

BOARD OF SUPERVISORS

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**COUNTY OF HUMBOLDT
BOARD OF SUPERVISORS
825 FIFTH STREET
EUREKA, CA 95501
SUPERVISORS' CHAMBER, FIRST FLOOR
AGENDA - Final**

Tuesday, March 8, 2022

9:00 AM

Regular Meeting - Hybrid

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 720-707-2699, enter Meeting ID 895 5268 6344 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. Please state your name and the agenda item number you will be commenting on. You will have 3 minutes to comment.

*You may access the live stream of the meeting by using the following link:
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A. ROLL CALL

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

Board of Supervisors

1. Certificates of Recognition for Soroptimist International of Humboldt Bay (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:
1. Ratify the authorization for the Chair to sign the certificates of recognition.

Attachments: [Staff Report](#)
[Humboldt Bay Soroptimist Winners.pdf](#)

2. The Greater Eureka Chamber of Commerce 2021 Business Award Winners (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:
1. Ratify the Chairs signature

Attachments: [Staff Report](#)
[Greater Eureka Chamber Awards.pdf](#)

3. Letter of Support for SB 1074 (McGuire) Cannabis: Excise Tax: Cultivation Tax. (Supervisor Michelle Bushnell)

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

Attachments: [Staff Report](#)
[Letter of Support for SB 1074 \(McGuire\) Cannabis Letter of Support.pdf](#)
[SB1074.pdf](#)
[SB 1074 Support Letter.pdf](#)

Clerk of the Board

4. Board of Supervisors Teleconferencing Meetings and AB 361: Continuation of Emergency

Recommendation: That the Board of Supervisors:

1. Find that the Board has reconsidered the circumstances of the state of emergency that continues to exist, that state or local officials continue to recommend measures for social distancing and the current Covid-19 emergency related to in-person meetings continues to present an imminent risk to health and safety of attendees.
2. Authorize the Chair to sign the resolution re-authorizing remote teleconference meetings for the period of March 8, 2022 through April 5, 2022.

Attachments: [Staff Report](#)
[AB 361 Resolution.docx](#)
[AB 361 Reauthorizing Resolution.pdf](#)
[Resolution 22-29.pdf](#)

5. Appoint Tammy Brown to Fill the Vacancy on the Headwaters Fund Board (HFB)

Recommendation: That the Board of Supervisors:

1. Appoint Tammy Brown to fill the vacant seat on the Headwaters Fund Board.

Attachments: [Staff Report](#)
[HFB Roster 030822.doc](#)

6. Notice of At-Large Vacancy on the North Coast Railroad Authority Board

Recommendation: That the Board of Supervisors:

1. Receive and file the report

Attachments: [Staff Report](#)
[NCRAMarks030822.pdf](#)

County Administrative Office

7. Project Trellis Actions Concerning Board Liaison, Emergency Grants and Equity Grant Funding

- Recommendation:** That the Board of Supervisors:
1. Receive and approve the revised Bylaws and adopt the attached resolution amending Resolution 21-05 adding a Board liaison to the Project Trellis Committee;
 2. Approve the slate of emergency micro-grant awards and authorize the County Administrative Officer, or designee, to sign the emergency micro- grant agreements when completed, after review and approval by County Counsel and Risk Management; and
 3. Adopt the attached resolution authorizing the State of California Cannabis Equity Act Grant Funding and authorize the County Administrative Officer to execute the grant agreement and any subsequent amendments with the Governor's Office of Business and Economic Development for cannabis equity grant funding.

- Attachments:**
- [Staff Report](#)
 - [Revised Project Trellis Committee Bylaws.pdf](#)
 - [Revised Project Trellis Committee Bylaws_Redline.pdf](#)
 - [Resolution 22-__ to Amend Resolution 22-05.pdf](#)
 - [Resolution 22-__ to Amend Resolution 22-05_Redline.pdf](#)
 - [Resolution 19-45.pdf](#)
 - [Resolution 20-33.pdf](#)
 - [Resolution 21-06.pdf](#)
 - [Resolution 21-05.pdf](#)
 - [Emergency micro-grant Funding Slate.pdf](#)
 - [Resolution 22-__ Cannabis Equity Grant funds.pdf](#)
 - [Resolution No. 22-35.pdf](#)

8. Adoption of an Ordinance of the Board of Supervisors of the County of Humboldt Amending Sections 712-2(b) and 712-3 of Chapter 2, Division 1 of Title VII to the Humboldt County Code Relating to the Transient Occupancy Tax and Placement of the Ordinance on June 7, 2022, Ballot.

