

BOARD OF SUPERVISORS

REX BOHN  
First District  
ESTELLE FENNEL  
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  
JEFFREY S. BLANCK  
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, August 25, 2020

9:00 AM

Regular Meeting

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*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](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 669-900-9128, enter Meeting ID 994 5618 3319 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. SALUTE TO THE FLAG**

**B. MODIFICATIONS TO THE AGENDA**

**C. CONSENT CALENDAR**

**Clerk of the Board**

1. 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 Wilson, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote:*

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

2. Appointment of Michelle Nielsen to the Housing Trust Fund and Homelessness Committee as the Representative from the Planning and Building Department

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

1. Receive and file.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

3. Notice of Vacancy on the McKinleyville Municipal Advisory Committee (MMAC) for the Three At-Large Members

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

1. Receive and file the report on a notice of vacancy on the MMAC for three at-large members.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

4. Approval of the Action Summary - Meeting of August 18, 2020

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

1. Approve the Action Summary for the meeting of August 18, 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 Wilson, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote:*

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

5. Approval of the Action Summary - Special Meeting of August 19, 2020

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

1. Approve the Action Summary for the meeting of August 19, 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 Wilson, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote:*

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

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

6. Resolution Authorizing Acceptance of Mental Health Student Services Act Personnel Grant Funding from the California Mental Health Services Oversight and Accountability Commission to Deliver School-Based Mental Health Crisis Services (4/5 Vote Required)

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

1. Adopt the attached resolution authorizing the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute and deliver State of California Standard Agreement No. 19MHSOAC046, and any amendments thereto, along with any and all other documents and agreements with other entities required or deemed necessary to accept and secure Mental Health Student Services Act Personnel Grant funding in the amount of \$2,500,000 from the California Mental Health Services Oversight and Accountability Commission in order to deliver school-based mental health crisis services;
2. Adopt the attached supplemental budget in the amount of \$388,765 for fiscal year 2020-2021 Department of Health and Human Services - Behavioral Health Administration budget unit 1170-424 (4/5 vote required); and
3. 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 Mental Health Services Oversight and Accountability Commission.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

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

7. Grant Agreement with California Department of Public Health (CDPH) for COVID-19 funds. Funds for Housing Opportunities for Persons with AIDS (HOPWA)

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

1. Approve Grant Agreement # 19-11126 with CDPH for \$34,053 for the term of March 27, 2020 through June 30, 2020;
2. Authorize the Director of Public health, or a designee thereof, to sign four originals of the agreement and required certifications;
3. Authorize the Director of Public Health or a designee thereof to sign all future amendments and documents directly related to Grant Agreement # 19-11126 upon review and approval of County Counsel and Risk Management; and
4. Direct the Clerk of the Board to return one copy of the certified board report to the Department of Health and Human Services (DHHS) - Contract Unit

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not Present: 1 - Steve Madrone

Present:

**Planning and Building Department**

8. Kavanaugh/Landry Lot Line Adjustment and Joint Timber Management Plan (4/5 Vote Required)  
APNs: 107-112-001, 107-112-002, 107-112-003  
Case Nos.: LLA-17-004, JTMP-17-004

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

1. Approve the Joint Timber Management Plan (JTMP) and Guide (Attachment B) prepared pursuant to Section 51119.5 of the California Government Code (C.G.C.) (4/5th vote required);
2. Find the project exempt from environmental review pursuant to Sections 15061(b) (3) and 15305 of the California Environmental Quality Act (CEQA) guidelines and make all of the required findings (Attachment D) to approve the Lot Line Adjustment;
3. Direct the Planning Division staff to record the Declaration with the JTMP and the Notices of Lot Line Adjustment and Certificate of Subdivision Compliance; and
4. Direct the Clerk of the Board to give notice of the decision to owners, the county Assessor's Office and any other interested party.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not Present: 1 - Steve Madrone

Present:

**Public Works**

9. Mutual Agreement with the United States Department of the Interior National Park Service - Redwood National Park and the California Department of Parks and Recreation Regarding Maintenance of Davison Road (County Road No. 4R400), Hiltons Road (County Road No. 4Q050), Redpark Road (County Road No. 4S100) and Bald Hills Road (County Road No. F4R300)

