

**BOARD OF SUPERVISORS**

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



**COUNTY STAFF**

ELISHIA HAYES  
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, March 22, 2022**

**9:00 AM**

**Regular Meeting - Hybrid**

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**A. ROLL CALL**

Present: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson,  
Supervisor Virginia Bass, and Supervisor Steve Madrone

Absent: 0

**B. SALUTE TO THE FLAG**

**C. MODIFICATIONS TO THE AGENDA**

**D. CONSENT CALENDAR**

**Approval of the Consent Agenda**

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve the consent calendar. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Board of Supervisors**

1. Recognition Certificate for Humboldt Open Door Clinic (Supervisor Mike Wilson)

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

1. Authorize the Chair to sign the Certificate of Recognition

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff*

*recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**2. Continuation of the Local Emergency Due to Drought**

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

1. Declare that a local emergency remains in effect, per Resolution 21-77, until April 19, 2022 enabling the County of Humboldt and other local government entities to adequately plan, prepare and implement policy to be able to effectively respond to the threat posed by the drought.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**3. Proclaim March 2022 as Social Worker Appreciation Month in Humboldt County (Supervisor Virginia Bass)**

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

1. Adopt the Proclamation.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**4. Letter of Appreciation to Cheryl Dillingham for Her Service on the Audit Committee (Supervisor Virginia Bass)**

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

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

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**5. Letter of Support for Officer Raymond Quincy Mills Designating a Portion of State Highway 101 from Kenmar Road UC# 4-128(PM 59.503) to Palmer Blvd UC# 4-112(PM 62.229) in His Memory (Supervisor Michelle Bushnell)**

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

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

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**Clerk of the Board**

**6. Submittal of Supervisors' Monthly Expense Report on Meetings Pursuant to Government Code Section 53232.3(d)**

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

1. Receive and file the Supervisors' Monthly Expense Report.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

7. Notice of At-Large Vacancies on the Project Trellis Committee

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

1. Receive and file the report.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

8. Notice of At Large Vacancy on the Humboldt County Audit Committee

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

1. Receive and file the report.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

9. Approval of the Action Summary - Meeting of March 1, 2022

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

1. Approve the Action Summary for the meeting of March 1, 2022 and authorize the Clerk of the Board and the Board Chair to sign the minute book in accordance with California Governmental Code Section 25103.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

10. Approval of the Action Summary - Meeting of March 8, 2022

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

1. Approve the Action Summary for the meeting of March 8, 2022 and authorize the Clerk of the Board and the Board Chair to sign the minute book in accordance with California Governmental Code Section 25103.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

11. Approval of the Action Summary - Meeting of March 15, 2022

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

1. Approve the Action Summary for the meeting of March 15, 2022 and authorize the Clerk of the Board and the Board Chair to sign the minute book in accordance with California Governmental Code Section 25103.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

### **County Administrative Office**

12. Change Order Authorization, Final Acceptance for Construction of the Garberville Complex, Project Number 2018-502, and Supplemental Budget (4/5 vote required).

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

1. Approve and authorize the Purchasing Agent to execute, Change Order 1 for a \$369,203.25 cost increase and a time extension of 120 days for the Garberville Complex Project;
2. Accept the work of Adams Commercial General Contracting, Inc. as complete for the Garberville Complex Project;
3. Authorize the Purchasing Agent to sign the Notice of Completion for the project; and
4. Approve the attached supplemental in the amount of \$739,547.94 for Fiscal Year (FY) 2021-22 from Finance Plan to fund 3552, budget unit 152 (4/5 vote required).

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

13. Set Public Hearing for Adoption of Fee Updates

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

1. Direct the Clerk of the Board to:
  - a. Schedule a public hearing on Tuesday, April 12, 2022, at 9 a.m. or as soon thereafter as the matter may be heard, for consideration of adoption of an ordinance updating the Humboldt County Schedule of Fees and Charges;
  - b. Post and publish the required pre-adoption summary of the ordinance and public hearing notice for updating the Humboldt County Schedule of Fees and Charges at least 5 days intervening between the dates of the first and last publication, not counting such publication dates;
  - c. Make the data and documentation supporting the new fees available for public review at least 10 days prior to the public hearing; and
  - d. Post a certified copy of the full text of the proposed ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board meeting at which the ordinance will be adopted [Government Code Section 25124(b)(1)];

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

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

14. Letter of Support for Assembly Bill 2176 (Wood), Related to Registering Births

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

1. Authorize the chair to sign a letter of support for Assembly Bill 2176 (Wood), legislation related to registering births

***A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:***

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

15. Authorize a Temporary Increase in Pay for Jacob Coan, Staff Services Analyst II, Pursuant to Section 12.4.1 of the American Federation of State, County and Municipal Employees (AFSCME) Memorandum of Understanding (MOU)

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

1. Authorize a temporary increase in pay for Staff Services Analyst II Jacob Coan (class 0391B, range 435) as though promoted to Supervising Staff Services Analyst (class 0393, range 463) beginning April 2, 2022.

