

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, January 24, 2023

9:00 AM

Regular Meeting - Hybrid

A. ROLL CALL

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

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

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

Board of Supervisors

1. Reappointment of Peggy O'Neill to the Humboldt County Planning Commission (Supervisor Steve Madrone)

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

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

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

2. Appointment of Lonyx Landry to the Humboldt County Planning Commission Representing the Fourth District (Supervisor Natalie Arroyo)

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

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

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

Clerk of the Board

3. Reappointment of Glenn Ziemer, Tami Trent, Nicholas Kohl, and Sheriff Honsal to the Citizens' Advisory Committee on Measure Z Expenditures Committee (Measure Z) as the First, Second, Fourth District and Sheriff Representatives

Recommendation: That the Board of Supervisors:
1. Receive and file the reappointments.

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

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

4. Letter of Appreciation for Ryan Rice for His Service on the Humboldt County Resource Conservation District

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

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

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

5. Letter of Appreciation to Eddie Morgan for his Service on the Human Rights Commission

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

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

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

6. Notice of Vacancy of the Humboldt County Human Rights Commission

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

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

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

7. Reappoint Hyun-Kyung You and Wendy Hill to the First 5 Humboldt Commission

Recommendation: That the Board of Supervisors:

1. Reappoint Hyun-Kyung You and Wendy Hill to the First 5 Humboldt Commission.

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

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

8. Letter of Appreciation for Mike Newman for his Service on the Humboldt County Planning Commission

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the letter of appreciation.

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

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

9. Approval of the Action Summary - Meeting of January 10, 2023

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of January 10, 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 Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried by the following vote:

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

10. Approval of the Action Summary - Meeting of January 17, 2023

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of January 17, 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 Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried by the following vote:

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

County Administrative Office

11. Memorandum of Understanding with Habitat for Humanity Yuba/Sutter, Inc To Exchange and Share Information In Order To Explore and Potentially Facilitate An Ongoing Relationship Related To Disaster Recovery

Recommendation: That the Board of Supervisors:

1. Authorize the County Administrative Officer to execute the attached Memorandum of Understanding with the Habitat for Humanity Yuba/Sutter, Inc. (Habitat for Humanity) to exchange and share information in order to explore and potentially facilitate an ongoing relationship related to disaster recovery for the period of beginning Jan. 20, 2023 and ending June 30, 2025;
2. Authorize the County Administrative Officer to execute any and all subsequent amendments or agreements with Habitat for Humanity, after review and approval by County Counsel and Risk Management.

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

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

Department of Health and Human Services: Administration

12. Allocation of 1.0 Full-Time Equivalent (FTE) Senior Health Education Specialist and Allocation of 1.0 FTE Health Education Specialist I/II

Recommendation: That the Board of Supervisors:

1. Allocate 1.0 FTE Senior Health Education Specialist position (class 0582, salary range 440) in budget unit (BU) 400, fund 1175;
2. Allocate 1.0 FTE Health Education Specialist I/II position (class 1595A/B, salary range 397/430) in BU 400, fund 1175; effective beginning of the pay period following approval.

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

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

Department of Health and Human Services: Behavioral Health

13. Software License and Support Services Agreement with JUMP Technology Services, LLC Regarding the Provision, Support and Maintenance of an Electronic Case Management System

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached software license and support services agreement with JUMP Technology Services, LLC regarding the provision, support and maintenance of an electronic case management system for the period of July 1, 2021 to June 30, 2023;
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 attached software license and support services agreement with JUMP Technology Services, LLC, after review and approval by County Counsel, Risk Management and the County Administrative Office;
3. Direct the Clerk of the Board to return one (1) fully executed copy of the attached software license and support services agreement to the Department of Health and Human Services - Contract Unit for further processing.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff

recommendations. The motion carried by the following vote:

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

Probation

14. Extension of Extra Help Hours to 1920 for Juvenile Corrections Officer (JCO) Maurice Purify (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Authorize the extension of extra help hours for Juvenile Corrections Officer (JCO) Maurice Purify to 1920 hours through June 30, 2023, per Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

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

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

Public Works

15. Accept Completed Contracts for Bridge Preventive Maintenance Project at Various Locations throughout Humboldt County

Recommendation: That the Board of Supervisors:

1. Accept the completed contracts, including all change orders approved by the Public Works Department, between Mercer-Fraser Company and Humboldt County for construction of Bridge Preventive Maintenance Project at Various Locations throughout Humboldt County; and
2. Approve the final claims for payment, to be submitted by the Public Works Department to the Auditor-Controller, in the amounts of \$375 for Project 5904(140), \$375 for Project 5904(154), and \$375 for Project 5904(155), which will bring the total amounts paid to 100% of the contracts.

