

BOARD OF SUPERVISORS

REX BOHN
Chair - First District
ESTELLE FENNEL
Vice-Chair - Second District
MIKE WILSON
Third District
VIRGINIA BASS
Fourth District
STEVE MADRONE
Fifth District



COUNTY STAFF

AMY S. NILSEN
County Administrative Officer
JEFFREY S. BLANCK
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, September 17, 2019

9:00 AM

Regular Meeting

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

Auditor/Controller

1. Record Retention Policy for the Humboldt County Auditor-Controller's Office

Recommendation: That the Board of Supervisors:

1. Approve the attached record retention policy for the Humboldt County Auditor-Controller's Office; and
2. Authorize the Humboldt County Auditor-Controller's Office and the Information Technology Division of the Humboldt County Administrative Office to dispose of electronic public records older than ten (10) years from the county's financial software.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

2. Payroll Clearing Appropriation Transfer for Fiscal Year 2018-19

Recommendation: That the Board of Supervisors:

1. Approve the attached fiscal year 2018-19 appropriation transfer for \$688,751.63; and
2. Authorize the Auditor-Controller to make budget adjustments as needed to provide sufficient appropriations to cover actual expenditures for fiscal year 2018-19.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Board of Supervisors**3. Proclamation for Constitution Week in Humboldt County (Supervisor Rex Bohn)**

Recommendation: That the Board of Supervisors:

1. Adopt the proclamation and direct the Clerk of the Board to mail the proclamation to the Redwood Chapter of the National Daughters of the American Revolution.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

4. 52nd Annual California Native American Day Proclamation (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

1. Adopt the proclamation.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

5. Resolution Honoring Ted and Pam Halstead for their Community Cleanup Efforts in the Spirit of California Coastal Cleanup Day, September 21, 2019 (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the resolution.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Clerk of the Board

6. Approval of the Action Summary - Meeting of September 10, 2019

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of September 10, 2019 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

County Administrative Office

7. Resolution of Intention to Modify the Humboldt County Tourism Business Improvement District Management District Plan

Recommendation: That the Board of Supervisors:

1. Adopt Resolution No. 19-91 declaring the Board's intention to modify the Humboldt County Tourism Business Improvement District Management District Plan, which will result in a public hearing on October 15, 2019.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

8. Compensation of Unpaid Claims for Employee Travel Expense Reimbursements

Recommendation: That the Board of Supervisors:

1. Authorize the Humboldt County Auditor-Controller to process and issue payment of the attached unpaid claims for employee travel expense reimbursements.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

County Clerk/Recorder/Registrar of Voters

9. Appointment to Fill the Vacancy on the Briceland Community Services District Governing Board

Recommendation: That the Board of Supervisors:

1. Appoint Joaquin Courtemanche to fill the vacancy on the Briceland Community Services District (CSD) governing board for the remaining two years, ending the first Friday of December 2020.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

10. Supplemental Budget for Budget Unit 140 - Elections for Annual Software Licensing, Hosting, and

Maintenance Fees (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the supplemental budget for fiscal year 2019-2020 for annual software licensing, hosting, and maintenance fees (4/5 vote required) (Attachment 1).

This item was pulled for discussion.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

County Counsel

11. Retroactive Approval of Past Payments to Porter Scott and Approval of a New Agreement with the Firm

Recommendation: That the Board of Supervisors:

1. Ratify past payments to the firm of Porter Scott in the amount of \$276,701 as detailed in Attachment 1; and
2. Approve an engagement agreement with Porter Scott for legal services from September 17, 2019 to June 30, 2020 in an amount not to exceed \$100,000 (Attachment 2).

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Administration

12. Professional Services Agreement with the City of Eureka Regarding the Provision of Employment Training, Rental Assistance, Case Management and Supportive Services to Individuals Experiencing, or at Risk of Experiencing, Homelessness in Humboldt County

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with the City of Eureka regarding the provision of employment training, rental assistance, case management and supportive services to individuals experiencing, or at risk of experiencing, homelessness in Humboldt County for the period of July 1, 2019 through June 30, 2021;
2. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with the City of Eureka after review and approval by County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to return two fully executed original copies of the attached professional services agreement with the City of Eureka to the Department of Health and Human Services - Contract Unit for further processing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Mental Health

13. Mental Health Organizational Provider Services Agreement with Redwood Community Services, Inc. Regarding the Provision of Children's Specialty Mental Health Treatment Services, Therapeutic Behavioral Services and Intensive Home-Based Services to Eligible Medi-Cal Beneficiaries Residing in Humboldt County

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached mental health organizational provider services agreement with Redwood Community Services, Inc. regarding the provision of children's specialty mental health treatment services, therapeutic behavioral services and intensive home-based services to eligible Medi-Cal Beneficiaries residing in Humboldt County for the period of Sept. 17, 2019 through June 30, 2021;
2. Authorize the Department of Health and Human Services - Mental Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached mental health organizational provider services agreement with Redwood Community Services, Inc. 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 mental health organizational provider services agreement with Redwood Community Services, Inc. to the Department of Health and Human Services - Contract Unit for further processing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Public Health

