

BOARD OF SUPERVISORS

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Clerk of the Board

**COUNTY OF HUMBOLDT
BOARD OF SUPERVISORS
825 FIFTH STREET
EUREKA, CA 95501
SUPERVISORS' CHAMBER, FIRST FLOOR
AGENDA - Final**

Tuesday, October 25, 2022

9:00 AM

Regular Meeting - Hybrid

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 720 707 2699, enter Meeting ID 870 5493 8437 and press star (*) 9 on your phone, this will raise your hand. You'll continue to hear the Board meeting on the call.

PLEASE TURN OFF YOUR TV OR LIVE STREAM TO AVOID DELAYS.

When it is time for public comment on the item you wish to speak on, you'll hear a prompt that will indicate your phone is unmuted. Please state your name and the agenda item number you will be commenting on. 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>

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A. ROLL CALL

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

Agricultural Commissioner

[22-1377](#)

1. Approval of Amendment No. 1 to Cooperative Agreement No. 22-0378-000-SA, Known as the California Organic Program Contract with the California Department of Food and Agriculture and Supplemental Budget Request (4/5th Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve Amendment 1 to Cooperative Agreement No. 22-0378-000-SA, known as the California Organic Program Contract between Humboldt County and the California Department of Food and Agriculture and Approve the Supplemental Budget Request (Attachment I) in Fund 1100, Budget Unit 261, Agricultural Commissioner (4/5 vote required);
2. Authorize the Chair to sign the original agreement and return all signed copies to the Agricultural Commissioner's office for further processing; and
3. Grant a waiver from the provisions of the Nuclear Free Ordinance.

Attachments: [Staff Report](#)
[Amendment 1 to Cooperative Agreement 22-0378-000-SA.pdf](#)
[Organic program supplemental budget 22-23.pdf](#)
[Executed Amended COOP Agreement - 22-0378-000-SA.pdf](#)

Aviation

[22-1345](#)

2. Professional Services Agreement with Armstrong Consultants, Inc. for Wildlife Hazard Assessments at Rohnerville Airport (FOT) and Murray Field Airport (EKA)

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to execute the attached

Professional Services Agreement with Armstrong Consultants, Inc. for the Wildlife Hazard Assessments at Rohnerville Airport (FOT) and Murray Field Airport (EKA);

2. Authorize the Director of Aviation to execute any amendments and successor agreements after review by County Counsel and Risk Management; and

3. Direct the Clerk of the Board to return the original signed agreement to the Department of Aviation.

Attachments:

[Staff Report](#)

[Professional Services Agreement - Armstrong Consulting - WHA EKA FOT \(AC Executed Agreement - Armstrong Consultants.pdf\)](#)

Board of Supervisors

[22-1317](#)

3. 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 November 8, 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.

Attachments:

[Staff Report](#)

[Resolution 21-77.pdf](#)

[22-1355](#)

4. Proclaim October 30-November 5, 2022 as Childhood Cancer Awareness Week (Supervisor Virginia Bass)

Recommendation:

That the Board of Supervisors:

1. Adopt the Proclamation.

Attachments:

[Staff Report](#)

[Proclamation - American Cancer.pdf](#)

[22-1372](#)

5. Proclaim October 2022 as Breast Cancer Awareness Month in Humboldt County (Supervisor Michelle Bushnell)

Recommendation:

That the Board of Supervisors:

1. Adopt the proclamation.

Attachments:

[Staff Report](#)

[Breast Cancer Proclamation.pdf](#)

[22-1391](#)

6. Approval of Humboldt Local Agency Formation Commission's Request to Call an Election Related to the Sustainable Provision of Local Fire and Rescue Services (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. As requested by the Humboldt Local Agency Formation Commission, call an election and authorize the County Elections Official to prepare for and conduct the necessary elections for the formation, special tax, and election of governing board members of the Salmon Creek Fire Protection District and for the Garberville Fire Protection District annexation special tax measure, and set an election date of March 7, 2023; and
2. Direct the Clerk of the Board to forward the signed Board Order and copies of Humboldt Local Agency Formation Commission Resolutions 22-12 and 22-13 to the Humboldt County Elections Department.

Attachments: [Staff Report](#)
[Humboldt Local Agency Formation Commission Resolution 22-13.pdf](#)
[Humboldt Local Agency Formation Commission Resolution 22-12.pdf](#)

[22-1430](#)

7. Proclaim the 4th Week of October as Wild and Scenic Rivers Week in Humboldt County (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:

1. Adopt the proclamation.

Attachments: [Staff Report](#)
[Proclamation.pdf](#)

Clerk of the Board[22-1348](#)

8. 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.

