

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, August 25, 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 994 5618 3319 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.

Clerk of the Board

1. 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 Reporting Forms.pdf](#)

2. Appointment of Michelle Nielsen to the Housing Trust Fund and Homelessness Committee as the Representative from the Planning and Building Department

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

Attachments: [Staff Report](#)
[HTFHSC Roster.pdf](#)

3. Notice of Vacancy on the McKinleyville Municipal Advisory Committee (MMAC) for the Three At-Large Members

Recommendation: That the Board of Supervisors:
1. Receive and file the report on a notice of vacancy on the MMAC for three at-large members.

Attachments: [Staff Report](#)
[Roster.pdf](#)
[Vacancy.pdf](#)

4. Approval of the Action Summary - Meeting of August 18, 2020

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of August 18, 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](#)
 [8-18-2020 Action Summary](#)

5. Approval of the Action Summary - Special Meeting of August 19, 2020

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of August 19, 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](#)
 [8-19-2020 Special Meeting Action Summary](#)

Department of Health and Human Services: Behavioral Health**6. Resolution Authorizing Acceptance of Mental Health Student Services Act Personnel Grant Funding from the California Mental Health Services Oversight and Accountability Commission to Deliver School-Based Mental Health Crisis Services (4/5 Vote Required)**

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution authorizing the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute and deliver State of California Standard Agreement No. 19MHSOAC046, and any amendments thereto, along with any and all other documents and agreements with other entities required or deemed necessary to accept and secure Mental Health Student Services Act Personnel Grant funding in the amount of \$2,500,000 from the California Mental Health Services Oversight and Accountability Commission in order to deliver school-based mental health crisis services;
2. Adopt the attached supplemental budget in the amount of \$388,765 for fiscal year 2020-2021 Department of Health and Human Services - Behavioral Health Administration budget unit 1170-424 (4/5 vote required); and
3. Direct the Clerk of the Board to return one fully executed certified copy of the attached resolution to the Department of Health and Human Services - Contract Unit for submission to the California Mental Health Services Oversight and Accountability Commission.

Attachments:[Staff Report](#)[Resolution Authorizing Acceptance of Mental Health Student Services Act Personne](#)[19MHSOAC046 STD 213](#)[19MHSOAC046 Exhibit A](#)[19MHSOAC046 Exhibit B](#)[19MHSOAC046 ATT B-1](#)[19MHSOAC046 ATT B-2](#)[19MHSOAC046 Exhibit C](#)[19MHSOAC046 Exhibit D](#)[Supplemental Budget for Fiscal Year 2020-2021 DHHS - Behavioral Health Admin](#)[Mental Health Student Services Act Personnel Grant Application dated February 25](#)[Request for Mental Health Student Services Act Personnel Grant Applications](#)[Resolution 20-76](#)***Department of Health and Human Services: Public Health***

7. Grant Agreement with California Department of Public Health (CDPH) for COVID-19 funds.
Funds for Housing Opportunities for Persons with AIDS (HOPWA)

Recommendation: That the Board of Supervisors:

1. Approve Grant Agreement # 19-11126 with CDPH for \$34,053 for the term of March 27, 2020 through June 30, 2020;
2. Authorize the Director of Public health, or a designee thereof, to sign four originals of the agreement and required certifications;
3. Authorize the Director of Public Health or a designee thereof to sign all future amendments and documents directly related to Grant Agreement # 19-11126 upon review and approval of County Counsel and Risk Management; and
4. Direct the Clerk of the Board to return one copy of the certified board report to the Department of Health and Human Services (DHHS) - Contract Unit

Attachments:[Staff Report](#)[Grant # 19-11126 with California Department of Public Health to Implement the HI Contractor Certification Clauses](#)[California Civil Rights Laws Attachment](#)[Darfur Contracting Act](#)

Planning and Building Department**8. Kavanaugh/Landry Lot Line Adjustment and Joint Timber Management Plan (4/5 Vote Required)**

APNs: 107-112-001, 107-112-002, 107-112-003

Case Nos.: LLA-17-004, JTMP-17-004

Recommendation: That the Board of Supervisors:

1. Approve the Joint Timber Management Plan (JTMP) and Guide (Attachment B) prepared pursuant to Section 51119.5 of the California Government Code (C.G.C.) (4/5th vote required);
2. Find the project exempt from environmental review pursuant to Sections 15061(b)(3) and 15305 of the California Environmental Quality Act (CEQA) guidelines and make all of the required findings (Attachment D) to approve the Lot Line Adjustment;
3. Direct the Planning Division staff to record the Declaration with the JTMP and the Notices of Lot Line Adjustment and Certificate of Subdivision Compliance; and
4. Direct the Clerk of the Board to give notice of the decision to owners, the county Assessor's Office and any other interested party.

