

BOARD OF SUPERVISORS

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



COUNTY STAFF

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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, June 22, 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 947 1093 6411 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>*

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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

Agricultural Commissioner

1. Approval of Cooperative Agreement No. 20-0971-000-SA, known as the 2021 Noxious Weed Program with the California Department of Food and Agriculture in the amount of \$64,000

Recommendation: That the Board of Supervisors:

1. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines sections 15304/Class 4 and 15308/Class 8;
2. Approve Cooperative Agreement No. 20-0971-000-SA, known as the 2021 Noxious Weed Program with the California Department of Food and Agriculture;
3. Authorize the Chair to sign the original agreement, then return the signed original to the Agricultural Commissioner's Office for further processing; and
4. Grant a waiver from the provisions of the Nuclear Free Ordinance.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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. Approval of Supplemental Budget Request for Budget Unit 1100261 and Establish Fixed Asset Account in Fiscal Year (FY 2020-21) for Purchase of Weights & Measures Inspection Test Standards, and CalCATS Timekeeping and Reporting Software (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Authorize transfer of \$25,000 from the Deferred Maintenance Trust Fund (No. 3464) and approve the supplemental budget request (Attachment I) in fund 1100, budget unit 261, Agricultural Commissioner (4/5 vote required);
2. Establish Fixed Asset Line 8986 in the amount of \$49,596 for the purchase of a volumetric prover; and
3. Grant the Agricultural Commissioner's Office an exemption from the expenditure requirements in the Deferred Maintenance Fund Policy.

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

Aviation

3. Resolution Authorizing the Humboldt County-Department of Aviation to accept the U.S. Department of Transportation (DOT)-Federal Aviation Administration (FAA) Grant Offer for Airport Improvement Program (AIP) Projects (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution authorizing the Humboldt County Director of Aviation, or a designee thereof, to execute any and all documents related to the AIP Grant including without limitation, professional services agreements, necessary to apply for, accept and secure funding made available through the five AIP Grants: 3-06-0010-048-2021, 3-06-0010-049-2021, 3-06-0010-050-2021, 3-06-0010-051-2021, 3-06-0010-052-2021;
2. Authorize the Director of Aviation to sign the federal grant offers for AIP funding; and
3. Authorize the Director of Aviation, or designee, to sign future amendments to these grant agreements thereto after review by County Counsel and Risk Management.

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

Board of Supervisors

4. Letter of Support for the Equitable and Sustainable Public Transit Planning for Rural America Project (Supervisor Virginia Bass)

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 Bushnell, 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

Clerk of the Board

5. Letter of Appreciation to Brian Renner for his Service on the Humboldt County Aviation Advisory Committee

Recommendation: That the Board of Supervisors:

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

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

6. Notice of At-Large Vacancy on the Humboldt County Aviation Advisory Committee

Recommendation: That the Board of Supervisors:

1. Receive and file the report.

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

7. Approval of the Action Summary - Meeting of June 15, 2021

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of June 15, 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 Bushnell, 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

8. Humboldt County Fish and Game Advisory Committee Grant Request for Proposal Program

Recommendation: That the Board of Supervisors:

1. Receive and file this report.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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**9. Second Amendment to the Professional Services Agreement with MetaBIM, Inc. for Enterprise Asset Management Software Licensing and Support**

Recommendation: That the Board of Supervisors:

- 1) Approve and authorize the Purchasing Agent to sign the Second Amendment to the Enterprise Asset Management Software Agreement with MetaBIM, Inc. which includes the extension of the agreement for a 3-year term, space surveying of approximately 50,000 square feet of building space and the design and development of a custom dropdown software feature; and
- 2) Authorize the Purchasing Agent to sign any and all amendments to this agreement following review and approval by County Counsel.

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

10. Memorandum of Agreement Between the County of Humboldt and the Redwood Coast Energy Authority for the Provisions of Installation of Electric Vehicle Charging Stations and Construction of ADA Modifications at the California Redwood Coast - Humboldt County Airport

Recommendation: That the Board of Supervisors:

- 1) Authorize the Board Chair to sign the Memorandum of Agreement (MOA) between the County of Humboldt and Redwood Coast Energy Authority for the provisions of installation of electric vehicle charging stations and construction of Americans with Disabilities Act (ADA) modifications at California Redwood Coast - Humboldt County Airport.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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. Establish Fixed Asset Lines for Budget Unit 3552-152 ADA Compliance and Approve Appropriation Transfer (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve an appropriation transfer request establishing fixed asset lines in fiscal year (FY) 2020-21 Budget Unit 3552-152 ADA Compliance for ADA Compliance Capital Projects (Attachment 1) and authorize the County Administrative Officer and the Auditor-Controller to make any technical corrections necessary to effectuate the Board's direction (4/5 vote required).

