

BOARD OF SUPERVISORS

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Second District
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VIRGINIA BASS
Vice Chair - Fourth District
RYAN SUNDBERG
Fifth District



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County Counsel
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Clerk of the Board

**COUNTY OF HUMBOLDT
BOARD OF SUPERVISORS
825 FIFTH STREET
EUREKA, CA 95501
SUPERVISORS' CHAMBER, FIRST FLOOR**

AGENDA

Tuesday, August 9, 2016

9:00 AM

Regular Meeting

NOTICE REGARDING PUBLIC COMMENT: For Items appearing on the agenda, the public is invited to make comments at the time the item comes up for Board consideration. The Board Chair will call for public comment as each item is heard by the Board. For items not appearing on the agenda, the public is invited to make comments during the Public Comment period for Non-Agenda Items at 1:30 p.m.

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 single vote. Prior to the meeting, any member of the public may request any member of the Board to pull a particular item for further discussion

Board of Supervisors

1. South Bay Union Elementary School District's Request Calling for an Election for the Purpose of Issuing School Bonds and Requesting Consolidation with the General Election on November 8, 2016 (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors approve the request for consolidation with the condition that the South Bay Union Elementary School District reimburse the

County for costs incurred pursuant to this request, and notify the Election Department to take any and all steps necessary for the holding of the consolidated election.

Attachments: [South Bay Union Elementary Election Consolidation.pdf](#)

2. The Shasta-Tehama-Trinity Joint Community College District Request Calling for an Election for the Purpose of Issuing School Bonds and Requesting Consolidation with the General Election on November 8, 2016 (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors approve the request for consolidation with the condition that the Shasta-Tehama-Trinity Joint Community College District reimburse the County for costs incurred pursuant to this request, and notify the Election Department to take any and all steps necessary for the holding of the consolidated election.

Attachments: [Shasta Tehama Trinity Community College Bond, Election Consolidation.pdf](#)

3. Resolution from the City of Ferndale Requesting Consolidation of the General Municipal Election with the Statewide General Election to be held on November 8, 2016 (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors approve the request for election consolidation with the condition that the City of Ferndale reimburse the County for costs incurred pursuant to this request, and request the Clerk of the Board forward the signed Board Order and copy of Ferndale's Resolution # 2016-16 to the Humboldt County Elections Department.

Attachments: [City of Ferndale Election Consolidation Request.pdf](#)

4. Resolution of the City Council of the City of Rio Dell submitting to the voters at the General Election on November 8, 2016, an Advisory Ballot Measure to allow the voters to indicate their approval or disapproval of permitting commercial cannabis activity within the City of Rio Dell; and requesting the Board of Supervisors consolidate said election with the Statewide General Election (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors approve the request for consolidation and the inclusion of the Advisory Ballot Measure with the condition that the City of Rio Dell reimburse the County for costs incurred pursuant to this request, and notify the Elections Department of the County to take any and all steps necessary for the holding of the consolidated election.

Attachments: [City of Rio Dell Ballot Measure, Election Consolidation.pdf](#)

5. Request to Approve Type 20 Off Sale Beer and Wine License for Grocery Outlet, Inc.
(Supervisor Ryan Sundberg)

Recommendation: That the Board of Supervisors approve the application for a Type 20 Off Sale Beer and Wine License for Grocery Outlet, Inc.

Attachments: [Request to Approve Type 20 Beer and Wine License.pdf](#)

6. Humboldt Bay Trail North Project Letter of Support (Supervisor Mark Lovelace)

Recommendation: That the Board of Supervisors ratify authorization for the Chair to sign the letter of support.

Attachments: [Humboldt Bay North Trail Project Letter of Support.pdf](#)

7. Resolution in Support of Designating an Area on State Route 101 in Memory of Corporal Rich Schlesiger (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors authorize the Chair to sign a cover letter and direct the Clerk of the Board to forward the letter and attached resolution to Senator Mike McGuire and Assembly Member Wood.

Attachments: [Resolution for Highway Dedication.pdf](#)

8. Humboldt Bay Maritime Museum Restoration Project Letter of Support (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors ratify authorization for the Chair to sign the letter of support.

