

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, August 15, 2023

9:00 AM

Regular Meeting - Hybrid

A. ROLL CALL

Present: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone
Absent: 1 - Supervisor Natalie Arroyo

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve the Consent Calendar. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone
Absent: 1 - Supervisor Natalie Arroyo

Agricultural Commissioner

23-1116

1. Approval of Cooperative Agreement No. 23-0282-000-SA, Known as the 2023 Noxious Weed Grant Program with the California Department of Food and Agriculture in the Amount of \$42,421.00 (4/5th Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve Cooperative Agreement No. 23-0282-000-SA, known as the 2023 Noxious Weed Grant Program with the California Department of Food and Agriculture;
2. Authorize the Chair to sign the original agreement, then return the signed original to the Agricultural Commissioner's Office for further processing;
3. Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines sections 15304/Class 4 and 15308/Class 8; and
4. Grant a waiver from the provisions of the Nuclear Free Ordinance (4/5th vote required).

That the Board of Supervisors:

1. *Approve Cooperative Agreement No. 23-0282-000-SA, known as the 2023 Noxious Weed Grant Program with the California Department of Food and Agriculture;*
2. *Authorize the Chair to sign the original agreement, then return the signed original to the Agricultural Commissioner's Office for further processing;*
3. *Adopt a finding of Categorical Exemption pursuant to CEQA Guidelines sections 15304/Class 4 and 15308/Class 8; and*
4. *Grant a waiver from the provisions of the Nuclear Free Ordinance (4/5th vote required).*

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Aviation

23-955

2. Memorandum of Understanding (MOU) between Redwood Coast Energy Authority (RCEA) and the County of Humboldt to Investigate Microgrid Development at County Airport Facilities.

Recommendation: That the Board of Supervisors:

1. Authorize the Director of Aviation to execute the attached Memorandum of Understanding between Redwood Coast Energy Authority and the County of Humboldt to investigate microgrid development at county airport facilities.

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Board of Supervisors

23-1150

3. Resolution Authorizing the Road Closures for the 43rd Annual Humboldt Redwoods Half Marathon and 5K on Oct. 8, 2023

Recommendation: That the Board of Supervisors:

1. Adopt the resolution and direct the Clerk of the Board to return a fully executed copy of the resolution to Six Rivers Running Club.

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

23-1158

4. Certificate of Adjournment for Sergeant Jim Mowrey

Recommendation: That the Board of Supervisors:

1. Sign the Certificate of Adjournment for Sergeant Jim Mowrey.

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Clerk of the Board

23-1057

5. Retirement Resolution for Tim Ash for His Service on the Humboldt County Behavioral Health Advisory Board (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the Retirement Resolution.

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

County Counsel

23-1085

6. Delegation of Specified Responsibilities to Staff in Administering the California Environmental Quality Act (CEQA) Pursuant to 14 California Code of Regulations (CCR) Section 15025

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution assigning specified functions in administering CEQA to the Departments of Public Works and Health and Human Services-Division of Environmental Health and reaffirming the prior delegation to the Planning and Building Department, as authorized by 14 CCR 15025.

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

- Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone
- Absent: 1 - Supervisor Natalie Arroyo

Department of Health and Human Services: Administration

23-1083

7. Hospital and Skilled Nursing Facility COVID-19 Worker Retention Payments for Department of Health and Human Services Behavioral Health Sempervirens Employees: Additional Payments

Recommendation: That the Board of Supervisors:

1. Authorize the Department of Health and Human Services (DHHS) to apply for and receive additional Hospital and Skilled Nursing Facility COVID-19 Worker Retention Payment (WRP) funds from the Department of Health Care Services;
2. Authorize DHHS to receive funds if awarded; and
3. Authorize DHHS and the Auditor-Controller's Office - Payroll Division to work together to ensure payments are issued to all eligible staff if the application for WRP funds is successful.

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

- Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone
- Absent: 1 - Supervisor Natalie Arroyo

Department of Health and Human Services: Public Health

23-1090

8. Public Health Fiscal Year (FY) 2022-23 California Home Visiting Program State General Fund Expansion Supplemental Budget (4/5th Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the attached supplemental budget in the amount of \$447,258 for FY 2022-23 Department of Health and Human Services - Public Health Fund 1175, Budget Unit 421 (4/5th Vote Required).