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

12. Grant Contract with the Redwood Region Entertainment and Education Liaisons, Inc.

Recommendation: That the Board of Supervisors:

1. Terminate the existing Professional Services Agreement pursuant to Section 3 (B) (D) of said agreement (Attachment I);
2. Approve the grant contract with the Redwood Region Entertainment and Education Liaisons, Inc. (RREEL) and authorize the Chair to sign two (2) copies; and
3. Direct the Clerk of the Board to return the two (2) signed agreements to the Economic Development Division.

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

13. Authorize a temporary increase in pay for Aaron Jackson, Mental Health Maintenance Custodian pursuant to Section 12.4.1 of the American Federation of State, County and Municipal Employees (AFSCME) Memorandum of Understanding (MOU)

Recommendation: That the Board of Supervisors:

1. Authorize a temporary increase in pay for Mental Health Maintenance Custodian Aaron Jackson (class 0269, range 321) as though promoted to Senior Mental Health Maintenance Custodian (class 0270, range 351) beginning June 19, 2021 and continuing until the incumbent returns from leave.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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: Public Health

14. Agreement with Preferred Healthcare Registry, Inc. for Temporary Placement of Occupational or Physical Therapist

Recommendation: That the Board of Supervisors:

1. Approve the agreement between Department of Health and Human Services (DHHS) - Public Health and Preferred Healthcare Registry, Inc. for temporary placement of one (1) Occupational Therapist or Physical Therapist in the California Children's Services' Medical Therapy Program for the period of July 1, 2021 through June 30, 2022;
2. Authorize the Chair to sign the agreement; and
3. Authorize the Public Health Director to sign future amendments to this agreement thereto after review by County Counsel and Risk Manager.

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

15. Work Order Agreement with Heluna Health for California Department of Public Health (CDPH) Community Sentinel COVID-19 Surveillance Grant, and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the Work Order Agreement (WOA) with Heluna Health to administer the CDPH Community Surveillance Grant;
2. Authorize the Chair of the Board to sign the WOA;
3. Approve the associated supplemental budget (Requires 4/5 vote); and
4. Authorize the Public Health Director, or designee thereof, to sign any future amendments or associated documents directly related to the WOA upon review and approval County Counsel and Risk Management.

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

District Attorney

16. Resolution Authorizing the Humboldt County District Attorney's Office to Apply for, Accept and Administer Funding Made Available by the California Governor's Office of Emergency Services through the Victim Witness Assistance Program

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution which authorizes the Humboldt County District Attorney and the Humboldt County Auditor-Controller, or designees thereof, to execute any and all certifications, agreements, amendments and other documents necessary to apply for, accept and administer funding made available by the California Governor's Office of Emergency Services through the Victim Witness Assistance Program;
2. Authorize the Chair of the Board to execute the attached Certificate of Assurance of Compliance regarding compliance with any and all laws, regulations, standards and requirements applicable to funding made available by the California Governor's Office of Emergency Services through the Victim Witness Assistance Program; and
3. Direct the Clerk of the Board to return one fully executed certified copy of the attached resolution and Certificate of Assurance of Compliance to the District Attorney's Office for submission to the California Governor's Office of Emergency Services.

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

Planning and Building Department

17. Adoption of amendments to the Discharge of Firearms Ordinance to address safety concerns of target shooting occurring within densely populated residential and recreational areas of the County (Case # PLN-2020-16592)

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution (Resolution 21-__ (Attachment 1)) making all the required findings for approval of the Discharge of Firearms Ordinance and Target Shooting Ordinance amendments;
2. Adopt the attached ordinance (Ordinance No. ____ (Attachment 2)) amending the existing Discharge of Firearms Ordinance Section 915-6 of Chapter 5 of Division 1, Title IX of Humboldt County Code and the Target Shooting Ordinance Section 915.5-7 of Chapter 5.5 of Division 1, Title IX of Humboldt County Code;
3. Direct the Planning and Building Department to file a Notice of Exemption with the Humboldt County Recorder's Office, and
4. Direct the Clerk of the Board to publish a summary of the Ordinance amendments within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against each ordinance (Attachment 3) 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.

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

18. Storm Damage Repair to Alderpoint Road (F6B165) Post Miles 40.21 to 40.70

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Alderpoint Road (F6B165) Post Miles 40.21 to 40.70 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, July 27, 2021 at 2:00 p.m.

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

Treasurer/Tax Collector**19. Request for Discharge of Accountability of Unsecured Tax Accounts**

Recommendation: That the Board of Supervisors:

1. Approve an Authorization of Discharge of Accountability for county tax assessments, penalties, and costs deemed uncollectable pursuant to Revenue and Taxation Code 2611.1.