Attachments:[Staff Report](#)[Attachment A - Declaration of Covenants.pdf](#)[Attachment B - JTMP.pdf](#)[Attachment C - 10-09-17 FRC minutes.pdf](#)[Attachment D -Findings and Maps.pdf](#)**Public Works****9. Mutual Agreement with the United States Department of the Interior National Park Service - Redwood National Park and the California Department of Parks and Recreation Regarding Maintenance of Davison Road (County Road No. 4R400), Hiltons Road (County Road No. 4Q050), Redpark Road (County Road No. 4S100) and Bald Hills Road (County Road No. F4R300)****Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached mutual agreement with the United States Department of the Interior National Park Service - Redwood National Park and the California Department of Parks and Recreation regarding maintenance of Davison Road (County Road No. 4R400), Hiltons Road (County Road No. 4Q050), Redpark Road (County Road No. 4S100) and Bald Hills Road (County Road No. F4R300) for the period of August 25, 2020, through August 24, 2030;
2. Authorize the Humboldt County Public Works Director, or a designee thereof, to execute any and all subsequent amendments to the attached mutual agreement with the United States Department of the Interior National Park Service - Redwood National Park and the California Department of Parks and Recreation,

after review and approval by County Counsel and Risk Management; and

3. Direct the Clerk of the Board to return two (2) fully executed original copies of the attached mutual agreement with the United States Department of the Interior National Park Service - Redwood National Park and the California Department of Parks and Recreation to the Humboldt County Department of Public Works - Land Use Division for further processing.

Attachments:

[Staff Report](#)

[G848020001 Mutual Road Maintenance Agreement_RNSP and Humboldt County.p](#)

[Executed G848020001 Mutual Road Maintenance Agreement_RNSP and Humboldt](#)

- 10.** Bid Award Authorization for Bridge Preventive Maintenance to McCann Bridge (04C-0172) on McCann Road (6D090) Post Mile 0.03 and Storm Damage Repair to McCann Road (6D090) Post Mile 1.25

Recommendation: That the Board of Supervisors:

1. Receive and file the bid proposals submitted for the McCann Bridge (04C-0172) Preventive Maintenance and McCann Road (6D090) Post Mile 1.25 Storm Damage Repair Project;
2. Award the attached project agreement to Mercer-Fraser Company for the total amount of Seven Hundred Eighty-Eight Thousand Eight Hundred Thirty-Five Dollars (\$788,835); and
3. Authorize the Chair of the Board to execute the attached project agreement with Mercer-Fraser Company upon submittal of the appropriate bonds and insurance.

Attachments:

[Staff Report](#)

[Bid Results for the McCann Bridge \(04C-0172\) Preventive Maintenance and McCann Road \(6D090\) Storm Damage Repair Project](#)

[Construction Agreement for the McCann Bridge \(04C-0172\) Preventive Maintenance and McCann Road \(6D090\) Storm Damage Repair Project](#)

- 11.** Fourth Amendment to Lease with Humboldt Partners at 2440 Sixth Street, Eureka

Recommendation: That the Board of Supervisors:

1. Approve the Fourth Amendment to lease with Humboldt Partners at 2440 Sixth Street, Eureka;
2. Authorize the Chair of the Board to execute the Fourth Amendment to lease;
3. Direct the Clerk of the Board to return the Fourth Amendment to lease to Public Works Real Property; and
4. Authorize the Department of Health and Human Services to submit payment in the amount of Fifty-Nine Thousand, Two Hundred Fifty-Two Dollars and Forty-nine Cents (\$59,252.49) to Humboldt Partners.