14. Grant Agreement with California Department of Public Health, Office of AIDS for HIV/AIDS Surveillance

Recommendation: That the Board of Supervisors:

1. Approve Grant Agreement # 19-10417 with California Department of Public Health (CDPH), Office of AIDS for the period of July 1, 2019 through June 30, 2024;
2. Authorize the Chair of the Board to sign four (4) originals of the Grant Agreement # 19-10417, one original Contractor Certification Clause (CCC 04/2017), one original Darfur Contracting Act, and one original Civil Rights Form;
3. Authorize the Director of Public Health, or designee, to sign any subsequent amendments or documents directly related to Grant Agreement # 19-10417 upon County Counsel and Risk Management review and approval; and
4. Direct the Clerk of the Board to return the four (4) signed originals and aforementioned certifications to Department of Health and Human Services (DHHS) - Public Health for further processing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

15. Women, Infants and Children (WIC) Agreement from the California Department of Public Health (CDPH).

Recommendation: That the Board of Supervisors:

1. Approve and authorize the State Standard Agreement # 19-10150 for WIC funding in the amount of \$3,304,392.00 for the period of October 1, 2019 through September 30, 2022;
2. Authorize the Department of Health & Human Services (DHHS) - Public Health Director or a designee thereof to sign State Standard Agreement # 19-10150;
3. Authorize the Department of Health & Human Services (DHHS) - Public Health Director or a designee thereof to sign one (1) copy of Exhibit F Certification Regrading Lobbying;
4. Authorize the DHHS - Public Health Director or a designee thereof to sign future amendments and documents directly related to State Standard Agreement # 19-10150 upon County Counsel and Risk Management review and approval; and
5. Direct the Clerk of the Board to return one (1) copy of the certified agenda item to DHHS - Public Health.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Social Services

16. Agreement with Redwood Community Action Agency to Provide Housing and Support Services for Eligible Families

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Redwood Community Action Agency (RCAA) to administer the Parents and Children in Transition (PACT) Program for the period of July 1, 2019 through June 30, 2020 in an amount not to exceed \$450,551; and
2. Direct the Clerk of the Board to route the fully executed agreement to the Department of Health and Human Services (DHHS) - Contract Unit for further processing.

This item was pulled for discussion.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

17. Agreement with the Humboldt County Office of Education to Assist with CalFresh Outreach and Support Activities

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the agreement with the Humboldt County Office of Education (HCOE) to assist the Department of Health and Human Services (DHHS) increase utilization of CalFresh benefits by eligible households in an amount not to exceed \$331,150.00; and
2. Direct the Clerk of the Board to route the fully executed agreement to the DHHS-Contract Unit for forwarding to DHHS-Social Services Administration.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

18. Lease Agreement with Pitney Bowes, Inc. for Department of Health and Human Services Mail and Print Shop Equipment

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to execute the attached lease agreement with Pitney Bowes, Inc. for postage and metered mail machines;
2. Grant a waiver of the Nuclear Free Ordinance; and
3. Direct the Clerk of the Board to return the executed lease agreement to the Department of Health and Human Services (DHHS) - Contract Unit for further processing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Planning and Building Department

19. Approve Administrative Civil Penalty Assessment on Various Properties

Recommendation: That the Board of Supervisors:

1. Approve the proposed Administrative Civil Penalty Assessments on property owners who are in violation of various Humboldt County Codes including violation of Commercial Cannabis Land Use Ordinance (CCLUO) (formerly Commercial Medical Marijuana Ordinance) in the amount of \$900,000.00 plus administrative costs incurred in accordance with Title III, Division 5, Chapter 2, section 352-20 Summary Approval of Proposed Administrative Civil Penalty Assessments of the Humboldt County Code.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

20. Authorization to submit a Coastal Commission Local Coastal Program Grant application

Recommendation: That the Board of Supervisors adopts Resolution No. 19-92 that:

1. Directs the County of Humboldt staff to submit a grant application package to the California Coastal Commission to provide financial and planning assistance, under authority of the California Coastal Act, in the amount of \$100,000 to pursue a feasibility study for a Humboldt Bay regional sea level rise planning effort; and
2. Authorizes the Director of the Planning and Building Department of the County of Humboldt to execute, in the name of the County of Humboldt, all necessary applications, contracts and agreements and amendments thereto to implement and carry out the grant application package and any project approved through approval of the grant application.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Probation**21. Request for Authority to Apply for the Probation Specialized Units (PU) Program Grant**

Recommendation: That the Board of Supervisors:

1. Authorize the Chair of the Board to sign the Certificate of Assurance of Compliance Authorization with the Violence Against Women Act (VAWA) (attachment 4);
2. Authorize the Chief Probation Officer to sign the application to California Office of Emergency Services (CalOES) Victim Services Division for the Probation Specialized Units (PU) Program Grant (attachments 1-10) for fiscal year 2019-20;
3. Authorize the Chief Probation Officer to sign any subsequent grant documents relating to the Probation Specialized Units (PU) Program Grant for the 2019-20 fiscal year; and
4. Direct the Clerk of the Board to return the executed Certificate of Assurance of Compliance Authorization with the Violence Against Women Act (attachment 4) to the Probation Department, attention Elisha Hardison, Legal Office Business Manager.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Public Works**22. Request approval of the Fourth Amendment to Lease for 824 Harris St, Eureka, with Rachel-Jill Hemmert**

