

BOARD OF SUPERVISORS

REX BOHN  
Chair - First District  
ESTELLE FENNELL  
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, October 8, 2019

9:00 AM

Regular Meeting

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**A. SALUTE TO THE FLAG**

**B. MODIFICATIONS TO THE AGENDA**

**C. CONSENT CALENDAR**

**Board of Supervisors**

1. Resolution Recognizing the Retirement of Michael Wheeler (Supervisor Rex Bohn)

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

1. Authorize the Board 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. "The Great California SHAKE OUT" 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 October 1, 2019

**Recommendation:** That the Board of Supervisors:  
1. Approve the Action Summary for the meeting of October 1, 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

4. Professional Services Agreement with Pathways Consultants for Use of Workforce Accelerator 7.0 Grant Funds and Supplemental Budget (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors:  
1. Approve the following supplemental budget for Fiscal Year 19-20 in Fund 1120, Budget Unit 287 (4/5th vote required);

Revenue:

1120287130-4511	State Revenue - Workforce	\$112,788
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Expense:

1120287130-2118	Professional Services	\$112,788
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- 2. Approve and authorize the Chair of the Board of Supervisors to sign two copies of the contract between the County of Humboldt and Pathways Consultants relating to Workforce Accelerator 7.0 Grant funds; and
- 3. Direct the Clerk of the Board to return all executed copies of the attached contracts to the Executive Director of the Humboldt County Workforce Development Board.

*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

5. Fire Protection Reimbursement Agreement between the County of Humboldt and the California Department of Forestry and Fire Protection (Cal FIRE) to Provide Fire Protection Services in County Service Area (CSA) #4 and Fire Dispatch Services

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

1. Adopt the attached resolution authorizing the Chair to execute the Fire Protection Reimbursement Agreement 1CA04409 with Cal FIRE for fire protection services to CSA #4 and fire dispatch services, beginning July 1, 2019 through June 30, 2020;
2. Waive the Humboldt Nuclear-Free Clause;
3. Direct the Clerk of the Board to submit five copies of the agreement and two copies of the Board Resolution to the County Administrative Office for processing; and
4. Direct the Human Resources Director to provide a certificate of insurance (two certified copies) with the following wording "State of California, its officers, agents, employees and servants are included as additional insured's for the purpose of this contract. Insurer will not cancel the insured's coverage without 30 days prior notice to State."

*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. Modification to Humboldt County Local Equity Program Manual

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

1. Approve modifications to the Humboldt County Local Equity Program Manual.

*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**

7. Approval of Election Voting System and Associated Licensing, Service & Maintenance Agreement and Supplemental Budget (4/5 Vote Required)

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

1. Approve the selection of HART InterCivic as the vendor, for a new election voting system;
2. Approve the attached master agreement, and authorize the Chair of the Board to sign the agreement;
3. Authorize the Registrar of Voters, or designee, to execute any and all amendments and/or change orders to the master agreement;
4. Ratify the Request for Proposals; and
5. Approve the attached supplemental budget (4/5 Vote Required).

*This item was pulled from consent for discussion.*

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

Aye: 4 - Estelle Fennell, Virginia Bass, Mike Wilson, and Steve Madrone

Nay: 1 - Rex Bohn

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

8. Memorandum of Understanding with Restpadd, Inc., Regarding Payment of the Costs and Expenses Associated with the Provision of Additional Adult Inpatient Psychiatric Services to Eligible Medi-Cal Beneficiaries Residing in Humboldt County

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

1. Approve, and authorize the Chair of the Board to execute, the attached memorandum of understanding with Restpadd, Inc. regarding payment of the costs and expenses associated with the provision of additional adult inpatient psychiatric services to eligible Medi-Cal beneficiaries residing in Humboldt County;
2. Authorize the Department of Health and Human Services Director, or a designee thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with Restpadd, Inc. 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 (1) fully executed original copy of the attached memorandum of understanding with Restpadd, Inc. to the Department of Health and Human Services - 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

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

9. Redwood Coast Healthcare Coalition Memorandum of Understanding Template for Purchases of Emergency Preparedness Supplies, Equipment and Training

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

1. Approve the Memorandum of Understanding template for use between Department of Health and Human Services - Public Health and Redwood Coast Healthcare Coalition members;
2. Authorize the Director of Department of Health and Human Services - Public Health, or designee, to sign the Memorandum of Understanding with Redwood Coast Healthcare Coalition members; and
3. Authorize the Director of Department of Health and Human Services - Public Health, or designee, to sign any amendments to the Memorandum of Understanding template upon 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

**Public Works**

10. Ratify approval for Lessee's Option to Extend Term of the Lease at the Courthouse Café (4/5 Vote Required)

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

1. Ratify and approve the lessee's option to extend the term of the Lease at the Courthouse Cafe with Christopher J. Rohrs on a year to year basis, not to exceed September 30, 2023. (4/5 Vote Required)

*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**

11. Approval for Sheriff's Department Woodley Island Boat Slip Rental Agreement

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

1. Grant a waiver of the Nuclear Free Ordinance;
2. Authorize the Chair of the Board to sign and execute the attached Rental Agreement in triplicate with the Humboldt Bay Harbor, Recreation, and Conservation District; and
3. Direct the Clerk of the Board to return the executed Rental Agreement to Public Works - Real Property Division for transmittal.

