

BOARD OF SUPERVISORS

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Clerk of the Board

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

AGENDA

Tuesday, February 23, 2021

9:00 AM

Regular Meeting - Virtual

In accordance with Executive Order N-29-20 the Humboldt County Board of Supervisors meetings will be held virtually until further notice.

Email Public Comment:

To submit public comment to the Board please email cob@co.humboldt.ca.us, provide your name and the agenda item number(s) on which you wish to comment. All public comment submitted after the agenda has been published will be included with the administrative record after the fact.

Zoom Public Comment:

When the Board of Supervisors announce the agenda item that you wish to comment on, call the conference line and turn off your TV or live stream. Please call 669-900-9128, enter Meeting ID 990 1818 1227 and press star () 9 on your phone, this will raise your hand. You'll continue to hear the Board meeting on the call.*

When it is time for public comment on the item you wish to speak on, the Clerk of the Board of Supervisors staff will unmute your phone. You'll hear a prompt that will indicate your phone is unmuted. Staff will then ask you to state your name and begin your comment. You will have 3 minutes to comment.

*You may access the live stream of the meeting by using the following link:
<https://humboldt.legistar.com>*

The County of Humboldt is committed to providing equal access to all county programs, services and activities through the provision of accommodations for individuals with disabilities as required under the Americans with Disabilities Act (ADA). With 72 hours prior notice, a request for reasonable accommodation or modification can be made. Please contact the Clerk of the Board Office at 707-476-2390 or by email cob@co.humboldt.ca.us or the ADA Coordinator at 844-365-0352 or by email at ada@co.humboldt.ca.us

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. Appointment of Ben McWhorter to the Humboldt County Aviation Advisory Committee Representing District Two (Supervisor Michelle Bushnell)

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

Attachments: [Staff Report](#)
[Aviation Advisory Committee 022321.pdf](#)

2. Appoint Lucinda Jackson to the Humboldt County Humans Rights Commission Representing District Four (Supervisor Virginia Bass)

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

Attachments: [Staff Report](#)
[Human Rights Commissin Roster as of 022321.pdf](#)
[Public Comment.pdf](#)

Child Support Services**3. Deallocation of Vacant Positions and Allocation of Positions in the Department of Child Support Services**

- Recommendation:** That the Board of Supervisors:
1. Deallocate 1.0 full-time equivalent (FTE) Executive Secretary in bargaining group American Federation of State and County and Municipal Employees (AFSCME) (Class 0167, Range 390, Position 01);
 2. Deallocate 1.0 FTE Accounting Technician in bargaining group AFSCME (Class 0355, Range 367, Position 02);
 3. Deallocate 1.0 FTE Child Support Assistant III in bargaining group AFSCME (Class 0367, Range 360, Position 01);
 4. Allocate 1.0 FTE Staff Services Specialist in bargaining group AFSCME (Class 0390, Range 384);
 5. Allocate 1.0 FTE Child Support Specialist I/II in bargaining group AFSCME (Class 0141, Range 346/365); and
 6. Allocate 1.0 FTE Child Support Specialist III in bargaining group AFSCME (Class 0147, Range 384) all in Child Support fund 1380-206.

Attachments: [Staff Report](#)

Clerk of the Board**4. Submittal of Supervisor's Monthly Expense Report on Meetings Pursuant to Government Code Section 53232.3(d)**

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

Attachments: [Staff Report](#)
[Board Member Expense Forms.pdf](#)

5. Approval of the Action Summary - Meeting of February 9, 2021

- Recommendation:** That the Board of Supervisors:
1. Approve the Action Summary for the meeting of February 9, 2021 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](#)
[2-9-2021 Action Summary](#)
[Approved Action Summary.pdf](#)

County Administrative Office

6. Information Security Program Charter

Recommendation: That the Board of Supervisors:

1. Approve the attached Information Security Program Charter; and
2. Designate the Senior Security Analyst III over the Information Security Working Group as the County of Humboldt's Information Security Officer.

Attachments: [Staff Report](#)

[2020-12-15 Countywide Information Security Charter.pdf](#)

7. Appointment to the Humboldt County Workforce Development Board (HC-WDB)

Recommendation: That the Board of Supervisors:

1. Review the attached membership application for Shelley Nilsen; and
2. Appoint Shelley Nilsen to the HC-WDB for a 2-year term effective immediately and pursuant to the HC-WDB Bylaws.

