

BOARD OF SUPERVISORS

REX BOHN
Vice-Chair - First District
ESTELLE FENNEL
Second District
MIKE WILSON
Third District
VIRGINIA BASS
Fourth District
RYAN SUNDBERG
Chair - 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, December 11, 2018

9:00 AM

Regular Meeting

- A. SALUTE TO THE FLAG
- B. MODIFICATIONS TO THE AGENDA
- C. CONSENT CALENDAR

Board of Supervisors

1. Certificates of Recognition for Southern Humboldt Volunteer Fire Fighters (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors:

1. Ratify the certificates of recognition.

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, Ryan Sundberg, and Mike Wilson

Clerk of the Board

2. Approval of the Action Summary - Meeting of December 4, 2018

Recommendation: That the Board of Supervisors:

- 1. Approve the Action Summary for the meeting of December 4, 2018 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, Ryan Sundberg, and Mike Wilson

County Clerk/Recorder/Registrar of Voters

3. Certification of the Results of the November 6, 2018, Statewide General Election

Recommendation: That the Board of Supervisors:

- 1. Accept the Certified Statement of Results of the Official Canvass for the November 6, 2018, Statewide General Election.

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, Ryan Sundberg, and Mike Wilson

Department of Health and Human Services: Social Services

4. Agreement with United Indian Health Services to Assist with CalFresh Outreach and Support Activities

Recommendation: That the Board of Supervisors:

- 1. Approve the agreement with United Indian Health Services to assist the Department of Health and Human Services (DHHS) increase utilization of CalFresh benefits by eligible households in an amount not to exceed \$281,698.49; and
- 2. Authorize the Chair to execute three (3) originals of the agreement (Attachment 1); and
- 3. 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-Social Services Administration.

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, Ryan Sundberg, and Mike Wilson

Human Resources

5. County Administrative Officer Employment Agreement

Recommendation: That the Board of Supervisors:

1. Approve the attached Employment Agreement which memorializes the appointment of Amy S. Nilsen as County Administrative Officer (CAO) effective December 11, 2018 and sets out the employment terms between the county and County Administrative Officer Amy Nilsen; and
2. Authorize the Chair of the Board of Supervisors to execute the Employment Agreement.

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, Ryan Sundberg, and Mike Wilson

6. Adoption of Compensation Plan for Elected and Appointed Department Heads Effective October 1, 2017 through and inclusive of Sept. 30, 2022

Recommendation: That the Board of Supervisors:

1. Adopt Resolution No. _____ (attached) approving the Compensation Plans for Elected and Appointed Department Heads effective Oct. 1, 2017 through and inclusive of Sept. 30, 2022
2. Approve the Compensation Plan for Elected and Appointed Department Heads effective Oct. 1, 2017, through and inclusive of Sept. 30, 2022

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, Ryan Sundberg, and Mike Wilson

Planning and Building Department

7. Adoption of County of Humboldt Extraction Review Team (CHERT) Ordinance (Establishing Procedures for Appointment, Duties and Compensation Mechanism for CHERT members)

Recommendation: That the Board of Supervisors:

1. Adopt Ordinance No. _____ (Attachment 1), relating to establishing procedures for appointment, duties and compensation mechanism for CHERT members, adding Chapter 2 to Division 9 of Title III of the Humboldt County Code.

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, Ryan Sundberg, and Mike Wilson

8. Allocation of Code Enforcement Manager for Planning and Building Code Enforcement Budget Unit 269

Recommendation: That the Board of Supervisors:

1. Approve the allocation of 1.0 full-time (FTE) Code Enforcement Manager, (Class 0663, Range 475) in the Code Enforcement budget unit (BU) 269 effective immediately.