***A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:***

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

16. Advance Salary Step from Step A to Step C for Erin Prichard, Senior Youth Support Specialist (4/5 Vote Required)

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

1. Approve the advanced salary step for Erin Prichard, Senior Youth Support Specialist, from Step A to Step C; effective beginning of pay period following approval. (4/5 Vote Required)

***A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:***

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

17. Authorize a Temporary Increase in Pay for Tamara Wandel Administrative Analyst II Pursuant to Section 12.4.1 of the American Federation of State, County and Municipal Employees (AFSCME) Memorandum of Understanding (MOU).

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

1. Authorize a temporary increase in pay for Administrative Analyst II Tamara Wandel (class 0626B, range 435) as though promoted to Budget Specialist (class 0117, range 472) beginning May 16, 2022, and continuing until the incumbent returns from assignment at Emergency Operations Center (EOC) during the COVID-19 pandemic.

***A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:***

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

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

19. Data Access Agreement with Oregon Community Health Information Network, Inc. and Open Door Community Health Centers, Inc. Regarding Access to a Secure Electronic Health Data System

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

1. Approve, and authorize the Chair of the Board to execute, the attached data access agreement with Oregon Community Health Information Network, Inc. and Open Door Community Health Centers regarding the provision of secure access to Oregon Community Health Information Network, Inc's electronic health data system;
2. Authorize the Department of Health and Human Services - Public Health Director, or a designee thereof, to execute any and all subsequent amendments to, and any other agreements, certifications, attestations and documents directly associated with, the attached data access agreement with Oregon Community Health Information Network, Inc. and Open Door Community Health Centers, after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached data access agreement with Oregon Community Health Information Network, Inc. and Open Door Community Health Centers to the Department of Health and Human Services - Contract Unit for further processing.

***A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:***

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

18. Purchase of Two (2) Modified Mercedes Sprinter Vans Needed for the Provision of Mobile COVID-19 Testing and Vaccination Services in Humboldt County

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

1. Approve, and authorize the Humboldt County Purchasing Agent, or a designee thereof, to execute, the professional services agreement with Boondock, Inc. regarding the purchase of two (2) modified Mercedes Sprinter Vans needed for the provision of mobile COVID-19 testing and vaccination services in Humboldt County;
2. Authorize the Humboldt County Purchasing Agent, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Boondock, Inc., after review and approval by County Counsel, Risk Management and the County Administrative Office;
3. Authorize the Humboldt County Auditor-Controller to make any and all required payments and deposits in accordance with the terms, conditions and timelines set forth in the attached professional services agreement with Boondock, Inc.;
4. Approve the donation of two (2) modified Mercedes Sprinter Vans to the Motor Pool Division of the Humboldt County Department of Public Works for capitalization, maintenance and insurance purposes;
5. Direct the Clerk of the Board to return one (1) certified copy of the Board Order relating to this item to the Department of Health and Human Services - Contract Unit.

***A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:***

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

### Libraries

20. Resolution for the Temporary Employment of Retired Annuitant as Bookmobile Library Assistant with the Humboldt County Library (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 Adrienne Quiros as a temporary retired annuitant Bookmobile Library Assistant (class 0112, salary range 360, step E) with the Humboldt County Library, to provide continuity of services while the Library fills this critically needed permanent position (4/5 vote required).