Attachments: [Staff Report](#)

[Nilsen Shelley - WDB application_2020_redacted.pdf](#)

Department of Health and Human Services: Behavioral Health

8. Data Sharing Agreement with Partnership HealthPlan of California Regarding the Exchange of Health Care Utilization Data Pertaining to Individuals Who are Experiencing, or at Risk of Experiencing, Homelessness in Humboldt County

Recommendation: That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear Free Ordinance with regard to the attached data sharing agreement with Partnership HealthPlan of California;
2. Approve, and authorize the Department of Health and Human Services Director, or a designee thereof, to execute the attached data sharing agreement with Partnership HealthPlan of California regarding the exchange of health care utilization data pertaining to individuals who are experiencing, or at risk of experiencing, homelessness in Humboldt County for the period of Feb. 23, 2021 through June 30, 2026; and
3. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached data sharing agreement with Partnership HealthPlan of California, after review and approval by County Counsel, Risk Management and the County

Administrative Office.

Attachments:

[Staff Report](#)

[Data Sharing Agreement with Partnership HealthPlan of California Regarding the E](#)

Department of Health and Human Services: Public Health

9. Telemedicine Program Agreement between the Regents of the University of California on behalf of its University of California, Davis School of Medicine and the University of California, Davis Medical Center (collectively UC Davis Health) and Humboldt County Department of Health and Human Services (DHHS)- Public Health to Provide Grant-Funded Telemedicine Equipment and Services to Rural and Underserved Communities

Recommendation: That the Board of Supervisors:

1. Approve the agreement between DHHS - Public Health and UC Davis Health to help establish a telemedicine program;
2. Authorize the Chair of the Board to sign the Telemedicine Program Agreement;
3. Authorize the Public Health Director to sign future amendments to this agreement thereto after review by County Counsel and Risk Manager; and
4. Grant a waiver of the Nuclear Free Ordinance.

Attachments:

[Staff Report](#)

[TELEMEDICINE PROGRAM AGREEMENT](#)

[Executed Agreement.pdf](#)

Department of Health and Human Services: Social Services

10. Memorandum of Understanding with the California Department of Child Support Services Regarding Continued Access to the State of California's Child Support Enforcement System

Recommendation: That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear-Free Ordinance with regard to the attached memorandum of understanding with the California Department of Child Support Services;
2. Approve, and authorize the Department of Health and Human Services - Social Services Deputy Director, or a designee thereof, to execute, the attached memorandum of understanding with the California Department of Child Support Services regarding continued access to the State of California's Child Support Enforcement System for the period of Feb. 23, 2021 through Feb. 22, 2024; and
3. Authorize the Department of Health and Human Services - Social Services Deputy Director, or a designee thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with the California Department of Child Support Services, after review and approval by County Counsel, Risk Management and the County Administrative Office.

Attachments:

[Staff Report](#)

[Memorandum of Understanding \(MOU\) - Humboldt Health and Human Services 20](#)

11. Appointment of Two Supervisors to a Department of Health and Human Services - Child Welfare Services Ad Hoc Committee

Recommendation: That the Board of Supervisors:

1. Appoint Supervisor Rex Bohn and Supervisor Steve Madrone to a Department of Health and Human Services - Child Welfare Services Ad Hoc Committee; and
2. Direct the Clerk of the Board to send a letter to the Northern California Tribal Chairmen's Association informing them of the creation of the Child Welfare Services Ad Hoc Committee and its Membership.

Attachments: [Staff Report](#)
[NCTCA letter re CWS ad hoc committee](#)
[Signed Letter.pdf](#)

District Attorney

12. Memorandum of Understanding with the Transaction Record Analysis Center Regarding Access to the TRAC Money Transmitter Data System

Recommendation: That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear-Free Ordinance with regard to the attached memorandum of understanding with the Transaction Record Analysis Center;
2. Approve, and authorize the District Attorney, or a designee thereof, to execute the attached memorandum of understanding with the Transaction Record Analysis Center regarding access to the TRAC Money Transmitter Data system; and
3. Authorize the District Attorney, or designee thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with the Transaction Record Analysis Center, after review and approval by County Counsel, Risk Management and the County Administrative Office.

Attachments: [Staff Report](#)
[TRAC MOU](#)
[State of Arizona v. Western Union Settlement Agreement_Final](#)
[Order Approving Settlement and Appointing Monitor 02-24-2010](#)
[Stipulated Motion for Approval of Amendment to Settlement Agreement 01-31-14](#)
[TRAC Data Policy.pdf](#)

Public Works**13. Second Amendment to Lease at 1608 Pickett Road, McKinleyville**

- Recommendation:** That the Board of Supervisors:
1. Approve the Second Amendment to lease with McKinleyville Community Services District (MCSD), lessor, for continued use of the Sheriff's Substation facility at 1608 Pickett Road, McKinleyville, for the period of Mar. 1, 2021 to and including Feb. 28, 2022;
 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 executed Second Amendment to lease to Public Works Real Property.