Attachments: [Staff Report](#)
 [Fourth Amendment to Lease Agreement](#)
 [Exhibit A - Itemized Costs](#)
 [Exhibit B - Change Orders](#)
 [Exhibit D - Invoice](#)
 [Executed Fourth Amendment to Lease Agreement](#)

Sheriff

12. Fiscal Year 2019-20 Equitable Sharing Agreements and Certifications

Recommendation: That the Board of Supervisors:

1. Authorize the Chair of the Board of Supervisors and the Sheriff to sign the Equitable Sharing Agreements and Certifications for FY 2019-20 asset forfeiture funds for CA0120000 Humboldt County Sheriff's Office; and
2. Authorize the Deputy Director of Sheriff's Administration to submit the form electronically on behalf of the Chair of the Board and Sheriff.

Attachments: [Staff Report](#)
 [HCSO FY2019-20 ESAC](#)
 [Executed HCSO FY2019-20 ESAC](#)

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. 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

G. MATTERS INITIATED BY BOARD MEMBERS**Board of Supervisors**

1. McKinleyville Municipal Advisory Committee (MMAC) Request for Additional County Support (Supervisor Steve Madrone)

Recommendation: That the Board of Supervisors:

1. Consider the MMAC's request for the following financial/administrative support:
 - * An annual budget for MMAC expenses up to \$2,500;
 - * County administrative staff time up to 10 hours per month;
 - * An email account for each MMAC member;
 - * A video-conferencing account, with access provided and transferred to the Chair when a new Chair is appointed;
 - * Storage on county server for MMAC documents including but not limited to recommendations in addition to the posting and archiving of meeting agendas and minutes; and
 - * A county maintained webpage as a portal to MMAC information, member emails, and current issues.

Attachments: [Staff Report](#)
[MMAC Email Request for Additional County Support.pdf](#)
[Revised Rules.pdf](#)

H. DEPARTMENT REPORTS

County Administrative Office

1. Responses to 2019-20 Grand Jury Reports

Recommendation: That the Board of Supervisors:

1. Review and modify as necessary the proposed Grand Jury responses from the Board of Supervisors (Attachments 2, 4, 9 and 12);
2. Review and modify as necessary the proposed Grand Jury responses from the Department of Health and Human Services, Planning & Building, Human Resources, and Probation Departments (Attachments 5, 6, 8, 10 and 13);
3. Approve the documents, as may be modified, as the response;
4. Receive reports, as a courtesy, from the Sheriff and Treasurer-Tax Collector (Attachments 7 and 15);
5. Direct the Clerk of the Board, within 5 working days, to submit the final response with an accompanying Board Order to the 2019-20 Grand Jury and the Presiding Judge of the Superior Court;
6. Direct the Clerk of the Board, within 5 working days, to submit a copy of all responses to the County Clerk/Recorder, together with a copy of the original report; and
7. Direct the Clerk of the Board, within 5 working days, to submit two copies of all responses to the Clerk of the Court, one of which will be forwarded to the State Archivist, together with a copy of the original report.

Attachments:

[Staff Report](#)

[Att 1 - Citizen Complaint Procedures Report.docx](#)

[Att 2 - Citizen Complaint Procedures Report - BOS Response.docx](#)

[Att 3 - Custody Facilities Report.docx](#)

[Att 4 - Custody Facilities Report - BOS Response.docx](#)

[Att 5 - Custody Facilities Report - HR Response.docx](#)

[Att 6 - Custody Facilities Report - Probation Response.docx](#)

[Att 7 - Custody Facilities Report - Sheriff.docx](#)

[Att 8 - Custody and Facilities Report - DHHS Response.pdf](#)

[Att 9 - Hess Report.docx](#)

[Att 10 - Hess Report - BOS Response.docx](#)

[Att 11 - Hess Report - DHHS Response.docx](#)

[Att 12 - A Growing Concern Report.docx](#)

[Att 13 - A Growing Concern Report - BOS Response.docx](#)

[Att 14 - Growing Concern - Planning Response.pdf](#)

[Att 15 - A Growing Concern Report - T-TC Response.pdf](#)

Planning and Building Department**2. Introduction of Ordinance Amending, Adding, and Repealing County Codes Relating to Building, Plumbing, Electrical and Other Codes*****Recommendation:*** That the Board of Supervisors:

