

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

**BOARD OF SUPERVISORS
COUNTY OF HUMBOLDT**

**825 FIFTH STREET
EUREKA, CA 95501**

SUPERVISORS' CHAMBER, FIRST FLOOR

ACTION SUMMARY

Tuesday, September 3, 2019

9:00 AM

Regular Meeting

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

Board of Supervisors

1. Proclaim September 8-14, 2019 as Assisted Living Week in Humboldt County (Supervisor Steve Madrone)

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

2. Reappoint Elizabeth Conner to the Humboldt County Housing Authority Commission Representing District 3 (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:

1. Receive and file.

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

3. Orick Community Services District (CSD) Wastewater Treatment Facility Project Letter of Support (Supervisor Steve Madrone)

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 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

4. Proclaim September 2019 as National Recovery Month (Supervisor Rex Bohn)

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

5. Humboldt County Fish & Game Commission Request to Fund Grant

Recommendation: That the Board of Supervisors:

1. Approve the recommendation from the Humboldt County Fish & Game Commission to fund the Humboldt County Office of Education grant for \$9,000, and direct the Clerk of the Board to notify the Fish & Game Commission secretary, Nancy Katis-Slocum via email: nkaytis4@gmail.com of the 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

6. Approval of the Action Summary - Meeting of August 27, 2019

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of August 27, 2019 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**7. Memorandum of Understanding with the California Governor's Office of Emergency Services Regarding Participation in Information Sharing Activities with the California Cyber Security Integration Center**

Recommendation: That the Board of Supervisors:

1. Waive the requirements of the Humboldt County Nuclear-Free Ordinance with regard to the attached memorandum of understanding with the California Governor's Office of Emergency Services;
2. Approve, and authorize the Information Technology Director, or a designee thereof, to execute, the attached memorandum of understanding with the California Governor's Office of Emergency Services regarding participation in information sharing activities with the California Cyber Security Integration Center; and
3. Authorize the Information Technology Director, or a designee thereof, to execute any and all future amendments to, and any other agreements and/or documents that are necessary to effectuate, the attached memorandum of understanding with the California Governor's Office of Emergency Services after review and approval by County Counsel and Risk Management.

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: Mental Health

8. Agreement with LMT & Associates Consulting, Inc. for Fiscal Year 2019-20 to Provide Consultation on Implementation of Complex Continuum of Care and Katie A. Services in Accordance with State and Federal Regulations

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached agreement with LMT & Associates Consulting, Inc. for fiscal year 2019 - 20; and
2. Direct the Clerk of the Board to return the fully executed agreement to the Department of Health and Human Services (DHHS)-Contract Unit for further processing.

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. Reciprocal Transfer Agreement with St. Joseph Health Northern California, LLC Regarding the Transfer of Patients between Treatment Facilities Located in Humboldt County

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Department of Health and Human Services - Mental Health Director, or a designee thereof, to execute the attached reciprocal transfer agreement with St. Joseph Health Northern California, LLC regarding the transfer of patients between treatment facilities located in Humboldt County for the period of Sept. 3, 2019 through June 30, 2022; and
2. Authorize the Department of Health and Human Services - Mental Health Director, or a designee thereof, to execute any and all subsequent amendments to the attached reciprocal transfer agreement with St. Joseph Health Northern California, LLC after review and approval by County Counsel, Risk Management and the County Administrative Office.

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: Social Services

10. Agreement with The Betty Kwan Chinn Homeless Foundation to Assist with CalFresh Outreach and Support Activities

Recommendation: That the Board of Supervisors:

1. Approve the agreement with The Betty Kwan Chinn Homeless Foundation to assist the Department of Health and Human Services (DHHS) to increase utilization of CalFresh benefits by eligible households in an amount not to exceed \$99,854;
2. Authorize the Chair to execute three originals of the agreement (Attachment 1); and
3. Direct the Clerk of the Board to route two fully executed originals of the agreement to the DHHS-Contract Unit for forwarding to DHHS-Social Services Administration.

