

BOARD OF SUPERVISORS

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



COUNTY STAFF

ELISHIA HAYES
County Administrative Officer
SCOTT MILES
Interim 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, October 4, 2022

9:00 AM

Regular Meeting - Hybrid

A. ROLL CALL

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

Absent: 0

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

Items D-11 and I-3 were pulled from the agenda to be brought back to a date undetermined.

D. CONSENT CALENDAR

Approval of the Consent Agenda

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve the Consent Agenda. The motion carried by the following vote:

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

Clerk of the Board

1. Board of Supervisors Teleconferencing Meetings and AB 361: Continuation of Emergency

Recommendation: That the Board of Supervisors:

1. Find that the Board has reconsidered the circumstances of the state of emergency that continues to exist, that state or local officials continue to recommend measures for social distancing and the current Covid-19 emergency related to in-person meetings continues to present an imminent risk to health and safety of attendees.
2. Authorize the Chair to sign the resolution re-authorizing remote teleconference meetings for the period of October 4, 2022 through November 1, 2022.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

2. Letter of Appreciation for Maya Stuart for Her Service on First 5 Humboldt.

Recommendation: That the Board of Supervisors:

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

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

Department of Health and Human Services: Administration

3. Advanced Salary Step Placement from 1A to E for Kristin Sauer, Extra Help Social Worker III

Recommendation: That the Board of Supervisors:

1. Approve the advanced salary step of E for Kristin Sauer, extra help Social Worker III (Class #0727), salary range 419, effective the pay period beginning immediately after approval.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

Department of Health and Human Services: Behavioral Health

4. Professional Services Agreement with Diamond Drugs, Inc. Regarding the Provision of Pharmaceutical and Prescription Monitoring Services

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Diamond Drugs, Inc. regarding the provision of pharmaceutical and prescription monitoring services for the period of July 1, 2022 through June 30, 2024;
2. Authorize the Department of Health and Human Services - Behavioral Health Director, or a designee, thereof, to execute any and all subsequent amendments to the attached professional services agreement with Diamond Drugs, Inc. 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 Diamond Drugs, Inc. to the Department of Health and Human Services - Contract Unit for further processing.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

5. Memorandum of Understanding with the Humboldt County Office of Education Regarding the Continued Development of a Multi-Tiered System of Support Coalition within Humboldt County

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached memorandum of understanding with the Humboldt County Office of Education regarding the continued development of a Multi-Tiered System of Support Coalition within Humboldt County for the period of July 1, 2022 through June 30, 2023;
2. Authorize the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with the Humboldt County Office of Education, 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 (1) fully executed original copy of the attached memorandum of understanding with the Humboldt County Office of Education to the Department of Health and Human Services - Contract Unit for further processing.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

6. Request for Proposals No. DHHS2022-06 Regarding the Provision of Recovery Residences as Part of the Substance Abuse Block Grant Program

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Department of Health and Human Services - Behavioral Health to advertise and distribute the attached Request for Proposals regarding the provision of recovery residence services as part of the Substance Abuse Block Grant Program; and
2. Direct the Clerk of the Board to provide the Department of Health and Human Services Contract Unit with one (1) fully executed certified copy of the Board Order related to this item.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

Department of Health and Human Services: Public Health

7. Letter of Support for the Department of Health and Human Services (DHHS) Public Health Reaccreditation

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair to sign the letter of support to the Public Health Accreditation Board (PHAB); and
2. Direct the Clerk of the Board to return the signed letter to Public Health for submission to PHAB.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

Human Resources

8. Fiscal Year 2022-2023 Professional Service Agreement Amendment with Kronick, Moskovitz, Tiedemann, and Girard.

Recommendation: That the Board of Supervisors:

- 1) Approve the amendment to professional services agreement with Kronick, Moskovitz, Tiedemann, and Girard for the term to encompass Fiscal Years 2022-23 and 2023-24 and increase the contract amount to a total not to exceed amount of \$200,000.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

