

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, March 23, 2021

9:00 AM

Regular Meeting - Virtual

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

Email Public Comment:

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

Zoom Public Comment:

When the Board of Supervisors announce the agenda item that you wish to comment on, call the conference line and turn off your TV or live stream. Please call 669 900 9128, enter Meeting ID 920 8635 3710 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. Letter of Support for Assembly Bill (AB) 223 Wildlife: Dudleya Taking and Possession (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:

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

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

Clerk of the Board

2. 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.

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

3. Humboldt County Indian Gaming Local Community Benefit Committee Dissolved (HCIGLCBC)

Recommendation: That the Board of Supervisors:

1. Direct the Clerk of the Board remove the HCIGLCBC from the Board Member Appointments List for 2021 effective January 1, 2021.

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

4. Approval of the Action Summary - Special Meeting of March 15, 2021

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of March 15, 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 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

5. Approval of the Action Summary - Meeting of March 16, 2021

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of March 16, 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 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

County Administrative Office

- 6. Headwaters Fund Board’s Recommended 2020-21 Grant Fund Awards for the January 15, 2021 Grant Round

Recommendation: That the Board of Supervisors:

- 1. Approve the slate of Grant Fund Competitive Awards recommended for approval by the Headwaters Fund Board (HFB); and
- 2. Authorize the Chair of the Board to sign the grant agreements when completed, after review and approval by County Counsel and Risk Management.

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

7. Extension of Extra Help Hours Past the 960 Hour Limit (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

Approve a waiver of the 960 extra-help limitation for the following staff and an extension of 960 hours, to a maximum of 1,920 hours for fiscal year 2020-21, pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required):

1. Leslie Abbott, Administrative Analyst II, Public Health
2. Sherry Ables-Privette, Peer Coach I, Behavioral Health
3. Terra Adams, Office Assistant I, DHHS Administration
4. Stephanie Aguirre, Community Health Outreach Worker I, HOME
5. Robert Amerman, Mental Health Clinician I, Behavioral Health
6. John Anderson, Supervising Mental Health Clinician, Behavioral Health
7. Pamela Coleman, Office Assistant II, Social Services
8. Petar Demirev, Departmental Information Systems Technician, Social Services
9. Sylvia Duvernois, Laboratory Assistant I, Public Health
10. Nina Egbert, Office Assistant I, Child Welfare Services
11. Joshua Ennis, Deputy Health Officer, Public Health
12. Mariette Franklin, Psychiatric Nurse, Behavioral Health
13. Teresa Frankovich, Health Officer - Medical Director, Public Health
14. Esperanza Fregoso, Community Health Outreach Worker I, Public Health
15. Teresa Gauthier, Mental Health Clinician II, Public Health
16. Carolyn Hawkins, Senior Environmental Health Specialist, Public Health
17. Sally Hewitt, Senior Program Manager, Behavioral Health
18. Aenoi Khounsinvong, Mental Health Cook, Behavioral Health
19. Charlene Ludtke, Senior Fiscal Assistant, Behavioral Health
20. Sara Martin, Vocational Trainee, Social Services
21. Mary McKenzie, Supervising Public Health Nurse, Public Health
22. Samantha Mendez-Gutierrez, Community Health Outreach Worker, Public Health
23. Kevin Metcalfe, Senior Environmental Health Specialist, Public Health
24. Sharon Miros-Schafle, Public Health Nurse, Public Health
25. Constance Mitchell, Public Health Nurse, Public Health
26. Dian Pecora, Director of Public Health Nursing, Public Health
27. Brianna Penner, Mental Health Case Manager I, Behavioral Health
28. Aurore Petitjean, Office Assistant I, Child Welfare Services
29. Saryah Robinson, Communicable Disease Investigator I, Public Health
30. Alexander Scherbatskoy, Mental Health Clinician I, Behavioral Health
31. Luisa Segovia, Laboratory Assistant I, Public Health
32. Kenneth Smith, Social Worker III, Social Services
33. Cristina Tusei, Laboratory Assistant I, Public Health
34. Robert Williams, Peer Coach I, HOME
35. Winifred Williams, Social Worker IV, Child Welfare Services

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: Public Health

8. Memorandum of Understanding with K'ima:w Medical Center to Supply a Syringe Disposal Kiosk to Reduce Syringe Litter in Hoopa

Recommendation: That the Board of Supervisors:

1. Approve Memorandum of Understanding with K'ima:w Medical Center for the period of Jan. 1, 2021 through June 30, 2023;
2. Authorize the Chair of the Board to sign one original of the signature page of the agreement;
3. Authorize the Director of Public Health or a designee thereof to sign all future amendments and documents directly related to this grant agreement 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.

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

Public Works

9. 2021 Financial Assurances for Reclamation of Surface Mining Operations

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution authorizing the annual adjustment of funds pledged by the Humboldt County Department of Public Works to complete reclamation of the County of Humboldt's surface mining operations as required by state law; and
2. Direct the Clerk of the Board to return a fully executed certified copy of the Resolution to the Humboldt County Department of Public Works for further processing.

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

10. Consultant Services Agreement with Ghirardelli Associates, Inc. Regarding the Provision of On-Call Professional Construction Management Services

Recommendation: That the Board of Supervisors:

1. Approve the selection of Ghirardelli Associates, Inc. as the consulting firm to provide on-call professional construction management services;
2. Approve, and authorize the Chair of the Board to execute, the attached consultant services agreement with Ghirardelli Associates, Inc. regarding the provision of on-call professional construction management services;
3. Authorize the Public Works Director, or a designee thereof, to execute any and all future task orders issued pursuant to the terms and conditions of the attached consultant services agreement with Ghirardelli Associates, Inc.; and
4. Direct the Clerk of the Board to return two (2) fully executed original copies of the attached consultant services agreement with Ghirardelli Associates, Inc. to the Department of Public Works for further processing.