Attachments: [Staff Report](#)
[Board Member Expense Forms for September 2022.pdf](#)

[22-1435](#)

9. Approval of the Action Summary - Meeting of October 18, 2022

Recommendation: That the Board of Supervisors:
1. Approve the Action Summary for the meeting of October 18, 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.

Attachments: [Staff Report](#)
[Action Summary - 10-18-2022.pdf](#)
[MINUTE SHEET.docx](#)
[Executed Action Summary - October 18, 2022.pdf](#)

County Administrative Office

[22-1367](#)

10. First Amendment to Professional Services Agreement with Robert Sesnon, CPA, PC Regarding the Provision of Consulting Services that are Designed to Assist with the Implementation of Automated Financial Systems

Recommendation: That the Board of Supervisors:
1. Approve, and authorize the County Administrative Officer, or a designee thereof, to execute the attached first amendment to professional services agreement with Robert Sesnon, CPA, PC regarding the provision of consulting services that are designed to assist with implementation of automated financial systems for the period of July 1, 2020 through June 30, 2023;
2. Authorize the County Administrative Officer, or a designee thereof, to execute any and all subsequent amendments to the professional services agreement with Robert Sesnon, CPA, PC, after review and approval by County Counsel and Risk Management; and
3. Direct the Clerk of the Board to provide the County Administrative Office - Budget and Management Team with one (1) fully executed certified copy of the Board Order relating to this item.

Attachments: [Staff Report](#)
[First Amendment to Sesnon Agreement](#)
[FY 20-23 Sesnon Fully Executed.pdf](#)
[HUMCO- Insurance Certificate- 2022.Pdf](#)

Department of Health and Human Services: Administration

[22-1204](#)

11. Professional Services Agreement with the Yurok Tribe Regarding the Provision of Case Management, Social Work and Housing Navigation Services to Eligible Children and Families as Part of the Bringing Families Home Program

Recommendation: That the Board of Supervisors:
1. Approve, and authorize the Chair of the Board to execute, the attached

professional services agreement with the Yurok Tribe regarding the provision of case management, social work and housing navigation services to eligible children and families as part of the Bringing Families Home Program in an amount not to exceed \$475,000 for the period of July 1, 2022 through June 30, 2024;

2. Authorize the Department of Health and Human Services - Social Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with the Yurok Tribe, 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 professional services agreement with the Yurok Tribe to the Department of Health and Human Services - Contract Unit for further processing.

Attachments:

[Staff Report](#)

[Professional Services Agreement with the Yurok Tribe to Serve Children and Family
Executed Agreement - Yurok Tribe.pdf](#)

Libraries

[22-1307](#)

12. New Open Hours and Extended Open Hours for the Ferndale, Garberville and Trinidad Libraries

Recommendation: That the Board of Supervisors:

1. Approve the libraries expanded service hours and new open hours schedule.

Attachments:

[Staff Report](#)

[Current Library Hours Oct. 12 2022](#)

[Expanded Hours Nov 2022](#)

Planning and Building Department

[22-970](#)

13. Execution of a Subordination Agreement with the Samoa Pacific Group

Recommendation: That the Board of Supervisors:

1. Authorize the County Administrative Officer to sign the Subordination of Deed of Trust in Attachment 1.

Attachments:

[Staff Report](#)

[Attachment 1 - Subordination of Deed of Trust 8-25-22.docx](#)

[Attachment 2 - Exhibit A - Legal Description of properties subject to the subordination](#)

[Attachment 3 - Email from Dan Johnson dated July 3, 2022.pdf](#)

[Attachment 4 - Email from Michele Kerrigan dated June 15, 2022.pdf](#)

Probation[22-1352](#)

14. Memorandum of Understanding between Humboldt County Probation Department and Humboldt County Department of Health and Human Services for 1.0 FTE Mental Health Clinician in the Humboldt County Juvenile Hall

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chief Probation Officer and Director of Health and Human Services, to execute, the attached Memorandum of Understanding (MOU) regarding the 1.0 FTE Mental Health Clinician for the Humboldt County Juvenile Hall, for the period of fiscal years 2022/23, through fiscal year 2025/26; and
2. Authorize the Chief Probation Officer and Director of Health and Human Services to execute any and all subsequent amendments to the attached MOU, after review and approval by County Counsel and the County Administrative Office.