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

District Attorney

11. Position Reallocation of Deputy District Attorney IV to Senior Deputy District Attorney

Recommendation: That the Board of Supervisors:

1. Reallocate the position of Deputy District Attorney (salary range 529, class 0602, position 11) in budget unit 205, currently occupied by Stacey Eads to the class of Senior Deputy District Attorney (salary range 540, class 0621, unit 05, position 01), and reclassify Ms. Eads accordingly, effective the beginning of the biweekly pay period immediately following 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

12. Amendment to the Management and Confidential (M/C) Compensation Plan, Reallocation of One (1.0) Full-Time Equivalent (FTE) Staff Services Analyst III (M/C) to Supervising Staff Services Analyst (M/C)

Recommendation: That the Board of Supervisors adopt Resolution No. ____:

1. Approving the amendment to the compensation plan between the County of Humboldt and Management and Confidential (M/C) employees for Units 8-9 to include the Merit System Services (MSS) classification of Supervising Staff Services Analyst (class 0393, range 473, bargaining unit 09) effective the pay period following Board approval; and
2. Approving the reallocation of one (1.0) full-time equivalent (FTE) Staff Services Analyst III (M/C) (class 0396, range 460, unit 09) in budget unit 511, occupied by Cynthia Hammers, to one (1.0) FTE Supervising Staff Services Analyst (M/C) (class 0393, range 473, unit 09) 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

13. Temporary Increase in Pay for Kristin Kovacs, Administrative Services Officer, Pursuant to Resolution No. 18-82 Regarding Compensation Plans for Designated Management and Confidential Employees

Recommendation: That the Board of Supervisors:

1. Authorize a temporary increase in pay for Administrative Services Officer, Kristin Kovacs, (Class 0776, Range 435) as though promoted to Risk Manager (Class 0700, Range 491) effective the pay period following Board approval and continuing until the position is filled on a permanent basis or other solution is identified.

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

14. Adoption of Amended Compensation for Elected Department Heads Effective the First Pay Period Following Board Adoption

Recommendation: That the Board of Supervisors:

1. Adopt Resolution No. _____ (attached) approving amended compensation for Elected Department Heads, effective the first pay period following Board adoption.

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

15. Lease of Modular Units at 638 W. Clark Street, Eureka

Recommendation: That the Board of Supervisors:

1. Authorize Public Works Real Property Division to send a notice to lessor that the county is continuing the leases on a sixty (60) day interval holdover basis; and
2. Authorize the current lease payment amounts to continue during the holdover term.

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

16. Lease of Modular Unit at 2933 H Street, Eureka

Recommendation: That the Board of Supervisors:

1. Authorize Public Works Real Property Division to send a notice to lessor that the county is continuing the leases on a sixty (60) day interval holdover basis; and
2. Authorize the current lease payment amounts to continue during the holdover term.

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

Sheriff

17. Approval of California Department of Corrections and Rehabilitation (CDCR) Pelican Bay State Prison MOU/Mutual Aid Agreement

Recommendation: That the Board of Supervisors:

1. Adopt the resolution (Attachment 1) accepting the proposed mutual aid agreement (Attachment 2) with CDCR Pelican Bay State Prison;
2. Direct the Clerk of the Board to return a fully executed certified copy of the attached resolution to the Sheriff's Office;
3. Authorize the Humboldt County Sheriff to execute three originals of the agreement;
4. Authorize the Humboldt County Sheriff to approve any extensions, amendments, modifications, or terminations for the term of the agreement; and
5. Direct the Clerk of the Board to return two signed originals of the agreement to the Sheriff's Office.