- Attachments:** [Staff Report](#)
[Attachment 1 - Lease](#)
[Attachment 2 - First Amendment](#)
[Second Amendment to Lease](#)
[Executed Second Amendment to Lease.pdf](#)

14. First Amendment to Lease at 1606 Pickett Road, McKinleyville for Library Use

- Recommendation:** That the Board of Supervisors:
1. Approve the First Amendment to lease with McKinleyville Community Services District (MCSD), lessor, for continued use of the McKinleyville Library facility at 1606 Pickett Road, McKinleyville, for the period of June 1, 2021 to and including May 31, 2022;
 2. Authorize the Chair of the Board of Supervisors to sign the First Amendment to lease; and
 3. Direct the Clerk of the Board to return one executed First Amendment to lease to Public Works Real Property.

- Attachments:** [Staff Report](#)
[Attachment 1 - Lease](#)
[Attachment - 1st Amendment](#)
[Executed First Amendment to Lease.pdf](#)

D. 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. 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.

E. SPECIAL PRESENTATIONS**DHHS: Public Health****1. Update on Local Conditions Surrounding COVID-19**

Recommendation: That the Board of Supervisors:
1. Receive a report from Department of Health & Humans Services (DHHS) - Public Health and other county staff regarding the current status of novel coronavirus (COVID-19) in Humboldt County.

Attachments: [Staff Report](#)

F. ITEMS PULLED FROM CONSENT**G. MATTERS INITIATED BY BOARD MEMBERS****H. DEPARTMENT REPORTS****Child Support Services****1. Resolution for the Temporary Employment of Retired Annuitant as Child Support Specialist III in the Child Support Services Department**

Recommendation: That the Board of Supervisors:
1. Approve the employment of Sharon Mitchell as a temporary retired annuitant Child Support Specialist III with the Child Support Services Department (Class 0147, Range 384, Step E, Position X1); and
2. Adopt the attached resolution for the exception of the 180-day wait period of the California Public Employees Retirement System.

Attachments: [Staff Report](#)
[Resolution Attachment Retired Annuitant](#)
[Government code sections 7522.56 and 212244](#)
[Resolution 21-22.pdf](#)

Clerk of the Board

2. Consider Making the Appointment of the At-Large Position on the Planning Commission

Recommendation: That the Board of Supervisors:
1. Consider making the Appointment of the At-Large position on the Planning Commission.

Attachments: [Staff Report](#)
[Planning Commission.pdf](#)
[Tonya Farmer Redacted.pdf](#)
[Jennifer Aspuria Redacted.pdf](#)
[Carrie Schumacher Redacted.pdf](#)
[Marie Seibel Redacted.pdf](#)
[Kaylie Saxon Redacted.pdf](#)
[Brian Mitchell Redacted.pdf](#)

3. Consider Making the Appointments of Two (2) At-Large Members on the Measure Z Citizens Advisory Committee

Recommendation: That the Board of Supervisors:
1. Consider making the appointments of two (2) At-Large positions on the Measure Z Citizens Advisory Committee.

Attachments: [Staff Report](#)
[Bob Bronkall Redacted.pdf](#)
[Justin Robbins Redacted.pdf](#)
[Catherine Munsee Redacted .pdf](#)
[Susan Moxen Redacted.pdf](#)
[Erik Rubalcava Redacted.pdf](#)
[Measure Z Application List .pdf](#)

County Administrative Office

4. Outstanding Financial Transactions

Recommendation: That the Board of Supervisors:
1. Receive the staff report and provide direction as needed; and
2. Authorize the Auditor-Controller (AC) to post all remaining financial transaction in FY 2019-20 prior to closing of the fiscal year.

Attachments: [Staff Report](#)

I. PUBLIC HEARINGS

County Administrative Office

1. Public Hearing to Consider Adoption of an Ordinance for the 2021 Update of the Humboldt County Schedule of Fees and Charges (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Open the public hearing;
2. Introduces by title, Ordinance No. ____ (Attachment III), updating the Humboldt County Schedule of Fees and Charges for 2021;
3. Waive the first reading of the ordinance;
4. Receives the staff report and public comments;
5. Approves and/or modifies the new, increased, decreased, deleted or changed fees, as shown in the 2021 Humboldt County Schedule of Fees and Charges (Attachment I);
6. Adopts the Ordinance;
7. Directs the Clerk of the Board, within 15 days, to publish a post-adoption summary of the ordinance (Attachment IV) with the names of the Supervisors voting for and against the ordinance, and to post in the office of the Clerk of the Board 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)]; and
8. Close the public hearing.

