

BOARD OF SUPERVISORS

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Chair - Second District
MIKE WILSON
Vice-Chair - Third District
VIRGINIA BASS
Fourth District
STEVE MADRONE
Fifth District



COUNTY STAFF

AMY S. NILSEN
County Administrative Officer
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County Counsel
KATHY HAYES
Clerk of the Board

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

AGENDA

Tuesday, January 14, 2020

9:00 AM

Regular Meeting

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

These matters are routine in nature and are usually approved by a combined single vote.

Board of Supervisors

1. Resolution Recognizing Humboldt County Health Officer Dr. Donald Baird on his Retirement (Supervisor Estelle Fennell)

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

Attachments: [Staff Report](#)
[Dr. Baird Retirement Resolution](#)

2. Human Trafficking Awareness Month Proclamation (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors:
1. Adopt the proclamation.

Attachments: [Staff Report](#)
[Proclamation.pdf](#)

Clerk of the Board

3. Approval of the Action Summary - Meeting of January 7, 2020

Recommendation: That the Board of Supervisors:
1. Approve the Action Summary for the meeting of January 7, 2020 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

Attachments: [Staff Report](#)
[Action Summary 1-7-2020](#)

County Administrative Office

4. Change Order Authorization for Americans with Disabilities Act (ADA) Department of Justice (DOJ) Consent Decree Barrier Removal at the Mental Health Facility, 720 Wood Street, Eureka, CA. and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:
1. Authorize the Purchasing Agent to sign the third change order for ADA DOJ consent decree barrier removal at the Mental Health Facility, Project Number 2018-402; and
2. Approve the following supplemental budget for Fiscal Year 2019-20 in fund 3552, Budget Unit 152 (4/5th vote required).

Revenue:	3552152-9101	ADA Compliance ISF - Transfer In	\$96,000
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Expenditure:	3552152-8897	720 Wood ADA	\$96,000
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Attachments: [Staff Report](#)
[Change Order 3](#)

County Clerk/Recorder/Registrar of Voters**5. Appointment to Fill Vacancy on Garberville Sanitary District Governing Board**

Recommendation: That the Board of Supervisors:
1. Appoint Dan Thomas to fill the vacancy on the Garberville Sanitary District governing board for the remaining two years, ending the first Friday of December 2020.

Attachments: [Staff Report](#)
[Attachment 1 - Resignation Letter from Richard Thompson.pdf](#)
[Attachment 2 - District Recommendation.pdf](#)

Department of Health and Human Services: Administration**6. Allocation of 1.0 Full-Time Equivalent Program Manager II, 1.0 Full-Time Equivalent Limited Duration Program Manager II and 1.0 Full-Time Equivalent Limited Duration Deputy Branch Director for Department of Health and Human Services Child Welfare Services**

Recommendation: That the Board of Supervisors:
1. Approve and authorize for Department of Health and Human Services (DHHS) to recruit and hire regular and limited duration positions as follows:
a. Two (2.0) full-time equivalent (FTE), one (1.0) regular and one (1.0) limited duration Merit System Services (MSS) Program Manager II (class 0750, salary range 515, M/C unit 08) in budget unit (BU) 508; and
b. One (1.0) FTE, limited duration Deputy Branch Director (class 0931, salary range 539, M/C unit 08) in BU 508

Attachments: [Staff Report](#)
[HR Class Review PMII DD.pdf](#)
[MSS Class Review PMII.pdf](#)
[MSS Class Review DD.pdf](#)

7. Reallocation of Staff Services Analyst II to Staff Services Analyst III

Recommendation: That the Board of Supervisors:
1. Approve the reallocation of the Staff Services Analyst II Merit System Services (MSS) (class 0391, salary range 416, unit 01) in budget unit 511 held by Christine Messinger to Staff Services Analyst III (MSS) (class 0392, salary range 431, unit 01) in budget unit 511; effective the pay period following Board approval.

