

BOARD OF SUPERVISORS

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



COUNTY STAFF

AMY S. NILSEN
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, November 17, 2020

9:00 AM

Regular Meeting

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 965 2090 2806 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 or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

Board of Supervisors

1. Cathy Landry Retirement Resolution (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the Resolution.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

2. Adoption Awareness Month Proclamation (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors:

1. Adopt the Proclamation.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

3. Appoint Lisa Sundberg to the Human Rights Commission Representing the Fifth District (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Receive and file the report.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

4. Letter of Support for Ruth Lake and Mad River Watershed Restoration Post August Complex Fire (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

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

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Clerk of the Board

5. Submittal of Supervisor's Monthly Expense Report on Meetings Pursuant to Government Code Section 53232.3(d)

Recommendation: That the Board of Supervisors:

1. Receive and file the report.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

6. Local Appointments List for 2021

Recommendation: That the Board of Supervisors:

1. Receive said list; direct the Clerk of the Board to send a copy of said list to the Humboldt County Library, Eureka Main Branch pursuant to Government Code Section 54973; and that the Board hereby designate the Humboldt County Library, Eureka Main Branch, as the public library required to receive a copy of such list.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

7. Approval of the Action Summary - Meeting of November 10, 2020

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of November 10, 2020 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 Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

County Administrative Office

8. Revised Funding Recommendations for the Fiscal Year (FY) 2019-20 Project Trellis Grant Award for Five Sisters Farms and Project Trellis Spending Plan for FY 2020-21

Recommendation: That the Board of Supervisors:

1. Approve the revised funding recommendation for the FY 2019-20 Project Trellis Grant Award for Five Sisters Farms LLC;
2. Authorize the County Administrative Officer (or designee) to sign the grant agreements when completed, after review and approval by County Counsel and Risk Management; and
3. Approve the proposed Project Trellis spending plan for FY 2020-21.

This item was pulled from consent for discussion.

A motion was made by Supervisor Bohn, seconded by Supervisor Madrone, to approve staff recommendations and direct staff to provide more clarification on who is available for these funds and to add the additional entities discussed that are acceptable. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

County Clerk/Recorder/Registrar of Voters

9. Biennial Conflict-of-Interest Code - School and Special Districts

Recommendation: That the Board of Supervisors:

1. Receive staff report; and
2. Approve the changes being requested by school districts and special districts.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

10. 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.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Administration**11. Resolution Authorizing the Humboldt County Department of Health and Human Services to Apply for and, if Awarded, Accept Funding Made Available through the California Department of Housing and Community Development's Emergency Solutions Grants Program - Coronavirus Round 2**

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution which authorizes the Humboldt County Department of Health and Human Services Director, or a designee thereof, to apply for and, if awarded, accept funding made available through the California Department of Housing and Community Development's Emergency Solutions Grants Program - Coronavirus Round 2; and
2. Direct the Clerk of the Board to return one fully executed certified copy of the attached resolution to the Department of Health and Human Services - Contract Unit for submission to the California Department of Housing and Community Development.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Behavioral Health**12. Appointments to the Humboldt County Behavioral Health Board**

Recommendation: That the Board of Supervisors:

1. Appoint Tracie Conner and Madison Flynn to the Humboldt County Behavioral Health Board for 3-year terms.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Public Health

13. Certification of Compliance for the Child Health Disability Prevention and California Children's Services Programs for Fiscal Year 2020-2021

Recommendation: That the Board of Supervisors:

1. Authorize the Chair of the Board to sign the Certification Statements for the Child Health and Disability Prevention and California Children's Services Programs; and
2. Direct the Clerk of the Board to return the two signed original Certification Statements to the Department of Health and Human Services - Public Health Administration for submission to the State Department of Health Care Services.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Planning and Building Department

14. Approve Administrative Civil Penalty Assessment on Various Properties

Recommendation: That the Board of Supervisors:

1. Approve the proposed Administrative Civil Penalty Assessments on property owners who are in violation of various Humboldt County Codes including violation of Commercial Cannabis Land Use Ordinance (CCLUO) (formerly Commercial Medical Marijuana Ordinance) in the amount of \$900,000.00 plus administrative costs incurred in accordance with Title III, Division 5, Chapter 2, section 352-20 Summary Approval of Proposed Administrative Civil Penalty Assessments.

This item was pulled from consent for discussion.

A motion was made by Supervisor Madrone, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Public Works**15. Accept Completed Contract for Storm Damage Repair to Herrick Avenue (3J410) Post Mile 0.74**

Recommendation: That the Board of Supervisors:

1. Accept the completed contract, including the change order approved by the Public Works Department, between Figas Construction and Humboldt County for construction of Storm Damage Repair to Herrick Avenue Post Mile 0.74; and
2. Approve the final claim for payment, as submitted by the Public Works Department to the Auditor-Controller, in the amount of \$417.83, which will bring the total amount paid to 100% of the contract.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

16. Donation of Brush Cutter to Heavy Equipment

Recommendation: That the Board of Supervisors:

1. Approve the donation of one (1) Brush Cutter to Heavy Equipment for capitalizations, maintenance and insurance purposes.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

17. Request to Use Humboldt County Public Works - Road's Equipment in the 32nd Annual Truckers' Christmas Parade

Recommendation: That the Board of Supervisors:

1. Authorize the use of Humboldt County Public Works - Road's equipment in the 32nd Annual Truckers' Christmas Parade on Saturday, December 12, 2020.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Sheriff

18. Accept a Donation to Support the Humboldt County Sheriff's Office and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Accept a donation in the amount of \$31,000.00 from the Carole Sund/Carrington Memorial Foundation to support the Humboldt County Sheriff's Office; and
2. Approve the attached supplemental budget (Attachment 1) to receive the donation in budget unit 1100-221 Sheriff Operations to purchase trauma kits and other emergency supplies for the Sheriff Patrol Deputies (4/5 vote required).

