

**BOARD OF SUPERVISORS**

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



**COUNTY STAFF**

ELISHIA HAYES  
County Administrative Officer  
JEFFERSON BILLINGSLEY  
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, November 2, 2021

9:00 AM

Regular Meeting

---

*In accordance with AB 361 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](mailto: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 842 7357 2197 and press star (\*) 9 on your phone, this will raise your hand. You'll continue to hear the Board meeting on the call.*

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

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

*The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Clerk of the Board Office at 707-476-2390 or by email [cob@co.humboldt.ca.us](mailto:cob@co.humboldt.ca.us) or the ADA Coordinator at 844-365-0352 or by email at [ada@co.humboldt.ca.us](mailto:ada@co.humboldt.ca.us)*

**A. ROLL CALL**

**B. SALUTE TO THE FLAG**

**C. MODIFICATIONS TO THE AGENDA**

**D. CONSENT CALENDAR**

**Board of Supervisors**

1. Approval to join the Golden State Connect Authority (GSCA) for the purpose of expanding broadband access and quality in rural counties (Supervisor Rex Bohn)

**Recommendation:** That the Board of Supervisors:

1. Authorize the Chair to sign a resolution to execute the Golden State Connect Authority Joint Exercise of Powers Agreement;
2. Authorize the Chair to sign the GSCA Joint Exercise of Powers Agreement; and
3. Forward a copy of the signed resolution and GSCA Joint Exercise of Powers Agreement to Sarah Bolnik at Rural Counties Representatives of California (RCRC) - [sbolnik@rcrcnet.org](mailto:sbolnik@rcrcnet.org)

**Attachments:**

[Staff Report](#)

[RCRC Rural Board Band Initiative.pdf](#)

[GSCA JPA Agreement.pdf](#)

[Golden State Connect JPA Agreement Resolution.docx](#)

2. Recognition Resolution for John McManus (Supervisor Virginia Bass and Supervisor Steve Madrone)

**Recommendation:** That the Board of Supervisors:

1. Receive and file.

**Attachments:**

[Staff Report](#)

[Resolution.pdf](#)

**Child Support Services**

3. Memorandum of Understanding with Napa County Child Support Regarding the Designation of a Napa County Child Support Specialist to provide services for North Coast Regional Department of Child Support Services

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Director of North Coast Regional Department of Child Support Services (NCRDCSS) to execute the attached memorandum of understanding (MOU) between North Coast Regional Department of Child Support Services and Napa County Child Support Services for case manager services; and
2. Authorize the Director of NCRDCSS, or a designee thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with Napa County Child Support Services, after review and approval by County Counsel, Risk Management and the County Administrative Office.

**Attachments:** [Staff Report](#)  
[Napa-NCRDCSS Case Manger MOU 2021](#)

**Clerk of the Board**

4. Approval of the Action Summary - Meeting of Oct. 26, 2021

**Recommendation:** That the Board of Supervisors:

1. Approve the Action Summary for the meeting of Oct. 26, 2021 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](#)  
[10.26.2021 Action Summary.pdf](#)  
[10-26-21 MINUTE SHEET.pdf](#)

**County Administrative Office**

5. Set Public Hearing on Redistricting in Humboldt County for Nov. 16, 2021

**Recommendation:** That the Board of Supervisors:

1. Direct the Clerk of the Board to:
  - a. Schedule a public hearing with a scheduled time-set on Tuesday, Nov. 16, 2021 at 10:00 a.m., to review draft supervisorial district boundaries and to hear public testimony regarding Redistricting in Humboldt County.

b. Post and publish the attached pre-hearing summary at least 5 days in advance of the hearing.

**Attachments:**     [Staff Report](#)  
                          [Noticing Staff Report - 2021-11-16](#)  
                          [Elections Code 21500 et seq](#)

6. Software License and Support Services Agreement with Ray Morgan Company Regarding the Provision, Support and Maintenance of a Content Management Software System

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached software license and support services agreement with Ray Morgan Company regarding the provision, support and maintenance of a content management software system for the period of October 1, 2021 through September 30, 2026;
2. Authorize the Humboldt County Information Technology Director, or a designee thereof, to execute any and all subsequent amendments to the attached software license and support services agreement with Ray Morgan Company, after review and approval by County Counsel, Risk Management and the County Administration Office - Management and Budget Team; and
3. Direct the Clerk of the Board to return one fully executed original copy of the attached software license and support services agreement with Ray Morgan Company to the County Administrative Office - Information Technology Division for further processing.

