

BOARD OF SUPERVISORS

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

Tuesday, November 1, 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 829 1905 7261 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:

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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 qualified disabilities as required under the Americans with Disabilities Act. With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Clerk of the Board Office at 707-476-2390 or by email cob@co.humboldt.ca.us or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us

A. ROLL CALL

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

Assessor

[22-1452](#)

1. Approval of and Authorization from the Board of Supervisors for the Assessor to Sign a Joint Powers Agreement with other California Counties in Order to Receive, Manage and Expend up to \$30,000,000 of State Funds for Technology Improvements for County Assessor Departments (4/5 Vote Required)

Recommendation: That the Board of Supervisors:
Assessor requests approval of and authorization from the Board of Supervisors for the Assessor to sign a Joint Powers Agreement with other California counties in order to receive, manage and expend up to \$30,000,000 of state funds for technology improvements for county assessor departments.

Attachments: [Staff Report](#)
[Assessor IT JPA - Joint Powers Agreement \(10.18.22\)-c1_final](#)

Clerk of the Board

[22-1426](#)

2. Board of Supervisors Teleconferencing Meetings and AB 361: Continuation of Emergency

Recommendation: That the Board of Supervisors:
1. Find that the Board has reconsidered the circumstances of the state of emergency that continues to exist, that state or local officials continue to recommend measures for social distancing and the current Covid-19 emergency related to in-person meetings continues to present an imminent risk to health and safety of attendees.
2. Authorize the Chair to sign the resolution re-authorizing remote teleconference meetings for the period of November 1, 2022 through

November 29, 2022.

Attachments:

[Staff Report](#)

[Resolution AB 361.pdf](#)

[AB 361 Resolution Reauthorizing Teleconferencing Meetings.pdf](#)

[Resolution No. 22-133.pdf](#)

[22-1455](#)

3. Notice of Vacancy on the Shelter Cove Resort Improvement District

Recommendation:

That the Board of Supervisors:

1. Receive and file the report.

Attachments:

[Staff Report](#)

[Shelter Cove Resort Improvement Cnty Roster 110122.pdf](#)

[Myers Resignation Letter.pdf](#)

County Administrative Office

[22-1466](#)

4. Allocation of 1.0 Full Time Equivalent Program Manager in the County Administrative Office and Supplemental Budget (4/5 Vote Required)

Recommendation:

That the Board of Supervisors:

1. Allocate 1.0 Full Time Equivalent Program Manager (Class 0934, Salary Range 523) in the County Administrative Office - Management & Budget Team (1100-103); and
2. Approve the attached supplemental budget in the amount of \$91,079 for the County Administrative Office - Management & Budget Team (4/5 vote required).

Attachments:

[Staff Report.pdf](#)

[Supplemental Budget.xlsx](#)

County Clerk/Recorder/Registrar of Voters

[22-1429](#)

5. Authorize a Temporary Increase in Pay for Benjamin Hershberger, Fiscal Officer, Pursuant to Section 12.4 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 Fiscal Officer Benjamin Hershberger (class 0185, range 442) as though promoted to Manager-Clerk/Recorder's Office (class 0344, range 478) beginning November 12, 2022, and continuing until the vacant position is filled.

Attachments: [Staff Report](#)

Department of Health and Human Services: Behavioral Health

[22-1439](#)

6. Subcontract Agreement with Advocates for Human Potential, Inc. Regarding Implementation of the Behavioral Health Mobile Crisis and Non-Crisis Services Project in Humboldt County

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Department of Health and Human Services - Behavioral Health Director, and/or designees thereof, to execute, the attached subcontract agreement with Advocates for Human Potential, Inc. regarding implementation of the Behavioral Health Mobile Crisis and Non-Crisis Services Project in Humboldt County for the period of February 15, 2022 through February 14, 2023; and
2. Authorize the Department of Health and Human Services - Behavioral Health Director, and/or designees thereof, to execute any and all subsequent amendments to, and any other agreements, certifications, attestations and documents directly associated with, the attached subcontract agreement with Advocates for Human Potential, Inc., after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to provide one (1) fully executed certified copy of the Board order related to this item to the Department of Health and Human Services - Contract Unit.