Attachments: [Staff Report](#)
[MOU_HCPD-DHHS_Inter-Departmental Services_MH Clinician.docx](#)

Public Works[22-1364](#)

15. Resolution to Lease a Private Logging Road in the Larabee Area and the Right of Way Lease Agreement with Humboldt Redwood Company, LLC for said Private Logging Road (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Adopt the Resolution to Lease a Private Logging Road in the Larabee Area and the Right of Way Lease Agreement with Humboldt Redwood Company, LLC for Said Private Logging Road (Attachment 1), (4/5 Vote Required);
2. Authorize the Chair of the Board to sign and execute the Right of Way Lease Agreement (Attachment 2), (4/5 Vote Required); and
3. Direct the Clerk of the Board to return a copy of the Right of Way Lease Agreement to the Land Use Division for transmittal to Humboldt Redwood Company, LLC.

Attachments: [Staff Report](#)
[Attachment 1 - HRC 2022 Larabee Winter Road Resoolution](#)
[Attachment 2 - HRC LARABEE ROAD LEASE 2022](#)
[Attachment 3 - 2022 Right of Way Lease from HRC to County of Humboldt - Lar Executed HRC Agreement.pdf](#)
[Resolution No. 22-136.pdf](#)

[22-1395](#)

16. Federal Apportionment Exchange and State Match Program for Regional Surface Transportation Program Funds for Fiscal Year 2021-22

Recommendation: That the Board of Supervisors:
1. Approve the Agreement No. X22-5904(189) with the California Department of Transportation (CalTrans) regarding the assignment of federal apportionments made available to the Count of Humboldt for allocation to transportation projects in exchange for nonfederal State Highway Account funds.

Attachments: [Staff Report](#)
[Agreement No. X22-5904 189 with the California Department of Transportation I Executed Federal Apportionment Exchange Program and State Match Program.pdf](#)

Sheriff

[22-1191](#)

17. Resolution and Supplemental Budget for Edward Byrne Memorial Justice Assistance Grant (JAG) Program Local Award 2022 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:
1. Approve acceptance of the Byrne JAG Local Award for 2022;
2. Approve and authorize the Chair to sign Resolution (Attachment 1) authorizing the Sheriff's Office to submit the governing body resolution for the Byrne JAG 2022 program, accept grant funds, and sign any documents required for participation in the grant program;
3. Approve the Supplemental Budget request for budget unit 1100-221910 - Byrne JAG Local 2022 Grant (Attachment 2) (4/5 vote required);
4. Authorize the Sheriff, Undersheriff or Sheriff's Deputy Director of Financial and Support Services to sign all future amendments, terminations, extensions, and documents directly related to the Edward Byrne Memorial JAG Program Local Award 2022 upon review of County Counsel, Risk Management and the County Administrative Office; and
5. Direct the Clerk of the Board to return completed and signed copy of the Resolution to the Sheriff's Office, Attention: Monika Fridley for submittal to funding agency.

Attachments: [Staff Report](#)
[Governing Body Resolution](#)
[Supplemental Budget request for 221910](#)
[Resolution No. 22-130.pdf](#)

[22-1419](#)

18. Retirement Resolution for Frances Morgan

Recommendation: That the Board of Supervisors:
1. Authorize the Chair to sign the Resolution.

Attachments: [Staff Report](#)
[Frances Morgan Resolution 10.25.22.docx](#)

Treasurer/Tax Collector

[22-1383](#)

19. State of California Standard Agreement Number C22-85162 between the Franchise Tax Board-Court Ordered Debt (FTB-COD) Collection Program and County of Humboldt, Revenue Recovery

Recommendation: That the Board of Supervisors:
1. Authorize the Treasurer Tax Collector to sign the State of California Standard Agreement Number C22-85162 between the Franchise Tax Board-Court Ordered Debt (FTB-COD) Collection Program and County of Humboldt, Revenue Recovery.

Attachments: [Staff Report](#)
[C22-85162 Humboldt County Revenue Recovery. STD. 213](#)

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. SPECIAL PRESENTATIONS

G. ITEMS PULLED FROM CONSENT

H. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

[22-1392](#)

1. Resolution Opposing Application of Herbicides on County Lands at Any Time or Without County Consent and on Private Lands Without Landowner Consent (Supervisor Steve Madrone and Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:
1. Adopt the resolution opposing the application of herbicides on county lands at any time or without county consent and on private lands without landowner consent.