*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****Board of Supervisors****1. Tsunami Presentation (Supervisor Rex Bohn)**

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

*A motion was made by Supervisor Bass, 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

**G. MATTERS INITIATED BY BOARD MEMBERS****H. DEPARTMENT REPORTS****County Administrative Office****1. Updated Responses to 2018-19 Civil Grand Jury Reports**

**Recommendation:** That the Board of Supervisors:  
1. Review and modify as necessary the proposed responses to the Civil Grand Jury on behalf of the Board of Supervisors with supporting documentation (Attachments 2 and 4);  
2. Approve the documents, as may be modified, as the response;  
3. Direct the Clerk of the Board, within 5 working days, to submit the final response with an accompanying Board Order to the 2018-19 Civil Grand Jury and the Presiding Judge of the Superior Court; and  
4. Direct the Clerk of the Board, within 5 working days, to submit two copies of all responses to the County Clerk/Recorder, one of which will be forwarded to the State Archivist, together with a copy of the original report.

*A motion was made by Supervisor Madrone, seconded by Supervisor Wilson, that the recommendations be approved with the three following changes to the Mis Fortunes of Humboldt County response; change finding 12 from disagree to partially agree and add in the statement "funding may not allow a new position at this time", change finding 16 from disagree to partially agree, and on recommendation 1 add in "and will continued to be implemented." 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**

1. 10:00 a.m. - Presentation from Board of Equalization Chair Malia M. Cohen (Supervisor Rex Bohn)

*Recommendation:* That the Board of Supervisors:

1. Hear the presentation (informational only, no action is required).

*Approved per order of the Chair.*

**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 County Administrative Officer pursuant to Government Code sections 54954.5 and 54957.

*The Board of Supervisors met in closed session to consider the Public Employee Performance Evaluation for the position of County Administrative Officer pursuant to Government Code sections 54954.5 and 54957. There was no action to report.*

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 Planning and Building Director pursuant to Government Code sections 54954.5 and 54957.

*The Board of Supervisors met in closed session to consider the Public Employee Performance Evaluation for the position of Planning and Building Director pursuant to Government Code sections 54954.5 and 54957. There was no action to report.*

3. 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 Human Resources Director pursuant to Government Code sections 54954.5 and 54957.

*The Board of Supervisors met in closed session to consider the Public Employee Performance Evaluation for the position of Human Resources Director pursuant to Government Code sections 54954.5 and 54957. There was no action to report.*

4. 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 Public Defender pursuant to Government Code sections 54954.5 and 54957.

*The Board of Supervisors met in closed session to consider the Public Employee Performance Evaluation for the position of Public Defender pursuant to Government Code sections 54954.5 and 54957. There was no action to report.*

5. Conference with Legal Counsel: Initiation of Litigation pursuant to Government Code Section 54956.9, subd. (d)(4) regarding one potential case.

*The Board of Supervisors met in conference with Legal Counsel: Initiation of Litigation pursuant to Government Code Section 54956.9, subd. (d)(4) regarding one potential case.*

*The Board of Supervisors approved two agreements which arise out of the County's termination for default of the original construction contract for the Juvenile Hall Replacement Facility Project with Hal Hays Construction, Inc. in November of 2018, and the County's claims against Western Surety Company, the Project's performance bond surety. These agreements will allow construction work at the Project to resume immediately. The first agreement is a Takeover Agreement between the County and Western Surety. Among other provisions, the Takeover Agreement requires Western Surety to complete the Project by August 30, 2020, and confirms that Western will be responsible for costs to complete the Project in excess of the remaining contract balance. The Takeover Agreement also provides for the payment of damages to the County for certain delays due to the termination of the Project contract. The second agreement is a Waiver and Release Agreement between the County and Hal Hays Construction, Inc. that is related to the Takeover Agreement. The Waiver and Release Agreement resolves claims and issues as between the County and Hal Hays Construction, Inc., subject to certain exceptions. Complete copies of both the Takeover Agreement and the Waiver and Release Agreement will be made available for review and inspection upon request.*

#### **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*

*OCTOBER 10, 2019*

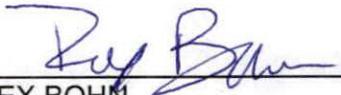


MINUTES  
TUESDAY, OCTOBER 8, 2019  
Regular Session

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, October 15, 2019 with the vote as shown below.

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

  
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RYAN SHARP  
Deputy Clerk of the Board

  
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REX BOHN  
Chair of the Board