

BOARD OF SUPERVISORS

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ESTELLE FENNELL
Second District
MARK LOVELACE
Chair - Third District
VIRGINIA BASS
Vice Chair - Fourth District
RYAN SUNDBERG
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, May 31, 2016

9:00 AM

Regular Meeting

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

Agricultural Commissioner

1. Approval of Cooperative Agreement No. 16-0282-SA, Nursery Inspection Program Contract in the Amount of \$1,398.00

Recommendation: That the Board of Supervisors approve Standard Agreement No. 16-0282-SA, known as the Nursery Inspection and Enforcement Program contract with the California Department of Food and Agriculture in the amount of \$1,398.00; authorize the Chair to sign the original agreement, one copy of the cover page, and direct the Clerk of the Board to return all signed copies to the Agricultural Commissioner's office for further processing; and grant a waiver from the provisions of the Nuclear Free Ordinance.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

2. Approval of Cooperative Agreement No. 16-0226-SA California Organic Program Contract with the California Department of Food and Agriculture in the Amount of \$8,480.00

Recommendation: That the Board of Supervisors approve Cooperative Agreement No. 16-0226-SA, known as the California Organic Program Contract between Humboldt County and the California Department of Food and Agriculture; authorize the Chair to sign the original agreement and one copy of the cover page, and return all copies to the Agricultural Commissioner's Office for further processing; and grant a waiver from the provisions of the Nuclear Free Ordinance.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Board of Supervisors

3. Appreciation Letters to Jon Sapper and Dennis Mullins for Service on the Workforce Development Board (Supervisor Mark Lovelace)

Recommendation: That the Board of Supervisors authorize the Chair to sign the letters of appreciation.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

4. Support Letter for the Willow Creek Service District Wastewater Project (Supervisor Ryan Sundberg)

Recommendation: That the Board of Supervisors authorize the Chair to sign the letter of support.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

5. Consider Sending a Letter of Support for SB 1081 (Morrell) Related to Hunting and Sport Fishing Reduced or Free License Fees for Veterans and Senior Citizens (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors send a letter to Senator Mike Morrell in support of his bill, SB 1081 related to hunting and sport fishing reduced or free license fees for veterans and senior citizens.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

6. Letter of Support for SB 1190 (Jackson) California Coastal Commission Ban on Ex-Parte Communications (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors authorize the Chair to sign the letter of support for SB 1190.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Clerk of the Board

7. Approval of the Action Summary - Meeting of May 24, 2016

Recommendation: That the Board of Supervisors approve the Action Summary for the meeting of May 24, 2016 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 Fennell, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

County Administrative Office

8. Adoption of an Ordinance Amending Humboldt County Code to Authorize Participation in the Community Choice Aggregation Program Implemented and Operated by the Redwood Coast Energy Authority

Recommendation: That the Board of Supervisors adopt Ordinance No. _____, adding Sections 861-1 and 861-2 relating to Authorizing Participation in the Community Choice Aggregation Program Implemented and Operated by the Redwood Coast Energy Authority to Title VIII of the Humboldt County Code.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

9. Measure Z Contract with Kneeland, Blue Lake and Willow Creek Fire Protection Districts

Recommendation: That the Board of Supervisors authorize the Chair of the Board to execute agreements with Kneeland, Blue Lake and Willow Creek Fire Protection Districts for Measure Z funding, a local half-cent sales tax; and direct the Clerk of the Board to return two copies of all of the agreements to the County Administrative Office for processing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

10. Headwaters Fund Revolving Loan Fund Co-Recipient Agreement with Redwood Region Economic Development Corporation for Economic Development Administration Grant

Recommendation: That the Board of Supervisors authorize the County Administrative Officer, or designee, to sign grant co-recipient application, and all related forms, for the Economic Development Administration's (EDA) Revolving Loan Fund (RLF); upon acceptance of the application by EDA, authorize the Chair of the Board to sign the Memorandum of Understanding (MOU) with Redwood Region Economic Development Corporation (RREDC); and concurrently with the execution of the MOU with RREDC, authorize the Chair of the Board to sign the amendment to the lenders agreement with RREDC, acknowledging the MOU and incorporating the MOU into the contract by reference.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Department of Health and Human Services: Administration

11. Agreement with Area 1 Agency on Aging to Provide Older Americans Act Activities for Fiscal Year 2016-17

Recommendation: That the Board of Supervisors approve the agreement with Area 1 Agency on Aging to assist the Department of Health and Human Services (DHHS) to provide Older Americans Act activities for fiscal year 2016-17; authorize the Chair to execute three (3) originals of the agreement (Attachment 1); and direct the Clerk of the Board to route two (2) fully executed originals of the agreement to the DHHS-Contract Unit for forwarding to DHHS Administration.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Department of Health and Human Services: Social Services