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

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

17. Authorize an Extension to the Temporary Increase in Pay for Russell Coleman, Road Maintenance Worker III, 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 an extension to the temporary increase in pay for Road Maintenance Worker III, Russell Coleman (class 0230, range 376) as though promoted to Road Supervisor (class 0204, range 416) beginning Jan. 29, 2023 and continuing until Apr. 1, 2023

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

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

E. PUBLIC COMMENT ON NON-AGENDA ITEMS**F. SPECIAL PRESENTATIONS****G. ITEMS PULLED FROM CONSENT****16. Humboldt Bay Trail South Project - Construction Plans and Specifications**

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Humboldt Bay Trail South Project; and
2. Direct the Director of Public Works to advertise the above-referenced project, upon receipt of Authorization to Proceed from the Federal Highways Administration, as required by Section 22037 of the California Public Contract Code, with bids to be opened five (5) weeks after the date that advertisement begins.

A motion was made by Supervisor Arroyo, seconded by Supervisor Wilson, to approve the attached plans and specifications for the Humboldt Bay Trail; Authorize Public Works to revise the specifications to reflect the Great Redwood Trail Agency's desire to take possession of the removed rails following removal and to make other non-substantial corrections or revisions as appropriate; and direct the Director of Public Works to advertise the above referenced project, upon receipt of Authorization to Proceed from the Federal Highways Administration, as required by section 22037 of the California Contract Code, with bids to be opened five (5) weeks after the date that advertisement begins.

The motion carried by the following vote:

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

H. MATTERS INITIATED BY BOARD MEMBERS**Board of Supervisors**

1. Board Resolution Condemning Recent Hate Events in the Community (Supervisor Madrone and Supervisor Wilson)

Recommendation: That the Board of Supervisors:

1. Adopt the resolution.

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

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

2. Informational Report on the Acceptance of Partial Payments for the Back Log of Measure S Taxes (Supervisor Michelle Bushnell)

Recommendation: That the Board of Supervisors:

1. Receive and file the report; and
2. Take appropriate action if needed.

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

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

I. DEPARTMENT REPORTS

County Administrative Office

1. Adoption of Revised 2023 Legislative Platform

Recommendation: That the Board of Supervisors:

1. Review the proposed revisions to the 2023 Legislative Platform (Attachment 1), as directed by the Board at its Jan. 10, 2023 meeting;
2. Review the proposed revision submitted by Supervisor Madrone to the legislative platform titled "Completion of the Richardson Grove Improvement Project, Allowing Trucks;"
3. Adopt the proposed legislative platform, incorporating any changes as desired by the Board, as the final platforms for 2023;
4. Direct staff to submit final versions of the platform to the county's state and federal delegations and partners;
5. Authorize and direct the County Administrative Officer to advocate as needed to support the county's legislative platform, and resolutions adopted by the Board.

A motion was made by Supervisor Bushnell, seconded by Supervisor Arroyo, approve staff recommendations as amended to remove verbiage regarding Richardson's Grove. The motion carried by the following vote:

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

J. PUBLIC HEARINGS

Sheriff

2. Public Hearing to Provide the Annual Submission of Data Pertaining to Immigration and Customs Enforcement (ICE) Access as Outlined in Government Code 7283.1 (d) (Information Only) and Semi-Annual Measure K Submission of Data

Recommendation: That the Board of Supervisors:

1. Find the notice of public hearing was provided as required by law;
2. Hold the public hearing;
3. Receive the Sheriff's Office 2022 date of ICE access as outlined in Government Code 7283.1 (d) and Measure K semi-annual data; and
4. Receive public comment

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

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

K. DISCUSSION ITEMS

L. MATTERS SET FOR TIME CERTAIN**DHHS: Behavioral Health****1. 10:00 AM - Behavioral Health Crisis Triage Center Grant Application**

Recommendation: That the Board of Supervisors:

1. Receive and file a presentation from Department of Health and Human Services Director, Connie Beck; Mad River Community Hospital Chief Executive Officer, David Neal; and Cal Poly Humboldt Director of Initiatives, Connie Stewart;
2. Authorize the Department of Health and Human Services to submit a joint application to the California Department of Health Care Services for Behavioral Health Continuum Infrastructure Program, Round 5: Crisis and Behavioral Health Continuum funding with Mad River Community Hospital in order to build a Behavioral Health Crisis Triage Center in Humboldt County;
3. Authorize the commitment of up to \$3 million in County of Humboldt funding to the proposed Behavioral Health Crisis Triage Center;
4. Authorize the County Administrative Officer to sign a grant match letter detailing the proposed funding structure of up to \$3 million;
5. Approve, and authorize the Chair of the Board to sign, the attached Letter of Commitment required to apply for Behavioral Health Continuum Infrastructure Program, Round 5: Crisis and Behavioral Health Continuum funding; and
6. Direct the Clerk of the Board to return one fully executed original copy of the attached Letter of Commitment for submission to the California Department of Health Care Services.