Recommendation: That the Board of Supervisors:

1. Approve the Fourth Amendment to the lease 824 Harris Street with Rachel-Jill Hemmert;
2. Authorize the Chair of the Board to sign the attached Fourth Amendment; and
3. Direct the Clerk of the Board to return one (1) executed Board agenda item to Public Works-Real Property Division for transmittal to Lessor.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

23. Purchase of One 2019 Gradall XL 3100V, Authorization to Enter into Purchase Agreement, Declare Equipment Surplus and Approve the Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Authorize the purchase of one 2019 Gradall XL 3100V;
2. Authorize the Purchasing Agent to enter into a purchase agreement with Pape Machinery;
3. Declare one 1988 Gradall G3WD, equipment number 41854 as surplus; and
4. Approve the attached supplemental budget (4/5 vote required).

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

24. Allocate 1.0 Full-time Equivalent (FTE) Senior Environmental Analyst and deallocate 1.0 FTE Environmental Analyst in Budget Unit 1100-251

Recommendation: That the Board of Supervisors:

1. Allocate 1.0 FTE 1.0 Senior Environmental Analyst (salary range 429, class 0520) and deallocate 1.0 FTE Environmental Analyst (salary range 397, class 0208) in fund 1100, budget unit (BU) 251- Water Management, effective immediately.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

D. ITEMS PULLED FROM CONSENT

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. SPECIAL PRESENTATIONS

G. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

1. Humboldt County Human Rights Commission Annual Report (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

1. Hear the report and take appropriate action, if required.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

2. Area 1 Agency on Aging (AIAA) Update on Hoarding Task Force Activities (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors:

1. Hear the presentation and take appropriate action, if necessary.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

H. DEPARTMENT REPORTS

County Administrative Office

1. Update on County Facility Master Planning Efforts

Recommendation: That the Board of Supervisors:

1. Receive the staff report on facility master planning efforts; and
2. Take other action as appropriate.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, to accept the report. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

I. PUBLIC HEARINGS

J. DISCUSSION ITEMS

K. MATTERS SET FOR TIME CERTAIN

County Administrative Office

1. 9:15 a.m. - Presentation on the County's 2019 State Legislative Program

Recommendation: That the Board of Supervisors:

1. Hears the presentation and take appropriate action, if required.

Approved per order of the Chair.

L. CLOSED SESSION

1. A conference with legal counsel pursuant to paragraph 1 of Government Code section 54956.9(a) in the matter of James Forbes v. Humboldt County (Case number: 19-cv-05514-RMI).

The Board met in conference with legal counsel pursuant to paragraph 1 of Government Code section 54956.9(a) in the matter of James Forbes v. Humboldt County (Case number: 19-cv-05514-RMI).

The Board by a 4/5ths majority authorized the county to undertake litigation, detain the Mitchell Firm to conduct the litigation, and authorized the Risk Manager to sign retainer agreements and agreements related to litigation.

2. A conference with legal counsel pursuant to paragraph 1 of Government Code section 54956.9(a) in the matter of Robert Gribi v. County of Humboldt (Case number: DR190672).

The Board met in conference with legal counsel pursuant to paragraph 1 of Government Code section 54956.9(a) in the matter of Robert Gribi v. County of Humboldt (Case number: DR190672).

The Board by a 4/5ths majority authorized the county to undertake litigation, to detain the Mitchell Firm to conduct the litigation, and authorized the Risk Manager to sign retainer agreements and agreements related to litigation.

3. Conference with Legal Counsel – Existing litigation pursuant to Government Code Section 54956.9, subd. (d)(1): Friends of the Eel River v. County of Humboldt, Humboldt County Superior Court Case No. CV180495.

The Board met in conference with Legal Counsel – Existing litigation pursuant to Government Code Section 54956.9, subd. (d)(1): Friends of the Eel River v. County of Humboldt, Humboldt County Superior Court Case No. CV180495.

There was no action to report.

4. It is the intention of the Board to meet in closed session for a conference with legal counsel pursuant to paragraph 2 of Government Code section 54956.9(d), due to a significant exposure to litigation. No. of cases: 1.

The Board met in closed session for a conference with legal counsel pursuant to paragraph 2 of Government Code section 54956.9(d), due to a significant exposure to litigation. No. of cases: 1.

There was no action to report.

M. ADJOURNMENT

I, BROOKE EBERHARDT, 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.

BROOKE EBERHARDT

Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California



September 18, 2019



MINUTES
TUESDAY, SEPTEMBER 17, 2019
Regular Session

The Honorable Board of Supervisors of the County of Humboldt met in regular session on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Tuesday, October 1, 2019 with the vote as shown below.

AYES: Supervisors: Fennell, Bohn, Wilson, Madrone, Bass
NAYS: Supervisors: --
ABSENT: Supervisors: --

BROOKE EBERHARDT
Deputy Clerk of the Board

REX BOHN
Chair of the Board