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

### Probation

21. Professional Services Agreement with Boys and Girls Club of the Redwoods for Juvenile Delinquency Prevention Services

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

1. Approve, and authorize Chief Probation Officer, Shaun Brenneman to execute, the attached Professional Services Agreement with the Boys and Girls Club of the Redwoods regarding juvenile delinquency prevention services in the amount of \$150,000 annually for the period of fiscal year 2021-22 with two additional optional renewals for fiscal years 2022-23 and 2023-24;
2. Authorize the Chief Probation Officer to execute any and all subsequent amendments to the attached Professional Services Agreement with Boys and Girls Club, after review and approval by County Counsel, Risk Management and the County Administrative Office;

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

22. Allocation of 1.0 Full-time Equivalent (FTE) Administrative Services Officer (class 0776) (salary range 453)

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

1. Approve the allocation of an additional 1.0 FTE Administrative Services Officer (class 0776) (salary range 453) to the Probation Department in budget unit 235, effective immediately.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

### **Public Works**

23. Rental Agreement for Future Use of the Garberville Campus Complex Conference Room at 715 Cedar Street, Garberville

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

1. Approve the Rental Agreement for future use of the Garberville Campus Complex Conference Room at 715 Cedar Street, Garberville; and
2. Authorize the Public Works Director to execute the Rental Agreement.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

24. 2022 Financial Assurances for Reclamation of Surface Mining Operations

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

1. Adopt the attached resolution authorizing the annual adjustment of funds pledged by the Humboldt County Department of Public Works to complete reclamation of the County of Humboldt's surface mining operations as required by state law; and
2. Direct the Clerk of the Board to return one (1) fully executed certified copy of the attached resolution to the Humboldt County Department of Public Works for further processing.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

25. Central Avenue (4L800) Post Mile 0.00 - 0.30 Shoulder Widening Project

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

1. Approve the attached plans and specifications for the Central Avenue (4L800) Post Mile 0.00 - 0.30 Shoulder Widening Project; and
2. Direct the Clerk of the Board to advertise the above-mentioned project as required by Section 22037 of the California Public Contract Code, with bids to be opened on Tuesday, April 26, 2022 at 2:00 p.m.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

26. Accept the Completed Contracts for Storm Damage Repair to Shively Road (C4F012) Post Miles 0.52, 3.50, 3.51, 7.90, and 8.42



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

1. Accept the completed contracts, including all change orders approved by the Public Works Department, between GR Wilcox Enterprises, Inc., and Humboldt County for construction of Storm Damage Repair to Shively Road Post Miles 0.52, 3.50, 3.51, 7.90, and 8.42; and
2. Approve the final claims for payment, to be submitted by the Public Works Department to the Auditor/Controller, in the amounts of \$1,085.69 for Post Mile 3.50, \$590.20 for Post Mile 3.51, \$191.35 for Post Mile 7.90, and \$981.92 for Post Mile 8.42, which will bring the total amount paid to 100 % of the contracts.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**27. Approval of Town of Scotia Subdivision, Phase 3, APN 205-421-012, Scotia**

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

1. Accept and approve the subdivision map (Attachment 1) for filing with the County Recorder;
2. Accept the dedications to the County of Humboldt of Main Street, B Street, Fourth Street, Fifth Street and Sixth Street for public road purposes; accept the Public Utility Easement (PUE) for public utility and sidewalk easement for public use; accept Alley 9, Alley 10, Alley 11, Alley 12 and Parcels P, Q, S and W for public utilities;
3. Direct the Clerk of the Board to sign the subdivision map (Attachment 1) on behalf of the Board of Supervisors and further certify to the vacation of portions of those existing easements for public highways within Phase 3 of this subdivision, lying outside the areas dedicated by this map pursuant to Section 66434(g) of the Government Code. Reference is hereby made to the "Abandonment Note" on the subdivision map for particulars;
4. Authorize the Chair to execute the Conveyance and Agreement (Attachment 2); and
5. Direct the Clerk of the Board to transmit the subdivision map, the Conveyance and Agreement, the Notice of Development Plan & Notice of Geologic Report, and the Quitclaim & Partial Reconveyance to the County Recorder for filing and recordation.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

### **Sheriff**

**28. Position Allocation Modification for Sheriff's Office to Deallocate 1.0 Full-time Equivalent (FTE) Correctional Program Coordinator and allocate 1.0 FTE Program Coordinator**

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

1. Approve the allocation of 1.0 FTE Program Coordinator (class 1425) in budget unit 3884-127 effective immediately; and
2. Approve the deallocation of 1.0 FTE Correctional Program Coordinator (class 0430) in budget unit 3884-127 effective immediately.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

## **Approval of the Consent Agenda**

*A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

## **E. SPECIAL PRESENTATIONS**

## **F. ITEMS PULLED FROM CONSENT**

## **G. MATTERS INITIATED BY BOARD MEMBERS**

### **Board of Supervisors**

1. County Medical Services Program (CMSP) Governing Board - County Supervisor Position for Group 2 Counties (Supervisor Virginia Bass)

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

1. Select a candidate to fill the CMSP Governing Board - County Supervisor Position for Group 2 Counties, and forward the completed ballot to Shaw/Yoder/Antwih/Schmelzer/Lange.

