

BOARD OF SUPERVISORS

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



COUNTY STAFF

ELISHIA HAYES
County Administrative Officer
SCOTT MILES
Interim County Counsel
KATHY HAYES
Clerk of the Board

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

Tuesday, March 7, 2023

9:00 AM

Regular Meeting - Hybrid

A. ROLL CALL

Present: 5 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson,
Supervisor Natalie Arroyo, and Supervisor Steve Madrone
Absent: 0

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

DEPARTMENT REPORTS

Planning and Building Department

3. Analysis and Recommendations related to the Humboldt Cannabis Reform Initiative

Recommendation: That the Board of Supervisors:

1. Receive the staff presentation on the Humboldt Cannabis Reform Initiative (HCRI).
2. Allow public input on the findings of the Analysis and Recommendations
3. Make a motion to form an Ad Hoc Committee to work on the following:
 - a. Meet with sponsors of the HCRI to determine if alternative actions to voter consideration of the initiative are feasible,
 - b. Work with the HCRI sponsors, the public, cannabis industry stakeholders and staff to develop ordinance modifications,
 - c. In the event items a and b above are not feasible, develop a strategy to respond to the HCRI as submitted.

A motion was made by Supervisor Bohn, seconded by Supervisor Wilson, to approve staff recommendations and to include the formation of an Ad Hoc Committee comprised of Supervisor Bushnell and Supervisor Arroyo and Director Ford. The motion carried with the following vote:

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

D. CONSENT CALENDAR

Approval of the Consent Agenda

A motion was made by Supervisor Wilson, seconded by Supervisor Arroyo, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

Auditor/Controller

1. Extension of Extra Help Hours and Advanced Salary Step Increase for Executive Secretary, Hannah Klein - Auditor-Controller Budget Unit 1100-111 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Authorize the extension of extra-help employment hours for Executive Secretary, Hannah Klein, to a maximum of one thousand nine hundred twenty (1,920) hours for fiscal year 2022-2023 (4/5 vote required); and
2. Approve an advanced salary step increase for Hannah Klein, Executive Secretary (salary range 412, class 0167, position XI) from Step 1A to Step C, effective as of the beginning of the pay immediately following approval (4/5 vote required).

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

Board of Supervisors

2. Certificates of Recognition for Soroptimist International of Eel River Valley and Soroptimist International of Eureka Annual Award Winners (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the Certificates of Recognition.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

4. Certificates of Recognition for Soroptimist International of Humboldt Bay Award Winners (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:

1. Ratify the Board Chair's signature on the certificates.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

Clerk of the Board

6. Approval of the Action Summary - Meeting of February 28, 2023

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of February 28, 2023, and authorize the Clerk of the Board and the Board Chair to sign the minute book in accordance with California Governmental Code Section 25103.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

County Administrative Office

7. Resolution Requesting Humboldt County Delegates to Introduce Legislation Allowing Local Voter-Approved Sales Tax to Exceed State Limit and Legislation to Increase Allowable Abandoned Vehicle Abatement Service Fee

Recommendation: That the Board of Supervisors:

1. Adopt the attached Resolution requesting Humboldt County delegates to introduce legislation that would allow a local voter-approved sales tax to exceed the state limit, and legislation to increase the allowable abandoned vehicle abatement service fee.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

8. Appropriation Transfers from the "Contingencies" Budget Unit for the Courts-County Contribution to Indigent Defense in Fiscal Years 2020-21 and 2021-22 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve an appropriation transfer from the "Contingencies" budget unit for the Courts-County Contribution (fund 1100, budget unit 250) in the amount of \$260,000 for unanticipated indigent defense expenses for fiscal year 2020-21 (4/5 vote required); and
2. Approve an appropriation transfer from the "Contingencies" budget unit for the Courts-County Contribution (fund 1100, budget unit 250) in the amount of \$466,000 for unanticipated indigent defense expenses for fiscal year 2021-22 (4/5 vote required).