This item was pulled from consent for discussion.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, 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**G. MATTERS INITIATED BY BOARD MEMBERS****H. DEPARTMENT REPORTS****County Administrative Office****1. Presentation of the Headwaters Fund 2017-18 Annual Report****Recommendation:** That the Board of Supervisors:

1. Receive and accept the Headwaters Fund (HWF) Annual Report.

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. Bid Award Authorization for Construction of the Courthouse Fifth Floor Remodel Project and Supplemental Budget Request (4/5 Vote Required). County Project Number 2018-102**Recommendation:** That the Board of Supervisors:

1. Receive and file the bids for the Courthouse Fifth Floor Remodel Project, Project Number 2018-102;
 2. Award the project to the lowest responsible and responsive bidder, Adams Commercial General Contracting, Inc.;
 3. Authorize the Purchasing Agent to sign the construction agreement with Adams Commercial General Contracting, in the form of the attached sample agreement subject to approval from County Counsel and Risk Management; and
 4. Adopt the supplemental budget depicted below and direct the Auditor-Controller to perform the budget adjustment for the Capital Projects budget unit (4/5 vote required).
- | | | |
|---------------------------|-------------------------------|-----------|
| Revenue 1100-170-708250 | Proceeds from Finance Plan | \$566,311 |
| Expenditure 1100-170-8966 | Courthouse Renovation/Remodel | \$566,311 |

A motion was made by Supervisor Madrone, seconded by Supervisor Fennell, 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

Planning and Building Department

- 3. Status Report on Sea Level Rise Planning Activities by the Planning and Building Department and the Department of Public Works

Recommendation: That the Board of Supervisors:
 1. Receive the report.

A motion was made by Supervisor Fennell, seconded by Supervisor Bass, to form an ad hoc committee of Supervisor Fennell and Supervisor Wilson and direct staff to come back with a presentation on the potential formation of a body or an agency and a strategy for moving forward. 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

County Administrative Office

- 1. 9:15 a.m. - Update to Nordic Aquafarms Presentation and Infrastructure Development on the Samoa Peninsula

Recommendation: That the Board of Supervisors:
 1. Receive the staff report regarding plans, liabilities, obligations, and partnership/financing options for infrastructure development on the Samoa Peninsula;
 2. Direct to staff to explore the creation of a Joint Powers Authority with public agencies with a vested interest in infrastructure development on the Samoa Peninsula and report back to your Board; and
 3. Direct the Board Chair to sign the Letter of Support for Nordic Aquafarms.

A motion was made by Supervisor Bass, seconded by Supervisor Fennell, that the recommendations be approved with the proposed modifications to the letter of support as discussed. The motion carried by the following vote:

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

Planning and Building Department

- 2. 1:30 p.m. - The Bluff Creek Company, Inc. appeal of the Planning Commission denial of The Bluff Creek Company, Inc. Special Permits to allow 9,200 square feet of existing outdoor commercial cannabis cultivation operations within 600 feet of Public Lands

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 attached resolution (Resolution 19-__ (Attachment 1) doing the following:
 - a. Finding that the California Environmental Quality Act (CEQA) provisions do not apply to the project per section 15270 (Projects Which Are Disapproved) of the CEQA Guidelines; and
 - b. Finding the project cannot be approved because it is inconsistent with the Commercial Medical Marijuana Land Use Ordinance; and
 - c. Deny the appeal and deny the Special Permits;
- 4. Direct the Clerk of the Board to give notice of the decision to the appellant and project applicant, the property owner, and any other interested party.

A motion was made by Supervisor Wilson, seconded by Supervisor Madrone, to continue this hearing to a date uncertain with a report to be brought back to the Board of Supervisors by March 3, 2020 with an update of how the RRR process has gone and that there be no further cultivation on this property after the 2019 cultivation season. The motion carried by the following vote:

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

L. CLOSED SESSION

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




 SEPTEMBER 4, 2019



MINUTES
TUESDAY, SEPTEMBER 3, 2019
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, September 10, 2019 with the vote as shown below.

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



RYAN SHARP
Deputy Clerk of the Board



REX BOHN
Chair of the Board