

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, December 12, 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

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

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

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

Board of Supervisors

23-1517

1. Proclaim December 2023 as Human Rights Awareness Month (Supervisor Steve Madrone)

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

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

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

[23-1567](#)

2. Resolution in Support of Designating an Area on State Route 101 in Memory of Eugene B "Joe" Thomas (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair go sign a cover letter and direct the Clerk of the Board to forward the letter and attached resolution to Senator Mike McGuire and Assembly Member Wood.

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

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

[23-1611](#)

3. Retirement Resolution for Vesta Wunner (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the resolution.

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

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

Clerk of the Board

[23-1610](#)

4. Approval of the Action Summary - Meeting of December 5, 2023

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of December 5, 2023, and authorize the Clerk of the Board and the Board Chair to sign the minute book in accordance with California Governmental Code Section 25103.

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

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

County Clerk/Recorder/Registrar of Voters

[23-1566](#)

5. Approval of Help America Vote Act Contract No. 23G26112 and Supplemental Budget for Elections, 1100140. (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Authorize the county to receive the sum of \$20,000 through grant funding provided by the Help America Vote Act (HAVA) Polling Place Accessibility Training Program;
2. Approve the attached supplemental budget for fiscal year (FY)2023-24 in the amount of \$20,000 for Elections' budget 1100140 (4/5 vote required);
3. Authorize the Clerk/Recorder/Registrar of Voters, or their designee, to execute the necessary documents and the attached contract to carry out the purpose of the Board's order to receive the sum of \$20,000 through grant funding provided by the Help America Vote Act Polling Place Accessibility Training Program; and
4. Adopt the attached resolution authorizing the county to receive the sum of \$20,000 through grant funding provided by the Help America Vote Act (HAVA) for efforts to improve polling place accessibility.

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

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

Department of Health and Human Services: Behavioral Health

23-1588

6. Subcontract Agreement with Advocates for Human Potential, Inc. Regarding Implementation of the Behavioral Health Bridge Housing Program in Humboldt County and Supplemental Budget Request (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear-Free Ordinance with regard to the attached subcontract agreement with Advocates for Human Potential, Inc.;
2. Approve, and authorize the Department of Health and Human Services Director, or a designee thereof, to execute, the attached subcontract agreement with Advocates for Human Potential, Inc. regarding implementation of the Behavioral Health Bridge Housing Program in Humboldt County for the period of September 5, 2023, through June 30, 2027;
3. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute any and all subsequent amendments to, and any other agreements, certifications, attestations and documents directly associated with, the attached subcontract agreement with the Advocates for Human Potential, Inc., after review and approval by County Counsel, Risk Management and the County Administrative Office;
4. Approve the attached supplemental budget request in the amount of One Million One Hundred Twenty-Eight Thousand Two Hundred Five Dollars (\$1,128,205.00) for Department of Health and Human Services - Social Services budget unit 1160-520 (4/5 vote required); and
5. Direct the Clerk of the Board to provide the Department of Health and Human Services - Contract Unit with one (1) fully executed, certified copy of the Board order related to this item.

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

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

Human Resources

23-1538

7. Adopt Resolutions for Bargaining Units 1 - 11 to Implement 2024 Cost of Living Adjustments (COLAs) Effective December 24, 2023

Recommendation: That the Board of Supervisors:

1. Approve the implementation of the 2.5% cost-of-living adjustments (COLAs) scheduled for first full pay period in January 2024, early effective the pay period beginning Dec. 24, 2023, for all classifications represented by AFSCME Local 1684 Units 1-4;
2. Approve the implementation of the 3% cost-of-living adjustments (COLAs) scheduled for first full pay period in January 2024, early effective the pay period beginning Dec. 24, 2023, for all classifications in the following bargaining units:
 - * County Attorneys Association (CAA) Unit 5
 - * Humboldt Deputy Sheriff Organization (HDSO) Unit 6
 - * Law Enforcement Management Unit 7
 - * Management & Confidential Units 8 - 9
 - * Appointed Department Heads Unit 10
 - * Elected Department Heads Unit 11;
3. Approve the salary range correction for Laboratory Technician I (classification #0571A), from salary range 319 to salary range 344, effective the pay period beginning December 24, 2023;
4. Approve the salary increase correction for Laboratory Technician II (classification #0571B), from salary range 360 to salary range 364, effective the pay period beginning December 24, 2023;
5. Approve a step advancement, from Step 1A to Step A, and reset salary advancement step hours for their next salary advancement effective the pay period beginning December 24, 2023, to all employees who are Step 1A in the classifications represented by AFSCME Local 1684 Units 1-4;
6. Adopt the resolution (Attachment 1) approving the amendments to 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;
7. Adopt the resolution (Attachment 2) approving the amendment to the Memorandum of Understanding (MOU) between the County of Humboldt and County Attorneys Association (CAA) for Unit 5;
8. Adopt the resolution (Attachment 3) approving the amendments to the Memorandum of Understanding (MOU) between the County of Humboldt and the Humboldt Deputy Sheriffs' Organization (HDSO) for Unit 6;
9. Adopt the resolution (Attachment 4) approving the amendments to the Memorandum of Understanding (MOU) between the County of Humboldt and Law Enforcement Management (LEM) for Unit 7;
10. Adopt the resolution (Attachment 5) approving the amendment to the Compensation Plan between the County of Humboldt and designated Management & Confidential Employees for Units 8 & 9;
11. Adopt the resolution (Attachment 6) approving the amendment to the Compensation Plan between the County of Humboldt and designated Elected & Appointed Department Heads for Units 10 & 11; and
12. Adopt the Dec. 24, 2023, Comprehensive Compensation Schedule and Classification Summary (Attachment 7).