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

9. McLean Foundation Fiscal Agent Memorandum of Understanding in Response to the 2022 December Ferndale Earthquake

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the County Administrative Officer to sign the attached Memorandum of Understanding (MOU) with the McLean Foundation for fiscal agent services in the amount of \$250,000 to aid in the long-term recovery of the City of Rio Dell and surrounding areas from the 2022 December Ferndale Earthquake upon receipt of the required insurance certificate; and
2. Authorize the County Administrative Officer to execute any and all subsequent amendments or agreements with McLean Foundation, after review and approval by County Counsel and Risk Management.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

County Clerk/Recorder/Registrar of Voters

10. Extension of Extra-Help Hours for Recorder Budget Unit 1100-271 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the extension of extra-help employment hours for Sebastian Guevara Olhagaray, Hourly Extra Help, to a maximum of 1,920 hours for fiscal year 2022-2023 (4/5 vote required);
2. Approve the extension of extra-help employment hours for Emily Rose Laursen, Hourly Extra Help, to a maximum of 1,920 hours for fiscal year 2022-2023 (4/5 vote required); and
3. Approve the attached Budget Adjustment increasing Extra Help and decreasing Salaries and Wages allocated cost by \$20,100.00.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

Department of Health and Human Services: Behavioral Health

12. Third Amendment to the Professional Services Agreement with David S. Kornblum and Associates Regarding the Provision of Medicare Cost Reporting Services

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached third amendment to the professional services agreement with David S. Kornblum and Associates dated Oct. 23, 2018 regarding the provision of Medicare cost reporting services for the period of Oct. 23, 2018 through June 30, 2025;
2. Authorize the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute any and all subsequent amendments to the professional services agreement with David S. Kornblum and Associates dated Oct. 23, 2018, 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 fully executed original copy of the attached third amendment to the professional services agreement with David S. Kornblum and Associates dated Oct. 23, 2018 to the Department of Health and Human Services - Contract Unit for further processing.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

Department of Health and Human Services: Public Health

13. Grant Award from the California Department of Justice Prop 56 and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Department of Health and Human Services - Public Health Director, or a designee thereof, to execute, the agreement with the California Department of Justice to implement tobacco enforcement and education in Humboldt County;
2. Authorize the Department of Health and Human Services - Public Health Director, or a designee thereof, to execute any and all subsequent amendments, and any other agreements, certifications, attestations, and documents directly related, to the attached grant agreement, after review and approval by County Counsel, and Risk Management; and
3. Approve the attached supplemental budget in the amount of \$148,693 for FY 2022-2023 for the Department of Health and Human Services - Public Health Fund - Active Transportation Program Budget Unit 1175-414002 (4/5 Vote Required).
4. Direct Auditor-Controller to supplement Fund 1175, per Attachment B.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

Planning and Building Department

14. Advance Salary Step from Step A to Step B for Tana Reynolds, Permit Specialist II

Recommendation: That the Board of Supervisors:

1. Approve the advanced salary step for Tana Reynolds, Permit Specialist II (Class 0325B, Range 409) from Step A to Step B.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

15. Authorization to Increase the Amount Requested in a Coastal Commission Local Coastal Program Grant Application to Fund Humboldt Bay Area Plan Update from \$100,000 to up to \$500,000.

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution that:

- a. Authorizes submittal of a grant application (Attachment 1a) to the California Coastal Commission to provide financial and planning assistance, under authority of the California Coastal Act, in an amount up to \$500,000 to fund completion of the update to the Humboldt Bay Area Plan to address land use mapping changes, including possible changes to the location of the Coastal Dependent Industrial Zone, tsunami hazards and sea level rise;
- b. Authorizes the Director of the Planning and Building Department to execute any contracts, agreements and amendments thereto necessary to prepare and submit the grant application package.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

16. Extension of Extra-Help Hours for the Long-Range Planning Unit 1100-282 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the extension of 160 additional extra help hours beyond the 960 hour limit for Planner I, Sarah Wickman, to a maximum of 1,120 hours through March 31, 2023, pursuant to Section 7 of the Humboldt County Salary Resolution. (4/5 vote required)

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

Public Works

17. Storm Damage Repair to Alderpoint Road (6B165) Post Miles 5.00, 6.98, 7.25, 7.37 and 7.58

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Storm Damage Repair to Alderpoint Road (6B165) Post Miles 5.00, 6.98, 7.25, 7.37 and 7.58 project;
2. Find that the project is exempt from environmental review pursuant to Section 15302 and 15269 of the California Environmental Quality Act (CEQA) Guidelines; and
3. 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 11, 2023, at 2:00 p.m.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

Sheriff

18. Waiver of Extra-Help Hours for Sheriff's Office Staff (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve an extension of extra-help employment hours for Chaz Schlesiger, Community Service Officer to a maximum of 1,920 hours for Fiscal Year 2022-23, pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 Vote Required).