Planning and Building Department

9. Summarily approve Nuisance Abatement Assessment on the property located at 120784 State Hwy 101, Orick

Recommendation: That the Board of Supervisors:

1. Summarily approve the proposed Nuisance Abatement Assessment for case CE20-0849 on the property located at 120784 State Hwy 101, Orick, CA (APN 520-086-008 and 520-086-009) which is in violation of various Humboldt County Codes in the amount of \$119,289.06 in accordance with Title III, Division 5, Chapter 2, section 351-21 Summary Approval of Proposed Assessments.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

10. Summarily approve Nuisance Abatement Assessment on the property located at 3029 Eel River Drive, Loleta

Recommendation: That the Board of Supervisors:

1. Summarily approve the proposed Nuisance Abatement Assessment for case 15CEU-45 on the property located at 3029 Eel River Drive, Loleta (APN 309-041-016) which is in violation of various Humboldt County Codes in the amount of \$67,821.64 in accordance with Title III, Division 5, Chapter 2, section 351-21 Summary Approval of Proposed Assessments.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

11. Summarily 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 the agenda to be brought back to a date undetermined.

Probation

12. Professional Services Agreement between County of Humboldt and Narum Clinical Services for Sex Offender Treatment Services

Recommendation: That the Board of Supervisors:

1. Approve the professional services agreement with Narum Clinical Services for sex offender treatment services in an amount not to exceed \$60,000 (Attachment 1); and
2. Authorize the Chief Probation Officer to sign this agreement and any future amendments after approval by County Counsel, Risk Management and the County Administrative Office.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

Public Works

13. Notice of Intention to Purchase Real Property Located at 1017 Fourth Street, Eureka, California and Supplemental Budget for Public Works Capital Projects Budget Unit 1100-170 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Humboldt County Public Works Director, or a designee thereof, to execute, the attached real property purchase agreement and joint escrow instructions regarding the real property located at 1017 Fourth Street, Eureka, California;
2. Approve, and authorize the Chair of the Board to execute, the attached Notice of Intention to Purchase Real Property located at 1017 Fourth Street, Eureka, California in accordance with California Government Code Section 25350;
3. Direct the Clerk of the Board to publish the attached Notice of Intention to Purchase Real Property located at 1017 Fourth Street, Eureka, California in accordance with California Government Code Section 25350; and
4. Approve the attached supplemental budget request for Public Works Capital Projects budget unit 1100-170 in the amount of \$250,000 for fiscal year 2022-2023 (4/5 Vote Required).

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

14. Accept Completed Contract for Humboldt County Guardrail Replacement Project (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Ratify the Director of Public Works to execute the attached Contract Change Order Number 1 for the total amount of \$98,500 (4/5 Vote Required);
2. Ratify the Director of Public Works to execute the attached Contract Change Order Number 2 for the total amount of \$62,043.91 (4/5 Vote Required);
3. Accept the completed contract, including all change orders approved by the Public Works Department, between Highway Specialty Company, Inc., and Humboldt County for construction of Humboldt County Guardrail Replacement Project; and
4. Approve the final claim for payment, to be submitted by the Public Works Department to the Auditor Controller, in the amount of \$883.75, which will bring the total amount paid to 100% of the contract.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

15. Network Operations Center HVAC Replacement Project, Project Number 162830

Recommendation: That the Board of Supervisors:

1. Receive the plans and specifications; and
2. Authorize the Clerk of the Board to advertise the above-mentioned project, pursuant to Section 22037 of the California Public Contract Code, with bids to be opened on Tuesday, November 1, 2022 at 2:00 pm.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

Sheriff

16. Professional Services Agreement between the Humboldt County Correctional Facility (HCCF) and the California Forensic Medical Group (CFMG) for the provision of Jail-Based Competency Treatment (JBCT) services

Recommendation: That the Board of Supervisors:

1. Retroactively approve, and authorize Chair of the Board to execute, the Professional Services Agreement with the CFMG regarding the provision of JBCT services in the Humboldt County Correctional Facility in the amount of \$3,344,252.24 for the period of July 1, 2022 to June 30, 2025 (attachment 1);
2. Authorize the Sheriff, Correctional Captain, or Deputy Director of Sheriff's Administration to execute any and all subsequent amendments to the attached Professional Services Agreement with CFMG, 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 CFMG to HCCF, Attn: Captain Duane Christian for further processing.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

17. Assignment of Acting Supervisor Out of Class Temporary Pay Assignment of Samantha Primofiore from Senior Correctional Deputy to Supervising Correctional Deputy

Recommendation: That the Board of Supervisors:

1. Approve the acting supervisor out of class temporary pay assignment of Samantha Primofiore from Senior Correctional Deputy (Class 0421, Range 434) to Supervising Correctional Deputy (Class 0420, Range 474) pursuant to American Federation of State, Municipal and County Employees (AFSCME) Memorandum of Understanding section 12.4, retroactively to September 18, 2022.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

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

Board of Supervisors

1. 9:05 AM - Academy of the Redwoods Students Visit to the Board of Supervisors Meeting

(Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

1. Welcomes the students to the Board meeting.

A motion was made by Supervisor Bushnell, seconded by Supervisor Madrone to accept the presentation. The motion carried by the following vote:

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

Board of Supervisors - Closed Session

2. 9:30 AM (CLOSED SESSION) - 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 negotiator. Labor negotiators: Tabatha Miller, Paige Plummer, and Jack Hughes. Employee Organizations (represented and unrepresented): SEIU/In-Home Support Services, 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), Appointed Department Heads, and Management and Confidential employees

There was no reportable action.

County Counsel - Closed Session

3. 9:30 AM (CLOSED SESSION) - Conference with Legal Counsel – Anticipated Litigation: Pursuant to Government Code Section 54956.9 subd. (d)(2) and (e)(3) to discuss exposure to litigation in one potential case: Letter regarding Humboldt County’s alleged failure to comply with its duty to consider and protect the public trust uses of the lower Eel River from adverse effects of groundwater extractions during late summer of low water years

There was no reportable action.

4. 9:30 AM (CLOSED SESSION) - Conference with Legal Counsel – Anticipated Litigation – pursuant to Government Code Section 54956.9(d)(2) and (e)(1) to discuss exposure to litigation in one (1) potential case

There was no reportable action.

5. 9:30 AM (CLOSED SESSION) - Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Rory Kalin v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2000902

There was no reportable action.

6. 930 AM (CLOSED SESSION) - Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Southern Humboldt Community Healthcare District v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2201351

The Board voted unanimously (5-0) to authorize the Risk Manager to enter into an agreement

with the law firm of Colantuono, Highsmith and Whatley, PC for defense of the case.

7. 9:30 AM (CLOSED SESSION)- Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the cases of John C. Augborne v. The Superior Court of the State of California et al., First District Court of Appeal Case Nos. JV2100123-A166183, JV2100124-A166184, JV100041-A166185

The Board voted (4-0 with Supervisor Madrone absent) to authorize the Office of County Counsel to represent the County in the case with assistance from the law firm Gordon-Creed, Kelley, Hall, Angel & Sugermann, LLP, as needed.

M. CLOSED SESSION

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. SPECIAL PRESENTATIONS

G. ITEMS PULLED FROM CONSENT

H. MATTERS INITIATED BY BOARD MEMBERS

Clerk of the Board

1. Appointment of a Member and an Alternate to the California State Association of Counties (CSAC) Board of Directors for the 2022-23 Year

Recommendation: That the Board of Supervisors:

1. Appoint a member and an alternate to the CSAC Board of Directors; and direct the Clerk of the Board to notify Korina Jones at CSAC, 1100 K Street, Suite #101, Sacramento, CA 95814, of the appointments.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to defer this item to the first meeting in January 2023. The motion carried by the following vote:

Aye: 4 - Michelle Bushnell, Mike Wilson, Virginia Bass, and Steve Madrone

Nay: 1 - Rex Bohn

Board of Supervisors

1. Resolution Support Access to Reproductive Health Services and California Proposition 1 - Right to Reproductive Freedom Amendment (2022) (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:

1. Adopt Resolution No. ____ Supporting Access to Reproductive Health Services and California Proposition 1 - Right to Reproduction Freedom Amendment to the California Constitution.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve staff recommendations.

