

BOARD OF SUPERVISORS

REX BOHN
First District
ESTELLE FENNELL
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
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, November 10, 2020

9:00 AM

Regular Meeting

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 986 6623 6707 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

Board of Supervisors

1. National Hunger and Homelessness Awareness Week Proclamation (Supervisor Steve Madrone)

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

2. Recognition of Deputy Clerk of the Board Tracy Damico for Achieving the Certified Clerk of the Board (CCB) Professional Designation from the California Clerk of the Board of Supervisors Association (CCBSA) (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

1. Congratulates Tracy Damico on her professional achievement and continues to support her ongoing participation in CCBSA.

This item was pulled from consent for discussion.

A motion was made by Supervisor Bohn, 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

3. Veterans Day Proclamation (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

1. Adopt the Proclamation.

This item was pulled from consent for discussion.

A motion was made by Supervisor Bohn, 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

4. Letters of Appreciation for Art Wilson and Eric Thompson for their service on the Behavioral Health Board

Recommendation: That the Board of Supervisors:

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

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. Approval of the Action Summary - Special Meeting of October 30, 2020

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of October 30, 2020 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

6. Approval of the Action Summary - Meeting of November 3, 2020

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of November 3, 2020 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. Headwaters Fund Community Investment Fund Grant to the Redwood Region Economic Development Commission

Recommendation: That the Board of Supervisors:

1. Review and Approve the attached Headwaters Fund Board recommended Community Investment Fund (CIF), Fund-3846, grant of \$20,000 to the Redwood Region Economic Development Commission (RREDC) for a market analysis/leakage study for the California Redwood Coast-Humboldt County Airport (ACV).

This item was pulled from consent for discussion.

A motion was made by Supervisor Bohn, 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

- 8. Professional Services Agreement with the City of Arcata Regarding the Acquisition of Five Manufactured Homes for the Purpose of Providing Housing Assistance Services to Individuals and Families 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 Arcata regarding the acquisition of five manufactured homes for the purpose of providing housing assistance services to individuals and families experiencing, or at risk of experiencing, homelessness in Humboldt County;
- 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 Arcata 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 professional services agreement with the City of Arcata 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

- 9. Government-to-Government Letter Asking Tribal Leaders to Accept Initial Updates from the Department of Health & Human Services and Develop a Method to Accept Future Updates

Recommendation: That the Board of Supervisors:

- 1. Authorizes the Chair to sign the letters to the Northern California Tribal Chairmen's Association (NCTCA) and Chairs of the Eight Tribes in Humboldt.

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: Behavioral Health

10. Participation Agreement with the California Mental Health Services Authority Regarding the Humboldt County Department of Health and Human Services - Behavioral Health's Participation in the State Hospitals Program

Recommendation: That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear-Free Ordinance with regard to the attached participation agreement with the California Mental Health Services Authority;
2. Approve, and authorize the Department of Health and Human Services - Behavioral Health Director, or designee thereof, to execute, the attached participation agreement with the California Mental Health Services Authority regarding the Department of Health and Human Services - Behavioral Health's participation in the State Hospitals Program for the period of July 1, 2020 through June 30, 2021; and
3. Authorize the Department of Health and Human Services - Behavioral Health Director, or designee thereof, to approve any and all subsequent extensions, modifications, and amendments to the attached participation agreement with the California Mental Health Services Authority after review and approval by County Counsel, Risk Management and the County Administrative Office.

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

Human Resources

11. ADP Project Implementation Reporting Agent Authorization

Recommendation: That the Board of Supervisors:

1. Direct the Human Resources Director, or designee, to sign the ADP Reporting Agent Authorization (State Limited Power of Attorney & Tax Information Authorization).

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**12. Storm Damage Repair to Alderpoint Road (6B165) Post Mile 36.98**

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Alderpoint Road (6B165) Post Mile 36.98 Storm Damage Repair Project; and
2. Direct the Clerk of the Board to advertise the above-mentioned project as required by Section 22037 of the California Public Contract Code, with bids to be opened on Tuesday, Dec. 15, 2020 at 2:00 p.m.

