

BOARD OF SUPERVISORS

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



COUNTY STAFF

AMY S. NILSEN
County Administrative Officer
JEFFERSON BILLINGSLEY
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, May 11, 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 916 0999 7733 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. ROLL CALL

Present: Supervisor Virginia Bass, Chair; Supervisor Mike Wilson, Vice Chair; Supervisor Rex Bohn; Supervisor Steve Madrone; Supervisor Michelle Bushnell

Staff Present: Amy Nilsen, County Administrative Officer; Jefferson Billingsley, County Counsel; and Ryan Sharp, Deputy Clerk of the Board

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

Board of Supervisors

1. Proclaim May 2021 as Mental Health Awareness Month in Humboldt County (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:

1. Adopt the Proclamation.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

2. May is CalFresh Awareness Month (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors:

1. Adopt the Proclamation.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

3. Proclaim Special Districts Week is May 16-23, 2021 in Humboldt County (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Adopt the Proclamation.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Clerk of the Board

4. Approval of the Action Summary - Meeting of May 4, 2021

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of May 4, 2021 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 Wilson, seconded by Supervisor Bushnell, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

County Administrative Office

5. Agreement Amendment with Macias, Gini & O'Connell, LLP and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to execute, the attached amendment to the professional services agreement (Attachment 1) with Macias, Gini & O'Connell, LLP (MGO) in the amount of \$500,000 for financial advisory services; and
2. Adopt the attached supplemental budget (Attachment 3) in the amount of \$100,000 for fiscal year (FY) 2020-21 in the County Administrative Office - Management and Budget Team (CAO-MBT) budget unit 1100-103 (4/5 vote required).

This item was pulled from consent for discussion.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Administration

6. Authorize a temporary increase in pay for Charla Rowe, Mental Health Clinician II pursuant to Section 12.4.1 of the American Federation of State, County and Municipal Employees (AFSCME) Memorandum of Understanding (MOU)

Recommendation: That the Board of Supervisors:

1. Authorize a temporary increase in pay for Mental Health Clinician II Charla Rowe (class 0909B, range 460) as though promoted to Quality Management Coordinator (class 0915, range 478) beginning May 15, 2021 and continuing until the incumbent returns from leave.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

7. Ratification of Agreements by and Between the Department of Health and Human Services and Various State of California Agencies in Response to COVID-19 and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Ratify the execution of various State of California Standard Agreements by the Department of Health and Human Services Director and designees thereof in response to COVID-19;
2. Authorize the Director of Public Health or a designee thereof to sign all future amendments and documents directly related to these agreements upon review and approval of County Counsel and Risk Management;
3. Approve the attached supplemental budget to supplement Fund 1175, Budget Unit 455006 - Homeless Coordinating & Financing for Fiscal Year 2020-21 (4/5 vote required); and
4. Direct the Clerk of the Board to return a certified copy of the Board order to the Department of Health and Human Services - Contract Unit.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

8. Ratification of Agreements by and Between the Department of Health and Human Services and Various Community Partners in Response to COVID-19

Recommendation: That the Board of Supervisors:

1. Ratify the execution of various agreements by the Department of Health and Human Services Director and designees thereof in response to COVID-19;
2. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute all future amendments to these agreements in response to COVID-19 upon review and approval of County Counsel, Risk Management and the County Administrative Office; and
3. Direct the Clerk of the Board to return a certified copy of the Board order to the Department of Health and Human Services - Contract Unit.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Department of Health and Human Services: Behavioral Health

9. Professional Services Agreement with Willow Glen Care Center Regarding the Provision of Sub-Acute Transitional Mental Health, Specialty Mental Health and Social Rehabilitation Services to Eligible Humboldt County Residents

Recommendation: That the Board of Supervisors:

1. Receive and file the proposals in response to Request for Proposals No. DHHS2020-01 for the provision of Sub-Acute Transitional Mental Health, Specialty Mental Health and/or Social Rehabilitation Services;
2. Approve the selection of Willow Glen Care Center as the mental health treatment facility to provide sub-acute transitional mental health, specialty mental health and social rehabilitation services to eligible Humboldt County residents; and
3. Authorize the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute a professional services agreement with Willow Glen Care Center regarding the provision of sub-acute transitional mental health, specialty mental health and social rehabilitation services to eligible Humboldt County residents that is substantially similar to the attached sample professional services agreement, and any subsequent amendments thereto, after review and approval by County Counsel, Risk Management and the County Administrative Office.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

10. Recognition of Donations made to the Department of Health and Human Services - Behavioral Health Healthy Moms Program

Recommendation: That the Board of Supervisors:

1. Accept the donation of \$500 made to the Healthy Moms Program from the Masonic Lodge of Eureka.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

District Attorney

11. Retroactive Advanced Salary Step Request for District Attorney Chief Investigator, Kyla Baxley (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve a step increase for District Attorney Chief Investigator Kyla Baxley (class 0404, position 01, salary range 501) from Step C to Step E, effective as of the hire date of April 1, 2021, pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

12. Resolution Authorizing a Decrease in the Revolving Petty Cash Fund Established for Use by the Humboldt County District Attorney's Office Investigation Division

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution which authorizes a decrease in revolving petty cash fund established for use by the Humboldt County District Attorney's Office Investigation Division by \$21.91 to the amount of 3,000;
2. Authorize the return deposit of \$21.91 into budget unit 1100-205;
3. Authorize the Chief Investigator of the Humboldt County District Attorney's Office to be the custodian of record for the revolving petty cash fund established for use by the Humboldt County District Attorney's Office Investigation Division; and
4. Direct the Clerk of the Board to transmit fully executed certified copies of the attached resolution to the Humboldt County Auditor-Controller and the Humboldt County Treasurer-Tax Collector.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Planning and Building Department**13. 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.

