

BOARD OF SUPERVISORS

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



COUNTY STAFF

AMY S. NILSEN
County Administrative Officer
JEFFREY S. BLANCK
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, January 14, 2020

9:00 AM

Regular Meeting

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

Board of Supervisors

1. Resolution Recognizing Humboldt County Health Officer Dr. Donald Baird on his Retirement (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign the Resolution.

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

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

2. Human Trafficking Awareness Month Proclamation (Supervisor Estelle Fennell)

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

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

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

Clerk of the Board

3. Approval of the Action Summary - Meeting of January 7, 2020

Recommendation: That the Board of Supervisors:
1. Approve the Action Summary for the meeting of January 7, 2020 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

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

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

County Administrative Office

4. Change Order Authorization for Americans with Disabilities Act (ADA) Department of Justice (DOJ) Consent Decree Barrier Removal at the Mental Health Facility, 720 Wood Street, Eureka, CA. and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors:
1. Authorize the Purchasing Agent to sign the third change order for ADA DOJ consent decree barrier removal at the Mental Health Facility, Project Number 2018-402; and
2. Approve the following supplemental budget for Fiscal Year 2019-20 in fund 3552, Budget Unit 152 (4/5th vote required).

Revenue:	3552152-9101	ADA Compliance ISF - Transfer In	\$96,000
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Expenditure:	3552152-8897	720 Wood ADA	\$96,000
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This item was pulled from consent for discussion.

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

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

County Clerk/Recorder/Registrar of Voters**5. Appointment to Fill Vacancy on Garberville Sanitary District Governing Board**

Recommendation: That the Board of Supervisors:

1. Appoint Dan Thomas to fill the vacancy on the Garberville Sanitary District governing board for the remaining two years, ending the first Friday of December 2020.

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

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

Department of Health and Human Services: Administration**6. Allocation of 1.0 Full-Time Equivalent Program Manager II, 1.0 Full-Time Equivalent Limited Duration Program Manager II and 1.0 Full-Time Equivalent Limited Duration Deputy Branch Director for Department of Health and Human Services Child Welfare Services**

Recommendation: That the Board of Supervisors:

1. Approve and authorize for Department of Health and Human Services (DHHS) to recruit and hire regular and limited duration positions as follows:
 - a. Two (2.0) full-time equivalent (FTE), one (1.0) regular and one (1.0) limited duration Merit System Services (MSS) Program Manager II (class 0750, salary range 515, M/C unit 08) in budget unit (BU) 508; and
 - b. One (1.0) FTE, limited duration Deputy Branch Director (class 0931, salary range 539, M/C unit 08) in BU 508

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

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

7. Reallocation of Staff Services Analyst II to Staff Services Analyst III

Recommendation: That the Board of Supervisors:

1. Approve the reallocation of the Staff Services Analyst II Merit System Services (MSS) (class 0391, salary range 416, unit 01) in budget unit 511 held by Christine Messinger to Staff Services Analyst III (MSS) (class 0392, salary range 431, unit 01) in budget unit 511; effective the pay period following Board approval.

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

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

Human Resources

8. Adoption of Resolution Approving Delegation of Authority to a Severance Committee to Approve Agreements with Employees in Designated Situations

Recommendation: That the Board of Supervisors:

1. Adopt the proposed resolution delegating authority to a severance committee composed of the Human Resources Director, Risk Manager, County Administrative Officer and County Counsel to offer up to 8 weeks of salary to employees in exchange for severance agreements in designated situations.

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

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

9. Adoption of County Policies Regarding Anti-Nepotism and Non-Fraternization, Abusive Conduct, and Lactation Accommodation

Recommendation: That the Board of Supervisors adopt the attached resolutions approving the following policies:

1. Anti-Nepotism and Non-Fraternization;
2. Abusive Conduct; and
3. Lactation Accommodation.

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

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

Public Works

10. Exercise the Option to Extend the Term of the Lease for 555 H Street, Suites C and D in Eureka

Recommendation: That the Board of Supervisors:

1. Approve exercising the option to extend the term of the lease for 555 H Street, Suites C and D in Eureka with PWM, Inc. and Fred Lundblade for the period beginning March 1, 2020, through February 28, 2021; and
2. Authorize Humboldt County Public Works Real Property Division to send a notice to PWM, Inc. and Fred Lundblade that the county is exercising the option to extend the term of the lease for one (1) additional year.