Attachments: [Staff Report](#)
[City of Arcata Pesticide Reduction Plan.pdf](#)
[Herbicide Spraying Opposition Resolution 102522.pdf](#)
[Public Comment.pdf](#)

I. DEPARTMENT REPORTS

County Administrative Office

[22-1277](#)

1. County Travel and Tourism Update and Partner Agency Reports

Recommendation: That the Board of Supervisors:

1. Receive a travel and tourism presentation from staff and other partner agencies;
2. Receive a marketing report and hear a 20-minute presentation from the Humboldt County Visitors Bureau (HCVB);
3. Receive a marketing report and hear a 20-minute presentation from the Humboldt Lodging Alliance (HLA); and
5. Direct staff accordingly.

Attachments: [Staff Report](#)
[CAO HCVB Letter \(8-25-22\) .pdf](#)
[CA Assembly District Travel Impact Dean Runyan Report.pdf](#)
[CA Economic Impact of Travel 2021 Dean Runyan Report.pdf](#)
[Original HCVB Agreement dated July 5, 2016.pdf](#)
[First Amendment to the HCVB Agreement dated July 18, 2018.pdf](#)
[Second Amendment to the HCCVB Agreement dated June 6, 2019.pdf](#)
[Third amendment to the HCVB Agreement dated Aug 10, 2021.pdf](#)
[County and Eureka MOU for Marketing Collaboration.pdf](#)
[TBID Resolution.pdf](#)
[HLA agreement for services thru 2028.pdf](#)
[TBID Management District Plan.pdf](#)
[HCVB Response letter.pdf](#)
[CAO HLA Letter \(9-1-22\).pdf](#)
[HLA Response letter.pdf](#)
[HLA Annual Report \(2018_2022\).pdf](#)
[HCVB_BOS_Report_10_22.pdf](#)
[Southern Humboldt - Annual Report.pdf](#)

[22-1397](#)

2. Adoption of the Compensation Plan for Elected & Appointed Department Heads Effective Oct. 25, 2022 through Dec. 31, 2024

- Recommendation:** That the Board of Supervisors:
1. Adopt Resolution No. _____ (attached) approving the amended Compensation Plan for Elected & Appointed Department Heads effective Oct. 25, 2022 through and inclusive of Dec. 31, 2024
 2. Approve the amended Compensation Plan for Elected & Appointed Department Heads effective Oct. 25, 2022 through and inclusive of Dec. 31, 2024

Attachments: [Staff Report](#)
[Resolution - Adopt Compensation Plan for Department Heads.doc](#)
[2022-10-25 - Compensation Plan for Department Heads Final.pdf](#)
[2022-10-25 - Compensation Plan for Department Heads Redline.pdf](#)
[2022-10-25 Comprehensive Compensation Schedule and Classification Summary](#)

[22-1398](#)

3. Introduction of an Ordinance of the Board of Supervisors of the County of Humboldt Amending Section 213-1 of Chapter 3 of Division 1 of Title II of the Humboldt County Code Relating to Pay Increases and Compensation Changes for the Board of Supervisors

- Recommendation:** That the Board of Supervisors:
1. Introduce the attached ordinance of the Board of Supervisors of the County of Humboldt amending Section 213-1 of Chapter 3 of Division 1 of Title II of the Humboldt County Code relating to pay increases and compensation changes for the Board of Supervisors and waive the first reading thereof;
 2. Set the attached ordinance for adoption on November 1, 2022, 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)]; and
 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)].

Attachments: [Staff Report.pdf](#)
[Ordinance Board Compensation Sec. 213-1](#)
[Humboldt County Code Chp. 3 Sec. 213-1 Redline.pdf](#)
[2022 10-25 - Post-Adoption Summary.docx](#)
[2022 10-25 Pre-Adoption Summary.docx](#)

[22-1446](#)

4. Consideration of Planning Commission Size, Process of Appointment and Removal of Members, and Adoption of Planning Commission Rules, Code of Conduct and Ethics

Recommendation: That the Board of Supervisors:

1. Direct staff to make changes to Section 312-1 of the Humboldt County Code as follows:
 - a. Change the Planning Commission membership from 7 to 5;
 - b. Each District Supervisor appoints one commissioner for their district (No Change);
 - c. Include provisions for removal of a Planning Commissioner with a 4/5ths vote of the Board of Supervisors; and
2. Adopt the Planning Commission Rules, Code of Conduct and Ethics (Attachment I).