12. Memorandum of Understanding (MOU) with Del Norte County for Legal Services Related to a Child Welfare Services (CWS) Case Due to Conflict of Interest

Recommendation: That the Board of Supervisors approve the Memorandum of Understanding (MOU) with Del Norte County for legal services related to a Child Welfare Services (CWS) case due to conflict of interest; authorize the Chairperson to execute four (4) originals of the MOU; and direct the Clerk of the Board to route three (3) fully executed originals of the MOU to the Department of Health and Human Services (DHHS) -Contract Unit for forwarding to DHHS-Social Services Administration.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Human Resources

13. Corrected 2015-2017 Memorandum of Understanding (MOU) Between the County of Humboldt and the American Federation of State, County and Municipal Employees (AFSCME) for Representation Units 1 - 4

Recommendation: That the Board of Supervisors approve the attached corrected 2015-2017 Memorandum of Understanding (MOU) between the County of Humboldt and the American Federation of State, County and Municipal Employees (AFSCME) Local 1684 for Units 1 - 4.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Probation

14. Approval of 30-Year Staffing Plan and Operational Cost of Juvenile Hall Replacement Facility Construction Project, Project Number 170212

Recommendation: That the Board of Supervisors approve the attached 30-Year Staffing Plan and Operational Cost Analysis.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Public Works

15. Requests for Proposals to Provide Professional Services for the Eel River Valley Groundwater Basin Assessment Project

Recommendation: That the Board of Supervisors authorize Public Works to issue the two attached Requests for Proposals, and direct Public Works to bring the Agreements for Professional Services with the selected contractors back to the Board for review and approval.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

16. Advance Salary Step Request for Nanette Shepard-Long, Extra-help Park Caretaker, from Step 1A to B (4/5 Vote Required)

Recommendation: That the Board of Supervisors approve an advance salary step increase for Nanette Shepard-Long, extra help park caretaker, (1100-713, 0272A, 299) from step 1A to B, effective the first full pay period after Board approval, pursuant to Memorandum of Understanding between the County of Humboldt and the American Federation of State, County and Municipal Employees (AFSCME), section 10.1.1. (4/5 vote required).

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

17. Federal Apportionment Exchange and State Match Program for Regional Surface Transportation Program (RSTP) Funds

Recommendation: That the Board of Supervisors authorize the Chair to sign two copies of the Agreement No. X16-5904 (158); and direct the Clerk of the Board to return two signed copies of the agreement and the authorizing Board Order to the Department of Public Works for transmittal to California Department of Transportation (Caltrans).

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

18. Request for Qualifications to Provide Environmental Services for the Honeydew Bridge Replacement Project

Recommendation: That the Board of Supervisors authorize Public Works to issue the attached Request for Qualifications, and direct Public Works to bring the Agreement for Professional Services with the selected consulting firm back to the Board for review and approval.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

19. Bid Authorization and First Amendment to the Architectural Services Agreement for the Juvenile Hall Replacement Facility Construction Project, Project Number 170212

Recommendation: That the Board of Supervisors receive the plans and specifications pertaining to the Juvenile Hall Replacement Facility Construction Project, Project Number 170212 ("Juvenile Hall Replacement Project"); authorize the Clerk of the Board, upon the Director of Public Works obtaining State approval to Proceed to Bid, to advertise the Juvenile Hall Replacement Project, pursuant to Section 22037 of the California Public Contract Code, on June 7, 2016 with bids to be opened on Tuesday, July 12, 2016 at 2:00 PM; approve the attached first amendment to the architectural services agreement, between the County and Nichols, Melburg & Rossetto Architects, which reduces the Bid Overage Margin for the Juvenile Hall Replacement Project from 10 percent (10%) to five percent (5%); authorize the Chair of the Board to execute four (4) original copies of the attached first amendment to the Architectural Services Agreement; and direct the Clerk of the Board to return three (3) executed copies of the attached first amendment to the Department of Public Works for further processing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Treasurer/Tax Collector

20. Airbnb Voluntary Collection Agreement

Recommendation: That the Board of Supervisors approve and execute a Voluntary Collection Agreement (VCA) with Airbnb, Inc. to collect and remit Transient Occupancy Taxes (TOT) on behalf of the third-party individuals or entities that utilize Airbnb's online booking platform for short-term lodging in the county.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

D. SPECIAL PRESENTATIONS

Board of Supervisors

1. Film Commission Annual Report (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors hear the presentation and take appropriate action, if required.

Approved per order of the Chair

2. Proclaim June 4, 2016 as "Lemonade Day" (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors adopt the Proclamation.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

E. MATTERS SET FOR TIME CERTAIN

F. ITEMS PULLED FROM CONSENT

G. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

1. Consider Signing onto the Amended Klamath Hydroelectric Settlement Agreement (Supervisor Ryan Sundberg and Supervisor Mark Lovelace)

Recommendation: That the Board of Supervisors sign on to the revised KHSA.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

H. DEPARTMENT REPORTS

I. CLOSED SESSION

1. It is the intention of the Board of Supervisors to meet in closed session to consider the Appointment for the positions of Director of Planning and Building Department and Director of Library Services pursuant to Government Code sections 54954.5 and 54957.