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

1. Approve, and authorize the Chair of the Board to execute, the attached mutual agreement with the United States Department of the Interior National Park Service - Redwood National Park and the California Department of Parks and Recreation regarding maintenance of Davison Road (County Road No. 4R400), Hiltons Road (County Road No. 4Q050), Redpark Road (County Road No. 4S100) and Bald Hills Road (County Road No. F4R300) for the period of August 25, 2020, through August 24, 2030;
2. Authorize the Humboldt County Public Works Director, or a designee thereof, to execute any and all subsequent amendments to the attached mutual agreement with the United States Department of the Interior National Park Service - Redwood National Park and the California Department of Parks and Recreation, after review and approval by County Counsel and Risk Management; and
3. Direct the Clerk of the Board to return two (2) fully executed original copies of the attached mutual agreement with the United States Department of the Interior National Park Service - Redwood National Park and the California Department of Parks and Recreation to the Humboldt County Department of Public Works - Land Use Division for further processing.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

10. Bid Award Authorization for Bridge Preventive Maintenance to McCann Bridge (04C-0172) on McCann Road (6D090) Post Mile 0.03 and Storm Damage Repair to McCann Road (6D090) Post Mile 1.25

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

1. Receive and file the bid proposals submitted for the McCann Bridge (04C-0172) Preventive Maintenance and McCann Road (6D090) Post Mile 1.25 Storm Damage Repair Project;
2. Award the attached project agreement to Mercer-Fraser Company for the total amount of Seven Hundred Eighty-Eight Thousand Eight Hundred Thirty-Five Dollars (\$788,835); and
3. Authorize the Chair of the Board to execute the attached project agreement with Mercer-Fraser Company upon submittal of the appropriate bonds and insurance.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

11. Fourth Amendment to Lease with Humboldt Partners at 2440 Sixth Street, Eureka

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

1. Approve the Fourth Amendment to lease with Humboldt Partners at 2440 Sixth Street, Eureka;
2. Authorize the Chair of the Board to execute the Fourth Amendment to lease;
3. Direct the Clerk of the Board to return the Fourth Amendment to lease to Public Works Real Property; and
4. Authorize the Department of Health and Human Services to submit payment in the amount of Fifty-Nine Thousand, Two Hundred Fifty-Two Dollars and Forty-nine Cents (\$59,252.49) to Humboldt Partners.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

**Sheriff****12. Fiscal Year 2019-20 Equitable Sharing Agreements and Certifications**

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

1. Authorize the Chair of the Board of Supervisors and the Sheriff to sign the Equitable Sharing Agreements and Certifications for FY 2019-20 asset forfeiture funds for CA0120000 Humboldt County Sheriff's Office; and
2. Authorize the Deputy Director of Sheriff's Administration to submit the form electronically on behalf of the Chair of the Board and Sheriff.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not 1 - Steve Madrone

Present:

**D. ITEMS PULLED FROM CONSENT****E. PUBLIC COMMENT ON NON-AGENDA ITEMS****F. SPECIAL PRESENTATIONS****G. MATTERS INITIATED BY BOARD MEMBERS****Board of Supervisors****1. McKinleyville Municipal Advisory Committee (MMAC) Request for Additional County Support (Supervisor Steve Madrone)**

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

1. Consider the MMAC's request for the following financial/administrative support:
  - \* An annual budget for MMAC expenses up to \$2,500;
  - \* County administrative staff time up to 10 hours per month;
  - \* An email account for each MMAC member;
  - \* A video-conferencing account, with access provided and transferred to the Chair when a new Chair is appointed;
  - \* Storage on county server for MMAC documents including but not limited to recommendations in addition to the posting and archiving of meeting agendas and minutes; and
  - \* A county maintained webpage as a portal to MMAC information, member emails, and current issues.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bass, to direct the County Administrative Office to work with the Clerk of the Board to bring back a budget adjustment during the first quarter budget reports and review IT policy around electronic media meeting accounts. The motion carried by the following vote:**

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



**H. DEPARTMENT REPORTS****County Administrative Office****1. Responses to 2019-20 Grand Jury Reports**

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

1. Review and modify as necessary the proposed Grand Jury responses from the Board of Supervisors (Attachments 2, 4, 9 and 12);
2. Review and modify as necessary the proposed Grand Jury responses from the Department of Health and Human Services, Planning & Building, Human Resources, and Probation Departments (Attachments 5, 6, 8, 10 and 13);
3. Approve the documents, as may be modified, as the response;
4. Receive reports, as a courtesy, from the Sheriff and Treasurer-Tax Collector (Attachments 7 and 15);
5. Direct the Clerk of the Board, within 5 working days, to submit the final response with an accompanying Board Order to the 2019-20 Grand Jury and the Presiding Judge of the Superior Court;
6. Direct the Clerk of the Board, within 5 working days, to submit a copy of all responses to the County Clerk/Recorder, together with a copy of the original report; and
7. Direct the Clerk of the Board, within 5 working days, to submit two copies of all responses to the Clerk of the Court, one of which will be forwarded to the State Archivist, together with a copy of the original report.