- Recommendation:** That the Board of Supervisors:
1. Adopt Ordinance No. ____, Amending Sections 712-2(b) and 712-3 of Chapter 2, Division 1 of Title VII to the Humboldt County Code Relating to the Transient Occupancy Tax (Attachment 2); and
 2. Approve the attached resolution and ballot statement (Attachment 4) to Amend the Transient Occupancy Tax (TOT) to be placed before the voters of Humboldt County on June 7, 2022.

Attachments: [Staff Report](#)
[Attachment 1 - Board Report from March 1, 2022.pdf](#)
[Attachment 2 - TOT Amendment Ordinance.docx](#)
[Attachment 3 - post adoption summary.pdf](#)
[Attachment 4 - TOT Ballot Resolution.docx](#)
[Ordinance No. 2690.pdf](#)

9. Appointment of Interim Human Resources Director

Recommendation: That the Board of Supervisors:

1. Accept the resignation of Darlene Rhodes, Interim Human Resources Director, effective Friday, Feb. 25, 2022; and
2. Appoint Zachary O'Hanen to the position of Interim Human Resources Director, effective Mar. 6, 2022, and continuing until the appointment of a permanent Human Resources Director is made.

Attachments: [Staff Report](#)

Department of Health and Human Services: Public Health

10. Work Order Agreement with Heluna Health Regarding the Provision of COVID-19 Surveillance Testing Services and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Department of Health and Human Services - Public Health Director, or a designee thereof, to execute, the attached work order agreement with Heluna Health regarding the provision of COVID-19 surveillance testing services for the period of August 1, 2021 through June 30, 2022;
2. Authorize the Department of Health and Human Services - Public Health Director, or a designee thereof, to execute any and all subsequent amendments to, and any other documents directly associated with, the attached work order agreement with Heluna Health, after review and approval by County Counsel, Risk Management and the County Administrative Office;
3. Direct the Clerk of the Board to return one (1) fully executed copy of the attached work order agreement with Heluna Health to the Department of Health and Human Services - Contract Unit for further processing; and
4. Approve the attached supplemental budget in the amount of \$250,000 for Department of Health and Human Services - Public Health Emergency Preparedness budget unit 1175-455 (4/5 vote required).

Attachments: [Staff Report](#)
[Work Order Agreement With Heluna Health](#)
[Supplemental Budget](#)

Human Resources

11. Adoption of Amended and Retitled Job Classification of Behavioral Health Medical Director (M&C)

Recommendation: That the Board of Supervisors:

1. Adopt the amended and retitled job classification of Behavioral Health Medical Director (Attachment 2) (class 0902, unit 008, replacing Mental Health Medical Director) into the salary range and classification plan effective immediately; and
2. Adopt Resolution No. _____ (Attachment 1) approving 1) the amendment of the January 1, 2022 - December 31, 2024 Compensation Plans for Management & Confidential Employees 2) a Comprehensive Compensation Schedule and Classification Summary effective March 20, 2022 (Attachment 3).

Attachments: [Staff Report](#)
[Resolution.docx](#)
[Behavioral Health Medical Director Classification Specification.docx](#)
[2022-03-20 Comprehensive Compensation Schedule and Classification Summary.pdf](#)
[Resolution 22-30.pdf](#)

Public Works

12. Consultant Services Agreement with Mark Thomas and Company, Inc. Regarding the Provision of On-Call Engineering and/or Environmental Services

Recommendation: That the Board of Supervisors:

1. Approve the selection of Mark Thomas and Company, Inc. as the consulting firm to provide on-call engineering and/or environmental services;
2. Approve and authorize the Chair of the Board to execute, the attached consultant services agreement with Mark Thomas and Company, Inc. regarding the provision of on-call engineering and/or environmental services;
3. Authorize the Public Works Director, or a designee thereof, to execute any and all future task orders issued pursuant to the terms and conditions of the attached consultant services agreement with Mark Thomas and Company, Inc., after review and approval by County Counsel and Risk Management; and
4. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached consultant services agreement with Mark Thomas and Company, Inc. to the Department of Public Works for further processing.

