

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

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

AGENDA - Final

Tuesday, December 5, 2023

9:00 AM

Regular Meeting - Hybrid

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 qualified disabilities as required under the Americans with Disabilities Act. 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.

The Fourth Street Courthouse entrance re-opened to the public on Monday, September 11, 2023; However, the Fourth Street parking lot will remain closed while exterior work is completed. ADA Accessible parking is available in the dirt parking lot on the north side of the jail, located on K and Fourth Streets

If you are unable to access the courthouse due to the closure of the 4th Street entrances remote/teleconferencing, live viewing of meetings is available on Access Humboldt as well as streaming of the meeting. Public comment can be made through Zoom or email.

REMOTE/TELECONFERENCE PARTICIPATION

Conference Line: 720 707 2699
Meeting ID: 872 7560 6600

Please note: Those not able to attend the Board of Supervisors meeting in person will have the opportunity to provide public comment via Zoom; however, the County of Humboldt cannot guarantee that the Zoom system will be available for the entirety of every meeting. The only ways to guarantee that your comment is received and considered by the Board of Supervisors are to attend the meeting person or submit your comment in writing in advance of the meeting.

Zoom Public Comment:

When the Board of Supervisors announce the agenda item that you wish to comment on, call the conference line, enter Meeting ID 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, 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. Please turn off your TV or live stream to avoid delays.

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.

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, during normal business hours.

Persons wishing to file documentation on any agenda item for the official record must submit an original and seven (7) copies of each document to the Clerk of the Board of Supervisors, Room 111 of the County Courthouse, 825 5th Street in Eureka. 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.)

You may access the live stream of the meeting by using the following link:

<https://humboldt.legistar.com>

A. ROLL CALL

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

Aviation

23-1383

- 1. Professional Services Agreement with Armstrong Consultants, Inc. for Installation of Murray Field Airport (EKA) Runway 12/30 Vertical Guidance Systems (PAPI-4) Final Design**

Recommendation: That the Board of Supervisors:

1. Approve, and authorize, the Humboldt County, Director of Aviation, or designee thereof, to execute the attached Professional Services Agreement with Armstrong Consultants, Inc. for Murray Field Airport (EKA) Runway 12/30 Vertical Guidance Systems (PAPI-4) final design in the amount of \$98,620 for the period of Nov. 28, 2023 through Dec. 31, 2024; and
2. Authorize the Director of Aviation, or designee thereof, to execute any and all subsequent amendments, to the attached Professional Services Agreement with Armstrong Consultants Inc., after review and approval by County Counsel, Risk Management, and the County Administrative Office.

Attachments: [Staff Report](#)
[Attachment 1 - Professional Services Agreement - EKA PAPI Final Design_rm.pdf](#)

[23-1509](#)

2. Resolution Authorizing the Humboldt County Department of Aviation to Apply for, Accept an Allocation of Funds, and Execute a Grant Agreement with the California Department of Transportation, for Airport Improvement Program (AIP) Matching Grants in Relation to Federal Aviation Administration (FAA) Grant No. 3-06-0072-019-2023 and No. 3-06-0072-020-2023

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolutions authorizing the Humboldt County, Director of Aviation, or designee thereof, to execute any and all documents necessary to apply for and accept California Department of Transportation, Airport Improvement Program (AIP) Matching Grants related to Federal Aviation Administration (FAA) Grant No. 3-06-0072-019-2023 and No. 3-06-0072-020-2023; and
2. Authorize the Director of Aviation, or designee thereof, to execute future amendments to the above-mentioned State of California, Department of Transportation (DOT) AIP Matching Grants, after review by County Counsel, Risk Management, and the County Administrative Office.

Attachments: [Staff Report](#)
[Attachment 1 - Resolution - AIP State Matching Grant \(EKA PAPI Final Design\)](#)
[Attachment 2 - Resolution - AIP State Matching Grant \(EKA PAPI RA\)](#)
[Resolution No. 23-150.pdf](#)
[Resolution 23-151.pdf](#)

Board of Supervisors

[23-1563](#)

3. Letter Regarding the 2023 Nearshore Groundfish Fishery Season Closure Northern Groundfish Management Area (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:
1. Authorize the Chair to sign the letter of opposition to the closure of the 2023 nearshore rockfish season in marine waters off the coast.

Attachments: [Staff Report](#)
[2023 Groundfish Closure Letter of Opposition.pdf](#)

Clerk of the Board

[23-1352](#)

4. Local Appointments List for 2024

Recommendation: That the Board of Supervisors:
1. Receive the Local Appointments List for 2024; and
2. Direct the Clerk of the Board to send a copy of the Local Appointments List for 2024 to the Humboldt County Library, Eureka Main Branch pursuant to Government Code Section 54973; and
3. Designate the Humboldt County Library, Eureka Main Branch, as the public library required to receive a copy of such list.

