



Action Summary
BOARD OF SUPERVISORS
DEL NORTE COUNTY
STATE OF CALIFORNIA
981 H STREET, ROOM 100 /
VIA Zoom
(media.co.del-norte.ca.us)
CRESCENT CITY, CA 95531

TUESDAY, DECEMBER 14, 2021

REGULAR MEETING

10:00 AM

*The Board of Supervisors of the County of Del Norte and the governing body of all other special assessment and taxing districts, for which said Board so acts, is now meeting in regular session. Only those items that indicate a specific time will be heard at the assigned time. All other items may be taken out of sequence to accommodate the public and staff availability. Items followed with a ** indicate material attached in the agenda packet.*

A closed session may be held at some time during the meeting to discuss litigation and/or personnel matters. There is a 90-day statute of limitations relating to decisions rendered after a public hearing of the Board of Supervisors and a 60-day statute of limitations relating to ministerial actions of the Board of Supervisors. NOTE: If you challenge the decision of the Board of Supervisors in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing. (Govt. Code § 65009). When providing written correspondence to the Board of Supervisors you must provide a copy to the Clerk of the Board for inclusion in the official record.

Due to the ongoing COVID-19 issues, the Governor of the State of California has issued Executive Order N-29-20 and Order N-25-20 establishing social distancing measures and suspending provisions of the Brown Act. For this reason we ask that you:

PLEASE SUBMIT ANY PUBLIC COMMENTS AHEAD OF TIME IF AT ALL POSSIBLE. Please visit <http://www.co.del-norte.ca.us/> for a public comment form. Your comment will be limited to 3000 characters. Your comment will be read aloud during the public comment period. Please submit only one comment per agenda item and only one general public comment.

VIEW THE MEETING AND COMMENT REMOTELY. A link to view the meeting will be posted on <http://www.co.del-norte.ca.us/>. Public comment on ALL agenda items as well as general public comment will be taken at the prescribed time for public comment via instructions provided on the website. Please submit only one comment per agenda item and only one general public comment.

IF YOU REQUIRE AN ACCOMMODATION DUE TO DISABILITY under the Americans with Disability Act that does not allow you to participate remotely or provide written comment ahead of the meeting YOU MUST notify the Clerk of the Board at least 24 HOURS in advance of the meeting and a reasonable accommodation will be made.

INDIVIDUALS WHO ARE NOT FULLY VACCINATED AGAINST COVID-19 MUST WEAR A FACE COVERING INSIDE COUNTY FACILITIES, INCLUDING WHILE ATTENDING A BOARD OF SUPERVISORS MEETING IN-PERSON. TO FURTHER PROTECT COUNTY EMPLOYEES AND THE PUBLIC, IT IS STRONGLY ADVISED THAT ALL INDIVIDUALS WEAR FACE COVERINGS IN INDOOR PUBLIC SETTINGS.

Due to the California Division of Occupational Safety and Health's (Cal/OSHA) COVID-19 Emergency Temporary Standards (ETS) and Governor Newsom's Executive Order N-09-21, individuals who are not fully vaccinated against COVID-19 are required to wear face coverings in indoor public settings. If you are not fully vaccinated, and cannot wear a face covering, you may watch and participate in the Board Meeting via Zoom, or you may watch the meeting via the County's YouTube Live Stream and submit written public comment up to one (1) hour prior to the beginning of the meeting.

"Fully vaccinated" means that the person received, at least 14 days prior, either the second dose in a two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine. Vaccines must be FDA approved; have an emergency use authorization from the FDA; or, for persons fully vaccinated outside the United States, be listed for emergency use by the World Health Organization (WHO).

"Face covering" means a surgical mask, a medical procedure mask, a respirator, or a tightly woven fabric or non-woven material of at least two layers. A face covering has no visible holes or openings and must cover the nose and mouth. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.

CLOSED SESSION 8:30 A.M.

Public Comment on Closed Session items only.