Attachments: [Staff Report](#)
[Final Ranking Letter DPW2021-001 On-call Engr & Envr 2021-11-23.pdf](#)
[FY 21-22 Mark Thomas and Company On-Call Engineering and Environmental Ser](#)
[COI 2022_Mark Thomas Gen Auto WC.pdf](#)
[COI 2022_Mark Thomas Pro.pdf](#)
[Agreement for Consultant Services - Mark Thompson0001.pdf](#)

13. California Climate Investments Fire Prevention Grants Program Project Opportunities

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution authorizing the Humboldt County Department of Public Works Director, or a designee thereof, to apply for, and, if awarded, accept and administer, competitive grant funding made available through the California Climate Investments Fire Prevention Grants Program in order to fund implementation of actions identified in the Humboldt County Community Wildfire Protection Plan;
2. Adopt the attached resolution authorizing the Humboldt County Department of Public Works Director, or a designee thereof, to accept and administer noncompetitive grant funding made available through the California Climate Investments Fire Prevention Grants Program in order to support wildfire mitigation in the greater Willow Creek area of Humboldt County; and
3. Direct the Clerk of the Board to provide one (1) fully executed certified copy of each attached resolution to the Humboldt County Department of Public Works for submission to the California Department of Forestry and Fire Protection.

Attachments: [Staff Report](#)
[Attachment 1-Resolution Re California Climate Investment Fire Prevention Grant_I](#)
[Attachment 2-Resolution Re California Climate Investment Fire Prevention Grant_I](#)
[Attachment 3-Support Letter from CAL FIRE for Direct Funding Award.pdf](#)
[Resolution No. 22-28.pdf](#)
[Resolution No. 22-27.pdf](#)

Sheriff

14. Resolution Recognizing, Endorsing and Accepting Support and Delegation of Authority for the Sheriff, Undersheriff and Deputy Director to accept gifts and donations from the Northern California Coalition to Safeguard Communities (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Adopt Resolution No. ____ recognizing, endorsing, and accepting the technical and financial support provided to Humboldt County by the Northern California Coalition to Safeguard Communities (Coalition) in an effort to address criminal

activities associated with the illegal cultivation of cannabis by drug trafficking organizations (Attachment 1) (4/5 Vote Required); and

2. Authorize the Sheriff, Undersheriff, and Deputy Director of Sheriff's Administration to accept or reject any single gift, bequest or donation made to or in favor of the Humboldt County Sheriff's Office from the Coalition of any value with the combined total of all donations not to exceed \$600,000 over the next 4 years.

Attachments: [Staff Report](#)
[Resolution](#)
[Policy for Accepting Gifts on the Part of the County](#)
[Resolution No. 22-32.pdf](#)

Treasurer/Tax Collector

15. Resolution to Auction Tax-Defaulted Properties

Recommendation: That the Board of Supervisors:

1. Approve Resolution #__, approving the sale of properties which are tax-defaulted and subject to sale (Attachment 1); and
2. Approve the Treasurer-Tax Collector to re-offer, within 90 days of the original sale date, any unsold parcels in accordance with Revenue and Taxation Code, section 3698.5; and
3. Direct the Clerk of the Board to provide the Treasurer-Tax Collector with one certified copy of the Resolution by March 15, 2022.

Attachments: [Staff Report](#)
[Resolution for 2021.2022 Auction](#)
[Auction Properties 2021 2022 Authorization and Report For Sale](#)
[Resolution 22-33.pdf](#)

E. 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 and Human Services (DHHS) - Public Health regarding the current status of novel coronavirus (COVID-19) in Humboldt County.

Attachments: [Staff Report](#)

F. ITEMS PULLED FROM CONSENT**G. MATTERS INITIATED BY BOARD MEMBERS****H. DEPARTMENT REPORTS****County Administrative Office****1. Mid-Year Budget Review for Fiscal Year 2021-22 and Budget Outlook for FY 2022-23**

- Recommendation:** That the Board of Supervisors:
1. Receive and file a review of the current fiscal year (FY) 2021-22 and projected FY 2022-23 budget year;
 2. Direct the County Administrative Officer (CAO) to prepare the FY 2022-23 budget based on the following parameters:
 - a. Set departmental allocations from the General Fund at FY 2021-22 level with a department adjustment for projected salary & benefit increases (average of all departments is 16%);
 - b. Limit requests for additional General Fund appropriations to one-time urgent requests only;
 - c. Set the annual departmental contribution to Public Agency Retirement Services (PARS) to 2% of salaries and direct staff to return with an update on the status of the county's pension funding policy, including Other Post-Employment Benefits (OPEB); and
 - d. Provide direction to staff on actions to close the FY 2022-23 projected General Fund budget deficit.
 3. Provide additional direction to staff as appropriate.