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

19. Continuation of Local Emergency Due to Consecutive Major Winter Storm Events Commencing on Jan. 3, 2023, Which Have Resulted in Downed Trees, Disrupted Utility Services, Damaged and Flooded Roadways, Mudslides and Damaged Homes, Such Damages Exceeding Available County Resources (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Declare that a local emergency remains in effect until April 4, 2023 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 consecutive major winter storm events commencing on Jan. 3, 2023, which have resulted in downed trees, disrupted utility services, damaged and flooded roadways, mudslides and damaged homes, such damages exceeding available county resources;
2. Authorize the Chair to sign the resolution re-authorizing the existence of a local emergency due to consecutive major winter storm events commencing on January 3, 2023, which have resulted in downed trees, disrupted utility services, damaged and flooded roadways, mudslides and damaged homes, such damages exceeding available county resources.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

20. Continuation of Local Emergency Due to the 6.4 Magnitude Earthquake Occurring on Dec. 20, 2022 (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Declare that a local emergency remains in effect until April 4, 2023 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 6.4 magnitude earthquake occurring on Dec. 20, 2022.
2. Authorize the Chair to sign the resolution re-authorizing the existence of a local emergency due to the 6.4 Magnitude Earthquake that occurred on Dec. 20, 2022

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. SPECIAL PRESENTATIONS

G. ITEMS PULLED FROM CONSENT

Board of Supervisors

3. Continuation of the Local Emergency Due to Drought (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Declare that a local emergency remains in effect, per Resolution 21-77, until April 4, 2023, 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.
2. Authorize the Chair to sign the resolution re-authorizing the existence of a local emergency due to drought for the period of March 7, 2023 through April 4, 2023.

By Order of the Chair, this item was pulled from the agenda to come back at a later date.

Child Support Services

5. Allocation Modification for Information Systems Supervisor Position (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Allocate one (1.0) additional Full Time Employee (FTE) for the position of Information Systems Supervisor in preparation for succession planning (Salary Range 484, Class 0380, Position 02) effective March 7, 2023. (4/5 Vote Required)
2. Deallocate one (1.0) FTE Information Systems Supervisor position (Salary Range 484, Class 0380, Position 01) effective June 1, 2023.

By Order of the Chair, this item was pulled from the agenda to come back at a later date.

Department of Health and Human Services: Administration

11. Resolution Dissolving the Housing Trust Fund and Homelessness Solutions Committee

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution Dissolving the Housing Trust Fund and Homelessness Solutions Committee; and
2. Direct the Clerk of the Board to provide the Department of Health and Human Services with one (1) fully executed certified copy of the attached resolution.

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

H. MATTERS INITIATED BY BOARD MEMBERS

I. DEPARTMENT REPORTS

Clerk of the Board

1. Consider Making the At-Large Appointment to the Humboldt County Planning Commission

Recommendation: That the Board of Supervisors:

1. Consider making the At-Large appointment to the Planning Commission.

A motion was made by Supervisor Bohn, seconded by Supervisor Bushnell, to appoint Sarah West to the At Large Vacancy on the Planning Commission. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

DHHS: Administration

2. Form an Ad Hoc Committee Regarding the Department of Health and Human Services' Relations with Big Lagoon Rancheria, Blue Lake Rancheria, Bear River Band of Rohnerville, Cher-Ae Heights Indian Community of the Trinidad Rancheria, Hoopa Valley Tribe, Karuk Tribe, and Yurok Tribe

Recommendation: That the Board of Supervisors:

1. Approve the creation of an Ad Hoc Committee regarding the Department of Health and Human Services' relations with Big Lagoon Rancheria, Blue Lake Rancheria, Bear River Band of Rohnerville, Cher-Ae Heights Indian Community of the Trinidad Rancheria, Hoopa Valley Tribe, Karuk Tribe, and Yurok Tribe;
2. Appoint two Supervisors to the Ad Hoc Committee regarding the Department of Health and Human Services' relations with Big Lagoon Rancheria, Blue Lake Rancheria, Bear River Band of Rohnerville, Cher-Ae Heights Indian Community of the Trinidad Rancheria, Hoopa Valley Tribe, Karuk Tribe, and Yurok Tribe; and,
3. Direct staff to draft a letter for the Ad Hoc Committee members to send to the eight Tribal Councils in Humboldt County informing them of the formation of the Ad Hoc Committee as a venue for government-to-government communications.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations to include the appointment of Supervisor Madrone and Supervisor Bohn to the Ad Hoc Committee. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

