

**BOARD OF SUPERVISORS**

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



**COUNTY STAFF**

AMY S. NILSEN  
County Administrative Officer  
JEFFREY S. BLANCK  
County Counsel  
KATHY HAYES  
Clerk of the Board

**COUNTY OF HUMBOLDT  
BOARD OF SUPERVISORS  
825 FIFTH STREET  
EUREKA, CA 95501  
SUPERVISORS' CHAMBER, FIRST FLOOR**

**AGENDA**

Tuesday, May 14, 2019

9:00 AM

Regular Meeting

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**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.*

**Agricultural Commissioner**

1. Approval of Cooperative Agreement No. 19-0035-000-SA, Certified Farmer's Market Inspection Contract in the Amount Of \$3,750

***Recommendation:*** That the Board of Supervisors:

1. Approve Cooperative Agreement No. 19-0035-000-SA, known as the Certified Farmer's Market Inspection Program contract with the California Department of Food and Agriculture (CDFA) in the amount of \$3,750;
2. Authorize the Chair to sign the original agreement, and direct the Clerk of the Board to return all signed copies to the Agricultural Commissioner's Office for further processing; and
3. Grant a waiver from the provisions of the Nuclear Free Ordinance.

**Attachments:** [Staff Report](#)  
[Direct Marketing Agreement 2019-20](#)  
[Executed Direct Marketing Agreement 2019-20.pdf](#)

2. Approval of Cooperative Agreement No. 19-0093-000-SA California Organic Program Contract with the California Department of Food and Agriculture in the amount of \$5,100

**Recommendation:** That the Board of Supervisors:

1. Approve Cooperative Agreement No. 19-0093-000-SA, known as the California Organic Program Contract between Humboldt County and the California Department of Food and Agriculture;
2. Authorize the Chair to sign the original agreement and return all copies to the Agricultural Commissioner's Office for further processing; and
3. Grant a waiver from the provisions of the Nuclear Free Ordinance.

**Attachments:** [Staff Report](#)  
[Organic Program Agreement 2019-20](#)  
[Executed Organic Program Agreement 2019-20.pdf](#)

3. Approval of Cooperative Agreement No. 19-0147-000-SA, Petroleum Products Compliance Contract in the amount of \$4,725

**Recommendation:** That the Board of Supervisors:

1. Approve Cooperative Agreement No. 19-0147-000-SA, known as the Petroleum Products Program Contract with the California Department of Food and Agriculture;
2. Authorize the Chair to sign the original agreement, and direct the Clerk of the Board to return all copies to the Agriculture Department for further processing; and
3. Grant a waiver from the provisions of the Nuclear-Free Ordinance.

**Attachments:** [Staff Report](#)  
[CDEFA DMS Petroleum Products Agreement 2019-20](#)  
[Executed CDEFA DMS Petroleum Products Agreement 2019-20.pdf](#)

### **Board of Supervisors**

4. Proclaim June 1, 2019 as “Lemonade Day” in Humboldt County (Supervisor Rex Bohn)

**Recommendation:** That the Board of Supervisors:

1. Adopt the proclamation.

**Attachments:** [Staff Report](#)  
[Lemonade Day Proclamation](#)

5. Proclaim May 15, 2019 as Water Safety Awareness Day (Supervisor Rex Bohn)

**Recommendation:** That the Board of Supervisors:  
1. Adopt the proclamation.

**Attachments:** [Staff Report](#)  
[Water Safety.pdf](#)

6. Proclaim May 2019 as CalFresh Awareness Month (Supervisor Rex Bohn)

**Recommendation:** That the Board of Supervisors:  
1. Adopt the proclamation.

**Attachments:** [Staff Report](#)  
[Proclamation](#)

7. Appointment of Yadao B Inong to the Fish and Game Advisory Commission Representing District 5 (Supervisor Steve Madrone)

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

**Attachments:** [Staff Report](#)  
[Fish & Game Roster and Application.pdf](#)

8. Resolution Declaring Saturday, August 31, 2019 as Bigfoot Days in Willow Creek (Supervisor Steve Madrone)

**Recommendation:** That the Board of Supervisors:  
1. Adopt the Resolution and direct the Clerk of the Board to mail a certified copy of the Resolution to Ann Keaney, Executive Director, Willow Creek Chamber of Commerce, P.O. Box 704, Willow Creek, CA 95573.