Attachments: [Staff Report](#)
[2019-10-17 CPS HR Classification study Report for SSA II Christine Messinger.pdf](#)
[2019-11-7 Messinger, Christine - Reclassification Report.pdf](#)

Human Resources

8. Adoption of Resolution Approving Delegation of Authority to a Severance Committee to Approve Agreements with Employees in Designated Situations

Recommendation: That the Board of Supervisors:

1. Adopt the proposed resolution delegating authority to a severance committee composed of the Human Resources Director, Risk Manager, County Administrative Officer and County Counsel to offer up to 8 weeks of salary to employees in exchange for severance agreements in designated situations.

Attachments: [Staff Report](#)
[Resolution Adopting Severance Authority.docx](#)
[Resolution 20-02](#)

9. Adoption of County Policies Regarding Anti-Nepotism and Non-Fraternization, Abusive Conduct, and Lactation Accommodation

Recommendation: That the Board of Supervisors adopt the attached resolutions approving the following policies:

1. Anti-Nepotism and Non-Fraternization;
2. Abusive Conduct; and
3. Lactation Accommodation.

Attachments: [Staff Report](#)
[Resolution adopting an Anti-Nepotism and Non-Fraternization Policy .pdf](#)
[Resolution adopting an Abusive Conduct Policy .pdf](#)
[Resolution adopting a Lactation Accommodation Policy .pdf](#)
[Resolution 20-03](#)
[Resolution 20-04](#)
[Resolution 20-05](#)

Public Works

10. Exercise the Option to Extend the Term of the Lease for 555 H Street, Suites C and D in Eureka

Recommendation: That the Board of Supervisors:

1. Approve exercising the option to extend the term of the lease for 555 H Street, Suites C and D in Eureka with PWM, Inc. and Fred Lundblade for the period beginning March 1, 2020, through February 28, 2021; and
2. Authorize Humboldt County Public Works Real Property Division to send a notice to PWM, Inc. and Fred Lundblade that the county is exercising the option to extend the term of the lease for one (1) additional year.

Attachments: [Staff Report](#)
[Exhibit A - Lease dated October 23, 2007](#)
[Exhibit B - First Option](#)
[Exhibit C - Second Option](#)
[Exhibit D - Amendment](#)
[Exhibit E - Correspondence with Thomas McMurray](#)

11. Bid Award Authorization for Storm Damage Repairs on Alderpoint Road (F6B165) at Post Mile 0.22; Federal Project Number ER-40A0(045); Contract Number 219205

Recommendation: That the Board of Supervisors:

1. Receive and file the bid proposals received for Storm Damage Repairs on Alderpoint Road (F6B165) at Post Mile (PM) 0.22;
2. Award the contract to Bouthillier's Construction, Inc., for the total amount of \$789,065;
3. Authorize the Chair of the Board to execute the project agreement upon submittal of the appropriate bonds and insurance; and
4. Direct the Auditor-Controller to establish a new contract account 1200321-0345 Alderpoint Road Storm PM 0.22 and transfer \$984,065 from 1200321-2118 to the new contract account per the attached appropriation transfer.

Attachments: [Staff Report](#)
[Bid Results](#)
[Request for Budget Transfer.pdf](#)

D. ITEMS PULLED FROM CONSENT

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

This portion of the meeting is reserved for persons desiring to address the Board on any matter not on this agenda that is under the jurisdiction of the Board. It is requested that speakers sign the sheet at the front doors of the Chamber. Although the Board may briefly respond to statements or questions, under state law, matters presented under this item cannot be discussed or acted upon by the Board at this time.

F. SPECIAL PRESENTATIONS

Clerk of the Board

1. Housing Trust Fund and Homelessness Solutions Committee's presentation on Funding Sources for the Affordable Housing Trust Fund

Recommendation: That the Board of Supervisors:

1. Receive the presentation and consider providing other instructions to the Housing Trust Fund and Homelessness Solutions Committee.

