BOARD OF SUPERVISORS

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COUNTY STAFF

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BOARD OF SUPERVISORS COUNTY OF HUMBOLDT 825 FIFTH STREET EUREKA, CA 95501

SUPERVISORS' CHAMBER, FIRST FLOOR

ACTION SUMMARY

Tuesday, January 26, 2021

9:00 AM

Regular Meeting

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 963 0587 1450 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. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

Board of Supervisors

1. Appoint Guy Aronoff to the Human Rights Commission Representing the Third District (Supervisor Mike Wilson)

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

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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 Bushnell, 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. Letters of Appreciation to Ian Sigman, Barbara Darst and Mike Lake for their Service on the Humboldt County Fire Safe Council (HCFSC)

Recommendation: That the Board of Supervisors:

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

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

4. Notice of Vacancy for the At-Large Appointee on the Measure Z Citizen's Advisory Committee

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

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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. Reappointment of Alan Bongio and Noah Levy to the Humboldt County Planning Commission

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

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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

6. Notice of Vacancy for the At-Large Member on the Humboldt County Planning Commission

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

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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

7. Approval of the Action Summary - Meeting of January 12, 2021

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of January 12, 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 Bushnell, that the recommendations be approved. The motion carried by the following vote:

County Administrative Office

8. Amendments to the Agreements Between County of Humboldt and Shasta County Private Industry Council, dba Smart Business Resource Center

Recommendation: That the Board of Supervisors:

 Receive and ratify the attached Amended Professional Services Agreements with Smart Business Resource Center as signed by the County Administrative Officer (CAO);
Determine that the amendments serve a public purpose to ensure continuity of services; and

3. Authorize the CAO and/or the designee to execute subsequent and future amendments to these agreements.

This item was pulled from consent for discussion.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to direct staff go back and work with the vendor to modify the payment structure in the contract to reflect what has been discussed today, to allow for weekly payments for services already rendered, not advances, and that the vendor would provide itemized invoicing for those services rendered, and that the Auditor-Controller's office would continue to make payments to the vendor so long as those payments are for invoices remitted weekly for services already rendered which are accompanied by itemized invoicing and to put a 90 day cap on this, and direct staff to bring back the modified contracts to the Board within 90 days. 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

9. Memorandum of Understanding Regarding the Provision of Additional Continuing Education Opportunities to Department of Health and Human Services Staff

Recommendation: That the Board of Supervisors:

1. Approve the attached memorandum of understanding template regarding the provision of additional continuing education opportunities to Department of Health and Human Services staff; and

2. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute memorandums of understanding that are substantially similar to the attached memorandum of understanding template, after review and approval by County Counsel, Risk Management and the County Administrative Office.

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

 Professional Services Agreement with Redwood Community Action Agency Regarding the Provision of Rental Assistance, Case Management and Supportive Services to Individuals and Families Who Are Experiencing Homelessness in Humboldt County

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached professional services agreement with Redwood Community Action Agency regarding the provision of rental assistance, case management and supportive services to individuals and families who are experiencing homelessness in Humboldt County for the period of Oct. 1, 2020 through Sept. 30, 2022;

2. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached professional services agreement with Redwood Community Action Agency, 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 Redwood Community Action Agency to the Department of Health and Human Services - Contract Unit for further processing.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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: Behavioral Health

11. Memorandum of Understanding with Redwood Coast Regional Center Regarding the Provision of Mental Health Services to Clients with Developmental Disabilities

Recommendation: That the Board of Supervisors:

 Approve, and authorize the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute, the attached memorandum of understanding with Redwood Coast Regional Center regarding the provision of mental health services to individuals that have been diagnosed with developmental disability and mental illness for the period of July 1, 2020 through June 30, 2023;
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 Redwood Coast Regional Center, after review and approval by County Counsel Risk Management and the County Administrative Office;

3. Authorize the Department of Health and Human Services - Behavioral Health Director, or a designee thereof, to execute any and all additional nursing personnel agreements needed to effectuate the terms and conditions of the attached memorandum of understanding with Redwood Coast Regional Center, after review and approval by County Counsel, Risk Management and the County Administrative Office; and

4. Direct the Clerk of the Board to return one executed copy of this item to the Department of Health and Human Services - Contract Unit.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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

Human Resources

12. Adoption of Amended Classification Specifications for Undersheriff, Sheriff's Captain, Sheriff's Lieutenant

Recommendation: That the Board of Supervisors:

- 1. Adopt the amended job specifications for the following classifications:
- * Undersheriff (Class 0400) (Attachment #1)
- * Sheriff's Captain (Class 0402) (Attachment #2)
- * Sheriff's Lieutenant (Class 0406) (Attachment #3)

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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

Planning and Building Department

 McKenny Zone Reclassification Petition APNs: 203-211-008, -009, -010, -011, -012, -013, -014, -015, -016, -017 & -018 Record No.: PLN-2020-16209

Recommendation: That the Board of Supervisors:

