

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, February 15, 2022

9:00 AM

Regular Meeting - Virtual

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 Madrone, seconded by Supervisor Wilson, 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. Department of Health and Human Services Social Services Deputy Branch Director Kelly Hampton Retirement Resolution (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the resolution.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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. Dissolution of the Cannabis Ad-Hoc Committee

Recommendation: That the Board of Supervisors:
I. Dissolve the Cannabis Ad-Hoc Committee.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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

3. Notice of At-Large Vacancy on the Resource Conservation District

Recommendation: That the Board of Supervisors:
I. Receive and file the report

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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. Notice of At-Large Vacancies on the Housing Trust Fund and Homelessness Solutions Committee (HTFHSC)

Recommendation: That the Board of Supervisors:
I. Receive and file the report

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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. Approval of the Action Summary - Meeting of February 7, 2022

Recommendation: That the Board of Supervisors:
I. Approve the Action Summary for the meeting of February 7, 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 Madrone, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried by the following vote:

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

6. Approval of the Action Summary - Meeting of February 8, 2022

Recommendation: That the Board of Supervisors:
I. Approve the Action Summary for the meeting of February 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 Madrone, seconded by Supervisor Wilson, 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. 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 Madrone, seconded by Supervisor Wilson, 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

8. Extension of Extra-Help Hours for Economic Development Budget Unit 1120-275 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the extension of extra-help employment hours for William Tanner Etherton, Administrative Analyst I, to a maximum of 1,920 hours for fiscal year 2021-2022 (4/5 vote required).

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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. Resolution Approving the Samoa Peninsula Enhanced Infrastructure District (EIFD) Infrastructure Financing Plan (IFP)

Recommendation: That the Board of Supervisors:

1. Adopt a Resolution approving the Samoa Peninsula EIFD IFP.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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. Assignment of Sheriff's Unused Space on the Fifth Floor of the County Courthouse to the District Attorney's Office Victim Witness and Child Abuse Services Team (CAST) Programs

Recommendation: That the Board of Supervisors:

1. Assign the Sheriff's unused space on the fifth floor of the County Courthouse to the District Attorney's Office Victim Witness and CAST programs.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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 Clerk/Recorder/Registrar of Voters

11. Adopt Resolution Authorizing the County to Receive Grant Funding Through the Help America Vote Act (HAVA) Federal Funds, Agreement No. 21G30106; Establish Dedicated Fund; Supplemental Budget (4/5 Vote Required); and Authorize Clerk Recorder to Execute Necessary Documents

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution authorizing the county to receive the sum of \$162,722.68 through federal funds administered by the U.S. Elections Administration Commission (EAC) to assist the County in complying with the requirements of Section 301 of the Help America Vote Act (HAVA) of 2002.
2. Direct the Auditor-Controller to establish a HAVA 301 Fund pursuant to Exhibit D of the Grant Agreement, No. 21G30106.
3. Adopt the attached supplemental budget for FY 2021-22 in the amount of \$162,722.68 (4/5 vote required).
4. Direct the Clerk of the Board to return a certified copy of the attached resolution to the Office of Elections for further processing and submission to the Secretary of State.
5. Authorize the Clerk Recorder to execute the necessary documents and the attached contract to carry out the purpose of the Board's order.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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

12. Allocation of three Administrative Analyst I/II positions and one Health Education Specialist and Supplemental Budget (Requires 4/5 Vote)

Recommendation: That the Board of Supervisors:

1. Allocate three 1.0 full time equivalent (FTE) Administrative Analyst I/II positions (class 0262A/B, salary range 387/420) in budget unit (BU) 400;
2. Allocate one 1.0 FTE Health Education Specialist I/II position (class 1595A/B, salary range 378/411) in BU 414; effective beginning of the pay period following approval; and
3. Approve and authorize the Auditor-Controller to post the attached supplemental budget (Requires 4/5 vote).

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

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

District Attorney

13. Establish a Trust Fund Account for Humboldt County Resentencing Pilot Program (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the District Attorney's office request to establish the Humboldt County Resentencing Pilot Program for the Resentencing Pilot Program funding awarded by Assembly Bill 128;
2. Authorize the Auditor-Controller's office to establish the Humboldt County Resentencing Pilot Program fund in an interest-bearing new trust fund account (4/5 Vote Required); and
3. Authorize the District Attorney to sign all documents necessary to establish, administer and modify the Humboldt County Resentencing Pilot Program.