Attachments:

- [Staff Report](#)
- [Ia - 2021 Humboldt County Schedule of Fees & Charges](#)
- [Ib - 261 Agricultural Commission](#)
- [Ib - 262 Building Inspection](#)
- [Ib - 321 Road Fund- Engineering](#)
- [Ib - 411 Hazardous Materials Program](#)
- [Ib - 422 Public Health - Clinic Services](#)
- [II - Supporting Documentation for New and Changed Fees](#)
- [III - Draft Fee Ordinance](#)
- [IV - Summary for Publication after Adoption of Ordinance Ordinance 2668.pdf](#)

Planning and Building Department

2. Public Hearing on Draft Dispensary Amendments to the Cannabis Dispensaries Ordinance; (Case # PLN-2020-16688)

Recommendation: That the Board of Supervisors:

1. Receive and consider the staff report, open the public hearing, and accept public comment; and
2. Close the public hearing; and
3. Deliberate on the proposed ordinance amendments; and
4. Adopt the proposed ordinances by taking the following actions:
 - a. Adopt Resolution No. ____ [Attachment 1] making findings the Coastal Ordinance Amendments are exempt from environmental review pursuant to CEQA and making all the required findings for consistency with the General Plan, Zoning Ordinance and the Coastal Act, and transmitting the ordinance to the California Coastal Commission for their review and certification; and
 - b. Adopt Resolution No. ____ [Attachment 2] making findings the Inland Ordinance Amendments are exempt from environmental review pursuant to the California Environmental Quality Act (CEQA), and making all the required findings for consistency with the General Plan, and Zoning Ordinance; and
 - c. Adopt Coastal Ordinance Amendments No: ____ [Attachment 3] modifying the allowed hours of operation for cannabis dispensaries in the coastal zone and to ensure information is provided about the danger of cannabis use during pregnancy and while breastfeeding, which will become effective after California Coastal Commission certification; and
 - d. Adopt Inland Ordinance Amendments No: ____ [Attachment 4] modifying the allowed hours of operation for cannabis dispensaries and to ensure information is provided about the danger of cannabis use during pregnancy and while breastfeeding in the inland parts of the County; and
 - e. Direct the Clerk of the Board to publish a Summary of the Ordinance Amendments within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against the ordinance [Attachment 5] and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance amendments along with the names of those Supervisors voting for and against the ordinance (Government Code section 25124); and
 - f. Direct Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research.

Attachments: [Staff Report](#)
[Attachment 1 Resolution for coastal ordinance-3-3.docx](#)
[Attachment 2 Resolution for inland ordinance-2.docx](#)
[Attachment 3 Dispensary Amendment Coastal Ordinance.docx](#)
[Attachment 4 Dispensary Amendment Inland Ordinance.docx](#)
[Attachment 5 Post-Adoption Summary - Dispensary Ordinance Amendments.docx](#)
[Attachment 6 Public Comments - Dispensary Ordinance Amendments.pdf](#)
[Attachment 7 PC Staff Report.pdf](#)
[Resolution 21-23.pdf](#)
[Resolution 21-24.pdf](#)
[Ordinance 2669.pdf](#)
[Ordinance 2670.pdf](#)

J. DISCUSSION ITEMS

K. MATTERS SET FOR TIME CERTAIN

Board of Supervisors - Closed Session

1. 1:30 p.m. - Conference with Labor Negotiator - Pursuant to Government Code section 54957.6 it is the intention of the Board of Supervisors to meet in closed session to review the County's position and instruct its designated labor negotiators. Labor negotiators: Kelly Barns, Elishia Hayes and Jack Hughes. Employee Organizations (represented and unrepresented): American Federation of State, County and Municipal Employees (AFSCME Local 1684), Humboldt County Attorneys Association, Humboldt Deputy Sheriffs Organization (Law Enforcement Non-Management Unit), Humboldt Deputy Sheriffs Organization (Law Enforcement Management Unit), Elected and Appointed Department Heads, and Management and Confidential Employees.

L. CLOSED SESSION

1. Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Pamela Jarose, Executor of the Estate of John R. Braun v. County of Humboldt, Case No. 4:18-cv-7383-SBA.
2. Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9, subd. (d)(2) and (e)(3) regarding exposure to litigation in one potential case: notice of intent to bring action under the Resource Conservation and Recovery Act (42 U.S.C. Section 6972) from Pamela Jarose as the executor of the Estate of John R. Braun.

Attachments: [Jarose - Notice of Intent - RCRA](#)

3. Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(2) & (e)(3) to discuss threatened litigation by K. Sawatzky

Attachments: [Brown Act Cease and Desist Letter Redacted.pdf](#)

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.)

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/>