 Accept the petition by approving the attached resolution (Attachment 1) based on the findings in the staff report and testimony received about the project; and
Direct the Clerk of the Board to give notice of the decision to the applicant and any other interested party.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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

14. Extension of Extra-Help Hours - Cannabis Planning Budget Unit 1100268 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Approve the extension of extra help hours to a total of 1400 hours through June 30, 2021 pursuant to Section 7 of the Humboldt County Salary Resolution for Megan Acevedo (Planner I) and Gayle Paul (Office Assistant I) in fund 1100, budget unit 268-Cannabis Planning. (4/5 vote required)

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

15. Mattole River Farms, LLC Appeal of the Planning Commission Approval of a Conditional Use Permit to Allow 11,400 Square Feet Existing Cannabis Cultivation

Recommendation: That the Board of Supervisors:

1. Receive the staff report, and

2. Adopt the Resolution approving the appeal and approving the Conditional Use Permit for 12,650 square feet of commercial cannabis cultivation.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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

Probation

16. Agreement with Two Feathers Native American Family Services for Juvenile Delinquency Prevention Services

Recommendation: That the Board of Supervisors:

1. Approve the Agreement with Two Feathers Native American Family Services for Juvenile Delinquency Prevention Services;

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; and

3. Direct the Clerk of the Board to return one original of the fully executed agreement to Humboldt County Probation Department Attn: Ellisha Hardison.

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

Public Works

17. Transportation Services Agreements with Adult Day Health Care of Mad River, Humboldt Senior Resource Center and Klamath-Trinity Non-Emergency Transportation Regarding the Provision of Transportation Services in the Arcata, McKinleyville, Eureka, Fieldbrook, Bayside, Eel River Valley, Willow Creek and Hoopa Valley Areas of Humboldt County

Recommendation: That the Board of Supervisors:

 Approve, and authorize the Chair of the Board to execute, the attached transportation services agreements with Adult Day Health Care of Mad River, Humboldt Senior Resource Center and Klamath-Trinity Non-Emergency Transportation regarding the provision of transportation services in the Arcata, McKinleyville, Eureka, Fieldbrook, Bayside, Eel River Valley, Willow Creek and Hoopa Valley areas of Humboldt County for the period of July 1, 2020, through June 30, 2023;

 Authorize the Public Works Director, or a designee thereof, to execute any and all subsequent amendments to the attached transportation services agreements with Adult Day Health Care of Mad River, Humboldt Senior Resource Center and Klamath-Trinity Non-Emergency Transportation, after review and approval by County Counsel, Risk Management and the County Administrative Office; and
Direct the Clerk of the Board to return one (1) original fully executed copy of each of the attached transportation services agreements with Adult Day Health Care of Mad River, Humboldt Senior Resource Center and Klamath-Trinity Non-Emergency Transportation to the Department of Public Works for further processing.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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

18. Accept Completed Contracts for Storm Damage Repair to Alderpoint Road (6B165) Post Miles 41.45, 43.55, 46.15, and 46.23

Recommendation: That the Board of Supervisors:

1. Accept the completed contracts, including all change orders approved by the Public Works Department, between Van Meter Logging, Inc., and Humboldt County for construction of Storm Damage Repair to Alderpoint Road (6B165) Post Miles 41.45, 43.55, 46.15, and 46.23; and

2. Approve the final claims for payment, as submitted by the Public Works Department to the Auditor/Controller, in the amounts of \$180 for Alderpoint Road (6B165) Post Mile 41.45, \$385.02 for Alderpoint Road (6B165) Post Mile 43.55, \$324.43 for Alderpoint Road (6B165) Post Mile 46.15, and \$342.79 for Alderpoint Road (6B165) Post Mile 46.23, which will bring the total amounts paid to 100 percent of the contracts.

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

19. Accept Completed Contract for Storm Damage Repair to Murray Road (C3M020) Post Mile 5.57

Recommendation: That the Board of Supervisors:

 Accept the completed contract, including all change orders approved by the Public Works Department, between Wallace Structures and Humboldt County for construction of Storm Damage Repair to Murray Road Post Mile 5.57; and
Approve the final claim for payment, as submitted by the Public Works Department to the Auditor/Controller, in the amount of \$2,680.10, which will bring the total amount paid to 100% of the contract.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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

<u>Sheriff</u>

20. Board of State and Community Corrections Coronavirus Emergency Supplemental Funding Program Grant

Recommendation: That the Board of Supervisors:

1. Approve and authorize the Chair to sign Resolution No._____ (Attachment 1) authorizing the Sheriff's Office to submit the governing board resolution for the Coronavirus Emergency Supplemental Funding Program Grant program and if awarded, accept grant funds and sign any documents required by Board of State and Community Corrections for participation in the program;