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

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

11. Bid Award Authorization for Storm Damage Repairs on Alderpoint Road (F6B165) at Post Mile 0.22; Federal Project Number ER-40A0(045); Contract Number 219205

Recommendation: That the Board of Supervisors:

1. Receive and file the bid proposals received for Storm Damage Repairs on Alderpoint Road (F6B165) at Post Mile (PM) 0.22;
2. Award the contract to Bouthillier's Construction, Inc., for the total amount of \$789,065;
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 1200321-0345 Alderpoint Road Storm PM 0.22 and transfer \$984,065 from 1200321-2118 to the new contract account per the attached appropriation transfer.

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

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

D. ITEMS PULLED FROM CONSENT

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. SPECIAL PRESENTATIONS

Clerk of the Board

1. Housing Trust Fund and Homelessness Solutions Committee's presentation on Funding Sources for the Affordable Housing Trust Fund

Recommendation: That the Board of Supervisors:

1. Receive the presentation and consider providing other instructions to the Housing Trust Fund and Homelessness Solutions Committee.

A motion was made by Supervisor Wilson, seconded by Supervisor Bass, to direct DHHS to return to the Board with recommendations to establish and operate a regional or local trust fund in the month of April. Direct the CAO and DHHS to return with recommendations on contributions to the regional trust fund including but not limited to TOT, cannabis, establishing a vacancy tax and also including the Lucas street property proceeds. Direct DHHS to return with reconstruction of the Homelessness Solutions Committee. The motion carried by the following vote:

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

G. MATTERS INITIATED BY BOARD MEMBERS

H. DEPARTMENT REPORTS**County Administrative Office**

1. Humboldt Lodging Alliance (HLA) 3-Month Proposal on Options for Short-Term Rental Operators (STR's)

Recommendation: That the Board of Supervisors:

1. Receive the staff report;
2. Receive the proposal as presented by the HLA; and
1. Take other action as necessary.

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

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

I. PUBLIC HEARINGS**J. DISCUSSION ITEMS****K. MATTERS SET FOR TIME CERTAIN****Board of Supervisors - Closed Session**

1. 12:00 p.m. - It is the intention of the board to meet in closed session for a conference with legal counsel pursuant to Government Code section 54956.9(d)(1) in the matter of HUM CPR Affiliates et al. v. County of Humboldt, et al. -- case number CV190875.

The Board of Supervisors met in closed session for a conference with legal counsel pursuant to Government Code section 54956.9(d)(1) in the matter of HUM CPR Affiliates et al. v. County of Humboldt, et al. -- case number CV190875. There was no action to report.

Planning and Building Department

2. 1:30 p.m. - The Hawk Valley Farms, LLC Appeal of the Planning Commission Denial of The Hawk Valley Farms, LLC Conditional Use Permit to Allow 43,560 Square Feet of Outdoor Commercial Cannabis Cultivation Operations

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 20-__). (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 section 314-55.4.8.2.2 of the Humboldt County Code because expansion over the amount of cultivation existing prior to January 1, 2016 has occurred multiple times;
 - c. Finds that the project is not consistent with section 314-55.4.11.v of the Humboldt County Code because light from greenhouses has continued to escape at a level that is visible from neighboring properties between sunset and sunrise;
 - d. Finds that the project is not consistent with section 314-55.4.11.w of the Humboldt County Code because the applicant did not submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected within ten (10) working days of receiving written notification that a complaint has been filed;
 - e. Finds that Hawk Valley Farms, LLC has violated the terms of the executed Compliance Agreement and is subject to permit cancellation per Section 314-55.4.8.11 of the Humboldt County Code;
 - f. Denies the Appeal submitted by Hawk Valley Farms, LLC;
 - g. Denies the Conditional Use Permit.

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

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

L. CLOSED SESSION

1. A conference with legal counsel pursuant to paragraph 2 of Government Code section 54956.9(d), due to existing facts and circumstances that give rise to a significant exposure to litigation.

The Board of Supervisors met in conference with legal counsel pursuant to paragraph 2 of Government Code section 54956.9(d), due to existing facts and circumstances that give rise to a significant exposure to litigation. There was no action to report.

M. ADJOURNMENT

I, RYAN SHARP, Deputy Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above entitled meeting of the Humboldt County Board of Supervisors held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

RYAN SHARP

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




JANUARY 15, 2020



MINUTES
TUESDAY, JANUARY 14, 2020
Regular Session

The Honorable Board of Supervisors of the County of Humboldt met in regular session on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Tuesday, January 28, 2020 with the vote as shown below.

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



RYAN SHARP
Deputy Clerk of the Board



ESTELLE FENNELL
Chair of the Board