*A motion was made by Supervisor Bass, seconded by Supervisor Bohn, to support Yolo County Supervisor, Oscar Villegas as a candidate to the CMSP Governing Board for Group 2 Counties. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

2. Letter of Support for Senate Bill 1326 (Caballero): Cannabis Commerce (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 Bohn, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

## **H. DEPARTMENT REPORTS**

### **Planning and Building Department**

1. Code Enforcement Unit Annual Report

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

1. Receive the Code Enforcement Unit's annual report.

*A motion was made by Supervisor Wilson, seconded by Supervisor Bohn, to receive the report.  
The motion carried with the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

**2. Policy Guidance for Abatement of Unpermitted Cannabis Operations**

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

1. Direct the Planning and Building Department to require the removal of unpermitted structures used in unpermitted cannabis operations; and
2. Provide additional direction as needed.

*A motion was made by Supervisor Bushnell, seconded by Supervisor Bohn, to approve the amended staff recommendations as listed below:*

*Allow property owners and/or operators to prepare a plan and description of the non-cannabis continued use of the unpermitted structures they want to retain if:*

- zoning and land use allow for a legitimate legal use,*
- the building is within the curtilage of an existing residence, that*
- the building can be permitted, and*
- there is not environmental harm in the structure remaining*
- there is understanding that if subsequent unpermitted cannabis cultivation is identified the site will be subject to Day 1 penalties as described in HCC section 352-3 (m)(2) of the Humboldt County Code.*
- allow buildings that don't comply with policies to be approved through a conditional use permit process, such as those properties that are outside the curtilage of an existing residence or properties used for public benefit.*

*The motion carried by the following vote:*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

## **I. PUBLIC HEARINGS**

### **Planning and Building Department**

1. North McKay Ranch Subdivision Project  
General Plan Amendment, Zone Reclassification, Tentative Subdivision Map, Planned Unit Development, Development Agreement, and Special Permit  
APNs: 017-032-003, 017-071-004, 017-071-009, 017-072-002, 017-072-003, 017-073-007, 017-073-009 and 303-012-020  
Record No.: PLN-9902-GPA

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

1. Introduce by title Ordinance No. \_\_ (Attachment 2b-i) Amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Cutten Area (PLN-9902-GPA (Fairhaven Cottages, LLC)), reclassifying approximately 18.5 acres of R-1 Residential One Family with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO), to Apartment Professional (R-4) with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO), and 2.2 acres of Residential One Family with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO) to Neighborhood Commercial (C-1) with combining zones indicating Planned Unit Development (P), Recreation (R), and Greenway and Open Space (GO); and
2. Introduce by title Ordinance No. \_\_ (Attachment 3) Approving the Development Agreement between Kramer Properties Inc. and the County of Humboldt for the North McKay Ranch Subdivision Project, and waive the first reading; and
3. Set Ordinance No. \_\_ (Attachment 3) Approving the Development Agreement between Kramer Properties Inc. and the County of Humboldt for the North McKay Ranch Subdivision Project for adoption on April 5, 2022, or at least 1 week away from the date of the Board of Supervisors meeting at which the Ordinance is first introduced; and
4. Direct the Clerk of the Board to publish the pre-adoption summary of the Ordinance (Attachment 3C), and to post a certified copy of the full text of the proposed Ordinance in the office of the Clerk of the Board, both publication and posting to be done at least 5 days prior to the Board meeting at which the Ordinance will be adopted. [Government Code Section 25124 (b)(1)]; and
5. Direct the Clerk of the Board, within 15 days after adoption of the Ordinance, to publish a post-adoption summary of the ordinance (Attachment 3D) with the names of the Supervisors voting for and against the Ordinance, and to post in the office of the Clerk of the Board a certified copy of the full text of the adopted Ordinance and amendments along with the names of those Supervisors voting for and against the Ordinance. [Government Code Section 25124 (b)(1)]; and
6. Open the public hearing and receive the staff report, testimony by the applicant and public; and
7. Close the public hearing; and
8. Adopt the Resolution 22- \_\_\_\_ (Attachment 1) Adopting Findings for Certification of the Final Environmental Impact Report, Certifying the Final Environmental Impact Report, Adopting the Statement of Overriding Considerations, and Adopting the Mitigation and Monitoring and Reporting Program for the project, pursuant to the California Environmental Quality Act; and
9. Adopt the Resolution 22- \_\_\_\_ (Attachment 2a) adopting findings in support of the General Plan Amendment and approving the General Plan Amendment to change 18.5 acres of land designated as Residential low Density to residential Medium Density and 2.2 acres of land designated as Residential Low Density to Commercial General; and
10. Adopt the Resolution 22- \_\_\_\_ (Attachment 2b) adopting findings in support of the Zone Reclassification; and
11. Adopt Ordinance No. \_\_\_\_ (Attachment 2b-i) redesignating zone districts within the project boundary; and
12. Adopt the Resolution 22- \_\_\_\_ (Attachment 2) adopting findings in support of the