Attachments: [Staff Report](#)
[Local Appointments List for 2024.pdf](#)

[23-1594](#)

5. Approval of the Action Summary - Meeting of November 28, 2023

Recommendation: That the Board of Supervisors:
1. Approve the Action Summary for the meeting of November 28, 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.

Attachments: [Staff Report](#)
[Action Summary - 11 28 2023.pdf](#)
[Minute Sheet.docx](#)
[Executed Action Summary November 28, 2023.pdf](#)

County Administrative Office

[23-1513](#)

6. Request a Transfer from Contingencies in the amount of \$35,000: \$5,000 for Orick Volunteer Fire Department, \$5,000 for a Fire Study, and \$25,000 for Southern Humboldt Business Improvement District (4/5 Vote Required)

Recommendation: That the Board of Supervisors:
1. Approve the transfer from Contingencies in the amount \$10,000 to the Forester & Warden budget (1100281), \$5,000 for repairs to the apparatus

and personnel gear for the Orick Volunteer Fire Department, \$5,000 for a deposit on a fire services scoping study (4/5 Vote Required); and

2. Approve the transfer from Contingencies in the amount of \$25,000 to the Contributions to Other Funds (1100199) and associated Supplemental Budget in the County Administrative Office Economic Development Division (1120275) to fund a contract amendment for Civitas to perform services related to formation of the Southern Humboldt Business Improvement District (4/5 Vote Required).

Attachments:[Staff Report](#)[Budget Adjustment Form 11-8-23.1.pdf](#)[Supplemental Budget](#)**County Clerk/Recorder/Registrar of Voters**[23-1534](#)**7. Appointment of Special District Directors*****Recommendation:***

That the Board of Supervisors:

1. Receive staff report; and
2. Appoint attached slates of individuals to special district governing boards, pursuant to California Elections Code, Sections 10515 and 10517.

Attachments:[Staff Report](#)[Attachment 1 Appointments in Lieu.pdf](#)[Attachment 2 District Recommendations of Qualified Candidates.pdf](#)[Attachment 3 District Recommendation Letters.pdf](#)[Attachment 4 Vacancies.pdf](#)**Department of Health and Human Services: Behavioral Health**[23-1432](#)**8. Subcontract Agreement with Advocates for Human Potential, Inc. Regarding Implementation of the California Behavioral Health Mentored Internship Program in Humboldt County*****Recommendation:***

That the Board of Supervisors:

1. Approve, and authorize the Department of Health and Human Services - Behavioral Health Director, and/or designees thereof, to execute, the attached subcontract agreement with Advocates for Human Potential, Inc. regarding implementation of the California Behavioral Health Mentored Internship Program in Humboldt County for the period of October 1, 2023 through December 31, 2024;
2. Authorize the Department of Health and Human Services - Behavioral Health Director, and/or designees thereof, to execute any and all subsequent amendments to, and any other agreements, certifications, attestations and documents associated with, the attached subcontract

agreement with Advocates for Human Potential, Inc., after review and approval by County Counsel, Risk Management and the County Administrative Office; and

3. Direct the Clerk of the Board to provide one (1) fully executed certified copy of the Board Order related to this item to the Department of Health and Human Services - Contract Unit.

Attachments:

[Staff Report](#)

[Subcontract Agreement with Advocates for Human Potential, Inc. Regarding Implementation of HSU Interns with amendments](#)

Department of Health and Human Services: Public Health

[23-1526](#)

9. Grant Award from the California Strengthening Public Health Initiative (CASPHI)

Recommendation:

That the Board of Supervisors:

1. Retroactively accept the Public Health allocation agreement with CASPHI in the amount of \$131,224 for the period of Fiscal Year 22/23;
2. Approve grant agreement #CASPHI0012 with California Department of Public Health (CDPH) California Strengthening Public Health Initiative (CASPHI) in the amount of \$656,121.00 for the term of December 1, 2022 to November 30, 2027;
3. Authorize the Department of Health and Human Services Director of Public Health or designee thereof to sign the yearly allocation agreement for Fiscal Years 2023-2028;
4. Authorize the Department of Health and Human Services Director of Public Health or designee thereof to execute all subsequent amendments, and any other agreements, certifications, attestations, and documents directly related to the attached grant agreement, including subcontracts, after review of County Counsel and Risk Management; and
5. Direct the Clerk of the Board to return one (1) copy of the certified Board report to the DHHS - Contracts Unit.