Attachments: [Staff Report](#)
[Subcontract with Advocates for Humanity, Inc. Regarding Implementation of the](#)

Department of Health and Human Services: Public Health

[22-1423](#)

7. Approval of Second Amendment to Memorandum of Understanding with Westside Community Improvement Association Regarding the Addition of Influenza and Other Advisory Committee on Immunization Practices (ACIP) Recommended Immunizations to Existing COVID-19 Testing and/or Vaccination Operations

Recommendation: That the Board of Supervisors:

1. Approve the second amendment to memorandum of understanding with Westside Community Improvement Association regarding the addition of influenza and ACIP recommended immunizations to existing COVID-19 testing and/or vaccination operations;
2. Authorize the Department of Health and Human Services - Public Health Director or designee thereof, to sign any and all subsequent amendments, and any other documents directly related to the addition of influenza and ACIP recommended immunizations to existing memoranda of understandings with local community partners, related to COVID-19 Testing and/or Vaccination

Operations in Humboldt County, after review and approval of County Council, Risk Management and the County Administrative Office;

3. Authorize the Department of Health and Human Services - Public Health Director or designee thereof, to execute additional memoranda of understanding regarding, influenza and ACIP recommended immunization operations in Humboldt County, after review and approval of County Council, Risk Management and the County Administrative Office;
4. Direct the clerk of the Board to return one certified copy of the order pertaining to this item to the Department of Health and Human Services - Contracts Unit.

Attachments:

[Staff Report](#)

[Second Amendment to Memorandum of Understanding with Westside Communit](#)

[NEW Exhibit A-- Westside Community Improvement Assosciation 10.6.22](#)

[Immunization's Offered and Fee List- HCPH Clinic](#)

[First Amendment FY 21-25 Westside Community Improvement Association COV](#)

[Westside Community Improvement Association COVID VAccination-Testing M](#)

[COI for Westside Community Improvement Association](#)

[22-1428](#)

8. Enter into an Agreement with Tulare County Superintendent of Schools for Humboldt County Department of Health and Human Services - Public Health Branch (DHHS - Public Health) - Substance Use Prevention Division to Act as the Friday Night Live (FNL) Coordinator for the Humboldt County Area

Recommendation:

That the Board of Supervisors:

1. Approve and authorize the DHHS - Public Health Director, or their designee, to enter into and execute the attached Agency Agreement with Tulare County Superintendent of Schools.
2. Approve and authorize DHHS - Public Health Director, or their designee, to enter into any subsequent agreements or amendments with Tulare County Superintendent of Schools related to this Friday Night Live agreement and within the current Substance Abuse Block Grant term after review by County Counsel and Risk Management.

Attachments:

[Staff Report](#)

[Tulare County Superintendent of Schools Contract 2022.9.15](#)

Planning and Building Department

[22-1420](#)

9. Extension of Extra-Help Hours for the Cannabis Services Unit 1100-268 (4/5 Vote Required)

Recommendation:

That the Board of Supervisors:

1. Approve the extension of extra help hours for Office Assistant I, James Davidson, to a maximum of 1,920 hours through June 30, 2023, pursuant to

Section 7 of the Humboldt County Salary Resolution.

Attachments: [Staff Report](#)

[22-1443](#)

10. SN Indianola LLC Local Coastal Plan Petition and Zone Reclassification Petition

Recommendation: That the Board of Supervisors:

1. Accept the petition by approving the attached resolution (Attachment 1) finding it is in the public interest to proceed with this application; and
2. Direct the Clerk of the Board to give notice of the decision to the applicant and any other interested party.

Attachments: [Staff Report](#)
[Attachment 1 BOS Resolution Draft 10.docx](#)
[Attachment 2 Application](#)
[Attachment 3 Site plan](#)
[Attachment 4 Location Map](#)
[Resolution No. 22-135.pdf](#)
[Public Comment - D12.pdf](#)

Public Works

[22-1181](#)

11. Revocable License Agreement with the United States Coast Guard Regarding Use of the Trinidad Head Telecommunications Site

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the County Administrative Officer, or a designee thereof, to execute, the attached revocable license with the United States Coast Guard regarding use of the Trinidad Head Telecommunications Site for the period of September 1, 2022 through August 31, 2027; and
2. Direct the Clerk of the Board to return one (1) fully executed certified copy of the Board Order pertaining to this item.