Attachments: [Staff Report](#)
[Attachment 1: Budget Calendar 22-23 With Measure Z.docx](#)

2. Vaccination and Testing Policy and Authorization to Enter into An Agreement for Contact Tracing and Other Services

- Recommendation:** That the Board of Supervisors:
1. Adopt a Vaccination and Testing Policy (Attachment 1) that will be a substantially similar version containing minor edits approved by the County Administrative Officer (CAO) and County Counsel following final meet and confers with applicable employee bargaining groups, and return a final version to the Clerk of the Board to file;
 2. Approve delaying implementation and authorize the Employee Policy Group, consisting of the CAO, Sheriff, County Counsel and Human Resources, to determine if and when the policy should be implemented and expire, with a

requirement that bargaining groups are engaged as required per the Meyers-Milias-Brown Act prior to implementation, and the Board is notified of any changes;

3. Authorize the County Administrative Officer (CAO) to execute a cooperative purchasing agreement with Maximus not to exceed \$260,388 for contact tracing and other services to implement the Board's direction, after approval from Risk Management and County Counsel.

Attachments: [Staff Report](#)
[Attachment 1 - Vaccination and Testing Policy Final.pdf](#)
[Attachment 2 - Draft Schedule of Rates.pdf](#)

3. Resolution Suspending a Portion of Cultivation Year 2021 Due in Tax Year 2022 Cannabis Excise Tax and Deferring Certain Dates and Penalties

Recommendation: That the Board of Supervisors:

1. Adopt the resolution and direct the Treasurer-Tax Collector for cultivation year 2021, collected in tax year 2022, to bill and collect the Cannabis Excise Tax at a rate of 15% of the currently authorized rates, with the remaining 85% of the tax suspended for the 2022 billing cycle; and
2. As set forth in the resolution, direct the Treasurer-Tax Collector to not assess fees for late payment of the October 2021 excise tax installment (cultivation year 2020 2nd installment collected in tax year 2021), so long as all taxes are paid by Sept. 15, 2022.

Attachments: [Staff Report](#)
[Att. 1 Resolution Measure S Reduction.docx](#)
[Resolution 22-34.pdf](#)

Sheriff

4. Compensation Range Increase for Humboldt County Sheriff's Office Supervising Correctional Deputies (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve an increase of the compensation range for Class 0420 Supervising Correctional Deputy by 12% or 24 salary ranges effective the first full pay period in April 2022 (4/5 Vote Required) This action is not recommended by the County Administrative Office; and
2. Instruct Human Resources and Payroll to make the approved changes to the class and compensation tables effective the first full pay period in April 2022.

Attachments: [Staff Report](#)

I. PUBLIC HEARINGS

Planning and Building Department

1. North McKay Ranch Subdivision Project

General Plan Amendment, Zone Reclassification, Tentative Subdivision Map, Planned Unit Development, Development Agreement, and Special Permit

APNs: 017-032-003, 017-071-004, 017-071-009, 017-072-002, 017-072-003, 017-073-007, 017-073-009 and 303-012-020

Record No.: PLN-9902-GPA

Recommendation: That the Board of Supervisors:

1. Introduce by title Ordinance No. ___ (Attachment 2b-i) Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Cutten Area (PLN-9902-GPA (Fairhaven Cottages, LLC)), amending the zoning map and changing 2.2 acres from R-1 Single Family Residential Zoning with overlays for Planned Development, Recreation and Greenway and Open Space with overlays for Planned Development, Recreation and Greenway and Open Space to Neighborhood Commercial (C-1) and changing 18.5 acres from R-1 Single Family Residential Zoning with overlays for Planned Development, Recreation and Greenway and Open Space to with overlays for Planned Development, Recreation and Greenway and Open Space to Apartment-Professional (R-4); and
2. Introduce by title Ordinance No. ___ (Attachment 3) Approving the Development Agreement between Kramer Properties Inc. and the County of Humboldt for the North McKay Ranch Subdivision Project, and waive the first reading; and
3. Set Ordinance No. ___ (Attachment 3) Approving the Development Agreement between Kramer Properties Inc. and the County of Humboldt for the North McKay Ranch Subdivision Project for adoption on March 15, 2022, or at least 1 week away from the date of the Board of Supervisors meeting at which the Ordinance is first introduced; and
4. Direct the Clerk of the Board to publish the pre-adoption summary of the Ordinance (Attachment 3C), and to post a certified copy of the full text of the proposed Ordinance in the office of the Clerk of the Board, both publication and posting to be done at least 5 days prior to the Board meeting at which the Ordinance will be adopted. [Government Code Section 25124 (b)(1)]; and
5. Direct the Clerk of the Board, within 15 days after adoption of the Ordinance, to publish a post-adoption summary of the ordinance (Attachment 3D) with the names of the Supervisors voting for and against the Ordinance, and to post in the office of the Clerk of the Board 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
6. Open the public hearing and receive the staff report, testimony by the applicant and public; and
7. Close the public hearing; and