Attachments:

[Staff Report](#)

[Grant Award from the California Strengthening Public Health Initiative \(CASPHI\).](#)

[Attachment 2 - CASPHI Allocation Table - Final](#)

[Attachment 3 - CASPHI Work Plan and Reporting](#)

[Attachment 4 - CASPHI Spend Plan](#)

[Attachment 5 - Invoice](#)

[Attachment 6 - Certification Form - County of Humboldt](#)

Department of Health and Human Services: Social Services

[23-1543](#)

10. Memorandum of Understanding with the California Department of Social Services

Regarding the Provision of Mass Care and Shelter Supplies

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Department of Health and Human Services Director, or a designee thereof, to execute, the attached memorandum of understanding with the California Department of Social Services regarding the provision of mass care and shelter supplies;
2. 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 memorandum of understanding with the California Department of Social Services, after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. 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.

Attachments: [Staff Report](#)

[Memorandum of Understanding with the California Department of Social Services Regarding the Provision of Mass Care and Shelter Supplies](#)

Human Resources

[23-1550](#)

11. Approval of a Side Letter of Agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 1684

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to sign a Side Letter of Agreement with the AFSCME regarding Paid Lost Time.

Attachments: [Staff Report](#)

[Paid Lost Time Side Letter - Partially Executed](#)

[Fully Executed Post Lost Time Side Letter.pdf](#)

Planning and Building Department

[23-1542](#)

12. Cooper General Plan Amendment and Zone Reclassification Petition
APN: 405-211-001
Case No.: PLN-2022-17694

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution (Attachment 1) to accept the application for a General Plan Amendment and Zone Reclassification; and
2. Direct the Clerk of the Board to give notice of the decision to the

applicant and any other interested party.

Attachments:

- [Staff Report](#)
- [Attachment 2 Copy of Application.pdf](#)
- [Attachment 1 Resolution DRAFT-3-2.docx](#)
- [Attachment 3 Location Map.pdf](#)
- [Attachment 4 Zoning Comparison Table.docx](#)
- [Attachment 5 Slopes, Stability, Seismic Safety, and Housing Inventory Figures.docx](#)
- [Attachment 6 Concept Site Plan.pdf](#)
- [Attachment 7 HCSD Referral.pdf](#)
- [Resolution No. 23-169](#)

Public Works

23-1548

13. Consultant Services Agreement with Paragon Partners Consultants, Inc., Regarding the Provision of On-Call Professional Real Estate and Right-of-Way Services

Recommendation:

That the Board of Supervisors:

1. Approve the selection of Paragon Partners Consultants, Inc. as the consulting firm to provide on-call professional real estate and right-of-way services;
2. Approve and authorize the Chair of the Board to execute, the attached consultant services agreement with Paragon Partners Consultants, Inc. regarding the provision of on-call professional real estate and right-of-way 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 Paragon Partners Consultants, Inc., after review and approval by County Counsel and Risk Management;
4. Authorize the Public Works Director, or a designee thereof, to execute amendments to the agreement after review and approval by County Counsel, Risk Management and the County Administrative office; and
5. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached consultant services agreement with Paragon Partners Consultants, Inc. to the Department of Public Works for further processing.

Attachments:

- [Staff Report](#)
- [FY23-24 Paragon Partners Consultants On-Call Real Estate and Right of Way Services Agreement Executed Agreement with Paragon Partners Consultants.pdf](#)

23-1551

14. Accept a Donation of \$25,000 for Development of Equestrian Trails within the McKay Community Forest in Memory of Former Humboldt County Supervisor and Planning Commissioner Seferino (Sef) Raul Murguia

Recommendation: That the Board of Supervisors:

1. Accept a donation of \$25,000 for development of equestrian trails within the McKay Community Forest in memory of Sef Murguia;
2. Authorize the Chair of the Board to sign the attached letter of appreciation; and
3. Authorize installation of a plaque at the trailhead of the Northridge parking area in memory of Sef Murguia.

Attachments: [Staff Report](#)

[1 - Donation Letter McKay Community Forest Murguia.pdf](#)

[2 - Letter of Appreciation.pdf](#)

[Executed letter - Elizabeth Murguia.pdf](#)

Sheriff

[23-1571](#)

15. Resolution for the Off-Highway Motor Vehicle Division Grant Program Calendar Year 2024 and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Accept and adopt the resolution (Attachment 1) authorizing the Chair to sign the Off-Highway Motor Vehicle governing body resolution with the California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division for the period January - December 2024;
2. Approve the fiscal year 2023-24 supplemental budget for Off-Highway Vehicle Grant 1100-221940 (Attachment 2) (4/5 Vote Required);
3. Authorize the Sheriff, Undersheriff and Deputy Director of Financial and Support Services to execute all the necessary reimbursement claims and future applications, in the name of the County of Humboldt, required by the California Department of Parks and Recreation for participation in the Off-Highway Motor Vehicle;
4. Authorize the Sheriff, Undersheriff and Deputy Director of Deputy Director of Financial and Support Services to execute all the necessary contracts, agreements, and amendments thereto, in the name of the County of Humboldt, and all other documents required by the California Department of Parks and Recreation for participation in the Off-Highway Motor Vehicle program with approval from County Counsel, Risk Management and County Administrative Office; and
5. Direct the Clerk of the Board to return a signed copy of the governing body resolution to the Humboldt County Sheriff's Office, Attention Julie Martin for submittal to funding agency.