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

13. Accept Completed Contract for Storm Damage Repair to Blue Slide Road (F2G100) Post Mile 3.24

Recommendation: That the Board of Supervisors:

1. Ratify the Director of Public Works to sign Contract Change Order Number 3 for the total amount of \$12,201.96;
2. Accept the completed contract, including all change orders approved by the Public Works Department, between Van Meter Logging, Inc., and Humboldt County for construction of Storm Damage Repair to Blue Slide Road Post Mile 3.24; and
3. Approve the final claim for payment in the amount of \$12,201.96, which will bring the total amount paid to 100 percent of the contract.

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

14. Storm Damage Repair to Mattole Road (3C010) Post Mile 6.50

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Mattole Road (3C010) Post Mile 6.50 Storm Damage Repair Project; and
2. Direct the Clerk of the Board to advertise the above-mentioned project as required by Section 22037 of the California Public Contract Code, with bids to be opened on Tuesday, Dec. 15, 2020 at 2:00 p.m.

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. Storm Damage Repair to Mattole Road (3C010) Post Miles 5.00 and 13.67

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Mattole Road (3C010) Post Miles 5.00 and 13.67 Storm Damage Repair Project; and
2. Direct the Clerk of the Board to advertise the above-mentioned project as required by Section 22037 of the California Public Contract Code, with bids to be opened on Tuesday, Dec. 15, 2020, at 2:00 p.m.

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

Sheriff**16. Revised Fiscal Year (FY) 2019-20 Equitable Sharing Agreement and Certification**

Recommendation: That the Board of Supervisors:

1. Retroactively approve the Revised FY 2019-20 Equitable Sharing Agreement and Certification and electronic submission by the Deputy Director as of October 16, 2020; and
2. Authorize the Chair of the Board of Supervisors and the Sheriff to sign the Revised Equitable Sharing Agreement and Certification for FY 2019-20 asset forfeiture funds for CA0120000 Humboldt County Sheriff's Office.

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

17. Acceptance of Subrecipient Allocation and Supplemental Budget for Fiscal Year 2020-21 Community Power Resiliency (CPR) Funding budget unit 1100-221803 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Retroactively approve authorization for Sheriff Honsal to sign and accept the Subrecipient Allocation for CPR Funding as of October 13, 2020 (Attachment 1);
2. Approve the supplemental budget for fiscal year (FY) 2020-21 for CPR Funding (Attachment 2) (4/5 vote required); and
3. Delegate authority to the Auditor-Controller's Office and County Administrator's Office (CAO) to approve budget transfer requests to create fixed assets for the CPR Funding budget unit 1100-221803 up to \$50,000.00 for equipment and up to \$100,000.00 for building improvements that meet the eligibility criteria for the CPR Funding as outlined in the Notification (see attachment 1).

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

Treasurer/Tax Collector**18. Purchase of Prime Software from Hinderliter De Llamas and Associates (HdL)**

Recommendation: That the Board of Supervisors:

1. Approve and authorize the County Administrative Officer to execute the Second Amendment to the Agreement with HdL dated May 24, 2017 (Attachment 1), amending the agreement by adding HdL's 'Prime Software' (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

19. Resolution to Auction Tax-Defaulted Properties

Recommendation: That the Board of Supervisors:

1. Approve Resolution # _____ (Attachment 1) for sale of properties tax-defaulted, subject to sale; and
2. Direct the Clerk of the Board to provide the Treasurer-Tax Collector with two certified copies of the Resolution by November 17, 2020. Approval is given to re-offer, within 90 days of the original sale date, any unsold parcels in accordance with Revenue and Taxation Code, section 3698.5.

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**

H. DEPARTMENT REPORTS**County Administrative Office****1. Board Meeting - Calendar Year 2021**

Recommendation: That the Board of Supervisors:

1. Cancel Board meetings on the following dates in calendar year 2021 and direct the Clerk of the Board to notify all county departments of these cancelled meetings:

- * Tuesday, January 19, 2021 (following a county holiday on Jan. 18)
- * Tuesday, February 16, 2021 (following a county holiday on Feb. 15)
- * Tuesday, March 30, 2021 (5th Tuesday)
- * Tuesday, June 1, 2021 (following a county holiday on May 31)
- * Tuesday, July 6, 2021 (following a county holiday on July 5)
- * Tuesday, July 27, 2021 (Board break)
- * Tuesday, August 3, 2021 (Board break)
- * Tuesday, September 7, 2021 (following a county holiday on Sept. 6)
- * Tuesday, September 28, 2021 (RCRC annual conference)
- * Tuesday, October 12, 2021 (following All Hands Training Day on Oct. 11)
- * Tuesday, November 23, 2021 (Thanksgiving week)
- * Tuesday, November 30, 2021 (CSAC annual conference)
- * Tuesday, December 21, 2021 (Winter break)
- * Tuesday, December 28, 2021 (Winter break)

A motion was made by Supervisor Bohn, 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

Treasurer/Tax Collector

2. Introduction of Ordinance Amending Chapter 1, Division 1, Title VIII (Business Licenses, Franchises and Municipal Solar Utility Programs) of the Humboldt County Code

Recommendation: That the Board of Supervisors:

1. Introduce the attached ordinance (attachment 1) and waive the first reading;
2. Set the ordinance for adoption on Nov. 17, 2020 or at least one week from Nov. 10, 2020;
3. Direct the Clerk of the Board to publish the required pre-adoption summary (attachment 2) of the Ordinance and to post a certified copy of the full text of the proposed Ordinance in the office of the Clerk of the Board, both the publication and posting to be done at least five (5) days prior to the Board meeting at which the Ordinance will be adopted [Government Code Section 25124 (b)(1)]; and
4. Direct the Clerk of the Board, within 15 days after the adoption of the Ordinance, to publish a post-adoption summary (attachment 3) of the Ordinance 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 the Supervisors voting for and against the Ordinance [Government Code Section 25124 (b)(1)].

A motion was made by Supervisor Bass, 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

I. PUBLIC HEARINGS

Planning and Building Department

1. Friends of Ferndale for a Livable Community's Appeal of a Conditional Use Permit approved by the Planning Commission on September 17, 2020, authorizing five (5) concerts and two (2) motorcycle racing events annually at the Humboldt County Fairgrounds by the Humboldt County Fair Association

Recommendation: That the Board of Supervisors:

1. Open the public hearing on the appeal and receive the staff report, testimony by the appellant and applicant, and public;
2. Close the public testimony portion of the hearing;
3. Deliberate on the Appeal of the Use Permit, Mitigated Negative Declaration, Substitute Mitigation Measures, and Mitigation Monitoring Program (Attachment 5);
4. Close the public hearing;
5. Adopt the resolution (Resolution 20-__) (Attachment 1) which does the following:
 - a. Adopts the proposed Mitigated Negative Declaration in Attachment 5 as required by Section 15074(b) of the CEQA Guidelines, and finds that there is no substantial evidence that the proposed project will have a significant effect on the environment;
 - b. Approves the Mitigation Monitoring and Reporting Program
 - c. Makes the findings to deny the Appeal and approve the Conditional Use Permit; and
 - d. Denies the Appeal submitted by Friends of Ferndale for a Livable Community; and
 - e. Approves the Conditional Use Permit authorizing five (5) concerts and two (2) motorcycle racing events to be held annually at the Humboldt County Fairgrounds; and
 - f. Directs the Planning and Department to file a Notice of Determination for the project in accordance with the CEQA Guidelines.

A motion was made by Supervisor Bohn, seconded by Supervisor Wilson, that the recommendations be approved with the modifications as discussed. The motion carried by the following vote:

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

J. DISCUSSION ITEMS

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

1. 3:00 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): American Federation of State, County and Municipal Employees (AFSCME local 1684) and Humboldt Deputy Sheriffs Organization (Law Enforcement Non-Management Unit).

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): American Federation of State, County and Municipal Employees (AFSCME local 1684) and Humboldt Deputy Sheriffs Organization (Law Enforcement Non-Management Unit). There was no action to report.

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 State of California v. Humboldt County Department of Health and Human Services, et al.; Case No. CV-180-143.

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 State of California v. Humboldt County Department of Health and Human Services, et al.; Case No. CV-180-143. There was no action to report.

M. 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


NOVEMBER 12, 2020



MINUTES
TUESDAY, NOVEMBER 10, 2020
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, November 17, 2020 with the vote as shown below.

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

RYAN SHARP
Deputy Clerk of the Board

ESTELLE FENNELL
Chair of the Board