**Attachments:**     [Staff Report](#)  
                          [FY 21-22 Ray Morgan Company Software License and Support Services Agreemen](#)

**Department of Health and Human Services: Administration**

7. Allocation of 1.0 Full-Time Equivalent (FTE) Staff Services Analyst III, Management and Confidential (M&C)

**Recommendation:** That the Board of Supervisors:

1. Approve the allocation of 1.0 FTE Staff Services Analyst III, M&C (salary range 460, job class 0396, bargaining unit 008 confidential) in budget unit (BU) 511; effective the pay period immediately following Board approval.

**Attachments:**     [Staff Report](#)

8. Deallocate 1.0 Full-Time Equivalent (FTE) Senior Program Manager - Employment & Training position and allocate 1.0 FTE Program Manager position.

**Recommendation:** That the Board of Supervisors:

1. Deallocate 1.0 FTE Senior Program Manager - Employment & Training (class 0751, salary range 515, position 01, M&C unit 09) in budget unit (BU) 597, effective beginning of the pay period following approval; and
2. Allocate 1.0 FTE Program Manager (class 0934, salary range 505, M&C unit 09) in BU 597; effective beginning of the pay period following approval.

**Attachments:** [Staff Report](#)

9. Update on Local Conditions Surrounding COVID-19

**Recommendation:** That the Board of Supervisors:

1. Receive an update from Department of Health and Human Services (DHHS) - Public Health and the Humboldt County Health Officer regarding the current status of novel coronavirus (COVID-19) in Humboldt County.

**Attachments:** [Staff Report](#)  
[Written Report from the Humboldt County Health Officer](#)  
[Fully vaccinated vs. unvaccinated weekly graph](#)

**Planning and Building Department**

10. Approve State Funded First-Time Homebuyer Guidelines

**Recommendation:** That the Board of Supervisors:

1. Review Humboldt County State-Funded First Time Homebuyer Guidelines.
2. Approve Guidelines and direct staff to communicate approval of the guidelines with State of California Housing and Community Development CalHome and Permanent Local Housing Allocation (PLHA).

**Attachments:** [Staff Report](#)  
[Attachment 1 First-time Homebuyer Program Resolution](#)  
[Attachment 2 First Time Homebuyer Program Guidelines for CalHome and PLHA](#)  
[Attachment 3 20-PLHA-15161 Executed Standard Agreement](#)

**Probation**

11. Supplemental Budget for Probation Budget Unit, 235, Replacement Furniture for Juvenile Division (4/5ths vote required)

**Recommendation:** That the Board of Supervisors:

1. Approve the attached supplemental budget in the amount of \$35,000 for 1100-235 (4/5ths vote required)

*Attachments:*        [Staff Report](#)  
                              [235-10.15.21.xlsx](#)

### **Public Works**

12. License Agreement with Humboldt Redwood Company, LLC for the Van Duzen Gravel Bar Surface Mining Site, APN 209-201-010, Highway 36, Carlotta

*Recommendation:*    That the Board of Supervisors:

1. Grant a waiver of the Nuclear Ordinance;
2. Authorize the Chair of the Board to sign, in duplicate, the License Agreement between the County of Humboldt and Humboldt Redwood Company, LLC (Attachment 1); and
3. Direct the Clerk of the Board to return both executed License Agreements to the Department of Public Works Land Use Division for further processing.

*Attachments:*        [Staff Report](#)  
                              [2021 HRC Van Duzen License Agreement.pdf](#)  
                              [Attachment 2 - 2019-05-07 Van Duzen License Agreement](#)

13. Annual Report for Fiscal Year (FY) 2020-21 Regarding Drainage Facility Improvements and Drainage Fees in the McKinleyville Drainage Area

*Recommendation:*    That the Board of Supervisors:

1. Adopt the resolution accepting the report and adopting findings related to drainage fees in the McKinleyville drainage area. (Attachment 1)

*Attachments:*        [Staff Report](#)  
                              [Attachment 1 - Resolution](#)  
                              [Exhibit A - Annual Report](#)  
                              [Attachment 2 - County Code 328.1 et seq.](#)

14. Annual Report for Fiscal Year 2020/21 Regarding Mill Creek Marketplace Development Impact Fee, McKinleyville Area

*Recommendation:*    That the Board of Supervisors:

1. Adopt the Resolution accepting the report and adopting findings related to the Mill Creek Marketplace Development Impact Fee (Attachment 1).