This item was pulled from consent for discussion.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Public Defender**14. Extension of Extra Help Hours - Conflict Counsel Budget Unit 1100246 (4/5 Vote Required)**

Recommendation: That the Board of Supervisors:

1. Extend Ronald Smith, Legal Office Assistant, extra-help employment hours to a maximum of 1450 hours for fiscal year (FY) 2020-21 pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Public Works**15. Resolution Authorizing the Humboldt County Department of Public Works to Apply For, and Accept, if Awarded, Funding Made Available through the California Climate Investment Fire Prevention Grant Program**

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution authorizing the Humboldt County Department of Public Works Director to apply for, and accept, if awarded, funding made available through the California Climate Investment Fire Prevention Grant Program in order to fund implementation of the Humboldt Community Wildfire Protection Plan; and
2. Direct the Clerk of the Board to provide a fully executed original copy of the attached resolution to the Humboldt County Department of Public Works for submission to the California Department of Forestry and Fire Protection.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Sheriff

16. Position Allocation Modification to Humboldt County Correctional Facility (HCCF) to Deallocate 1.0 Full-time Equivalent (FTE) Senior Legal Office Assistant and Allocate 1.0 FTE Administrative Secretary

Recommendation: That the Board of Supervisors:

1. Approve the allocation of 1.0 FTE Administrative Secretary (salary range 345, class 0164) in budget unit 1100-243 effective June 13, 2021; and
2. Approve the deallocation of 1.0 FTE Senior Legal Office Assistant (salary range 353, class 0168) in budget unit 1100-243 effective June 13, 2021.

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

17. Establishing Fixed Asset Line for Budget Unit 1100-243 Correctional Facility and Approve Appropriation Transfer (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve an appropriations transfer request establishing a fixed asset line in fiscal year (FY) 2020-21 Budget Unit 1100-243 Correctional Facility for the purchase and installation of a boiler (Attachment 1) (4/5 vote required).

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

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

E. PUBLIC COMMENT ON NON-AGENDA ITEMS**F. SPECIAL PRESENTATIONS****G. ITEMS PULLED FROM CONSENT****H. MATTERS INITIATED BY BOARD MEMBERS**

I. DEPARTMENT REPORTS

County Administrative Office

1. County Considerations After Proposed June 15 Reopening

Recommendation: That the Board of Supervisors:

1. Consider directing departments to return to in-person work activities after June 15, following applicable safety guidance, as determined by the Humboldt County Health Officer, Human Resources, Department of Health & Human Services - Public Health and the County Administrative Office;
2. Consider holding in-person Board meetings in the Board of Supervisors Chambers beginning the first meeting after June 15, following safety guidelines detailed in Recommendation 1;
3. Create and appoint two Board members to an ad hoc to identify telework opportunities and issues and/or develop a permanent telework policy;
4. Adopt a Resolution Approving the California Supplement Paid Sick Leave (SPSL) effective January 1, 2021, to include a grace period and sunset date of October 30, 2021; and
5. Direct Human Resources to establish a new bank of leave hours for each county employee in accordance with Senate Bill (SB) 95.

A motion was made by Supervisor Bohn, seconded by Supervisor Bushnell, to direct staff to bring back recommendations one and two on June 15, 2021; direct staff to come back with options on a telework policy; and approve staff recommendations four and five. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

Public Works

2. Support Letter for Proposed Railbanking of North Coast Railroad Authority Line within Humboldt County

Recommendation: That the Board of Supervisors:

1. Receive a staff report and public comment; and
2. Approve, and authorize the Chair of the Board to sign, the attached letter supporting preservation of the North Coast Railroad Authority's railroad right-of-way through railbanking for interim trail use and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, to support the letter; allow staff to add language to the letter for additional landowner outreach; and authorize Public Works, in coordination with County Counsel, to submit filings to the Surface Transportation Board consistent with the Board's approved letter. The motion carried by the following vote:

Aye: 3 - Virginia Bass, Mike Wilson, and Steve Madrone

Nay: 2 - Rex Bohn, and Michelle Bushnell

J. PUBLIC HEARINGS

K. DISCUSSION ITEMS**L. MATTERS SET FOR TIME CERTAIN****Board of Supervisors - Closed Session**

1. 1:30 p.m. - Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Owings v. County of Humboldt, EEOC No. 550-2020-01658.

The Board of Supervisors met in conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Owings v. County of Humboldt, EEOC No. 550-2020-01658. There was no action to report.

2. 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.

The Board of Supervisors met in conference with Labor Negotiator - Pursuant to Government Code section 54957.6 the Board of Supervisors met 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. There was no action to report.

M. CLOSED SESSION

N. ADJOURNMENT

I, RYAN SHARP, 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.

RYAN SHARP

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

May 12, 2021