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, Ryan Sundberg, and Mike Wilson

Public Works

9. First Amendment to the Agreement for Consultant Services with Ghirardelli Associates, Inc. Regarding the Provision of Construction Management Services for Williams Creek Bridge (4C-258) Replacement on Grizzly Bluff Road (2G100) at Post Mile 10.21

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached first amendment to the agreement for consultant services with Ghirardelli Associates, Inc. regarding the provision of construction management services for the Williams Creek Bridge Replacement Project; and
2. Direct the Clerk of the Board to return two (2) fully executed original copies of the attached first amendment to the Department of Public Works 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, Ryan Sundberg, and Mike Wilson

10. First Amendment to the Agreement for Consultant Services with Points West Surveying Company Regarding the Provision of On-Call Professional Land Surveying Services

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached first amendment to the agreement for consultant services with Point West Surveying Company regarding the provision of on-call professional land surveying services; and
2. Direct the Clerk of the Board to return two fully executed original copies of the attached first amendment to the Department of Public Works 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, Ryan Sundberg, and Mike Wilson

11. Approval of Fawn Meadows Subdivision, APN 509-240-037, McKinleyville Area

Recommendation: That the Board of Supervisors:

1. Accept and approve the subdivision map for filing with the County Recorder;
2. Accept the dedications to the County of Humboldt of Tasi Lane for public road and public utility purposes;
3. Accept Challis Court and Dogwood Road for public utility purposes; accept Public Utility Easement (PUE) for Parcels T and Z for public use;
4. Accept for drainage facilities and access thereto Parcel X with right to convey to McKinleyville Community Services District;
5. Reject Challis Court and Dogwood Road for public road purposes and Parcel S for public sidewalk purposes;
6. Direct the Clerk of the Board to sign the subdivision map on behalf of the Board of Supervisors;
7. Authorize the Chair to execute the Conveyance and Agreement; and
8. Direct the Clerk of the Board to transmit the subdivision map and the Conveyance and Agreement to the County Recorder.

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, Ryan Sundberg, and Mike Wilson

12. Extension of Extra-Help Hours- Facilities Management 1100 162 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Extend Andrea Evans extra-help employment hours 960 hours to a maximum of 1920 hours for fiscal year 2018-2019 pursuant to Section 7 of the Humboldt County Salary 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, Ryan Sundberg, and Mike Wilson

13. First Amendment to the Professional Services Agreement with Nichols, Melburg & Rossetto Architects Regarding the Provision of Design Engineering Services for the Humboldt County Juvenile Hall Replacement Facility Construction Project

Recommendation: That the Board of Supervisors:

1. Approve and ratify the Public Works Director's execution of the attached first amendment to the professional services agreement with Nichols, Melburg & Rossetto Architects regarding the provision of design engineering services for the Humboldt County Juvenile Hall Replacement Facility Construction Project.

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, Ryan Sundberg, and Mike Wilson

Sheriff

14. Governing Body Resolution for the Emergency Management Performance Grant Federal Fiscal Year (FFY) 2018 and the Homeland Security Grant Program FFY 2018; Authorization to Appoint Individuals to Act on Behalf of the Governing Body and the Operational Area

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign Resolution No. _____, the Governing Body Resolution (Attachment 1) for the Emergency Management Performance Grant (EMPG) and direct the Clerk of the Board to certify;
2. Authorize the Chair to sign Resolution No. _____, the Governing Body Resolution (Attachment 2) for the Homeland Security Grant Program (HSGP) and direct the Clerk of the Board to certify;
3. Authorize the Sheriff, Undersheriff, and Deputy Director of Sheriff's Administration to execute for and on behalf of the named applicant, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining EMPG or HSGP funding provided by the federal Department of Homeland Security and subgranted through the State of California; and
4. Direct the Clerk of the Board to return the completed documents to the Sheriff's Office of Emergency Services, Attn: Dorie Lanni, for immediate submission to the California Governor's Office of Emergency Services.