***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**

**Planning and Building Department****2. Introduction of Ordinance Amending, Adding, and Repealing County Codes Relating to Building, Plumbing, Electrical and Other Codes**

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

1. Introduce by title and waive the first reading of the proposed ordinance:
  - a. Amending Sections 331-1 through 331-4, 331-11, 331-11.5, 331-14, and 331-22 of Chapter 1 of Division 3 of Title II of the Humboldt County Code;
  - b. Adding Section 331-22.1 to Chapter 1 of Division 3 of Title II of the Humboldt County Code; and
  - c. Repealing Section 331-23 of Chapter 1 of Division 3 of Title II of the Humboldt County Code.
2. Request that staff present the amendments and accept public comment;
3. Deliberate on the proposed ordinance;
4. Set the ordinance for adoption on \_\_\_\_\_, 2020, or at least one (1) week away from the date of this hearing;
5. Direct the Clerk of the Board of Supervisors to publish a Summary for Publication prior to the adoption of the ordinance. The Summary shall be published and a certified copy of the full text of the proposed ordinance shall be posted 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 proposed ordinance is to be adopted [Government Code Section 25124(b)(1)];
6. Direct the Clerk of the Board, within fifteen (15) days after adoption of the 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 along with the names of those Supervisors voting for and against the ordinance (Government Code section 25124(b)(1)); and
7. Direct staff to file the attached Notice of Exemption with the Humboldt County Clerk in accordance with the requirements of 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

3. Submission of a Grant Application to The California Department of Housing and Community Development's Community Development Block Grant Program Coronavirus Response Round 1 (CDBG-CV1)

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

1. Adopt attached Resolution (Resolution 20-\_\_) (Attachment 1) doing the following:
  - a. Approving an application for funding to be submitted to the Department of Housing and Community Development ("HCD") for the 2020 Community Development Block Grant Program Coronavirus Response Round 1(CDBG-CV1) in an amount not to exceed \$289,181.
  - b. Authorizing and directing the Planning and Building Department Director to execute, in the name of the County of Humboldt, the application, the Standard Agreement, and all other documents required by HCD for participation in the CDBG-CV1 Program, and any amendments.

*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

### Planning and Building Department

1. Rocci Costa Appeal of the Planning Commission Denial of Conditional Use Permit to Allow 10,000 Square Feet of Open Air Cannabis Cultivation in the Blue Lake Community Area

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

1. Open the public hearing and receive the staff report, testimony by the applicant/ appelland and public;
2. Close the public hearing;
3. Adopt the resolution (Resolution 20-\_\_). (Attachment 1) which does the following:
  - a. Finds the project exempt from environmental review pursuant to Section 15270 of the CEQA Guidelines.
  - b. Makes the findings to reject the appeal submitted by Rocci Costa; and
  - c. Denies the Conditional Use Permit.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bass, to continue this hearing to a date uncertain with a direction to staff to setup a community meeting with the neighbors and to conduct the community meeting with the applicant and the neighbors to determine if there are areas of agreement that can be reached to be able to come back with a proposal for the Board of Supervisors to consider. The motion carried by the following vote:*

Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Mike Wilson

Not Present: 1 - Steve Madrone

Present:

## J. DISCUSSION ITEMS

## K. MATTERS SET FOR TIME CERTAIN

**L. CLOSED SESSION**

1. It is the intention of the Board of Supervisors to meet in closed session to consider the Public Employee Performance Evaluation for the position of Human Resources Director pursuant to Government Code sections 54954.5 and 54957.

*The Board of Supervisors met in closed session to consider the Public Employee Performance Evaluation for the position of Human Resources Director pursuant to Government Code sections 54954.5 and 54957. There was no action to report.*

2. Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of HUMMAP v. Humboldt County, Humboldt Superior Court Case No. CV 180425, A160161.

*The Board of Supervisors met in conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of HUMMAP v. Humboldt County, Humboldt Superior Court Case No. CV 180425, A160161. There was no action to report.*

3. 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 negotiators. Labor negotiators: Kelly Barns, Elishia Hayes and Jack Hughes. Employee Organization (represented): American Federation of State, County and Municipal Employees (AFSCME local 1684).

*Conference with Labor Negotiator - Pursuant to Government Code section 54957.6 The Board of Supervisors met in closed session to review the County's position and instruct its designated labor negotiators. Labor negotiators: Kelly Barns, Elishia Hayes and Jack Hughes. Employee Organization (represented): American Federation of State, County and Municipal Employees (AFSCME local 1684). There was no action to report.*

**M. 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*

AUGUST 26, 2020



MINUTES  
TUESDAY, AUGUST 25, 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, September 1, 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