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

19. Accept a Donation to Support the Humboldt County Sheriff's Office Search and Rescue Team and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Accept a donation in the amount of \$20,000.00 from The Carol Davis Family to support the Humboldt County Sheriff's Office Search and Rescue Team; and
2. Approve the attached supplemental budget (Attachment 1) to receive the donation in budget unit 1100-221530 Search and Rescue to purchase equipment to support the Search and Rescue efforts by the Posse and Sheriff Deputies (4/5 vote required).

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Treasurer/Tax Collector

20. Adoption of Ordinance Amending Chapter 1, Division 1, Title VIII (Business Licenses, Franchises and Municipal Solar Utility Programs) Of the Humboldt County Code

Recommendation: That the Board of Supervisors:

1. Adopt Ordinance No. _____, amending Chapter 1, Division 1, Title VIII of Humboldt County Code.

A motion was made by Supervisor Bass, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

D. ITEMS PULLED FROM CONSENT**E. PUBLIC COMMENT ON NON-AGENDA ITEMS****F. SPECIAL PRESENTATIONS**

G. MATTERS INITIATED BY BOARD MEMBERS**H. DEPARTMENT REPORTS****Clerk of the Board**

1. Appointment of 2021 Delegate and Alternate to Rural County Representatives of California (RCRC) Board of Directors and Golden State Finance Authority (GSFA)

Recommendation: That the Board of Supervisors:

1. Appoint a Delegate and Alternate to the RCRC Board of Directors and Golden State Finance Authority for calendar year 2021, and direct the Clerk of the Board to notify RCRC staff member Maggie Chui, 1215 K Street, Suite #1650, Sacramento, CA 955814 of the appointment.

A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, to appoint Supervisor Bohn as the delegate and Supervisor Madrone as the alternate. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

County Administrative Office

2. Project Trellis Cannabis Marketing Initiative and Presentation on the Humboldt County Cannabis Marketing Assessment

Recommendation: That the Board of Supervisors:

1. Receive a staff report and presentation on the Project Trellis cannabis marketing initiative and recently completed Humboldt County Cannabis Marketing Assessment; and
2. Direct staff to issue a Request for Proposals (RFP) to encourage Humboldt County based non-profits to develop a program manual and plan for implementation of marketing efforts.

A motion was made by Supervisor Madrone, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Public Works

3. Introduction of an Ordinance Amending Sections 431-20 and 431-40, Relating to Parking Restrictions in the King Salmon and Garberville Areas, of Chapter 1 of Division 3 of Title IV of the Humboldt County Code

Recommendation: That the Board of Supervisors:

1. Introduce the attached ordinance by title and waive the first reading;
2. Set the attached ordinance for adoption on Dec. 8, 2020, or at least one (1) week away from the date of the Board of Supervisors meeting at which the ordinance is first introduced;
3. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [California Government Code Section 25124(b)(1)];
4. Direct the Clerk of the Board of Supervisors, within fifteen (15) days after adoption of the attached ordinance, to publish a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance, and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance and amendments along with the names of those Supervisors voting for and against the ordinance [California Government Code Section 25124(b)(1)]; and
5. Direct Department of Public Works staff to file the attached CEQA Determination Form stating that the proposed action is exempt from environmental review with the Humboldt County Clerk in accordance with the California Environmental Quality Act.

A motion was made by Supervisor Wilson, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

I. PUBLIC HEARINGS**J. DISCUSSION ITEMS**

K. MATTERS SET FOR TIME CERTAIN**DHHS: Public Health**

1. 9:00 a.m. - 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.

Board of Supervisors - Closed Session

2. 12:30 p.m. - It is the intention of the Board of Supervisors to meet in closed session to discuss threatened litigation pursuant to Government Code Section 54956.9(d)(2), (e)(2); related to overtime pay and the impact of Flores v. City of San Gabriel.

The Board of Supervisors met in closed session to discuss threatened litigation pursuant to Government Code Section 54956.9(d)(2), (e)(2); related to overtime pay and the impact of Flores v. City of San Gabriel. There was no action to report.

Planning and Building Department

3. 1:30 p.m. - Maple Creek Investments, LLC Appeal of the Planning Commission Denial of a Special Permit to Allow 27,025 Square Feet of New Outdoor Cannabis Cultivation

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the applicant/ appellant, and public;
2. Close the public hearing;
3. Adopt the resolution (Resolution 20-__). (Attachment 1) which does the following:
 - a. Considers the Addendum along with the Environmental Impact Report certified for the CCLUO per section 15162(c) of CEQA Guidelines; and
 - b. Makes the findings to grant the appeal submitted by Maple Creek Investments, LLC and to approve the Special Permit; and
 - c. Grant the Appeal
 - d. Approve the Special Permit.

A motion was made by Supervisor Wilson, seconded by Supervisor Bass, to continue this hearing to the meeting of 12/8/2020. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

L. 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



NOVEMBER 18, 2020



MINUTES
TUESDAY, NOVEMBER 17, 2020
Regular Session

The Honorable Board of Supervisors of the County of Humboldt met in regular session on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Tuesday, December 8, 2020 with the vote as shown below.

AYES: Supervisors: Fennell, Bohn, Madrone, Wilson, Bass
NAYS: Supervisors: --
ABSENT: Supervisors: --
ABSTAIN: Supervisors: --

RYAN SHARP
Deputy Clerk of the Board

ESTELLE FENNELL
Chair of the Board