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, Ryan Sundberg, and Mike Wilson

D. PUBLIC COMMENT ON NON-AGENDA ITEMS**E. SPECIAL PRESENTATIONS****F. MATTERS SET FOR TIME CERTAIN****Board of Supervisors**

1. 9:30 a.m. - Assemblymember Wood End of the Year Wrap Up (Supervisor Ryan Sundberg)

Recommendation: That the Board of Supervisors:

1. Hear the presentation and take appropriate action, if required.

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, Ryan Sundberg, and Mike Wilson

Planning and Building Department**2. 10:00 a.m. - Zoning Text Amendments and Zone Reclassifications to Implement the General Plan**

Recommendation: That the Board of Supervisors:

1. Introduce the ordinance by title and waive further reading;
2. Open the public hearing and receive the staff report and public testimony;
3. Close the public hearing;
4. Adopt the attached resolution (Resolution 18-__ (Attachment 1)) doing the following:
 - a. Consider the Environmental Impact Report for the Humboldt County General Plan and find that it sufficiently addresses the potential environmental impacts associated with adoption of the Zone Reclassifications and Text Amendment Ordinance and was prepared in accordance with Section 15168 (c)(2) and no new information has been presented to change the findings of the EIR in accordance with section 15162 of the State CEQA Guidelines;
 - b. Make all of the required findings for approval based on evidence in the staff report and public testimony;
5. Adopt the attached ordinance (Ordinance No. ____ amending Title III of Humboldt County Code (Zoning Ordinance) adding Section 314-4.5 (PR - Public Resource and Recreation Zone), Section 314-7.5 (TE - Timberland Exclusive Zone), Section 314-7.6 (TL - Tribal Lands), Section 314-9 (Mixed Use Zone Districts) amending Section 314-17.1 (B - Building Site Combining Zone), adding Section 314-28.5 (MR - Mineral Resources Combining Zone), and Section 314-33.5 (RR - Railroad Rights of Way Protection Combining Zone), and amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Unincorporated Areas of Humboldt County to be consistent with the General Plan. (Attachment 2));
6. Direct the Planning and Building Department to file a Notice of Determination with the Humboldt County Recorder's Office, pursuant to the California Environmental Quality Act; and
7. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against the ordinance (Attachment 3) and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance.
8. Direct Staff to initiate preparation of the McKinleyville Downtown Plan and Community Plans for Willow Creek, Fieldbrook-Glendale and Blue Lake.

A motion was made by Supervisor Fennell, seconded by Supervisor Bohn, to approve staff recommendations with no changes to the parcel at Big Foot Golf Course in Willow Creek. The motion carried by the following vote:

Supervisor Virginia Bass recused herself from this vote.

Aye: 3 - Rex Bohn, Estelle Fennell, and Ryan Sundberg

Nay: 1 - Mike Wilson

A motion was made by Supervisor Fennell, seconded by Supervisor Bass, to approve staff recommendations to continue the Mercer Fraser item to a date uncertain to be noticed for a public hearing. The motion carried by the following vote:

*Aye: 4 - Rex Bohn, Estelle Fennell, Virginia Bass, and Ryan Sundberg
Nay: 1 - Mike Wilson*

A motion was made by Supervisor Wilson, seconded by Supervisor Bass, to direct Planning staff to come back with a strategy to move forward encompassing all the discussion. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, to continue this item to the meeting of January 15, 2019. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

G. ITEMS PULLED FROM CONSENT

H. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

- 1. Update from the Cannabis Ad Hoc Committee (Supervisor Estelle Fennell and Supervisor Ryan Sundberg)

Recommendation: That the Board of Supervisors:

- 1. Hear the report and take appropriate action, if required.

This item was pulled from the agenda to be brought back on the meeting of December 18, 2018.

I. DEPARTMENT REPORTS**Auditor/Controller**

1. Introduction of Ordinance Adding Section 243-4 to Chapter 3 of Division 4 of Title II of the Humboldt County Code Relating to the Preparation and Filing of an Annual Inventory

Recommendation: That the Board of Supervisors:

1. Introduce the attached ordinance by title and waive the first reading; set the attached ordinance for adoption on December 18, 2018, or at least one (1) week away from the date of the Board of Supervisors meeting at which the attached ordinance was first introduced;
2. Direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [Government Code Section 25124(b)(1)]; and
3. Direct the Clerk of the Board of Supervisors to publish, within fifteen (15) days after adoption of the attached ordinance, a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance [Government Code Section 25124(b)(1)].