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

I. DEPARTMENT REPORTS

Human Resources

2. Resolution of Intention to Introduce an Ordinance to Amend the Contract Between the County of Humboldt and CalPERS

Recommendation: That the Board of Supervisors:

1. Adopt and sign a certified copy of the Resolution No. (Attachment 1) to amend the Contract Between the County of Humboldt and CalPERS to end the share of cost of .25% pursuant to Government Code Section 20516, for new local safety members in the Humboldt County Deputy Sheriff's Organization (HDSO), and;
2. Introduce the Ordinance by title (Attachment 2), conduct the first reading, and schedule the adoption of the final Ordinance for at least 20 days following introduction pursuant to Government Code 25123(e) and (f), and;
3. Direct the Clerk of the Board to publish the pre-adoption summary 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 publication and posting to be done at least five (5) days prior to the Board meeting at which the Ordinance will be adopted pursuant to Government Code 25124(b)(1), and;
4. Amend resolution 16-103 to include retirement enrollment eligible unrepresented employees in the share of cost based on position assignment, and;
5. Direct the Clerk of the Board to sign the "Certification of Governing Body's Action" (Attachment 3), the "Certification of Compliance with Government Code Section 7507" (Attachment 4), and the "Certification of Compliance with Government Code Section 20516".

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

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

Planning and Building Department

3. Selection of Water Storage/Conservation and Renewable Energy System Projects for funding through the Department of Cannabis Control's (DCC) Local Jurisdiction Grant Assistance Program (Case # PLN-2021-17446)

Recommendation: That the Board of Supervisors:

1. Receive and consider the staff report;
2. Deliberate on the submitted applications described in Exhibit A of Attachment 1;
3. Select the projects for funding by adopting the Resolution in Attachment 1; and
4. Direct Planning and Building Department staff to execute agreements with the applicants (Attachment 2) and disburse the funding for the selected projects.

This item was pulled from the agenda, to be brought back to a date undetermined.

Public Works

4. Bid Award Authorization for the Garberville Veterans Hall Demolition Project

Recommendation: That the Board of Supervisors:

1. Receive and file the bid proposals submitted for the Garberville Veterans Hall Demolition Project;
2. Award the project agreement to Unlimited Environmental, Inc., for the total amount of One Hundred Sixty-One Thousand Five Hundred Twenty-Five Dollars (\$161,525.00);
3. Authorize the Chair of the Board to execute the project agreement upon submittal of the appropriate bonds and insurance;
4. Authorize the Public Works Director to execute contract change orders up to the amount of Sixteen Thousand One Hundred Fifty-Two Dollars and Fifty Cents (\$16,152.50); and
5. Receive a report on the conceptual design process for the new Garberville Veterans Hall.

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

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

Sheriff

5. Resolution for the Temporary Employment of Retired Annuitant as Administrative Analyst II for the Sheriff's Office (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution authorizing an exception to the one hundred eighty (180) day wait period of the California Public Employees Retirement System (CALPERS) for the employment of Melva Paris as a temporary retired annuitant Administrative Analyst II (class 0626, salary range 435, step C) with the Sheriff's Office, as necessary to fill a critically needed position (4/5 Vote Required).

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

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

J. PUBLIC HEARINGS

K. DISCUSSION ITEMS

L. MATTERS SET FOR TIME CERTAIN

N. ADJOURNMENT

I, NIKKI TURNER, 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.

NIKKI TURNER

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