Hold a closed session to consider and discuss litigation and personnel matters:
Conference with Legal Counsel- Existing litigation pursuant to Government Code 54956.9(d)(1)—none; Initiation of litigation Conference with Legal Counsel pursuant to Govt' Code 54956.9(d)(4) – none; Pursuant to 54957(b)(1) Conference with Labor Negotiators pursuant to Government Code 54957.6 between County Negotiator: Neal Lopez, CAO and Employee Organization: IHSS; County Negotiator: Will Folger, Unrepresented Groups.

REGULAR SESSION 10:00 A.M.

10:00 A.M. Call the meeting to order and take roll.

- Moment of Reflection
- The Pledge of Allegiance to be led by Chris Howard, Chair.
- Introduction of new employees to the Board of Supervisors

Action: William Davis – Parks & Maintenance Worker

- Report of any actions from closed session by County Counsel.

Action: None.

- The Chair requests any deletions, corrections or additions from Board members to the agenda at this time. In order to add an item to the agenda, the matter must have come to the attention of the County subsequent to the posting of the agenda and the matter requires action before the next regular meeting of the Board of Supervisors.

Action: The Director of the Community Development Department requested the Board place on the Agenda a Joint Resolution of the Del Norte County Board of Supervisors and the Del Norte County Flood District declaring the existence of an emergency and directing staff to take action necessary to alleviate the flooding caused by the unabated increases in the levels of Lakes Earl and Tolowa by breaching the intervening sandbar between the lakes and the Pacific Ocean. With a motion by Supervisor Short and a second by Supervisor Hemmingsen with a 5-0 vote (Yes: Supervisor Howard, Starkey, Short, Hemmingsen, Berkowitz No: None) the item was placed on the Agenda as an urgency item.

- Receive other brief reports or announcements relative to the County of Del Norte programs and projects, progress of the two by two committees, goal committees and/or Board and staff travel/training reports.

Action:

Supervisor Short: Attended the City Council meetings, attended the Annual CSAC Conference, attended the LTCO meeting and attended the Tri-Agency meeting.

Supervisor Starkey: Attended the Veteran's Day Parade, attended a meeting with members of the VFW hall regarding some issues they were having, attended the Visitor Bureau meetings, attended a meeting with the Yurok Tribe, attended a meeting with The Collective Good representatives, attended the A1AA meeting, attended the City Council meetings, attended a meeting with the CA Dept. of Fish and Wildlife regarding the Point Saint George parking lot, attended the Harbor Commission meeting, attended the DNSWMA meeting, participated in a tour of the garden located at the Family Resource Center/First 5, attended the special Tri-Agency meeting, attended the Cultural Competency Workgroup meeting, attended the grand re-opening of the Crescent Elk Auditorium, attended the RCTA meeting, attended a meeting with an investigator from the Office of the Inspector General, attended the Special Board of Supervisors meeting, attended the Annual CSAC Conference, traveled to Washington DC to see the US Capitol Christmas Tree, attended a meeting with County staff to discuss SB 1383 and also attended a meeting to discuss alternatives to the current Jail/Juvenile Hall medical.

Supervisor Howard: Attended a meeting with the Chair of the Smith River Cemetery District, attended a meeting with DN County Unified School District and a Non-profit called "No Child Hungry" to help local youth, participated in preplanning for the CSAC Conference AG presentation, attended a meeting with Commander Depee of the CHP regarding local collision data, attended the NCUAQMD meeting, attended a meeting with the Chamber of Commerce representatives regarding the Going for Gold Campaign, attended the Tri-Agency meeting, attended a meeting with the General Consul of Japan and the Kamome Foundation, attended a meeting with the temporary Gasquet District Ranger Kathy Allen and Supervisor Hemmingsen, attended the DN Senior Center meeting, attended a meeting to discuss alternatives to the current Jail/Juvenile Hall medical, attended the Natural Resource Goal Committee meeting, attended the LTCO meeting, participated in Agenda review, dealt with constituent concerns of the Klamath Ball Field and dead spots within the County for cell coverage, attended the North Deal meeting and also attended the Annual CSAC Conference.