J. PUBLIC HEARINGS

Planning and Building Department

1. General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit hearing for the Lucas & Myrtle Mini-Storage Center by J&J Family, LLC

Recommendation: That the Board of Supervisors:

1. Re-open the public hearing on new information and receive presentation by county staff, the applicant, and receive public comment; and
2. Close the public comment portion of the hearing; and
3. Deliberate on the General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit; and
Make a motion to take the following actions
4. Adopt the resolution (Attachment 1) to find the requirements of the California Environmental Quality Act have been complied with and adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the General Plan Amendment, Zone Reclassification, Lot Line Adjustment, and Conditional Use Permit; and
5. Adopt the resolution (Attachment 2) making findings in support of the General Plan Amendment and approving the General Plan Amendment to change a 9,000 square-foot portion of the property currently designated Residential Medium Density to Commercial General; and
6. Adopt the resolution (Attachment 3) making findings in support of the Zone Reclassification and approving the Zone Reclassification to change 1.42 acres of property from Neighborhood Commercial (C-1/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), 0.4 acres from Apartment Professional (R-4/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), and 0.5 acres from Neighborhood Commercial (C-1) to Qualified Neighborhood Commercial (C-1-Q); and
7. Adopt the Ordinance (Attachment 4) to approve Zone Reclassification and Qualified zoning of 1.42 acres on APN 015-111-006 from Neighborhood Commercial (C-1/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), 0.4 acres on APN 015-111-012 from Apartment Professional (R-4/GO) to Qualified Neighborhood Commercial (C-1-Q/GO), and 0.5 acres on APN's 015-111-012, and 015-111-013 from Neighborhood Commercial (C-1) to Qualified Neighborhood Commercial (C-1-Q); and
8. Adopt the resolution (Attachment 5) which does the following:
 - a. Finds the Lot Line Adjustment and Conditional Use Permit comply with the General Plan and Zoning; and
 - b. Approves the Lot Line Adjustment between Assessor's Parcel Numbers 015-111-006, and 015-111-012, and 015-111-013; and
 - c. Approves the Conditional Use Permit (CUP) to develop Lucas & Myrtle Mini-Storage Center.
9. Direct the Clerk of the Board to give notice of the decision to J&J Family, LLC, 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. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Michelle Bushnell, Natalie Arroyo, and Steve Madrone

Nay: 1 - Mike Wilson

2. North McKay Ranch Subdivision Project

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 the Ordinance Approving the Development Agreement Between Kramer Properties, Inc. and the County of Humboldt (PLN-9902-GPA; North McKay Ranch Subdivision Project (Attachment 3), and waive the first reading;
2. Open the public hearing and receive the staff report, testimony by the applicant and public;
3. Close the public hearing;
4. Adopt the Resolution (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 directing Planning Staff to file a Notice of Determination; and
5. Adopt the Resolution (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
6. Adopt the Resolution (Attachment 2B) adopting findings in support of the Zone Reclassification; and
7. Adopt the Resolution (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
8. Adopt the Ordinance (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 Recommendation: Development (P), Recreation (R), and Greenway and Open Space (GO); and
9. 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; and

10. Actions Re: Development Agreement

a. Set the Ordinance Approving the Development Agreement for adoption March 14, 2023, or at least one week away from the date of the Board of Supervisors meeting at which the Ordinance is first introduced; and

b. 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 March 10, 2023 (at least five (5) days prior to the Board meeting at which the Ordinance will be adopted). [Government Code Section 25124 (b)(1)]; and

c. 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)].

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

Aye: 5 - Rex Bohn, Michelle Bushnell, Mike Wilson, Natalie Arroyo, and Steve Madrone

K. DISCUSSION ITEMS

L. MATTERS SET FOR TIME CERTAIN

County Counsel

1. 10:00 AM - Closed Session - Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(1) to Discuss Existing Litigation in the case of Elisabeth Schwab, et al. v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2201700

The Board voted unanimously to authorize the Risk Manager to enter into an agreement with the Shook, Hardy and Bacon Law Firm to defend this case.

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.



03/07/2023