The Board of Supervisors met in closed session to consider the Appointment for the positions of Director of Planning and Building Department and Director of Library Services pursuant to Government Code sections 54954.5 and 54957. There was no action to report.

2. Conference with Legal Counsel - Existing Litigation pursuant to Government Code section 54956.9 subd. (a); Humboldt Coalition for Property Rights v. County of Humboldt, et al; Humboldt County Superior Court Case No. CV120232.

The Board of Supervisors met in conference with Legal Counsel on existing litigation pursuant to Government Code section 54956.9 subd. (a); Humboldt Coalition for Property Rights v. County of Humboldt, et al; Humboldt County Superior Court Case No. CV120232. There was no action to report.

J. PUBLIC COMMENT ON NON-AGENDA ITEMS – 1:30 P.M.

K. ADMINISTRATIVE ABATEMENT HEARINGS**Code Enforcement Unit**

1. Administrative Abatement Hearing; Jessica Adams; 7210 Summit Ridge Drive, Eureka, California; AP# 306-291-018

Recommendation: That the Board of Supervisors, pursuant to Humboldt County Code sections 351-21 and 351-22, open the hearing; hold an administrative hearing to determine whether a public nuisance exists on the subject property; adopt the attached Findings of Nuisance and Order of Abatement consistent with the evidence presented at the hearing; and close the hearing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

L. PUBLIC HEARINGS**Planning and Building Department**

1. County-Initiated Notice of Intent to Serve Notice of Non-Renewal of the Arthur Tooby Conservation Contract. Case Number AGPN 15-005. Key Assessor Parcel Number 216-081-008 (see Attachment G for a complete list of affected parcel numbers). Resolution No. 77-30. Garberville Area

Recommendation: That the Board of Supervisors hold a public hearing in the manner prescribed by law; receive the staff report; approve the Notice of Intent to Serve Notice of Non-Renewal and direct Planning staff to mail said notice to the property owners informing them of their right to protest; direct the Clerk of the Board to execute the Notice of Non-Renewal and record with the County Recorder's Office no later than 20 days after the County sends the Notice of Intent to Serve Notice of Non-Renewal to property owners; and direct the Clerk of the Board to give notice of the decision to Non-Renew the Land Conservation Contract to property owners, the California Office of Land Conservation, the Assessor's Office. County Counsel end any other interested party.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

M. AFTERNOON DISCUSSION ITEMS**Board of Supervisors**

1. Reports on Board Member Travel at County Cost, Meeting Attendance, and Supervisorial District Matters

N. ADJOURNMENT

I, BROOKE EBERHARDT, 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.

BROOKE EBERHARDT

Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California



May 31, 2016



MINUTES
TUESDAY, MAY 31, 2016
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, June 7, 2016, with the vote as shown below.

AYES: Supervisors: Sundberg, Fennell, Lovelace, Bohn, Bass
NAYS: Supervisors: n/a
ABSENT: Supervisors: n/a



ANA HARTWELL
Deputy Clerk of the Board



MARK LOVELACE
Chair of the Board



COUNTY OF HUMBOLDT

For the meeting of: June 7, 2016

Date: June 1, 2016
 To: The Honorable Board of Supervisors
 From: Brooke Eberhardt, Deputy Clerk of the Board of Supervisors
 Subject: **Approval of the Action Summary – Meeting of May 31, 2016**

RECOMMENDATION: That the Board of Supervisors approve the Action Summary for the meeting of May 31, 2016 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

SOURCE OF FUNDING: General Fund

DISCUSSION: The Action Summary from the meeting of May 31, 2016 is attached. This Action Summary encompasses all actions taken by the Board of Supervisors at their May 31, 2016 meeting.

FINANCIAL IMPACT: None

OTHER AGENCY INVOLVEMENT: None

ALTERNATIVES TO STAFF RECOMMENDATIONS: Direct the Clerk of the Board to prepare a corrected Action Summary, if necessary.

ATTACHMENT(S): Action Summary

Prepared by Brooke Eberhardt, Deputy Clerk of the Board CAO Approval: *Eberhardt*

REVIEW:

Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

- Consent
- Departmental
- Public Hearing
- Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Bass* Seconded by Supervisor *Fennell*

Ayes *Sundberg, Fennell, Lovelace, Bohn, Bass*
 Nays _____
 Abstain _____
 Absent _____

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *June 7, 2016*

By: *Ana Hartwell*
 Ana Hartwell, Deputy Clerk of the Board