Attachments:	Staff Report OHV G23-2024 Governing Body Resolution Supplemental Transfer Resolution No. 23-149.pdf
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E. ITEMS PULLED FROM CONSENT**F. PUBLIC COMMENT ON NON-AGENDA ITEMS****G. MATTERS SET FOR TIME CERTAIN*****County Counsel*****23-1591**

1. 11:00 AM - Closed Session - Conference with Legal Counsel – Anticipated Litigation: Initiation of litigation pursuant to Government Code Section 54956.9(d)(4) (one potential case)

Board of Supervisors**23-1501**

2. 11:00 AM - Closed Session - Pursuant to Government Code Sections 54954.5 and 54957 to Consider a Public Employee Performance Evaluation for the Position of the Director of Child Support

23-1502

3. 11:00 AM - Closed Session - Pursuant to Government Code Sections 54954.5 and 54957 to Consider a Public Employee Performance Evaluation for the Position of the Library Director

County Administrative Office**23-1456**

4. 2:30 PM - Measure Z Ad Hoc Recommendations

Recommendation: That the Board of Supervisors:

1. Receive a report from the Board of Supervisors Measure Z Ad Hoc regarding percentage-based allocations; and
2. Decide on an approach to set Measure Z allocations for Fiscal Year (FY) 2024-25 through FY 2026-27.

Attachments: [Staff Report](#)

[MZ Projections Percentages.pdf](#)

[MZ Positions and Salary Costs by Department.pdf](#)

H. MATTERS INITIATED BY BOARD MEMBERS

I. DEPARTMENT REPORTS**Clerk of the Board**[23-1289](#)

1. Appointment of Chair and Vice Chair for the Board of Supervisors - Calendar Year 2024

Recommendation: That the Board of Supervisors:

1. Appoint a Chair and Vice Chair for the Board of Supervisors for Calendar Year 2024.

Attachments: [Staff Report](#)

[23-1397](#)

2. Appointment of Board Members to Various Boards, Commissions and Committees for Calendar Year 2024

Recommendation: That the Board of Supervisors:

1. Appoint Board Members to various boards, commissions and committees for calendar year 2024.

Attachments: [Staff Report](#)

[Board Member Appointment List for 2023.pdf](#)

[BOARDAPPOINTMENTSLISTS As of December 5 2023.xlsx](#)

J. PUBLIC HEARINGS**Planning and Building Department**[23-1515](#)

1. 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.

Sponsors: Planning and Building and McClenagan

Attachments: [Staff Report](#)

[Attachment 1 Resolution Final](#)

[Attachment 1A - Conditions of Approval](#)

[Attachment 1B - Cultivation Operations Plan](#)

[Attachment 1C - Site Plan](#)

[Attachment 1D - CEQA Addendum](#)

[Attachment 2 - Justification for Appeal of Decision](#)

[Attachment 3 - Planning Commission Staff Report](#)

[Attachment 4A - Big River Farms Signed LSAA Agreement 03.19.2019](#)

[Attachment 4B - Hydrologic Isolation Assessment SIGNED 04.13.2023](#)

[Attachment 4C - Update to Well Analysis 07.18.2023](#)

[Attachment 4D - Light Management Plan 05.01.2019](#)

[Attachment 4E - NOI 6.30.2017](#)

[Attachment 4F - Property Boundary Survey 03.19.2019](#)

[Attachment 4G - Road Evaluation 06.01.2018](#)

[Attachment 4H - Water Well Application 12.18.2018](#)

[Attachment 4I - Well Completion Report 12.18.2018](#)

[Attachment 4J - WRPP 12.18.2018](#)

[Attachment 4K - DEH Worksheet 6.30.2017](#)

[Attachment 4L - Restocking Plan 07.10.2023](#)

[Attachment 4M - Wildlife Assessment Report 04.26.2019](#)

[Attachment 5 - Adopted Resolution of the Planning Commission, Resolution No. 23-082](#)

[Attachment 6 - Public Comments Submitted to the Planning Commission](#)

[Attachment 7 - Referral Agency Comments and Recommendations](#)

K. CLOSED SESSION (See Matters Set for Time Certain)

L. ADJOURNMENT