**Attachments:** [Staff Report](#)  
[Attachment 1 - Resolution](#)  
[Exhibit A - Annual Report](#)  
[Attachment 2 - County Code 329 et seq.](#)  
[Attachment 3 - Agreement with developer](#)  
[Attachment 4 - Accounting Summary](#)

15. Humboldt County Juvenile Hall Replacement Facility Construction Project, Change Order Numbers: 10.0, 11.0, 12.0 and 13.0, Project Number 170212

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Public Works Director to execute, Change Order Number 10.0 for a total cost increase of \$39,196.96 and a time extension of three (3) calendar days;
2. Approve and authorize the Public Works Director to execute, Change Order Number 11.0 for a total cost increase of \$8,358.35 and a time extension of zero (0) calendar days;
3. Approve and authorize the Public Works Director to execute, Change Order Number 12.0 for a total cost increase of \$21,158.44 and a time extension of zero (0) calendar days; and
4. Approve and authorize the Public Works Director to execute, Change Order Number 13.0 for a total cost increase of \$197,463.12 and a time extension of thirty-five (35) calendar days.

**Attachments:** [Staff Report](#)  
[170212-Change order No. 10.pdf](#)  
[170212-Change order No. 11.pdf](#)  
[170212-Change order No. 12.pdf](#)  
[170212-Change order No. 13.pdf](#)

### **Sheriff**

16. Patrick Leahy Bulletproof Vest Partnership Supplemental Budget (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Approve the Supplemental Budget request for budget unit 1100-221970 - Bulletproof Vest Grant (Attachment 1) (4/5 vote required).

**Attachments:** [Staff Report](#)  
[1100221970 Supplemental Budget Bulletproof Vest.pdf](#)

17. Resolution for Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Award

## 2021 and Supplemental Budgets for 2021 and 2020 (4/5 Vote Required)

- Recommendation:** That the Board of Supervisors:
1. Approve and authorize the Chair to sign Resolution No. \_\_\_\_\_ (Attachment 1) authorizing the Sheriff's Office to submit the governing body resolution for the Byrne JAG 2021 program, accept grant funds, and sign any documents required for participation in the grant program;
  2. Approve the Supplemental Budget request for budget unit 1100-221911 - Byrne JAG Local 2021 Grant (Attachment 2) (4/5 vote required);
  3. Approve the Supplemental Budget request for budget unit 1100-221910 - Byrne JAG Local 2020 Grant (Attachment 3) (4/5 vote required);
  4. Authorize the Sheriff, Undersheriff or Deputy Director Sheriff's Administration to sign all future amendments, terminations, extensions, and documents directly related to the Edward Byrne Memorial JAG Program Local Award 2021 upon review of County Counsel and Risk Management; and
  5. Direct the Clerk of the Board to return completed and signed copy of the Resolution to the Sheriff's Office, Attention: Tammi Gilbert for submittal to funding agency.

- Attachments:**
- [Staff Report](#)
  - [Governing Body Resolution.docx](#)
  - [Supplemental Budget for BU 221911 Byrne JAG Local](#)
  - [Supplemental Budget for BU 221910 Byrne JAG Local](#)

**E. PUBLIC COMMENT ON NON-AGENDA ITEMS****F. SPECIAL PRESENTATIONS****G. ITEMS PULLED FROM CONSENT****H. MATTERS INITIATED BY BOARD MEMBERS****I. DEPARTMENT REPORTS****Assessor**

1. Resolution for the Temporary Employment of Retired Annuitant as Executive Secretary for the Assessor's Office (4/5 Vote Required)

- Recommendation:** That the Board of Supervisors:
1. Adopt the attached resolution authorizing an exception to the 180-day wait period of the California Public Employees Retirement System (CalPERS) for the employment of Janine Ross as a temporary retired annuitant Executive Secretary (class 0167, salary range 390, step E) with the Assessor's Office, as necessary to



fill a critically needed position.