Supervisor Hemmingsen: Attended the Last Chance Grade Litigation Workshop, attended the RCRC Executive Committee meeting, attended the GSFA meeting, attended the Veteran's Day Parade, attended a meeting with The Collective Good representatives, attended a Whale Entanglement and Dungeness Crab meeting, attended the grand re-opening of the Crescent Elk Auditorium, attended a meeting with the temporary Gasquet District Ranger Kathy Allen and Supervisor Howard, attended a meeting with the Coastal Counties Policy Committee for CSAC, attended another RCRC Executive Committee meeting, attended the Board of Supervisors Special meeting, attended the Annual CSAC Conference, attended another Whale Entanglement meeting, attended the local Harbor District meeting, attended the LTCO meeting, attended the Resource Advisory Committee meeting and also attended the RCRC Board of Directors meeting.

Supervisor Berkowitz: Dealt with constituent concerns on inflation with basic need products in the community.

CONSENT AGENDA

Comments from members of the public may be heard at this time regarding matters on the Consent Agenda only.

Action: Approved. The Director of Health and Human Services made note that a clerical error was made on the Board Report for item #16 and the total amount of the Agreement is \$1,000.00 more than stated in the recommendation totaling \$626,400.00.

Motion: Move to approve

Move: Gerry Hemmingsen

Second: Darrin Short

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short

Vote Nay: 0

Vote Abstain: 0

1. Approve and adopt the minutes from the November 09, 2021 Board of Supervisors meeting.**

Action: Approved.

2. Approve and adopt the Minutes from the November 24, 2021 Board of Supervisors Special Session.**

Action: Approved.

3. Approve and adopt the 2022 Board of Supervisors meeting and holiday schedule.**

Action: Approved.

4. Approve and adopt a Proclamation in appreciation and gratitude for the support, service and partnership of the California Highway Patrol, Crescent City Office as requested by Chair Howard.**

Action: Approved.

5. Receive and review the finalized Board of Supervisors comment letter relating to the State's redistricting process, as previously directed by the Board.**

Action: Approved.

6. Approve a resolution determining that no change in the allocation of property tax revenue would occur as a result of a change in the service responsibilities of the Hunter Valley Community Services District (HVCSD), as required under the Revenue and Taxation Code (RTC), prior to LAFCO approving the activation of latent Parks and Recreation Powers as requested by the Assistant County Administrative Officer.**

Action: Approved. RESO#2021-048

7. Approve and appoint Supervisor Hemmingsen as the Delegate and Supervisor Short as the Alternate to the Rural Representatives of California (RCRC) Board of Directors for the 2022 year as requested by Chair Howard.**

Action: Approved.

8. Approve and appoint Supervisor Hemmingsen as the Delegate and the Director of the Solid Waste Management Authority Tedd Ward as the Alternate to the Environmental Services Joint Powers Authority Board of Directors for the 2022 year as requested by Chair Howard.**

Action: Approved.

9. Approve and authorize the Chair to sign the First Amendments to Agreements 2021-082; 2021-099 and 2021-100 for Public Defender Services as requested by the County Administrative Officer.**

Action: Approved. Olson - DNCOAGREE#2021-193; Futtrell - DNCOAGREE#2021-194; Morris - DNCOAGREE#2021-195; Hoopes - DNCOAGREE#2021-196

10. Approve and authorize the Office of Emergency Services to accept a donation of a used trailer from Humboldt Bay Fire for use by the Del Norte County Community Emergency Response Team (CERT) as requested by the Assistant County Administrative Officer.**

Action: Approved.