2. Approve and authorize the Chair to sign the Proposal Checklist (Attachment 2);

3. Approve and authorize the Chair to sign the Applicant Information Form (Attachment 3);

4. Approve and authorize the Chair to sign the Certification of Compliance (Attachment 4);

5. Authorize the Chair of the Board, County Administrative Officer, Sheriff, Undersheriff or Deputy Director Sheriff's Administration to execute all the necessary reimbursement claims, applications, contracts, and agreements and amendments thereto, in the name of the County of Humboldt, and all other documents required by the Board of State and Community Corrections; and

6. Direct the Clerk of the Board to return completed and signed copies of all attachments to the Sheriff's Office in original and email formats to Tammi Gilbert, Administrative Analyst, for submittal to funding agency.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, 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

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

E. 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.

F. ITEMS PULLED FROM CONSENT

G. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

1. Elimination of Local News Programming As a Result of Suddenlink, Cox Media Group Contract Dispute (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors:

- 1. Receive the report;
- 2. Authorize the chair to sign the attached letter;
- 3. Discuss potential action; and
- 4. Take other action as necessary

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

H. DEPARTMENT REPORTS

- I. PUBLIC HEARINGS
- J. DISCUSSION ITEMS

K. MATTERS SET FOR TIME CERTAIN

County Administrative Office

1. 10:30 a.m. - Budget Review for Fiscal Year (FY) 2020-21 and Budget Outlook for FY 2021-22

Recommendation: That the Board of Supervisors:

1. Receive and file a review of the current FY 2020-21 and budget outlook for FY 2021-22;

2. Direct the County Administrative Office (CAO) to prepare the FY 2021-22 budget proposal based on status quo General Fund allocations:

a. Set departmental allocations from the General Fund to remain the same as in fiscal year 2020-21 with exceptions for Measure Z and those departments that have received increased ongoing General Fund allocations during fiscal year 2020-21;

b. Accept and consider requests for additional General Fund appropriations with a preference given to one-time requests;

3. Review the estimated unallocated Measure Z revenues along with the recommendations from the Measure Z Citizens' Advisory Committee (Attachment I) and provide direction on whether to allocate funding;

4. Determine if departmental budget presentations will be held for FY 2021-22 and determine presentation schedule;

5. Direct staff to return at third quarter only if the budget parameters set forth for FY 2021-22 require substantial changes; and

6. Provide additional direction to staff as appropriate.

A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, to approve staff recommendations, postpone the department budget presentations for a year, approve the carryover of Measure Z funds into fiscal year 2020-21 for the following projects; 18,259 dollars for KMUD; 127,882 dollars for Orleans Volunteer Fire; 17,155 dollars for the Measure Z Audit and 364,208 dollars for the Fire Chiefs to complete remaining projects, and allocate the remaining Measure Z funding to the following applications; 200,000 dollars for application ten Harrison Avenue road resurfacing and repair; 353,996 dollars for application seventeen Public Works Roads; 80,000 dollars to application fifteen Public Works illegal dumping; 7,600 dollars to application twenty Garberville town square; 1,748 dollars to application twenty two Access Humboldt; 10,000 dollars to application twenty three The People of New Directions; 7,900 dollars to application twenty five College of the Redwoods – CERT Coalition; 46,100 dollars to application twenty six 2-1-1; 33,488 dollars to application eight City of Rio Dell Police Department; and 58,498 dollars to application seven City of Fortuna Police Department. The motion carried by the following vote:

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

Nay: 1 - Rex Bohn

Board of Supervisors - Closed Session

2. 1:30 p.m. - It is the intention of the Board of Supervisors to meet in closed session to discuss threatened litigation pursuant to Government Code Section 54956.9(d)(2), (e)(2); related to overtime pay and the impact of Flores v. City of San Gabriel.

The Board of Supervisors met in closed session to discuss threatened litigation pursuant to Government Code Section 54956.9(d)(2), (e)(2); related to overtime pay and the impact of Flores v. City of San Gabriel. There was no action to report.

3. 1:30 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. Employee Organizations: 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); Elected and Appointed Department Heads; 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. Employee Organizations: 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); Elected and Appointed Department Heads; Management and Confidential Employees. There was no action to report.

L. CLOSED SESSION

1. Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Gammariello v. Moore, D.N.D. Case No. 5:20-cv-2583-VKD.

The Board of Supervisors met in conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Gammariello v. Moore, D.N.D. Case No. 5:20-cv-2583-VKD. There was no action to report.

 Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Ken's Water Tender, Inc. v. County of Humboldt No. Case No. DR170672.

The Board of Supervisors met in conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Ken's Water Tender, Inc. v. County of Humboldt No. Case No. DR170672. There was no action to report. **3.** Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Silverman v. Duane Christian, et al. Case No. 5-20-CV-05136-BLF.

The Board of Supervisors met in Conference with Legal Counsel – pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Silverman v. Duane Christian, et al. Case No. 5-20-CV-05136-BLF. The Board voted 4-0 to authorize the Risk Manager to sign an amendment to the contract with Porter-Scott to add defense of this matter.

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 27 , 2021