**Attachments:** [Staff Report](#)  
[Big Foot Days Letter](#)  
[BigFootDays.051419](#)  
[Resolution 19-35](#)

**Clerk of the Board****9. Approval of the Action Summary - Special Meeting of May 6, 2019**

**Recommendation:** That the Board of Supervisors:  
1. Approve the Action Summary for the meeting of May 6, 2019 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](#)  
[Action Summary - Meeting of May 6, 2019.pdf](#)

**10. Approval of the Action Summary - Meeting of May 6, 2019 Department Budget Reports**

**Recommendation:** That the Board of Supervisors:  
1. Approve the Action Summary for the meeting of May 6, 2019 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](#)  
[Action Summary - Meeting of May 6, 2019 Departmental Budget Reports](#)

**11. Approval of the Action Summary - Meeting of May 7, 2019**

**Recommendation:** That the Board of Supervisors:  
1. Approve the Action Summary for the meeting of May 7, 2019 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](#)  
[Action Summary 5-7-19](#)

**County Clerk/Recorder/Registrar of Voters****12. District Resolutions to Transition to Even-Year Elections Pursuant to Senate Bill 415 (California Voter Participation Act)**

- Recommendation:** That the Board of Supervisors:
1. Receive staff report;
  2. Receive staff impact analysis and district resolution for school and special districts; and
  3. Approve school special district resolutions to transition to even-year elections pursuant California Elections Code, Sections 14050-14057.

- Attachments:** [Staff Report](#)  
[Attachment 1 - Elections Code](#)  
[Attachment 2 - Impact Analyses & Resolutions](#)

**Department of Health and Human Services: Mental Health****13. Professional Services Agreement with California Youth Connection Regarding the Provision of Consultation and Technical Support Services Pertaining to Implementation of the Humboldt County Transition Age Youth Collaboration Project**

- Recommendation:** That the Board of Supervisors:
1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with California Youth Connection regarding the provision of consultation and technical support services pertaining to implementation of the Humboldt County Transition Age Youth Collaboration Project for the period of July 1, 2019 to June 30, 2020; and
  2. Direct the Clerk of the Board to return a fully executed copy of the attached professional services agreement to the Department of Health and Human Services - Contract Unit for further processing.

- Attachments:** [Staff Report](#)  
[Professional Services Agreement with California Youth Connection Regarding the 2019 GL COI \(19-01-29\).pdf](#)  
[2019 WC COI \(19-01-28\).pdf](#)  
[Executed Professional Services Agreement with California Youth Connection Rega](#)

**14. Appointments to the Humboldt County Behavioral Health Board**

- Recommendation:** That the Board of Supervisors:
1. Appoint Brienna Zoellner, Kelsey Tippett and Allen Burnette to the Humboldt County Behavioral Health Board for 3-year terms.

- Attachments:** [Staff Report](#)  
[Applications for: Brienna Zoellner, Kelsey Tippett and Allen Burnette](#)

**Department of Health and Human Services: Public Health**

15. Resolution to Authorize Submittal of Grant Applications for the Next 5 Years to the California Department of Resources, Recycling and Recovery (CalRecycle) for Enforcement Assistance Grant Funding for the Department of Health and Human Services, Public Health, Division of Environmental Health's (DEH) Local Enforcement Agency (LEA) Program

***Recommendation:*** That the Board of Supervisors:

1. Adopt the resolution authorizing the Director of the Department of Health and Human Services (DHHS) - Public Health, or a designee thereof, to apply for funding for the next 5 fiscal years (FY 2019-20 through 2023-24) from CalRecycle;
2. Approve, and authorize the DHHS-Public Health Director, or a designee thereof, to enter into and execute grant agreements and grant agreement amendments with CalRecycle for DEH's LEA program, in Fund 1175, Budget Unit 430; and
3. Direct the Clerk of the Board to return one certified original, signed copy of the resolution to DHHS-Public Health Administration.

***Attachments:***

[Staff Report](#)

[Resolution approving submittal of future grant applications and accepting CalRecycle Humboldt County Board of Supervisors Resolution No. 14-40 approved on May 20, Resolution 19-36](#)

**Department of Health and Human Services: Social Services**

16. SafeMeasures Medi-Cal Administrator Designation

***Recommendation:*** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached SafeMeasures Medi-Cal Administrator Designation form;
2. Approve, and authorize the Department of Health and Human Services (DHHS) Director or a designee thereof to execute any subsequent documents related to the Memorandum of Understanding after review and approval by County Counsel and Risk Management; and
3. Direct the Clerk of the Board to send a fully executed copy of the attached agreement to the DHHS - Contract Unit for further processing.