11. Approve and authorize the Chair to sign the Intergovernmental Agreement regarding transfer of public funds between the California Department of Health Care Services (DHCS) and Del Norte County Department of Health and Human Services (DHHS) with the term beginning January 01, 2021 through June 30, 2024 and the estimated contribution amount is \$479,856.00 as requested by the Director of Health and Human Services.**

Action: Approved. DNCOAGREE#2021-197

12. Approve and authorize the Chair to sign the attached Agreement with the Department of Housing and Community Development to provide housing navigation services to youth in Del Norte County upon approval through June 30, 2024 in the amount of \$6,370.00 as requested by the Director of Health and Human Services.**

Action: Approved. RESO#2021-052

13. Approve and authorize the Chair to sign the attached Agreement with the Department of Housing and Community Development to provide transitional housing services to youth in Del Norte County upon approval through June 30, 2024, in the amount of \$1,600.00 as requested by the Director of Health and Human Services.**

Action: Approved. RESO#2021-053

14. Approve and authorize the Chair to sign the Agreement for Residential Treatment and Detoxification Services with Empire Recovery Center for the period July 01, 2021 to June 30, 2022, not to exceed \$30,000.00 as requested by the Director of Health and Human Services.**

Action: Approved. DNCOAGREE#2021-200

15. Approve and authorize the Chair to sign the Agreement for Mental Health Rehabilitation Services with Willow Glen Care Center, Cedar Grove for the period July 01, 2021 to June 30, 2022, not to exceed \$150,000.00 as requested by the Director of Health and Human Services.**

Action: Approved. DNCOAGREE#2021-201

16. Approve and authorize the Chair to sign the Agreement with Kings View Corporation to provide telepsychiatry services to the Department of Health and Human Services, Behavioral Health Branch for the period of July 01, 2021 to June 30, 2022, not to exceed \$625,400.00 as requested by the Director of Health and Human Services.**

Action: Approved. DNCOAGREE#2021-202. The Director of Health and Human Services made note that a clerical error was made on the Board Report for this item and the total amount of the Agreement is \$1,000.00 more than stated in the recommendation totaling \$626,400.00.

17. Approve and authorize the Chair to sign the Agreement with BHC Heritage Oaks Hospital, Inc. for Psychiatric Inpatient Hospital Services from July 01, 2021 through June 30, 2022, not to exceed \$40,000.00 as requested by the Director of Health and Human Services.**

Action: Approved. DNCOAGREE#2021-203

- 18.1) Approve the updated classification descriptions for the Deputy Sheriff I/II/III classifications; 2) approve the updated classification description for the Public Health Nutrition Manager I/II classification; 3) establish one (1) new position allocation within the WIC program at the Department of Health and Human Services, Public Health Branch; and 4) direct Human Resources to amend the adopting staffing chart as requested by the Human Resources/Risk Manager.**

Action: Approved.

19. Approve and authorize the Chair to sign a letter related to the vacant District Ranger position for the Gasquet Ranger District, as requested by the Natural Resources Goal Committee.**

Action: Approved.

20. Approve and appoint Ryan Cooley as an additional member with aviation expertise to the Del Norte County Airport Land Use Commission as requested by the Director of the Community Development Department.**

Action: Approved.

21. Direct staff to apply to the State Water Resources Control Board for a Technical Assistance Grant to develop a Sewer Rate Study as requested by the Director of the Community Development Department.**

Action: Approved.

22. Approve the First Amendment to the Agreement for Hospital Preparedness Program Grant Cooperative Agreement for Subaward Funding with Del Norte Ambulance (Del Norte County Agreement No. 2021-075) and authorize the County Administrative Officer to sign the Agreement as requested by the County Administrative Officer.**

Action: Approved. DNCOAGREE#2021-204

23. Approve and authorize the Chair to sign the Cooperative Agreement for Subaward Homeland Security Grant Program (HSGP) funding between the Office of Emergency Services and the Smith River Fire Protection District as requested by the County Administrative Officer.**