Attachments: [Staff Report](#)
[PC Survey.xlsx](#)
[Humboldt County Planning Commission Rules and Procedures.docx](#)

County Clerk/Recorder/Registrar of Voters

[22-1390](#)

5. Certification of Petition, Large-Scale Commercial Cannabis Cultivation Restrictions Amending Humboldt County General Plan, Local Coastal Plans and County Code Amendments Initiative

Recommendation: That the Board of Supervisors:

1. Accept the Certification of Results of the Large-Scale Commercial Cannabis Cultivation Restrictions Amending Humboldt County General Plan, Local Coastal Plans and County Code Amendments Initiative (Initiative Petition), and
2. Take action pursuant to Election Code §9118.

Attachments: [Staff Report](#)
[Signature Verification Certificate.pdf](#)
[Full Initiative Text.pdf](#)
[Ballot Title and Summary.pdf](#)
[Petition Result Breakdown.pdf](#)

DHHS: Behavioral Health

[22-1347](#)

6. Humboldt County Behavioral Health Board Annual report for 2018-2021

Recommendation: That the Board of Supervisors:

Receive and file the attached report prepared by Humboldt County Behavioral Health Board for 2018-2021

Attachments:

[Staff Report](#)

[Humboldt County Behavioral Health Board Report for 2018-2021](#)

J. PUBLIC HEARINGS

Public Works

[22-1278](#)

1. Unmet Transportation Needs Public Hearing for FY 2023-24

Recommendation:

That the Board of Supervisors:

1. Open a public hearing, receive the staff report and allow the public to comment on transit needs in the unincorporated areas of the county;
2. Close the public hearing; and
3. Direct the Clerk of the Board to forward an Action Summary of the meeting to the Humboldt County Association of Governments (HCAOG) for inclusion in their hearing.

Attachments:

[Staff Report](#)

[Unmet Needs Letter 8-19-22.pdf](#)

K. DISCUSSION ITEMS

L. MATTERS SET FOR TIME CERTAIN

Board of Supervisors - Closed Session

[22-1449](#)

1. 11:30 AM - (CLOSED SESSION) Pursuant to Government Code Sections 54954.5 and 54957 to consider a Public Employee Performance Evaluation for the position of Public Defender

[22-1450](#)

2. 11:30 AM - (CLOSED SESSION) Pursuant to Government Code Sections 54954.5 and 54957 to consider a Public Employee Performance Evaluation for the position of Public Defender

County Counsel - Closed Session

[22-1438](#)

3. 11:30 AM - (CLOSED SESSION) Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Shawn Lee Perrot v. Duane Christian, Case No. 5:22-cv-01311 EJD

[22-1440](#)

4. 11:30 AM - (CLOSED SESSION) Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Mercer Fraser Company v.

County of Humboldt, Humboldt County Superior Court Case No. CV2201537

[22-1441](#)

5. 11:30 AM - (CLOSED SESSION) Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Michael Masterson, et al. v. James Robinson, et al., Humboldt County Superior Court Case No. CV2201309

M. CLOSED SESSION (See Matters Set for Time Certain)

N. ADJOURNMENT

Any written materials related to an item on this agenda submitted to the Board of Supervisors less than 72 hours prior to the Board meeting, and that are public records subject to the Public Records Act, are available for public inspection in the Office of the Clerk of the Board at 825 5th Street, Suite 111, Eureka (476-2384), during normal business hours.

Persons wishing to file documentation on any agenda item for the official record must submit an original and nine (9) copies of each document to the Clerk of the Board of Supervisors, Room 111 of the County Courthouse, 825 5th Street in Eureka (476-2384). Documentation includes, but is not limited to, written correspondence, audio and video tapes, maps, photographs, and petitions. Failure to submit the required number of copies will result in the document/s not being placed in the official record. (Per Board of Supervisors' policy adopted on March 21, 1995.)

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BARRING ANY UNFORESEEN TECHNICAL DIFFICULTIES OR SCHEDULING CHANGES, REGULAR MEETINGS OF THE BOARD OF SUPERVISORS ARE BROADCAST LIVE ON SUDDEN LINK, CHANNEL 10, AND ARE REBROADCAST ON FRIDAY AT 6:30 P.M.

County of Humboldt Web Site: <http://humboldt.gov/>