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, Virginia Bass, Ryan Sundberg, and Mike Wilson

J. PUBLIC HEARINGS**Planning and Building Department****1. Brodt Dairies New Class "D" Agricultural Preserve and Farmland Security Zone**

Recommendation: That the Board of Supervisors:

1. Open a public hearing in the manner prescribed by law;
2. Receive a staff report, consider the applications, and receive public testimony;
3. Close the public hearing;
4. Adopt the necessary findings prepared by Current Planning Division staff;
5. Adopt Resolution No. _____ (Attachment A) establishing the Brodt Agricultural Preserve and Farmland Security Zone;
6. Authorize the Chair of the Board to execute the Land Conservation Contract (Attachment B);
7. Authorize the Chair of the Board to execute the Conveyance and Agreement (Attachment C);
8. Direct Current Planning Division staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research;
9. Direct the Clerk of the Board to record copies of the Resolution and Land Conservation Contract with the County Recorder; and
10. Direct the Clerk of the Board to give notice of the decision to the applicant, the Assessor's Office, County Counsel, Current Planning Division, the California Office of Land Conservation, and any other interested party.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

2. Thompson Zone Reclassification, ZR-16-007, Assessor Parcel Number 522-272-006, Willow Creek area (4/5 Vote Required)

Recommendation: That the Board of Supervisors:

1. Introduce Ordinance No. _____ (Attachment 2) by title and waive further reading;
2. Open the public hearing, receive and consider the staff report, the Planning Commission's recommendation and accept public comments;
3. Close the public hearing;
4. Consider the Addendum to the General Plan Update Programmatic Environmental Impact Report (PEIR) (Attachment 6);
5. Make the necessary findings approving the proposed zone reclassification and adopt by 4/5ths vote Resolution No. __ (Attachment 1) and Ordinance No. __ (Attachment 2), amending Section 311-7 of the Humboldt County Code by reclassifying approximately 10 acres in the Willow Creek area from Agricultural General (AG) to Community Commercial (C-2) and Flood Plain (FP);
6. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after the adoption of the Ordinance;
7. Direct the Clerk of the Board to give notice of the decision to the applicant, the Assessor's office, County Counsel, the Planning Division, and any other interested party; and
8. Direct Planning Division staff to prepare and file a Notice of Determination pursuant to the California Environmental Quality Act (CEQA).

A motion was made by Supervisor Bass, seconded by Supervisor Fennell, to continue this item to the meeting of December 18, 2018. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

K. DISCUSSION ITEMS

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 the Child Support Services 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 the Child Support Services Director 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 the Department of Health and Human Services 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 the Department of Health and Human Services 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 the Public Works 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 the Public Works 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 the Aviation 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 the Aviation Director pursuant to Government Code sections 54954.5 and 54957. There was no action to report.

5. It is the intention of the Board of Supervisors to meet in closed session to discuss pending/threatened litigation pursuant to Government Code Section 54956.9(a) and (d)(2), relating to Humboldt County Juvenile Hall construction project.

The Board of Supervisors met in closed session to discuss pending/threatened litigation pursuant to Government Code Section 54956.9(a) and (d)(2), relating to Humboldt County Juvenile Hall construction project. There was no action to report.

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

DECEMBER 12, 2018

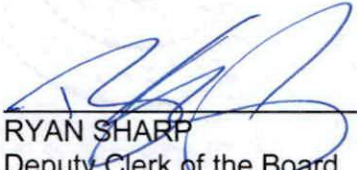





MINUTES
TUESDAY, DECEMBER 11, 2018
Regular Session

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, December 18, 2018 with the vote as shown below.

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



RYAN SHARP
Deputy Clerk of the Board



RYAN SUNDBERG
Chair of the Board