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

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

Planning and Building Department (Public Hearing)

- 1. 1:30 PM - Petrolia Chambers Road Residents and Landowners Appeal of the Planning Commission Decision to Approve a Conditional Use Permit for 130,680 Square Feet (sf) of Outdoor Cannabis Cultivation, 43,560 Square Feet of Light Deprivation Cannabis Cultivation, 43,560 sf of Mixed-Light Commercial Cannabis Cultivation, Employee Housing, Zoning Clearance Certificates for a Processing Facility and 67,760 sf of Commercial Nursery Space and a Conditional Use Permit for Use of a Road not Meeting the Requirement for a Paved, Category 4 road with a Centerline Stripe for a Cannabis Support Facility and Large Cannabis Cultivation Site**

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the appellant and 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 23-__). (Attachment 1) which does the following:
 - a. Adopt the Mitigated Negative Declaration prepared for the Cisco Farms, Inc.; and
 - b. Find the proposed project complies with the General Plan and Zoning Ordinance; and
 - c. Deny the Appeal submitted by Petrolia Chambers Road residents and landowners; and
 - d. Approve the Conditional Use Permit to allow 5 acres of Cannabis Cultivation, a Conditional Use Permit to allow use of a road not meeting Category 4 Road Standard for a Cannabis Support Facility and Large Cannabis Cultivation Facility subject to the recommended conditions of approval; and
 - e. Approve Zoning Clearance Certificates for a processing facility and 67,760 sf of commercial nursery space; and
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 Bushnell, seconded by Supervisor Bohn, to approve the staff recommendations with the following additional Conditions of Approval as listed below:

1. *The applicant shall adhere to all engineer recommendations found in the Road System Evaluation Report prepared by Northpoint Consulting Group, Inc. dated September 2022;*
2. *Within 30 days of the permit effective date, the applicant shall submit a revised Cultivation Operations Plan and Site Plan reflecting the change from mixed light cultivation to light deprivation cultivation.*
3. *Traffic associated with all harvesting and planting operations must be done such that employee traffic shall not utilize Chambers Road after 7:30 a.m. or before 4:30p.m. when school is in session.*
4. *The cultivation and operational entitlement shall follow the phases identified in the operations plan with restrictions as follows:*
 - *Upon the County determining phase one has been constructed, planted, and harvested in compliance with all terms and conditions of this permit, phase two is authorized to proceed and the same process shall be used to evaluate each subsequent phase, with no more than one additional phase allowed per year.*
 - *The results of the annual review shall be discussed at a public meeting in front of the Zoning Administrator. The Zoning Administrator shall not approve a subsequent phase if violations are unresolved for the preceding phase. The action of the Zoning Administrator may be appealed with no fee for concerns related to provisions contained within this permit.*
5. *Once operations start, the Applicant shall dedicate an employee to serve two hours per week, in*

the volunteer services supporting the community.

6. The applicant shall provide up to \$20,000 matching funds within the first 5 years to matching funds obtained by the Community for roadway safety improvements. For improvements initiated by the community.

The motion carried by the following vote:

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

M. CLOSED SESSION

- 1. Conference with Legal Counsel – Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(2) and (e)(3) Regarding Exposure to Litigation in Three Potential Cases: Claims for Property tax Refund from Pacific Bell, AT&T Mobility and T-Mobile West

The Board voted unanimously to direct the Risk Manager to deny the claims for refund of property taxes levied for the 2018/2019 tax years submitted by Pacific Bell, AT&T Mobility and T-Mobile West.

- 2. Conference with Legal Counsel - Pursuant to Government Code Section 54954.5 and 54957 to Consider Public Employee Appointment for the Position of County Counsel

No reportable action.

- 3. Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(1) to Discuss Existing Litigation in the Case of Northcoast Environmental Center, et al. v. County of Humboldt, Humboldt Superior Court Case No. CV 2100518

The Board voted unanimously to authorize the Risk Manager to enter into and amended contract with Remy, Moose, Manly, LLP for defense in the appeal.

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.



01/24/2023