. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with the City of Eureka, 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 the City of Eureka to the Department of Health and Human Services - Contract Unit for further processing.

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

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

Probation

9. Mutual Aid Agreement between County of Mendocino and County of Humboldt for the Mutual Provision of Temporary Secure Non-Exclusive Detention Space for Detained youth during an Emergency Evacuation

Recommendation: That the Board of Supervisors:

1. Approve the attached Mutual Aid Agreement between County of Mendocino and County of Humboldt; and
2. Direct the Clerk of the Board to return two signed copies of the agreement to Chief Probation Officer Shaun Brenneman.

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

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

Public Works

10. Storm Damage Repair to Alderpoint Road (F6B165) Post Miles 21.8, 22.8 and 23.0-23.05

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Alderpoint Road (F6B165) Post Miles 21.8, 22.8 and 23.0-23.05 Storm Damage Repair Project; and
2. 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 20, 2021 at 2:00 p.m.

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

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

11. A Resolution Supporting the Development of United States Bike Route 95 (USBR 95) and Designating Certain County Roads as Part of USBR 95

Recommendation: That the Board of Supervisors:

1. Adopt the resolution in support of the development of USBR 95 and designating certain county roads to be made part of the USBR 95 network.

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

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

E. PUBLIC COMMENT ON NON-AGENDA ITEMS**F. SPECIAL PRESENTATIONS****G. ITEMS PULLED FROM CONSENT**

H. MATTERS INITIATED BY BOARD MEMBERS**Board of Supervisors**

1. Consider an appointment to fill the open seat on the Garberville Veterans Hall Ad Hoc Committee (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Consider making an appointment to fill the open seat on the Garberville Vets Hall Ad Hoc Committee.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to appoint Supervisor Bushnell to the Garberville Vets Hall Ad Hoc Committee. The motion carried by the following vote:

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

I. DEPARTMENT REPORTS**County Clerk/Recorder/Registrar of Voters**

1. 2021 Redistricting Process and Changes in Elections Code

Recommendation: That the Board of Supervisors:

1. Receive staff report;
2. Consider changes in Election Code that govern redistricting;
3. Implement a redistricting plan of action to complete the county's redistricting project by December 15, 2021; and
4. Direct staff to issue a Request for Proposal (RFP) to initiate the process of contracting with a redistricting consultant to ensure the county completes the 2021 redistricting project by the deadline.

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

Aye: 4 - Rex Bohn, Virginia Bass, Michelle Bushnell, and Mike Wilson

Not 1 - Steve Madrone

Present:

Sheriff

2. Introduction of an Ordinance of the Board of Supervisors, County of Humboldt, State of California Amending Chapter 6 of Division 1, Title IX of The Humboldt County Code Relating to Regulation and Permitting of Alarm Systems in Humboldt County

Recommendation: That the Board of Supervisors:

1. Introduce the attached ordinance by title and waive the first reading;
2. Set the ordinance for adoption on March 23, 2021;
3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the ordinance and to post a certified copy of the full text of the ordinance 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 ordinance will be adopted [Government Code Section 25124(b)(1)]; and
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)].

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

Aye: 4 - Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Nay: 1 - Rex Bohn

J. PUBLIC HEARINGS**Planning and Building Department****1. Lucchesi Lot Line Adjustment and Zone Boundary Adjustment**

File No.: APNs 504-221-015, 504-221-017

Case No.: PLN-2019-15634 Arcata area

Recommendation: That the Board of Supervisors:

1. Introduce Ordinance No. _____ (Attachment B) by title and waive further reading; and
2. Open the public hearing, receive, and consider the staff report, the Planning Commission's findings and accept public comments; and
3. Close the public hearing; and
4. Find the project exempt from CEQA pursuant to Section 15305 and 15061(b)(3) of the CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; and
5. Make the necessary findings to approve the Lot Line Adjustment (LLA) and Zone Boundary Adjustment (ZBA) and adopt by 4/5ths vote Ordinance No. _____ (Attachment A) amending Section 311-7 of the Humboldt County Code by reclassifying, through immediate conversion, approximately 2.94 acres from Timberland Production Zone (TPZ) to Agriculture General with a combining zone specifying a 5-acre minimum parcel size (AG-B-5(5)) and 2.82 acres from Agriculture Exclusive (AE) to Agriculture General with a combining zone specifying a 5-acre minimum parcel size (AG-B-5(5)) to conform to the reconfigured lot lines approved with the LLA; and
6. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after adoption of the ordinance, and
7. Direct the Chair of the Board to sign and the Clerk of the Board to record a Certificate of Rezoning (Notice of Timberland Production Zone Status)(Attachment C); and
8. Direct the Clerk of the Board to give notice of the decision to the applicant/owner, the County Assessor's Office, the Planning Department, and any other interested party; and
9. Direct Planning and Building Department to file a Notice of Exemption pursuant to California Environmental Quality Act (CEQA).

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

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

2. Request to Cancel Williamson Act Contract and Waive Early Cancellation Penalties on Property being Dedicated to the Bureau of Land Management for Habitat Conservation Purposes

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony public; and
2. Close the public hearing; and
3. Adopt the resolution (Resolution 21-__). (Attachment 1) which does the following:
 - a. Adopts the Findings supporting cancellation of the Williamson Act contract without payment of early cancellation fees; and
 - b. Authorizes cancellation of the Williamson Act Contract for APN's 311-041-034 and 311-041-036 and waives payment of Cancellation fees; and
 - c. Directs the Planning and Building Department to submit a letter to the Secretary of the Natural Resources Agency requesting approval of the Cancellation without payment of Cancellation fees.

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

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

3. Appeal of the Planning Commission action to deny the Rocci Costa Conditional Use Permit for 10,000 square feet of new cannabis cultivation in the Blue Lake Community Planning Area

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the appellant (applicant), and public;
2. Close the public hearing;
3. Adopt the resolution (Resolution 21-__). (Attachment 1) which does the following:
 - a. Make the findings required to approve the appeal;
 - b. Approve the Conditional Use Permit for Retirement, Remediation and Relocation RRR) purposes only subject to the recommended conditions (Attachment 1A); and
4. Direct the Clerk of the Board to give notice of the decision to the appellant, the project applicant, the property owner, and any other interested party.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to adopt staff recommendations with further direction to staff to work with the applicant to find appropriate locations as receiving sites, to identify sites that can be permitted, and to reassign the receiving site application to a senior planner. The motion carried by the following vote:

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

K. DISCUSSION ITEMS

L. MATTERS SET FOR TIME CERTAIN**County Administrative Office**

1. 1:30 p.m. - A Status Update of the Macias Gini & O'Connell LLP Project Deliverables

Recommendation: That the Board of Supervisors:

1. Receive and file a status update report on the progress of the Macias Gini & O'Connell (MGO) LLP project deliverables as adopted by the Board of Supervisors on December 8, 2020; and
2. Provide further direction to staff if appropriate.

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

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

2. 1:30 p.m. - Establishment of Humboldt County Audit Committee

Recommendation: That the Board of Supervisors:

1. Adopt Resolution No. _____ (Attachment 1) establishing the Humboldt County Audit Committee;
2. Adopt the Audit Committee Charter (Attachment 2);
3. Appoint the Auditor-Controller, Treasurer-Tax Collector and County Administrative Officer as non-voting advisory members of the Committee;
4. Appoint two members of the Board of Supervisors to serve as a voting member of the Committee; and
5. Direct the Clerk of the Board to seek one additional representative from special districts and schools, and two additional qualified Citizen Members of the committee.

A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, to adopt staff recommendations one and two with the modifications as discussed, adopt staff recommendations three and five, and adopt staff recommendation four with the modification to appoint the Chair and Vice Chair on annual basis. The motion carried by the following vote:

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

M. CLOSED SESSION

N. ADJOURNMENT

I, RYAN SHARP, Deputy Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above entitled meeting of the Humboldt County Board of Supervisors held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

RYAN SHARP

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

March 17, 2021