

**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, September 3, 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.*

**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.

**Attachments:** [Staff Report](#)  
[National Assisted Living Week.pdf](#)

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.

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

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.

**Attachments:** [Staff Report](#)  
[Orick CSD Wasterwater Treatment Facility Funding Request Letter of Support.pdf](#)  
[Executed Orick CSD Wasterwater Treatment Facility Funding Request Letter of Support](#)

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

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

1. Adopt the Proclamation.

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

### **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.

**Attachments:** [Staff Report](#)  
[Fish & Game Commission Grant Funding Recommendations 090317.pdf](#)

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.

**Attachments:** [Staff Report](#)  
[Action Summary 8-27-19](#)

**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.

**Attachments:** [Staff Report](#)  
[Memorandum of Understanding with the California Governor's Office of Emergenc](#)

**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.

**Attachments:** [Staff Report](#)  
[Professional Services Agreement with LMT & Associates Consulting, Inc. for Fiscea Certificate of General Liability Insurance \(1\) LMT 2019](#)  
[Professional Liability Insurance](#)  
[Executed Professional Services Agreement with LMT & Associates Consulting, Inc](#)

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.

**Attachments:** [Staff Report](#)  
[St Joseph Hospital Reciprocal Transfer Agreement FY 19-20](#)  
[COI - 06-19 to 06-20 St Joseph](#)  
[COI- WC - St Joseph Hospital](#)

**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.

**Attachments:** [Staff Report](#)  
[Betty Chinn CF Agreement FY 19-20](#)  
[Executed Betty Chinn CF Agreement FY 19-20](#)

**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.

**Attachments:** [Staff Report](#)  
[Humboldt DDA IV Study 02 22 19 and 05 06 19.pdf](#)

**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.

**Attachments:** [Staff Report](#)  
[2018 10 25 MSS Letter to CB regarding Staff Services Analyst III duties.pdf](#)  
[2019 09 03 - M-C Salary Range & Classification Plan Proposal - Supervising Staff Services Analyst Job Specification.pdf](#)  
[MSS Staff Services Analyst III Job Specification.pdf](#)  
[MSS Supervising Staff Services Analyst Job Specification.pdf](#)  
[2019 09 03 Resolution - Add Supervising Staff Services Analyst to M-C Compensation Plan](#)  
[Resolution 19-87](#)

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.

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

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.

**Attachments:** [Staff Report](#)  
[2019-09-03 Resolution Final](#)  
[Resolution 19-88](#)

**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.

**Attachments:** [Staff Report](#)  
[Exhibit No. 1 - Leases](#)  
[Exhibit No. 2 - First Option](#)  
[Exhibit No. 3 - Second Option](#)  
[Exhibit No. 4 - Third Option](#)

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.

***Attachments:***      [Staff Report](#)  
[Exhibit No. 1 - Lease](#)  
[Exhibit No. 2 - First Amendment](#)  
[Exhibit No. 3 - First Option](#)  
[Exhibit No. 4 - Second Option](#)  
[Exhibit No. 5 - Second Amendment](#)

### **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.

***Attachments:***      [Staff Report](#)  
[CDCR Resolution.doc](#)  
[MOU.pdf](#)  
[Resolution 19-89](#)

## **D. ITEMS PULLED FROM CONSENT**

## **E. 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.*

## **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.

**Attachments:** [Staff Report](#)  
[Attachment 1 - 2017-18 Annual Report HWFB.pdf](#)

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 |

**Attachments:** [Staff Report](#)  
[Bid Results List- Fifth Floor Remodel](#)  
[Construction Agreement- Adams Commercial General Contracting](#)  
[Supplemental Budget](#)

### 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.

**Attachments:** [Staff Report](#)  
[Attachment 1 - LA Times article.docx](#)



**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.

**Attachments:** [Staff Report](#)  
[Nordic Project Fact Sheet.pdf](#)  
[2019 July HBMWD letter to BOS.pdf](#)  
[HBMWD Industrial pipeline map.pdf](#)  
[Humboldt County Opportunity Zone Map.docx](#)  
[2019-09-03 Nordic Letter of Support \(1\).doc](#)  
[Executed Nordic Letter of Support](#)

**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.

- Attachments:**
- [Staff Report](#)
  - [Attachment 1 BOS Resolution final.docx](#)
  - [Attachment 1-Exhibit A: Yurok Resolution 18-87\\_11.09.2018.pdf](#)
  - [Attachment 2 Application to Appeal to BOS..pdf](#)
  - [Attachment 3 PC Resolution 19-16\\_Bluff Creek Company Inc\\_12834.pdf](#)
  - [Attachment 4 PC Staff Report for SP-16-667.pdf](#)
  - [Attachment 5 Applicant Submitted Information at PC mtg on 2.07.19 12834.pdf](#)
  - [Attachment 6 Yurok Tribe Letter.pdf](#)
  - [Public Comment](#)

**L. CLOSED SESSION****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/>**