***Attachments:***

[Staff Report](#)

[Humboldt SafeMeasures Medi-Cal Admin Designation 20190102](#)

[Executed Humboldt SafeMeasures Medi-Cal Admin Designation 20190102.pdf](#)

**District Attorney**

17. California Governor's Office of Emergency Services (Cal OES) Grant Program Unserved/Underserved Victim Advocacy and Outreach (UV), Allocation of Full Time Equivalent Victim Witness Program Specialist, and Deallocation of 0.5 Full Time Equivalent permanent part time Victim Witness Program Specialist (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Authorize the District Attorney to sign all documents necessary to administer, modify and reapply for the California Governor's Office of Emergency Services (Cal OES) Grant Unserved/Underserved Victim Advocacy and Outreach (UV) Program for the remainder of Fiscal Year (FY) 2018-19 and first quarter FY 2019-20 (requires 4/5 vote);
2. Allocate 1.0 FTE Victim Witness Program Specialist positions (class 0689, salary range 347) in budget unit 291 effective immediately (requires 4/5 vote); and
3. Deallocate 0.5 FTE permanent part-time Victim Witness Program Specialist positions (class 0689, salary range 347) in budget unit 291 effective immediately (requires 4/5 vote).

**Attachments:** [Staff Report](#)  
[Grant award and application](#)

18. California Governor's Office of Emergency Services (Cal OES) Grant Program Victim Witness Assistance Program Supplemental Budget and Allocation of 2.5 full time equivalent Victim Witness Program Specialist (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Authorize the District Attorney to sign all documents necessary to administer, modify and reapply for the California Governor's Office of Emergency Services (Cal OES) Grant Victim Witness Assistance Program for the remainder of Fiscal Year (FY) 2018-19 and first quarter FY 2019-20 (requires 4/5 vote);
2. Allocate two 1.0 FTE and one 0.5 permanent part-time Victim Witness Program Specialist positions (class 0689, salary range 347) in budget unit 208 effective immediately (requires 4/5 vote);
3. Approve the attached supplemental budget for FY 2018-19 in Fund 1100, Budget Unit 208, District Attorney's Victim Witness Program (requires 4/5 vote); and
4. Direct the Auditor-Controller to incorporate the attached supplemental budget into the adopted FY 2018-19 budget.

**Attachments:** [Staff Report](#)  
[Supplemental Budget VW 208.xlsx](#)  
[Grant Award and application](#)

**Planning and Building Department**

19. Memorandum of Understanding (MOU) with City of Fortuna for Assistance with State of California Housing and Community Development (HCD) Program Administration

**Recommendation:** That the Board of Supervisors:

1. Review, approve, and authorize the Board Chair to sign the attached Memorandum of Understanding with the City of Fortuna for assistance administering and managing HCD programs.

**Attachments:** [Staff Report](#)  
[Attachment 1: MOU Between County of Humboldt and City of Fortuna Executed MOU Between County of Humboldt and City of Fortuna](#)

**Public Works**

20. Storm Damage Repair to Stanford Drive (3J200) at PM 0.08; Federal Project Number FEMA 4301-DR-CA PW-585; Contract Number 217316

**Recommendation:** That the Board of Supervisors:

1. Receive and file the bid proposals received for Storm Damage Repair to Stanford Drive (3J200) at Post Mile (PM) 0.08;
2. Award the contract to Wahlund Construction, Inc., for the total amount of \$246,345;
3. Authorize the Chair of the Board to execute the project agreement upon submittal of the appropriate bonds and insurance; and
4. Direct the Auditor-Controller to establish a new contract account 1200321-0339 Stanford Drive Storm Repair PM 0.08 and transfer \$321,345 from 1200321-2118 to the new contract account per the attached appropriation transfer.

**Attachments:** [Staff Report](#)  
[Bid Results](#)  
[Request for Budget Transfer](#)

**21. First Amendment to the Consultant Services Agreement with GHD Inc. Regarding the Provision of On-Call Professional Design Engineering and/or Environmental Services**

**Recommendation:** That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached first amendment to the consultant services agreement with GHD Inc. regarding the provision of on-call professional design engineering and/or environmental services; and
2. Direct the Clerk of the Board to return two (2) fully executed original copies of the attached first amendment to the consultant services agreement with GHD Inc. to the Department of Public Works for further processing.

**Attachments:**

[Staff Report](#)

[GHD Consultant Service Agreement for FEMA-FHWA Storm Damage Design Executed First Amendment On-Call Design Services Agreement with GHD \(5-2-2019\).pdf](#)  
[Executed First Amendment On-Call Design Services Agreement with GHD COI for GHD 2019.pdf](#)

**22. Extension of Extra-Help Hours - Heavy Equipment 3540 330 (4/5 Vote Required)**

**Recommendation:** That the Board of Supervisors:

1. Extend Daniel Williams extra-help employment hours to a maximum of 1160 hours for Fiscal Year 2018-2019 pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

**Attachments:**

[Staff Report](#)

**23. Request for Budget Transfer/Adjustment in Roads (1200325) for Purchase of Trantex Premelter T720ESH and Pave-Mate PM230 Sprayer (4/5 Vote Required)**