Attachments: [Staff Report](#)
[Revocable License](#)

[22-1253](#)

12. Telecommunications Vault Lease Agreement with the State of California Regarding Use of the Shelter Cove Telecommunications Site and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the County Administrative Officer, or a designee thereof, to execute the attached telecommunications vault lease agreement with the State of California regarding use of the Shelter Cove telecommunications

- site for the period of Nov. 1, 2022 through Oct. 31, 2029;
2. Approve the attached supplemental budget request for Communications 3521-151 in the amount of \$5,816 for fiscal year 2022-23 (4/5 Vote Required); and
3. Direct the Clerk of the Board to provide the Department of Public Works - Real Property Division with one (1) fully executed certified copy of the Board Order pertaining to this item.

Attachments:[Staff Report](#)[Attachment No. 1 - Telecommunications Vault Lease](#)[Attachment No. 2 - Supplemental Budget Template 3521151](#)[22-1366](#)**13. Bridge Preventive Maintenance Project at Six Locations in Humboldt County*****Recommendation:***

That the Board of Supervisors:

1. Approve the attached plans and specifications for the Bridge Preventive Maintenance Project at six (6) locations in Humboldt County; 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, Dec. 6, 2022, at 2:00 p.m.

Attachments:[Staff Report](#)[BPMP 5904\(156\) Planset 2022-10-12.pdf](#)[BPMP 5904\(156\) Special Provisions 2022-10-12.pdf](#)[22-1448](#)**14. Letter of Interest and Support to Humboldt Waste Management Authority (HWMA) for Leading Regionalization for the Purposes of Organics Processing in Compliance with SB1383*****Recommendation:***

That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to sign the attached letter to notify the Humboldt Waste Management Authority ("HWMA") of the county's support for regionalization for the purposes of organics processing.

Attachments:[Staff Report](#)[HWMA Regionalization Support Letter](#)[Executed HWMA Letter.pdf](#)**E. PUBLIC COMMENT ON NON-AGENDA ITEMS****F. SPECIAL PRESENTATIONS****G. ITEMS PULLED FROM CONSENT****H. MATTERS INITIATED BY BOARD MEMBERS**

Board of Supervisors[22-1462](#)

1. Join the Coalition Seeking Relief from the Mounting Organic Dairy Emergency on the North Coast and Send a Letter in Support of Financial Aid for Western United States Organic Dairies Due to Historic Drought Conditions and Unsustainable Feed Costs (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the letter of support; and
2. Join the coalition of producers, processors, non-profits and government agencies who seek relief from the mounting dairy emergency on the north coast from Marin to Del Norte County.

Attachments: [Staff Report](#)
[Letter of Support for Western United States .pdf](#)
[Executed Support Letter - Financial Aid for Western United States Organic Dairies](#)

I. DEPARTMENT REPORTS**County Administrative Office**[22-1357](#)

1. Update and Possible Board Action on Cannabis Excise Tax Reduction Program

Recommendation: That the Board of Supervisors:

1. Accept an update on the Cannabis Excise Tax Reduction Program; and
2. Consider providing staff direction on Tax Year 2023 Cannabis Excise Taxes.

Attachments: [Staff Report](#)
[Humboldt County Code Chapter 9](#)
[Public Comment - 11.pdf](#)

Human Resources[22-1217](#)

2. Sustained Finding of Violation of the Board of Supervisors Code of Conduct

Recommendation: That the Board of Supervisors:

1. Receive, file and discuss the attached summary of a sustained finding of violation of the Board of Supervisors Code of Conduct as required.

Attachments: [Staff Report](#)
[Summary of Sustained Finding.pdf](#)

J. PUBLIC HEARINGS**Planning and Building Department**[22-1295](#)

1. Public Hearing on the Wireless Telecommunications Facilities Ordinance (Record # PLN-2021-17452)

Recommendation: That the Board of Supervisors:

1. Receive and consider the staff report, open the public hearing, and accept public comment; and
2. Close the public hearing; and
3. Deliberate on the proposed ordinances; and
4. Adopt the proposed ordinances by taking the following actions:
 - a. Adopt Resolution No. ____ [Attachment 1] making findings the Coastal Ordinance is exempt from environmental review pursuant to CEQA and making all the required findings for consistency with the General Plan, Zoning Ordinance and the Coastal Act, and transmitting the ordinance to the California Coastal Commission for their review and certification; and
 - b. Adopt Resolution No. ____ [Attachment 2] making findings the Inland Ordinance is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), and making all the required findings for consistency with the General Plan, Zoning Ordinance; and
 - c. Adopt Coastal Ordinance No: ____ [Attachment 3] regulating Wireless Telecommunications Facilities in the coastal zone, which will become effective after California Coastal Commission certification; and
 - d. Adopt Inland Ordinance No: ____ [Attachment 4] regulating Wireless Telecommunications Facilities in the inland parts of the County; and
 - e. Direct the Clerk of the Board to publish a Summary of the Ordinances within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against the ordinances [Attachment 5 & Attachment 6] 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); and
 - f. Direct Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

Attachments:[Staff Report](#)[Attachment 1 Resolution for coastal ordinance 9.21.22](#)[Attachment 2 Resolution for inland ordinance 9.21.22](#)[Attachment 3 - Coastal Telecom Ordinance 9.21-22](#)[Attachment 4 - Inland Telecom Ordinance 9-22-22](#)[Attachment 5 - Post-Adoption Summary - Coastal](#)[Attachment 6 - Post-Adoption Summary - Inland](#)[Attachment 7 Planning Commission Staff Report 4.7.22](#)[Attachment 8 Dalton Gardens Ordinance](#)[Public Comment - J1.pdf](#)***Public Works***[22-1344](#)

2. Notice of Intention to Purchase Real Property Located at 1017 Fourth Street, Eureka, California

Recommendation:

That the Board of Supervisors:

1. Introduce Notice of Intention to purchase real property, the purchase price of which is in excess of Fifty Thousand Dollars (\$50,000.00);
2. Open the public hearing; and
3. Close the public hearing.

Attachments:[Staff Report](#)[Purchase Agreement](#)[Notice of Intention to Purchase Real Property - fully executed](#)**K. DISCUSSION ITEMS****L. MATTERS SET FOR TIME CERTAIN*****Board of Supervisors - Special Presentation***[22-1444](#)

1. 9:30 AM - PG&E Presentation Related to Power Capacity in the Fortuna, Rio Dell and Garberville Areas (Supervisor Michelle Bushnell and Supervisor Rex Bohn)

Recommendation:

That the Board of Supervisors:

1. Receive a presentation from Humboldt County Planning Director John Ford, and
2. Receive a presentation from Fortuna City Manager Merritt Perry, and
3. Receive a presentation from Rio Dell Planning Director Kevin Caldwell, and
4. Receive a presentation from PG&E related to power capacity in Fortuna, Rio Dell and Garberville areas.

Attachments: [Staff Report](#)

Board of Supervisors - Closed Session

[22-1463](#)

2. 3:00 PM - (Closed Session) Pursuant to Government Code Sections 54954.5 and 54957 to consider a Public Employee Performance Evaluation for the position of Agricultural Commissioner

[22-1486](#)

3. 3:00 PM - (Closed Session) 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 negotiator. Labor negotiators: Tabatha Miller, Paige Plummer, and Jack Hughes. Employee Organizations (represented and unrepresented): SEIU/In-Home Support Services, American Federation of State, County and Municipal Employees (AFSCME local 1684), Humboldt County Attorneys Association, Humboldt Deputy Sheriffs Organization (Law Enforcement Non-Management Unit), Humboldt Deputy Sheriffs Organization (Law Enforcement Management Unit), Appointed Department Heads, and Management and Confidential employees

County Counsel - Closed Session

[22-1488](#)

4. 3:00 PM - (Closed Session) Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Friends of the Eel River v. County of Humboldt et al., Humboldt County Superior Court Case No. 2201593

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.)

The Chamber is wheelchair accessible, the accessible entrance to the Courthouse is the 4th Street entrance. Accessible parking is available adjacent to the 4th Street entrance and on the 4th Street side of the K Street lot. If you are a person with a qualified disability, and need a modification or accommodation to participate in this meeting, please contact the Clerk of the Board at (707) 476-2384, or (707) 445-7299 (fax). Requests for such modifications or accommodations must be made at least three full business days before the start of the meeting.

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/>