*Attachments:*

[Staff Report](#)

[BOS Resolution - Temporary Employment of Retired Annuitant 10-14-21.docx](#)

## J. PUBLIC HEARINGS

### *Planning and Building Department*

1. Authorization to apply for \$18,635,147 available through the non-competitive California Department of Cannabis Control (DCC) Local Jurisdiction Assistance Grant Program and approval of guidelines for the use of the funds received (Case # PLN-2021-17446).

*Recommendation:*

That the Board of Supervisors:

1. Receive and consider the staff report, open the public hearing, and accept public comment;
2. Close the public hearing;
3. Deliberate on submittal of a Local Jurisdiction Assistance Grant Program application and the proposed guidelines for the use of the funds received;
4. Authorize submittal of a Local Jurisdiction Assistance Grant Program application by adopting the Resolution in Attachment 1;
5. Approve the Grant and Loan Program Guidelines for the use of the funds received by adopting the Resolution in Attachment 2;
6. Authorize the Auditor/Controller to set up a new fund titled "Environmental Compliance and Equity Fund" with fund number \_\_\_\_\_, as well as to set up budget unit within that fund;
7. Authorize the Auditor/Controller to transfer the funds from DCC's Local Jurisdiction Assistance Grant Program into the Environmental Compliance and Equity Fund upon receipt;
8. Direct Planning and Building Director or designee to administer the Grant and Loan Program subject to the Guidelines in Attachment 2; and
9. Direct Planning and Building Director to provide annual reports to the Board of Supervisors by the end of the calendar year in 2022 and continuing through 2026 assessing the effectiveness of the program in achieving the goals of the program and providing recommendations for increasing the program's effectiveness.

**Attachments:**[Staff Report](#)[Attachment 1 - Resolution authorizing submittal of the DCC grant application 10-18-21.docx](#)[Attachment 2 - Resolution approving guidelines for the use of DCC Grant Program 10-18-21.docx](#)[Attachment 2a-1 - Guidelines for the Stream Protection Program 10-18-21.docx](#)[Attachment 2a-2 - Appendix I - Maps of Priority Sub Watersheds Identified in Resolution 10-18-21.docx](#)[Attachment 2a-3 - Appendix 2 - Loan Servicing - Stream Protection Program 10-18-21.docx](#)[Attachment 2b-1 - Guidelines for the Renewable Energy Program 10-18-21.docx](#)[Attachment 2b-2 - Appendix 1 - Loan Servicing-Renewable Energy Program 10-18-21.docx](#)[Attachment 2c - Environmental Compliance and Equity Fund Reuse Plan.docx](#)[Attachment 3 - DCC Program Guidelines.pdf](#)[Attachment 4 - Public Comment.pdf](#)

2. Stott Outdoor Advertising Appeal of Planning Commission Denial of a Conditional Use Permit to allow a 480-Square Foot, Double-Sided, Off-premise Billboard

**Recommendation:** That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the appellant (applicant), and public; and
2. Close the public hearing; and
3. Adopt the resolution (Resolution 21-\_\_). (Attachment 1) which does the following:
  - a. Finds the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15270 (Projects Which Are Disapproved); and
  - b. Finds that the project is not in conformance with the Humboldt County General Plan Chapters 4 - Land Use and Chapter 10 - Conservation and Open Space Elements; and
  - c. Finds that the proposed development would be detrimental to the public health, safety, or welfare; therefore, the mandatory finding required for approval of a Use Permit contained in Humboldt County Code section 312-17.1.4 cannot be made where the proposed billboard increases visual blight along Highway 101; and
  - d. Finds that denial of the proposed project is in the public interest.
  - e. Denies the Conditional Use Permit.
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.