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

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

Planning and Building Department

14. J&J Family LLC General Plan Amendment and Zone Reclassification Petition

Recommendation: That the Board of Supervisors:

1. Consider the General Plan Amendment and Zone Reclassification Petition as part of the consent agenda; and
2. Accept the petition by approving the attached resolution (Attachment 1) based on the findings; and
3. Direct the Clerk of the Board to give notice of the decision to the applicant and any other interested party.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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

15. Second Amendment to Lease at 1606 Pickett Road, McKinleyville

Recommendation: That the Board of Supervisors:

1. Approve the Second Amendment to Lease with lessor, McKinleyville Community Services District (MCSD), for continued use of the McKinleyville Library facility at 1606 Pickett Road, McKinleyville;
2. Authorize the Chair of the Board of Supervisors to sign the Second Amendment to Lease; and
3. Direct the Clerk of the Board to return one (1) executed Second Amendment to Lease to Public Works Real Property.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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. Third Amendment to Lease at 1608 Pickett Road, McKinleyville

Recommendation: That the Board of Supervisors:

1. Approve the Third Amendment to the lease with lessor, McKinleyville Community Services District (MCSD), for continued use of the Sheriff's Substation facility at 1608 Pickett Road; McKinleyville;
2. Authorize the Chair of the Board of Supervisors to sign the Third Amendment to lease; and
3. Direct the Clerk of the Board to return one (1) executed Third Amendment to lease to Public Works Real Property.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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. License Agreement with Judith L. Dixon for the Russ Rock Quarry and Stockpile Site, APN 313-132-001, on Snow Camp Road (7J010)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair of the Board to sign, in duplicate, the license agreement between the County of Humboldt and Judith L. Dixon (Attachment 1); and
2. Direct the Clerk of the Board to return both executed license agreements to the Department of Public Works Land Use Division for further processing.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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. Approval of Sublease with Family Resource Center for use of a Portion of the Premises at the McKinleyville Center, 1615 Heartwood Drive

Recommendation: That the Board of Supervisors:

1. Approve the Sublease with Family Resource Center (FRC) at the McKinleyville Center, 1615 Heartwood Drive, McKinleyville.

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

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

19. Accept Completed Contract for Storm Damage Repair to Redwood House Road (5F200) Post Mile 7.14

Recommendation: That the Board of Supervisors:

1. Ratify the Director of Public Works to sign Contract Change Order Number 3 for the total amount of \$55,000;
2. Accept the completed contract, including all change orders approved by the Public Works Department, between Wendell John Gray Construction and Humboldt County for construction of the Redwood House Road (5F200) at Post Mile 7.14 Storm Damage Project; and
3. Approve the final claim for payment, to be submitted by the Public Works Department to the Auditor/Controller, in the amount of \$55,000, which will bring the total amount paid to 100% of the contract.

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

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

20. Memorandum of Understanding with Green DOT Transportation Solutions Regarding Payment of the Costs and Expenses Associated with the Provision of Additional Tribal Transportation Planning Services

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached memorandum of understanding with Green DOT Transportation Solutions regarding payment of the costs and expenses associated with the provision of additional tribal transportation planning services in an amount not to exceed \$16,777.50 for the period of Dec. 10, 2020, through April 6, 2021;
2. Authorize the Public Works Director, or a designee thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with Green DOT Transportation Solutions, 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 memorandum of understanding with Green DOT Transportation Solutions to the Department of Public Works for further processing.

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

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

21. Resolution Authorizing the Humboldt County Department of Public Works to Submit a Notification of Intent to Comply with the Requirements of California Senate Bill 1383 to the California Department of Resources Recycling and Recovery in Accordance with California Senate Bill 619

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution which authorizes the Humboldt County Department of Public Works to submit a Notification of Intent to Comply with the requirements of California Senate Bill 1383 to the California Department of Resources Recycling and Recovery in accordance with California Senate Bill 619; and
2. Direct the Clerk of the Board to return a fully executed certified copy of the attached resolution to the Humboldt County Department of Public Works for submission to the California Department of Resources Recycling and Recovery.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, 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

H. DEPARTMENT REPORTS**Sheriff****Public Hearing - Planning and Building Department**

1. 9:30 am - Update from the Drought Task Force addressing whether to maintain the drought proclamation, decision on whether irrigation water for cannabis should be curtailed, update on addressing wells use and direction to create a resiliency coordinator.