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

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

[23-1581](#)

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

Recommendation: That the Board of Supervisors:

1. Appoint Kyla Baxley as the county representative panelist; and
2. Delegate authority to the Director of Human Resources to appoint an alternate panelist should the selected panelist not be available at the time of the hearing; and
3. Delegate authority to the Director of Human Resources to appoint the county's representative panelist for all future Merit System Appeals and inform the Board of Supervisors through confidential communication.

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

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

Public Works

[23-1549](#)

9. Change Order and Project Contingency Authorization for Storm Damage Repairs to Panther Gap Road (4D010) Post Mile 0.50 (4/5 vote required)

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Director of Public Works to execute, the attached change order number 5 to contract number 217387 for the total amount of \$32,976.90 (4/5 Vote Required);
2. Approve, and authorize the Director of Public Works to execute, the attached change order number 7 to contract number 217387 for the total amount of \$95,000 (4/5 Vote Required).
3. Approve additional project contingency funds in the amount of \$500,000; and
4. Authorize the Director of Public Works to execute change orders up to the amount of \$210,000.

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

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

Sheriff

[23-1569](#)

10. Resolution and Supplemental Budget for Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Award 2023 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve acceptance of the Byrne JAG Local Award for 2023;
2. Approve and authorize the Chair to sign the resolution (Attachment 1) authorizing the Sheriff's Office to submit the governing body resolution for the Byrne JAG 2023 program, accept grant funds, and sign any documents required for participation in the grant program;
3. Approve the Supplemental Budget request for budget unit 1100-221911 - Byrne JAG Local 2023 Grant (Attachment 2) (4/5 vote required);
4. Authorize the Sheriff, Undersheriff or Sheriff's Deputy Director of Financial and Support Services to sign all future amendments, terminations, extensions, and documents directly related to the Edward Byrne Memorial JAG Program Local Award 2023 upon review of County Counsel, Risk Management and the County Administrative Office; and
5. Direct the Clerk of the Board to return completed and signed copy of the Resolution to the Sheriff's Office, Attention: Julie Martin for submittal to funding agency.

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

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

[23-1570](#)

11. Resolution for the Boating Safety and Enforcement (BS&E) Financial Aid 2024-2025 Program

Recommendation: That the Board of Supervisors:

1. Accept and adopt the resolution (Attachment 1) authorizing the Sheriff, Undersheriff or Deputy Director of Financial & Support Services at the Sheriff's Office to sign the application, contract, and reimbursement claims for the Boating Safety and Enforcement Financial Aid Program and authorizing the Auditor-Controller or designee to certify the prior year vessel taxes; and
2. Direct the Clerk of the Board to return a certified signed copy of the resolution to the Humboldt County Sheriff's Office (HCSO), Attention: Julie Martin for submittal to funding agency.

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

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

E. ITEMS PULLED FROM CONSENT

F. PUBLIC COMMENT ON NON-AGENDA ITEMS

G. MATTERS SET FOR TIME CERTAIN

Planning and Building Department

[23-1606](#)

1. 10:00 AM - Continued Appeal of the Planning Commission Decision to Deny a Conditional Use

Permit for 22,000 Square Feet (SF) Existing Outdoor Cannabis Cultivation on a 90-Acre Parcel, and a Special Permit to Reduce the Setback to BLM Public Land

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the appellant (applicant), and testimony from the public;
2. Close the public hearing;
3. Adopt the resolution (Attachment 1) which does the following:
 - a) Finds that the Humboldt County Board of Supervisors has considered the Mitigated Negative Declaration for the Commercial Medical Marijuana Land Use Ordinance and the project specific addendum prepared for the Big River Farms, LLC project);
 - b) Finds the proposed project complies with the General Plan and Zoning Ordinance;
 - c) Approves the Appeal submitted by Big River Farm, LLC; and
 - d) Approves the Conditional Use Permit and Special Permit subject to the recommended conditions of approval; and
4. Direct the Clerk of the Board to give notice of the decision to the appellant, the Planning and Building Department, and any other interested party.