**Recommendation:** That the Board of Supervisors:

1. Approve the attached Request for Budget Transfer/Adjustment in the amount of \$31,738 for the Humboldt County Public Works Roads Division to purchase a Trantex Premelter T720ESH and Pave-Mate PM230 Sprayer in the current fiscal year. (4/5 Vote Required)

**Attachments:**

[Staff Report](#)

[Statewide Traffic Premelter](#)

[Pape Machinery Sales Quotes](#)

[Diamond Steel Quote](#)

[Budget Transfer Appropriation Form 325 5-1-19](#)

24. Resolution Approving a List of Projects to be Funded by California Senate Bill 1 - The Road Repair and Accountability Act of 2017 - for Fiscal Year 2019-20

**Recommendation:** That the Board of Supervisors:  
1. Adopt the attached resolution approving a list of projects to be funded by California Senate Bill 1 - The Road Repair and Accountability Act of 2017 - for Fiscal Year 2019-20.

**Attachments:** [Staff Report](#)  
[2019-20 SB1 Resolution.docx](#)  
[2019-20 SB1 Project List](#)  
[Resolution 19-37](#)

**Treasurer/Tax Collector**

25. Supplemental Budget Request for the 2018-19 Fiscal Year (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:  
1. Approve a supplemental budget request for budget unit 1100109 for an additional \$ 13,000 for fiscal year (FY) 2018-19. (4/5 vote required)

**Attachments:** [Staff Report](#)  
[Supplemental Budget Request for Banking & Armored Car Costs](#)

**D. 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. It is requested that speakers sign the sheet at the front doors of the Chamber. 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.*

**E. SPECIAL PRESENTATIONS**

**F. MATTERS SET FOR TIME CERTAIN**

**Public Works**

1. 9:15 a.m. - Presentation from Jill Duffy Regarding Humboldt Waste Management Authority Diversion Services and Programs

**Recommendation:** That the Board of Supervisors:  
1. Hear the informational presentation from Jill Duffy on Humboldt Waste Management Authority diversion services and programs. No action is required.

**Attachments:** [Staff Report](#)

**G. ITEMS PULLED FROM CONSENT****H. MATTERS INITIATED BY BOARD MEMBERS****I. DEPARTMENT REPORTS****Department of Health and Human Services: Mental Health**

1. Humboldt County Behavioral Health Board Annual Report for 2016-17 and 2017-18

**Recommendation:** That the Board of Supervisors:

1. Receive and file the attached report prepared by Humboldt County Behavioral Health Board Chairman Tim Ash for 2016-17 and 2017-18.

**Attachments:** [Staff Report](#)

[Behavioral Health Board Annual Report for 2016-17 and 2017-18](#)

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

1. Extension of Temporary Moratorium on the Cultivation of Industrial Hemp and Provide Direction on Preparation of Regulations for Cultivation of Industrial Hemp (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:

1. Introduce the proposed ordinance extending for 6 months the temporary moratorium on Cultivation of Industrial Hemp by title [Attachment 1];
2. Request that staff present the project;
3. Open the public hearing and accept public comment;
4. Deliberate on the options for regulating industrial hemp activities within the unincorporated areas of Humboldt County in Attachment 2;
5. Direct staff to develop an ordinance to allow cultivation of Industrial Hemp in certain limited circumstances as a principally permitted use;
6. Adopt Ordinance No: \_\_\_\_ [Attachment 1] extending for 6 months the moratorium on industrial hemp cultivation and acceptance of applications for industrial hemp cultivation (4/5 vote required); and
7. Direct the Clerk of the Board to publish a Summary of the Ordinance within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against each ordinance [Attachment 3] 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)

*Attachments:*      [Staff Report](#)  
[Attachment 1 industrial hemp 6 month moratorium ordinance.docx](#)  
[Attachment 2 industrial hemp ordinance options.docx](#)  
[Attachment 3 - POST-ADOPTION SUMMARY - Hemp Moratorium.docx](#)  
[Public Comment](#)

## **K. DISCUSSION ITEMS**

## **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 the Agricultural Commissioner pursuant to Government Code sections 54954.5 and 54957.
2. 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 Director of Library Services pursuant to Government Code sections 54954.5 and 54957.
3. Conference with Legal Counsel - pursuant to Government Code section 54956.9, subd. (d)(1) regarding existing litigation; Robbins v. County of Humboldt, et al.; Case No. DR180525.
4. Conference with Legal Counsel - pursuant to Government Code section 54956.9, subd. (d)(1) regarding existing litigation; Blanck v. County of Humboldt, et al; Case No. CV190389.
5. Conference with Legal Counsel - pursuant to Government Code section 54956.9, subd. (d)(1) regarding existing litigation; Jacob Silverman v. Humboldt County Correctional Facility et al.; Case No. 4:17-cv-01140-KAW.

## **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.)*

*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://humboldt.gov/>**