8. Adopt the Resolution 22- ____ (Attachment 1) Adopting Findings for Certification of the Final Environmental Impact Report, Certifying the Final Environmental Impact Report, Adopting the Statement of Overriding Considerations, and Adopting the Mitigation and Monitoring and Reporting Program for the project, pursuant to the California Environmental Quality Act; and
9. Adopt the Resolution 22- ____ (Attachment 2a) adopting findings in support of the General Plan Amendment and approving the General Plan Amendment to change 18.5 acres of land designated as Residential low Density to residential Medium Density and 2.2 acres of land designated as Residential Low Density to Commercial General; and
10. Adopt the Resolution 22- ____ (Attachment 2b) adopting findings in support of the Zone Reclassification; and
11. Adopt Ordinance No. ____ (Attachment 2b-i) redesignating zone districts within the project boundary; and
12. Adopt the Resolution 22- ____ (Attachment 2) adopting findings in support of the Tentative Subdivision Map, Planned Unit Development and Special Permit and approving the Tentative Subdivision Map, Planned Unit Development and Special Permit; and
13. Direct the Clerk of the Board, within 15 days after adoption of the Ordinance redesignating zone districts within the project boundary (Attachment 2b-i), to publish a post-adoption summary of the ordinance (Attachment 2b-ii) with the names of the Supervisors voting for and against the Ordinance, and to post in the office of the Clerk of the Board 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.

Attachments: [Staff Report](#)
[Attachment 1A - Draft EIR north mckay ranch subdivision project.pdf](#)
[Attachment 1 - McKay CEQA BOS Reso findings \(1\)\[54\].docx](#)
[Attachment 1B McKay Ranch Partial Recirc DEIR OCR.pdf](#)
[Attachment 1C N McKay Ranch Subdivision FEIR.pdf](#)
[Attachment 1D FEIR.Errata 1.docx](#)
[Attachment 1E MMRP.docx](#)
[Attachment 2a McKay GPA BOS Resolution.docx](#)
[Attachment 2 - McKay Entitlement BOS Resolution \(1\).docx](#)
[Attachment 2b McKay Rezone BOS Resolution \(1\).docx](#)
[Attachment 2b-i - Ordinance, Zone District Reclassification.docx](#)
[Attachment 2b-ii Post Adoption of Ordinance.docx](#)
[Attachment 3 - DA Ordinance \(2\).docx](#)
[Attachment 3B McKay DA Exhibits.pdf](#)
[Attachment 3A McKay DA 2-25-22.docx](#)
[Attachment 3c DA Pre-Adoption summary.docx](#)
[Attachment 3D DA Post-Adoption Summary.docx](#)
[Attachment 4 PC - Mckay Staff Report 1.6.22.pdf](#)
[Attachment 4a - PC Supplemental #1 9902 McKay 1.06.22.pdf](#)
[Attachment 4b - PC 1.06.22 Public comments on McKay.pdf](#)
[Attachment 5 - McKay DA PC Staff Report 02.03.22](#)
[Attachment 6 - PC Resolutions.pdf](#)
[Attachment 7 - Public Comments post PC 2.03.22 meeting.pdf](#)

J. DISCUSSION ITEMS

K. MATTERS SET FOR TIME CERTAIN

L. PUBLIC COMMENT ON NON-AGENDA ITEMS - 1:30 PM

M. CLOSED SESSION

1. Conference with Legal Counsel - Pursuant to Government Code section 54954.5 and 54957 to consider Public Employee Appointment for the position of the Agricultural Commissioner

N. ADJOURNMENT

Any written materials related to an item on this agenda submitted to the Board of Supervisors less than 72 hours prior to the Board meeting, and that are public records subject to the Public Records Act, are available for public inspection in the Office of the Clerk of the Board at 825 5th Street, Suite 111, Eureka (476-2384), during normal business hours.

Persons wishing to file documentation on any agenda item for the official record must submit an original and nine (9) copies of each document to the Clerk of the Board of Supervisors, Room 111 of the County Courthouse, 825 5th Street in Eureka (476-2384). Documentation includes, but is not limited to, written correspondence, audio and video tapes, maps, photographs, and petitions. Failure to submit the required number of copies will result in the document/s not being placed in the official record. (Per Board of Supervisors' policy adopted on March 21, 1995.)

The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board at (707) 476-2384, or (707) 445-7299 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.

BARRING ANY UNFORESEEN TECHNICAL DIFFICULTIES OR SCHEDULING CHANGES, REGULAR MEETINGS OF THE BOARD OF SUPERVISORS ARE BROADCAST LIVE ON SUDDEN LINK, CHANNEL 10, AND ARE REBROADCAST ON FRIDAY AT 6:30 P.M.

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