A motion was made by Supervisor Bohn, seconded by Supervisor Bushnell, to approve staff recommendations to include the following conditions:

1. *Water Storage - Starting in cultivation season 2024 and continuing through 2025 the applicant shall provide water records to the Planning Department demonstrating the annual irrigation needs and by the beginning of the cultivation season of 2026 shall install additional water storage to be fed by rainwater catchment such that the annual irrigation needs are met. This amount shall be no less than the annual amount documented over the two years to be developed in water storage. This may be through hard tank storage or a rainwater catchment pond.*
2. *Additional Inspections - A minimum of two annual inspections shall occur throughout each annual cultivation season for the first three years after approval. After three years the Planning Director shall re-assess the need for a second annual inspection.*
3. *Forebearance - The applicant shall forbear from the use of the well between July 1 and November 15. The applicant shall install meters with telemetry capabilities to provide data to the Planning and Building Department. The motion carried with the following vote:*

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

H. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

23-1574

1. Policy Considerations for Board Member Travel Expense Account Management (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

- I. Consider adopting a set of policies for Board Member travel expense account management to include:
 - a. Board Members shall not exceed their annual allotments of \$10,300 without Board majority approval in advance.
 - b. Board Members serving in their final term shall not spend more than 50% of their annual allotments in their final year.
 - c. Board Members shall review district total expenses to date at the end of the 2nd and 3rd quarters. Board members shall estimate their anticipated expenses for the remainder of the year at the beginning of the 4th quarter and any anticipated un-used district balances shall be allocated by Board majority based on anticipated benefits to the county.
 - d. Board members budget allocation of approximately \$3,000 per district may be utilized for other district travel, other than California State Association of Counties, at the discretion of the district Supervisor.

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

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

I. DEPARTMENT REPORTS

County Administrative Office

[23-1587](#)

1. Board Meetings - Calendar Year 2024

Recommendation: That the Board of Supervisors:

1. Cancel Board meetings on the following dates in calendar year 2024;
 - * Tuesday, Jan. 2, 2024 (following a county holiday on Jan. 1, 2024)
 - * Tuesday, Jan. 16, 2024 (following a county holiday on Jan. 15, 2024)
 - * Tuesday, Feb. 13, 2024 (following a county holiday on Feb. 12, 2024)
 - * Tuesday, February 20, 2024 (following a county holiday on Feb. 19, 2024)
 - * Tuesday, March 19, 2024 (Pacific Offshore Wind Conference)
 - * Tuesday, April 2, 2024 (following a county holiday on April 1, 2024)
 - * Tuesday, April 16, 2024 (CSAC legislative conference)
 - * Tuesday, April 30, 2024 (5th Tuesday)
 - * Tuesday, May 28, 2024 (following a county holiday on May 27, 2024)
 - * Tuesday, June 18, 2024 (preceding a county holiday on June 19, 2024)
 - * Tuesday, July 16, 2024 (NACo annual conference)
 - * Tuesday, July 30, 2024 (Board break)
 - * Tuesday, Aug. 6, 2024 (Board break)
 - * Tuesday, Sep. 3, 2024 (following a county holiday on Sep. 2, 2024)
 - * Tuesday, Sep. 17, 2024 (RCRC annual conference)
 - * Tuesday, Oct. 15, 2024 (following All Hands Training Day on Oct. 14, 2024)
 - * Tuesday, Nov. 12, 2024 (following a county holiday on Nov. 11, 2024)
 - * Tuesday, Nov. 19, 2024 (CSAC annual conference)
 - * Tuesday, Dec. 24, 2024 (Board break)
 - * Tuesday, Dec. 31, 2024 (Board break); and
2. Direct the Clerk of the Board to notify all county departments of these cancelled meetings.

A motion was made by Supervisor Bushnell, seconded by Supervisor Arroyo, to approve the slate of cancelled meetings with the following amendment:

1. Meet on Tuesday, November 12, 2024 following Veteran's Day
2. Cancel the meeting of November 26, 2024 (Thanksgiving Week). The motion carried by the following vote:

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

J. PUBLIC HEARINGS

County Administrative Office

23-1559

1. Public Hearing to Consider Adoption of an Ordinance Amending and Updating the Humboldt County Schedule of Fees and Charges for Permits and Services of the Various Humboldt County Departments (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Open the public hearing;
2. Introduce the attached ordinance amending and updating the Humboldt County Schedule of Fees and Charges for permits and services of the various Humboldt County departments and waive the first reading thereof;
3. Receive the staff report and public comments;
4. Approve, and/or modify the new, increased, decreased, deleted or changed fees, as shown in the 2024 Humboldt County Schedule of Fees and Charges;
5. Adopt the attached ordinance amending and updating the Humboldt County Schedule of Fees and Charges for permits and services of the various Humboldt County departments (4/5 vote required);
6. Direct the Clerk of the Board, within fifteen 15 days after adoption of the attached ordinance, to publish a post-adoption summary of the ordinance (Attachment IV) 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 and amendments along with the names of those Supervisors voting for and against the Ordinance [Government Code Section 25124 (b)(1)]; and
7. Close the public hearing.

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

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

K. CLOSED SESSION

L. 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.



12/12/2023