1. Introduce by title and waive the first reading of the proposed ordinance:
 - a. Amending Sections 331-1 through 331-4, 331-11, 331-11.5, 331-14, and 331-22 of Chapter 1 of Division 3 of Title II of the Humboldt County Code;
 - b. Adding Section 331-22.1 to Chapter 1 of Division 3 of Title II of the Humboldt County Code; and
 - c. Repealing Section 331-23 of Chapter 1 of Division 3 of Title II of the Humboldt County Code.
2. Request that staff present the amendments and accept public comment;
3. Deliberate on the proposed ordinance;
4. Set the ordinance for adoption on _____, 2020, or at least one (1) week away from the date of this hearing;
5. Direct the Clerk of the Board of Supervisors to publish a Summary for Publication prior to the adoption of the ordinance. The Summary shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the Office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the proposed ordinance is to be adopted [Government Code Section 25124(b)(1)];
6. Direct the Clerk of the Board, within fifteen (15) days after adoption of the ordinance, to publish a post-adoption summary 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 of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance (Government Code section 25124(b)(1)); and
7. Direct staff to file the attached Notice of Exemption with the Humboldt County Clerk in accordance with the requirements of the California Environmental Quality Act.

Attachments:[Staff Report](#)[Attachment 1 - Substandard Housing Building Code update Ordinance \(KM\) \(8-17-](#)[Attachment 2 - Substandard Housing Building Code update Ordinance pre adoption](#)[Attachment 3 - Substandard Housing Building Code update Ordinance post adoption](#)[Attachment 4 - Notice of Exemption Re Substandard Housing Building Code update](#)

3. Submission of a Grant Application to The California Department of Housing and Community Development's Community Development Block Grant Program Coronavirus Response Round 1 (CDBG-CV1)

Recommendation: That the Board of Supervisors:

1. Adopt attached Resolution (Resolution 20-__) (Attachment 1) doing the following:
 - a. Approving an application for funding to be submitted to the Department of Housing and Community Development ("HCD") for the 2020 Community Development Block Grant Program Coronavirus Response Round 1(CDBG-CV1) in an amount not to exceed \$289,181.
 - b. Authorizing and directing the Planning and Building Department Director to execute, in the name of the County of Humboldt, the application, the Standard Agreement, and all other documents required by HCD for participation in the CDBG-CV1 Program, and any amendments.

Attachments:

[Staff Report](#)

[Attachment 1 Resolution CDBG-CV1 Application.docx](#)

[Resolution 20-77](#)

I. PUBLIC HEARINGS**Planning and Building Department**

1. Rocci Costa Appeal of the Planning Commission Denial of Conditional Use Permit to Allow 10,000 Square Feet of Open Air Cannabis Cultivation in the Blue Lake Community Area

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the applicant/appellant and public;
2. Close the public hearing;
3. Adopt the resolution (Resolution 20-__). (Attachment 1) which does the following:
 - a. Finds the project exempt from environmental review pursuant to Section 15270 of the CEQA Guidelines.
 - b. Makes the findings to reject the appeal submitted by Rocci Costa; and
 - c. Denies the Conditional Use Permit.

Attachments: [Staff Report](#)
[Attachment 1 Resolution.docx](#)
[Attachment 2 Costa Appeal.pdf](#)
[Attachment 3 PC Resolution 20-18.pdf](#)
[Attachment 4 PC Staff Report 3.05.2020.pdf](#)
[Attachment 5 - Public comments.pdf](#)
[Attachment 6 Costa Appeal Clarification.pdf](#)
[Attachment 7 Letter from Costa, Rodney.pdf](#)
[Attachment 8 Additional Public Comment Letters Received.pdf](#)
[Public Comment Received by the Clerk of the Board.pdf](#)
[Public Comment II](#)

J. DISCUSSION ITEMS**K. MATTERS SET FOR TIME CERTAIN****L. CLOSED SESSION**

1. It is the intention of the Board of Supervisors to meet in closed session to consider the Public Employee Performance Evaluation for the position of Human Resources Director pursuant to Government Code sections 54954.5 and 54957.

2. Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of HUMMAP v. Humboldt County, Humboldt Superior Court Case No. CV 180425, A160161.
3. 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 Organization (represented): American Federation of State, County and Municipal Employees (AFSCME local 1684).

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://humboldtgov.org/>