Attachments: [Staff Report](#)
[Funding Recommendations Chart.pdf](#)
[PLHA-Formula-Allocations-Humboldt.pdf](#)
[ACS Trend Report Humboldt County California \(05000US06023\) Missouri Cens](#)
[HCD NOFA-Schedule 10.14.19.pdf](#)

G. MATTERS INITIATED BY BOARD MEMBERS

H. DEPARTMENT REPORTS

County Administrative Office

1. Humboldt Lodging Alliance (HLA) 3-Month Proposal on Options for Short-Term Rental Operators (STR's)

Recommendation: That the Board of Supervisors:

1. Receive the staff report;
2. Receive the proposal as presented by the HLA; and
1. Take other action as necessary.

Attachments: [Staff Report](#)

I. PUBLIC HEARINGS

J. DISCUSSION ITEMS

K. MATTERS SET FOR TIME CERTAIN

Board of Supervisors - Closed Session

1. 12:00 p.m. - It is the intention of the board to meet in closed session for a conference with legal counsel pursuant to Government Code section 54956.9(d)(1) in the matter of HUM CPR Affiliates et al. v. County of Humboldt, et al. -- case number CV190875.

Planning and Building Department

2. 1:30 p.m. - The Hawk Valley Farms, LLC Appeal of the Planning Commission Denial of The Hawk Valley Farms, LLC Conditional Use Permit to Allow 43,560 Square Feet of Outdoor Commercial Cannabis Cultivation Operations

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the appellant (applicant), and public;
2. Close the public hearing;
3. Adopt the resolution (Resolution 20-__). (Attachment 1) which does the following:
 - a. Finds that the requirements of the California Environmental Quality Act (CEQA) do not apply pursuant to section 15270 (Projects Which Are Disapproved);
 - b. Finds that the project is not consistent with section 314-55.4.8.2.2 of the Humboldt County Code because expansion over the amount of cultivation existing prior to January 1, 2016 has occurred multiple times;
 - c. Finds that the project is not consistent with section 314-55.4.11.v of the Humboldt County Code because light from greenhouses has continued to escape at a level that is visible from neighboring properties between sunset and sunrise;
 - d. Finds that the project is not consistent with section 314-55.4.11.w of the Humboldt County Code because the applicant did not submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected within ten (10) working days of receiving written notification that a complaint has been filed;
 - e. Finds that Hawk Valley Farms, LLC has violated the terms of the executed Compliance Agreement and is subject to permit cancellation per Section 314-55.4.8.11 of the Humboldt County Code;
 - f. Denies the Appeal submitted by Hawk Valley Farms, LLC;
 - g. Denies the Conditional Use Permit.

Attachments:

[Staff Report](#)

[1. BOS Resolution](#)

[2. Table 1 - Application Timeline.pdf](#)

[3. Appeal filed by Day-Wilson & Kay on behalf of Hawk Valley Farms, LLC.pdf](#)

[4. PC Resolution 19-73_Hawk Valley Farms_11141.pdf](#)

[5. PC Staff Report.pdf](#)

[6. Road Evaluation for Hawk Valley.pdf](#)

[Resolution 20-06](#)

[Supplemental #1 Hawk Valley Appeal Item K-2](#)

[Public Comment](#)

L. CLOSED SESSION

1. A conference with legal counsel pursuant to paragraph 2 of Government Code section 54956.9(d), due to existing facts and circumstances that give rise to a significant exposure to litigation.

M. 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.)

All persons in attendance at public meetings are requested to observe the following rules of civil debate:

1. *We may disagree, but we will be respectful of one another.*
2. *All comments will be directed to the issue at hand.*
3. *Personal attacks are unacceptable.*
4. *Applauding or other displays of approval/disapproval are discouraged.*

The Chamber is wheelchair accessible, and disabled parking is available in the lot on K Street, between Fourth and Fifth Streets. If you are a person with a disability, and you need disability-related modifications or accommodations 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/>