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

20. Revenue Recovery Discharge of Accountability

Recommendation: That the Board of Supervisors:

1. Approve Revenue Recovery's application for discharge of accountability for specified debt collection accounts pursuant to Government Code sections ? 25257, 25258, and 25259.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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****DHHS: Public Health****1. Update on Local Conditions Surrounding COVID-19**

Recommendation: That the Board of Supervisors:

1. Receive a report from Department of Health & Humans Services (DHHS) - Public Health and other county staff regarding the current status of novel coronavirus (COVID-19) in Humboldt County.

Approved per order of the Chair.

G. ITEMS PULLED FROM CONSENT

H. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

1. Film Commission Annual Report (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:

1. Hear the presentation and take appropriate action, if required.

A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, to receive and file the report. The motion carried by the following vote:

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

I. DEPARTMENT REPORTS

County Administrative Office

1. Workforce Development and Workforce Investment Opportunity Act (WIOA) Funded Programs

Recommendation: That the Board of Supervisors:

1. Receive the Humboldt County Workforce Analysis Summary Report from the California Center for Rural Policy (CCRP);
2. Receive the draft Humboldt County Workforce Staffing and Services Agreement from the Workforce Development Board (WDB);
3. Direct staff to proceed with one of the recommendations as identified in CCRP's report; and
4. Direct staff to return to your Board with an update by August 10, 2021.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to continue this item to the meeting of 6/29/2021. The motion carried by the following vote:

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

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

1. Adoption of an Urgency Ordinance Establishing a Temporary Moratorium on the Cultivation of Industrial Hemp in the Coastal Zone (4/5 Vote Required). Case # PLN-2021-17163

Recommendation: That the Board of Supervisors:

1. Adopt the Interim Urgency Ordinance extending the temporary moratorium on the cultivation of industrial hemp (Ordinance 2674) by "Established Agricultural Research Institutions" and any growers of industrial hemp in the Coastal Zone of Humboldt County based on the findings set forth within the Interim Urgency Ordinance under the provisions contained in California Government Code sections 25123(d) and 65858 (4/5 vote required); and
2. If adopted, direct the Clerk of the Board to publish a summary of the Ordinance amendments within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against each ordinance (Attachment 2) 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.

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

K. DISCUSSION ITEMS

L. MATTERS SET FOR TIME CERTAIN

Planning and Building Department

1. 10:30 a.m. - Appeal of the Planning Commission actions to Approve the Arcata Land Company, LLC, Conditional Use Permit and to Adopt a Mitigated Negative Declaration to allow for commercial cannabis cultivation. The application is for the operation of a combination of outdoor light-deprivation cultivation (2.3 acres) and mixed-light cultivation (5.7 acres) in new enclosed gutter-connected greenhouses, and 30,000 square feet of existing hoop houses dedicated to ancillary propagation activities on APNs 506-231-021 and 505-151-011 (one separate legal parcel). The Project will also include ancillary support features, such as an administrative building, propagation and office building, utility building, new onsite wastewater treatment system, unpaved parking areas, security fencing, and storm water management features (e.g., retention basins).

Recommendation: That the Board of Supervisors adopt the attached resolution to do the following:

1. Adopt Findings relative to CEQA Compliance and findings to support denial of the appeal and approval of the Conditional Use Permit
2. Adopt the Initial Study and Mitigated Negative Declaration, State Clearinghouse No. 2021010337; and
3. Specifies the custodian of the record of proceedings upon which the decision is based is the Planning Department, located at 3015 H Street, Eureka, California; and
4. Denies the Appeal submitted by James Cotton, Kim Puckett, Paula Proctor, Michael Proctor, Joan Edwards, Lee Torrence, Rebecca Crow, Carol McFarland, Don Nielsen, Terrence McNally, Kerry McNally, Tamara Spivey, Mona Mazzotti, Abraham Moshekh, Duane E Smith, Pamela J Smith, Victor Howard, Lydia Butyrin, Lisa Pelletier, Kathryn Melia, Julie Hochfeld, Nancy Blinn, Warren Blinn, Peggy Bell-Hans, Todd Casebolt, Deni Devine, Jose Mendoca and Leonor Mendoca; and
5. Approves the Conditional Use Permit for 5.7 acres of new mixed light cannabis cultivation and 2.7 acres of new outdoor light-deprivation cannabis cultivation, with 30,000 square feet of appurtenant propagation area, and associated infrastructure and support facilities, subject to the conditions of approval contained in Attachment 1A of this Resolution; and
6. Adopts the Mitigation, Monitoring, and Reporting Program in Attachment 1B of this Resolution.

A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, to continue this item to the meeting of 7/13/2021. The motion carried by the following vote:

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

Nay: 1 - Rex Bohn

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

June 23, 2021