Recommendation: That the Board of Supervisors:

1. Receive the Report from the Drought Task Force; and
2. Receive an update on the Resiliency Coordinator position and direct staff to return to the Board with the necessary documentation to create and allocate the position to the Office of Emergency Services.

A motion was made by Supervisor Madrone, 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

2. 11:00 am - Humboldt's Own LLC appeal of the Planning Commission's addition of a condition requiring a second water source to an approved well as part of the conditional approval of a Special Permit to allow a 64,800 square feet of commercial cannabis cultivation.

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the appellant (applicant), and testimony from the public on any of the additionally submitted information; and
2. Close the public hearing; and
3. Adopt the resolution (Resolution 21-__). (Attachment 1) which does the following:
 - a. Finds that the Board of Supervisors has considered the Addendum to the Environmental Impact Report for the Commercial Cannabis Land Use Ordinance that was prepared for the Humboldt's Own LLC project); and
 - b. Finds that the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Approves the Appeal submitted by Humboldt's Own LLC; and
 - d. Approves the Special 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 Bohn, seconded by Supervisor Bushnell, that the recommendations be approved as amended below:

1. Approve the Appeal submitted by Humboldt's Own LLC; and
2. Applicant must install the water capture storage, as requested by the Planning Commission, no later than the 2025 cultivation season; and
3. Direct staff to bring a resolution reflecting the Board discussion to the March 1, 2022 Board of Supervisors Meeting.

The motion carried by the following vote:

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

Planning and Building Department

1. Nuisance Abatement Cost Recovery for Green Valley Motel in Orick (Code Enforcement Case # CE19-0116)

Recommendation: That the Board of Supervisors:

1. Direct the Planning and Building Department to pursue recovery of nuisance abatement costs by entering into an escrow purchase agreement; and
2. Authorize the Director of Planning and Building Department to execute escrow purchase agreement to recover nuisance abatement costs and find that the agreement serves a public purpose as described; and
3. Provide additional direction as needed.

A motion was made by Supervisor Madrone and seconded by Supervisor Wilson to approve staff recommendations amended to read as follows:

1. *Direct the Planning and Building Department to pursue recovery of nuisance abatement costs by entering into an escrow purchase agreement; and*
2. *Authorize the Director of Planning and Building Department to execute escrow purchase agreement to recover nuisance abatement costs except the County will allow up to \$150,500 to not be recovered subject to the Director negotiating with buyer to determine if they are willing to complete the demolition as a cost saving measure; and*
3. *Authorize the Director to pursue the same agreement with a different future buyer provided that future buyer intends to redevelop property in a manner which will generate increased Property Tax, Transit Occupancy Tax, and/or sales tax; and*
4. *Find that the agreement serves a public purpose as described.*

The motion carried with the following vote:

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

Public Works

2. Resolution Proclaiming the Existence of a Facilities Emergency at the Humboldt County Probation Building (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution which proclaims that the current condition of the Humboldt County Probation Building constitutes a facilities emergency and authorizes the Humboldt County of Department of Public Works to take any and all actions necessary to abate hazardous materials and clean-up the fire damage pursuant to California Public Contract Code Section 22050 (4/5 Vote Required).

A motion was made by Supervisor Wilson and seconded by Supervisor Madrone to approve staff recommendations as amended below:

1. Adopt the attached resolution which proclaims that the current condition of the Humboldt County Probation Building constitutes a facilities emergency and authorizes the Humboldt County of Department of Public Works to take any and all actions necessary to abate hazardous materials and clean-up the fire damage pursuant to California Public Contract Code Section 22050; and

2. Direct staff to pursue full cost recovery of this project.

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

I. PUBLIC HEARINGS

J. DISCUSSION ITEMS

K. MATTERS SET FOR TIME CERTAIN

L. PUBLIC COMMENT ON NON-AGENDA ITEMS

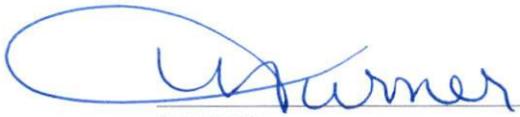
M. CLOSED SESSION

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.



2/15/2022