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

11. Storm Damage Repair to Mattole Road (F3C010) Post Miles 36.06 and 36.16

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Mattole Road (F3C010) Post Miles 36.06 and 36.16 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, Apr. 27, 2021 at 2:00 p.m.

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

12. Storm Damage Repair to Shively Road (C4F012) Post Miles 0.52, 3.50, 3.51, 7.90 and 8.42

Recommendation: That the Board of Supervisors:

1. Approve the attached plans and specifications for the Shively Road (C4F012) Post Miles 0.52, 3.50, 3.51, 7.90 and 8.42 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, Apr. 20, 2021 at 2:00 p.m.

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

Sheriff

13. Adoption of an Ordinance of the Board of Supervisors, County of Humboldt, State of California Amending Chapter 6 of Division 1, Title IX of The Humboldt County Code Relating to Regulation and Permitting off Alarm Systems in Humboldt County

Recommendation: That the Board of Supervisors:

1. Adopt Ordinance No. ____, amending Chapter 6 of Division 1, Title IX of the Humboldt County Code Relating to Regulation and Permitting of Alarm Systems in Humboldt County.

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

E. PUBLIC COMMENT ON NON-AGENDA ITEMS**F. SPECIAL PRESENTATIONS****DHHS: Public Health**

1. Update on Local Conditions Surrounding COVID-19

Recommendation: That the Board of Supervisors:

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

Approved per order of the Chair.

G. ITEMS PULLED FROM CONSENT**H. MATTERS INITIATED BY BOARD MEMBERS****Board of Supervisors**

1. Presentation on the Long Term Care Ombudsman Program at Area I Agency on Aging (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors:

1. Hear the presentation and take appropriate action, if necessary.

A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, to receive and file the report. The motion carried by the following vote:

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

I. DEPARTMENT REPORTS**Clerk of the Board****1. Consider Amendments to the Protocol for Board of Supervisor Appointments**

Recommendation: That the Board of Supervisors:

1. Approve the current list of Humboldt County Board Appointed Committees, Commissions and Boards 2021 (Attachment A);
2. Approve the proposed revisions to the At-large Appointment protocol (Attachment B);
3. Approve the amendment to Exhibit 1 of Attachment B of the protocol;
4. Approve the updated appendix 1 - Format for Board Member Notification of Appointment;
5. Approve the updated appendix 2 - Format for the Clerk of the Board item Notice of Vacancy; and
6. Approve the updated appendix 3 - Format for the Clerk of the Board item to Consider Making the At-Large Appointment.

A motion was made by Supervisor Bohn, 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

2. Consider Making the At-Large Appointment to the Alternate Position on the Measure Z Advisory Committee

Recommendation: That the Board of Supervisors:

1. Consider making the At-Large appointment to the Alternate position on the Measure Z Advisory Committee.

A motion was made by Supervisor Bushnell, seconded by Supervisor Bohn, to appoint Tami Trent to the alternate position on the Measure Z Advisory Committee. The motion carried by the following vote:

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

Public Works

3. 2021 Eureka Street Art Festival Report and Authorization to Use the Courthouse Wall on I Street for a Mural

Recommendation: That the Board of Supervisors:

1. Hear a report from the Eureka Street Art Festival Planner;
2. Authorize the use of the Humboldt County Courthouse wall on I Street for a mural; and
3. Authorize the Public Works Department to work with the Eureka Street Arts Festival to coordinate the painting of the mural, addressing public safety and other facilities issues as may pertain to completion of the mural.

A motion was made by Supervisor Bohn, seconded by Supervisor Wilson, to approve staff recommendations and appoint a review committee of three members comprised of a representative from Public Works, a representative from the County Administrative Office and Supervisor Bass to review and decide on the mural. The motion carried by the following vote:

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

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

1. Gerald McGuire appeal of Planning Commission denial of an after the fact Coastal Development Permit to rebuild a demolished single-family residence

Recommendation: That the Board of Supervisors:

1. Open the public hearing and receive the staff report, testimony by the appellant (applicant), and public;
2. Close the public hearing;
3. Adopt the resolution (Resolution 21-__). (Attachment 1) which does the following:
 - a. Finds that the requirements of the California Environmental Quality Act (CEQA) do not apply pursuant to section 15270 (Projects Which Are Disapproved);
 - b. Finds that the project is not consistent with applicable regulations and would have an adverse effect on the public health, safety and welfare.
 - c. Denies the Appeal submitted by Gerald McGuire;
 - d. Denies the Coastal Development Permit.

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, Virginia Bass, Michelle Bushnell, Mike Wilson, and Steve Madrone

K. DISCUSSION ITEMS

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

1. 2:00 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 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.

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

1. Pursuant to Government Code section 54954.5 and 54957 to consider Public Employee Appointment for the position of the Public Defender.

The Board of Supervisors met in conference pursuant to Government Code section 54954.5 and 54957 to consider Public Employee Appointment for the position of the Public Defender. There was no action to report.

2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: Initiation of litigation pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: One (1) potential case.

The Board of Supervisors met in conference with Legal Counsel - Anticipated Litigation: Initiation of litigation pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: One (1) potential case. The Board voted 4-1 to authorize county payment under protest of past due and current utility payments for 929 Koster Street to ensure continuity of critical county operations.

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

March 24, 2021