**Attachments:** [Staff Report](#)  
[Attachment 2 17414 Application Form and Appeal Discussion 08.18.2021.pdf](#)  
[Attachment 1 Draft Resolution for Stott Denial 10-28\[45\].docx](#)  
[Attachment 3a 16175 Stott Staff Report 8.5.21.pdf](#)  
[Attachment 3b PC Resolution 21-109 Stott 16175.pdf](#)  
[Attachment 4 Lamar Appeal Report Response.pdf](#)  
[Attachment 4A Alternate Resolution from Appellant.pdf](#)  
[Attachment 4B VTTI Billboard Safety Study.pdf](#)  
[21-1421 10.05.21 Stott Board Report.pdf](#)

## K. DISCUSSION ITEMS

## L. MATTERS SET FOR TIME CERTAIN

### County Administrative Office

1. 10:00am - Public Hearing on Redistricting in Humboldt County

**Recommendation:** That the Board of Supervisors:

1. Open the public hearing;
2. Receive recommendations made by the Redistricting Advisory Commission;
3. Make recommendations on the formation of a final draft Supervisorial District Map for adoption no later than the Board meeting of Dec. 14, 2021; and
4. Close the Public Hearing.

**Attachments:** [Staff Report](#)  
[Resolution No. 21-76](#)  
[Resolution No. 21-91](#)  
[Draft Map A2](#)  
[Draft Map C2](#)  
[Community of Interest Survey Results](#)  
[Draft 1 Map Survey Results](#)  
[Draft 2 Map Survey Results](#)  
[Emailed Public Comment](#)  
[Current Supervisorial District Map](#)  
[Elections Code 21500 et seq](#)  
[Elections Code 23000 et seq](#)

### Planning and Building Department

2. 1:00 pm - Administrative Civil Penalty Assessment Appeal Hearing on Property Located in the 6000 block Elk River Road, Eureka (APN 304-211-011).

**Recommendation:** That the Board of Supervisors:

1. Adopt a Resolution to confirm the Administrative Civil Penalty Assessment in the amount of \$36,977.05 on the property located in the 6000 block Elk River Road, Eureka (APN 304-211-011) which contains violations of various Humboldt County Code sections in accordance with Section 352-19 titled Administrative Civil Penalty Assessment Appeal Hearing of Title III, Division 5, Chapter 2 of the Humboldt County Code.

**Attachments:**

[Staff Report](#)

[Attachment A - Grant Deed.pdf](#)

[Attachment B - Notices of Nuisance.pdf](#)

[Attachment C - NOV 10-25-2017.pdf](#)

[Attachment D - Inspection photos 9-15-2017.pdf](#)

[Attachment E - Appeal Request.pdf](#)

[Attachment F - Finding of Nuisance and Order of Abatement and Finding of Violati](#)

[Attachment G - Executed Compliance Agreement.pdf](#)

[Attachment H - Effect of Noncompliance with Compliance Agreement.pdf](#)

[Attachment I - Notice of Admin Penalty Assessment.pdf](#)

[Attachment J - NACPA Appeal Forms.pdf](#)

[Attachment K - Weltsch Settlement Offer.pdf](#)

[Attachment L - Response to Settlement Offer.pdf](#)

[Attachment M - Inspection Photos 4-6-2021.pdf](#)

[Attachment N - Resolution Weltsch.docx](#)

## 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 County Surveyor
2. Conference with Legal Counsel - Pursuant to Government Code section 54954.5 and 54957 to consider Public Employee Appointment for the position of the Director of Human Resources/Risk Manager
3. Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of County of Humboldt v. Purdue Pharma, et al.: Case No. 1:18-CV-04375; Bankruptcy Case No. 19-23649 (RDD)

4. Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Northcoast Environmental Center, et al. v. County of Humboldt, Humboldt Superior Court Case No. CV 2100518
  
5. Conference with Labor Negotiator - Pursuant to Government Code section 54957.6 it is the intention of the Board of Supervisors to meet in closed session to review the County's position and instruct its designated labor negotiator. Labor negotiators: Kelly Barns, Elishia Hayes and Jack Hughes. Employee Organizations (represented and unrepresented): SEIU/In-Home Support Services, American Federation of State, County and Municipal Employees (AFSCME local 1684), Humboldt County Attorneys Association, Humboldt Deputy Sheriffs Organization (Law Enforcement Non-Management Unit), Humboldt Deputy Sheriffs Organization (Law Enforcement Management Unit), Appointed Department Heads, and Management and Confidential employees.

## **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.**

**County of Humboldt Web Site: <http://humboldtgov.org/>**