Action: Approved. DNCOAGREE#2021-205

24. Approve and authorize the Chair to sign the Memorandum of Understanding (MOU) between the Superior Court of California, County of Del Norte and the Del Norte County Probation Department for funding related to a Pretrial Assessment Services Program as requested by the Chief Probation Officer.**

Action: Approved. DNCOAGREE#2021-206

SCHEDULED ITEMS

25. 10:25 A.M. COMMENT PERIOD: Members of the public may address the Board on matters which are within the jurisdiction of the Board. If you are addressing the Board regarding a matter listed on the agenda, you may be asked to hold your comments until the Board takes up that matter. Please limit your comments to three minutes or less.

26. 10:30 A.M. Assemblyman Wood update. (Jim Wood, Assemblymember District 2)

27. 10:45 A.M. 1) Receive a presentation by Michael Mavris of his award winning essay titled "What does the Theme Six Rivers, Many Peoples, One Tree Mean to Me?"; and 2) approve and adopt a Proclamation honoring Michael for being the selected youth tree lighter of "Sugar Bear the Capital Christmas Tree" as requested by Supervisor Starkey.**

Action: Approved.

Motion: Move to approve
Move: Valerie Starkey
Second: Gerry Hemmingsen

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short
Vote Nay: 0
Vote Abstain: 0

28.10:55 A.M. Collective Good update (Heather Snow, Director of Health and Human Services)

29.11:05 A.M. 1) Consider public input and discuss draft local supervisorial district maps; and 2) approve and adopt a resolution ratifying one of the draft local supervisorial district maps and finalizing the 2020 local redistricting process as requested by Assistant County Counsel.**

Action: Approved. RESO#2021-049. The Board voted to ratify Map Number One (1)

Motion: Move to approve
Move: Valerie Starkey
Second: Bob Berkowitz

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short
Vote Nay: 0
Vote Abstain: 0

REGULAR ITEMS

GENERAL GOVERNMENT:

30.1) Introduce AN ORDINANCE OF THE DEL NORTE COUNTY BOARD OF SUPERVISORS ADDING SECTION 16.04.42 TO DEL NORTE COUNTY CODE RELATED TO THE CORRECTION AND MODIFICATION OF A RECORDED SUBDIVISION MAP; 2) Set a hearing to adopt the ordinance on January 11, 2022 and 3) designate County Counsel to prepare a summary of the ordinance for publication as requested by the Director of the Community Development Department.**

Action: Approved.

Motion: Move to approve

Move: Darrin Short
Second: Bob Berkowitz

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short

Vote Nay: 0

Vote Abstain: 0

31.1) Introduce AN ORDINANCE ADDING CHAPTER 16 RELATED TO PROVIDING AN EXPEDITED STREAMLINED PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS AND CHAPTER 17 RELATED TO EXPEDITED PERMITTING FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS TO TITLE 14 OF THE DEL NORTE COUNTY CODE 2) set a hearing to adopt the ordinance on January 11, 2022; and 3) designate County Counsel to prepare a summary of the ordinance for publication as requested by the Director of the Community Development Department.**

Action: Approved.

Motion: Move to approve
Move: Darrin Short
Second: Gerry Hemmingsen

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short

Vote Nay: 0

Vote Abstain: 0

32. Approve and adopt a Resolution to set tax rates for cannabis retail and manufacturing transactions within the range approved by voters in Measure B for calendar year 2022 as requested by the Treasurer-Tax Collector.**

Action: Approved. RESO#2021-051. The Board voted to set the retail rate at 6% and the manufacturing rate was set at 3%. There was a second motion made by Supervisor Starkey with a second by Supervisor Howard to set the retail rate at 2% and the manufacturing rate at 3% but it failed due to a 2-3 vote (Yes: Supervisor Starkey, Howard No: Supervisor Short, Hemmingsen, Berkowitz)

Motion: Move to approve
Move: Gerry Hemmingsen
Second: Darrin Short

Vote Yea: 3 Gerry Hemmingsen, Bob Berkowitz, Darrin Short

Vote Nay: 2 Chris Howard, Valerie Starkey

Vote Abstain: 0

33. Approve and adopt a Joint Resolution of the Del Norte County Board of Supervisors and the Del Norte County Flood District declaring the existence of an emergency and directing staff to take action necessary to alleviate the flooding caused by the unabated increases in the levels of Lakes Earl and Tolowa by breaching the intervening sandbar between the lakes and the Pacific Ocean as requested by the Director of the Community Development Department.