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

- Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone
- Absent: 1 - Supervisor Natalie Arroyo

Public Works

23-1086

9. Second Amendment to the Consultant Services Agreement with Mark Thomas and Company, Inc. Regarding the Provision of On-Call Engineering and/or Environmental Services

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to execute, the attached second amendment to the consultant services agreement with Mark Thomas and Company, Inc. regarding the provision of on-call engineering and/or environmental services; and
2. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached second amendment to the consultant services agreement with Mark Thomas and Company, Inc. to the Department of Public Works for further processing.

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

23-1088

10. Bid Award Authorization for Storm Damage Repairs to Alderpoint Road (F6B165) Post Miles 2.10, 2.70, and 2.98

Recommendation: That the Board of Supervisors:

1. Receive and file the bid proposals submitted for the Alderpoint Road (F6B165) Post Miles 2.10, 2.70, and 2.98 Storm Damage Repair Project;
2. Award the attached project agreement to Stimpel-Wiebelhaus Associates, Inc., for the total amount of \$5,135,657.40;
3. Authorize the Chair of the Board to execute the attached project agreement with Stimpel-Wiebelhaus Associates, Inc., upon submittal of the appropriate bonds and insurance; and
4. Authorize the Public Works Director to execute contract change orders up to the amounts of \$66,775 for Post Mile 2.10, \$192,690 for Post Mile 2.70, and \$34,815 for Post Mile 2.98.

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

23-1101

11. Storm Damage Repair to Mattole Road (3C010) Post Mile 17.83

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Storm Damage Repair to Mattole Road (3C010) Post Mile 17.83 project;
2. Find that the project is exempt from California Environmental Quality Act (CEQA) Guidelines pursuant to California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15302 - "Replacement or Reconstruction" and 15269(a) - "Emergency Projects"; 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, Sept. 12, 2023, at 2:00 p.m.

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Sheriff

23-1055

12. Humboldt County Sanctuary Ordinance Semiannual Report

Recommendation: That the Board of Supervisors:

1. Accept the attached report pursuant to the Humboldt County Sanctuary Ordinance Section 9121-10

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

E. ITEMS PULLED FROM CONSENT

F. PUBLIC COMMENT ON NON-AGENDA ITEMS

G. MATTERS SET FOR TIME CERTAIN

County Counsel (Closed Session)

23-1147

1. 11:00 AM - Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(1) to Discuss Existing Litigation in the Case of Green Leaf Nurseries LLC, et al. v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2300937

With a 4-0 Vote, The Board voted to authorize the Risk Manager to enter into agreement with Mitchell Law Firm to defend the Existing Litigation in the Case of Green Leaf Nurseries LLC, et al. v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2300937

H. MATTERS INITIATED BY BOARD MEMBERS**I. DEPARTMENT REPORTS****County Administrative Office**23-1120

1. Fiscal Year 2022-23 Grand Jury Responses: Incorporating the City of McKinleyville: To Be, or Not to Be?

Recommendation: That the Board of Supervisors:

1. Review and modify as necessary the proposed Grand Jury responses from the Board of Supervisors. (Attachment 2);
2. Approve the documents, as may be modified, as the response;
3. Direct the Clerk of the Board, within 5 working days, to submit the final response with an accompanying Board Order to the 2022-23 Grand Jury and the Presiding Judge of the Superior Court;
4. Direct the Clerk of the Board, within 5 working days, to submit a copy of all attached responses to the County Clerk/Recorder, together with a copy of the original report; and
5. Direct the Clerk of the Board, within 5 working days, to submit two copies of all attached responses to the Clerk of the Court, one of which will be forwarded to the State Archivist, together with a copy of the original report.

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Public Works23-1081

2. Ordinance Authorizing the Director of Public Works or Designee to Acquire and Accept Interest in Real Estate on Behalf of the Board of Supervisors

Recommendation: That the Board of Supervisors:

1. Introduce by title and waive the first reading of the ordinance;
2. Set the ordinance for adoption at least one (1) week away;
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 ordinance, to publish a post-summary of the ordinance with the names of the Supervisors voting for and against the ordinance, and 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 [Government Code Section 25124(b)(1)].

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

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

J. PUBLIC HEARINGS

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

L. 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.



08/15/2023