Tentative Subdivision Map, Planned Unit Development and Special Permit and approving the Tentative Subdivision Map, Planned Unit Development and Special Permit; and

13. Direct the Clerk of the Board, within 15 days after adoption of the Ordinance redesignating zone districts within the project boundary (Attachment 2b-i), to publish a post-adoption summary of the ordinance (Attachment 2b-ii) with the names of the Supervisors voting for and against the Ordinance, and to post in the office of the Clerk of the Board a certified copy of the full text of the adopted Ordinance and amendments along with the names of those Supervisors voting for and against the Ordinance.

*A motion was made by Supervisor Bohn, seconded by Supervisor Bushnell, to approve staff recommendations as amended below:*

*The Board of Supervisors approve staff recommendations to include the amendment to the condition requiring two stoplights to allow an alternative set of improvements to enhance or improve pedestrian and bicycle connectivity including a complete streets program subject to the agreement of county staff and the developer and bring back an item to the Board for a date uncertain.*

*The motion carried with the following vote.*

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

2. Thomas Crandall Appeal of the Planning Commission Decision Approving Ambiguity Farm, LLC Conditional Use Permit PLN-12812-CUP for 43,560 Square Feet of Commercial Cannabis

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

1. Open the public hearing and receive the staff report, testimony by the appellant, testimony from the applicant, and testimony from the public; and
2. Close the public hearing; and
3. Adopt the resolution (Resolution 22-\_\_). (Attachment 1) which does the following:
  - a. Finds that the Board of Supervisors has considered the addendum to the mitigated negative declaration for the Commercial Medical Marijuana Land Use Ordinance that was prepared for the Ambiguity Farm LLC project); and
  - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
  - c. Denies the appeal submitted by Thomas Crandall; and
  - d. Approves the conditional use permit subject to the recommended conditions of approval.
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.

*A motion was made by Supervisor Bushnell, seconded by Supervisor Bohn, to approve staff recommendations as submitted. The motion carried by the following vote:*

Aye: 3 - Rex Bohn, Michelle Bushnell, and Virginia Bass

Nay: 2 - Mike Wilson, and Steve Madrone

3. Forever Loving Humboldt, Inc., Appeal of the Planning Commission Decision Denying Application 12436 Forever Loving Humboldt, Inc., for a Conditional Use Permit to allow 32,500 Square Feet of Existing Commercial Cannabis Cultivation.

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

1. Open the Public Hearing and receive comments from the public on the continuance;  
and
2. Continue the appeal to a date uncertain.

**A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations as submitted . The motion carried by the following vote:**

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

## J. DISCUSSION ITEMS

## K. MATTERS SET FOR TIME CERTAIN

### County Counsel

1. 9:05 AM - Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(2) & (e)(3) to discuss written communication of potential litigation regarding actions of the Humboldt County Auditor-Controller and Board of Supervisors

**The Board of Supervisors met in conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(2) & (e)(3) to discuss written communication of potential litigation regarding actions of the Humboldt County Auditor-Controller and Board of Supervisors. The Board voted unanimously to schedule a meeting Monday, April 4th to discuss potential censure of the Auditor/Controller and to make available the closed session update as discussed.**

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

## M. CLOSED SESSION

## N. ADJOURNMENT

*I, NIKKI TURNER, 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.*

*NIKKI TURNER*

*Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California.*

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03/22/2022