Action: Approved. RESO#2021-051. This item was added as an urgency item.

Motion: Move to approve
Move: Gerry Hemmingsen
Second: Darrin Short

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short

Vote Nay: 0

Vote Abstain: 0

BUDGET TRANSFERS:

34. Approve and adopt Budget Transfer #11-04 in the amount of \$33,000.00 within the Miscellaneous Revenues, Expenditure and Department of Agriculture's Budget Unit to replace an aging vehicle as requested by the Agricultural Commissioner.**

Action: Approved. BT#11-04

Motion: Move to approve
Move: Bob Berkowitz
Second: Gerry Hemmingsen

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short

Vote Nay: 0

Vote Abstain: 0

35. Approve and adopt Budget Transfer #12-01 in the amount of \$300,000.00 within the Public Health Budget Unit that utilizes the grant applied for through the California Department of Public Health for the California Equitable Recovery Initiative (CERI) as requested by the Director of Health and Human Services.**

Action: Approved. BT#12-01

Motion: Move to approve
Move: Bob Berkowitz

Second: Gerry Hemmingsen

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short

Vote Nay: 0

Vote Abstain: 0

36. Approve and adopt Budget Transfer #12-02 in the amount of \$1,757.00 within the Measure R Budget Unit to cover the cost incurred by the California Department of Tax and Fee Administration (CDTFA) as requested by the County Administrative Officer.**

Action: Approved. BT#12-02

Motion: Move to approve

Move: Bob Berkowitz

Second: Gerry Hemmingsen

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short

Vote Nay: 0

Vote Abstain: 0

LEGISLATIVE AND BUDGET ISSUES:

Consider miscellaneous legislative and budget matters pertinent to the County of Del Norte. Authorize the Chair to sign and send appropriate letters with respect to matters pending before the state or federal governments.

37. Approve and authorize the use of Capital Improvement funding in the Fiscal Year 2021/2022 adopted budget in the amount of \$14,840.00 for the replacement of eight (8) commercial overhead doors at the Agriculture/Animal Control Department as requested by the County Administrative Officer and the Director of Building Maintenance and Parks.**

Action: Approved.

Motion: Move to approve

Move: Darrin Short

Second: Gerry Hemmingsen

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
Valerie Starkey, Darrin Short

Vote Nay: 0

Vote Abstain: 0

38. Approve the County Administrative Officer (CAO) to sign the "Return of Funds for 2020-21" letter from Trindel Insurance Fund (Trindel) requesting that a portion of excess funds be transferred between insurance programs for the County of Del Norte and have the remainder of the excess funds returned to the County and authorize the Auditor-Controller to establish a Special Revenue Fund to deposit and account for the funds that are returned as requested by the CAO and the Auditor-Controller (Auditor).**

Action: Approved.

Motion: Move to approve
Move: Darrin Short
Second: Gerry Hemmingsen

Vote Yea: 5 Gerry Hemmingsen, Chris Howard, Bob Berkowitz,
 Valerie Starkey, Darrin Short
Vote Nay: 0
Vote Abstain: 0

ADJOURNMENT

(Next meeting is January 11, 2022)

Kylie Goughnour, Clerk of the Board
County of Del Norte, State of California

Date Posted: December 10, 2021

THE AGENDA AND ACTION SUMMARY ARE AVAILABLE ON THE COUNTY WEBSITE:
www.co.del-norte.ca.us