Attachments: [Humboldt Maritime Museum Letter of Support.pdf](#)

9. Lower Prairie Creek Restoration and Enhancement Planning Project Letter of Support
(Supervisor Ryan Sundberg)

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

Attachments: [Lower Prairie Creek Restoration Project Letter of Support.pdf](#)

Clerk of the Board

10. Approval of the Action Summary - Meeting of July 19, 2016

Recommendation: That the Board of Supervisors approve the Action Summary from the meeting of July 19, 2016 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

Attachments: [Action Summary for Meeting of July 19, 2016.pdf](#)

County Administrative Office

11. Resolution Placing the Commercial Marijuana Cultivation Tax Ordinance on the November 2016 Ballot

Recommendation: That the Board of Supervisors adopt the attached Resolution Placing the Commercial Marijuana Cultivation Tax Ordinance on the November 2016 Ballot for Voter Approval (Attachment 1).

Attachments: [Commercial Marijuana Cultivation Tax on Ballot.pdf](#)
[Public Comment.pdf](#)

12. Americans with Disabilities Act of 1990 Compliance and Supplemental Budget for Human Resources - Risk Management (4/5 Vote Required)

Recommendation: That the Board of Supervisors adopt the position classification of ADA Coordinator (class 0199, salary range 446); allocate a 1.0 full-time equivalent (FTE) ADA Coordinator (class 0199, salary range 446) in budget unit 3520 359, HR - Risk Management; approve the attached supplemental budget in fund 3520, budget unit 359, HR-Risk Management (4/5 vote required); and direct the Auditor-Controller to establish an interest-bearing fund 4494 named ADA Noncompliance Compensation fund and transfer \$275,000 from ADA trust fund (4491) to the newly established fund.

Attachments: [ADA Compliance, HR Supplemental Budget.pdf](#)

13. Amendments to Legislative Platform

Recommendation: That the Board of Supervisors add the proposed language regarding "Collection of Cannabis Taxes" to the State Legislative Proposals in the Legislative Platform; and add the proposed language regarding "Alternative Pathways for Pilot Candidates to Receive Certificates" to the Federal Legislative Proposals in the Legislative Platform.

Attachments: [Amendments to Legislative Platform.pdf](#)

14. Amendments to Property Assessed Clean Energy (PACE) Financing Resolutions

Recommendation: That the Board of Supervisors adopt the attached resolution amending resolution 15-38, approving and authorizing execution of an Agreement for Collection of Special Taxes and Contractual Assessments related to the California Statewide Communities Development Authority (CSCDA) Open PACE program within the unincorporated area of Humboldt County; and adopt the attached resolution amending resolution 15-103, approving and authorizing execution of an Agreement for Collection of Special Taxes and Contractual Assessments related to the California Enterprise Development Authority (CEDA) Figtree PACE program within the unincorporated area of Humboldt County.

Attachments: [PACE Financing Resolutions.pdf](#)

15. License Agreement between the County of Humboldt and Humboldt Redwood Company, LLC for Use of a Portion of Mt. Pierce as a Communications Site

Recommendation: That the Board of Supervisors approve and authorize the Chair to sign three (3) copies of the attached Communications Site License Agreement for Mt. Pierce between the County of Humboldt and Humboldt Redwood Company, LLC; delegate authority to the County Administrative Officer to execute amendments, sub-licenses and any other documents required to comply with the terms of the License Agreement; and direct the Clerk of the Board to return two (2) executed copies of the License Agreement to the County Administrative Office for further processing.

Attachments: [License Agreement for Mt. Pierce Communications Site.pdf](#)

Department of Health and Human Services: Public Health

16. Year End Supplemental Budgets in Fund 1175, Public Health for Fiscal Year 2015-16 (Supplemental Budgets Require a 4/5 Vote)

Recommendation: That the Board of Supervisors direct the Auditor-Controller to supplement Fund 1175, Budget Unit 400 - Public Health Administration, Budget Unit 407 - Childhood Lead Program, Budget Unit 437 - CARE NorCAP, and Budget Unit 449 - Fiscal Agent (HART) per Attachment A1-A4 (4/5 vote required).

Attachments: [Public Health Supplemental Budgets.pdf](#)

Department of Health and Human Services: Social Services

17. Authorization for the DHHS-Director of Social Services to Sign Grant Agreements with Community/Family Resource Centers for CalWORKs and CalFresh Outreach and Support Activities for Fiscal Year 2016-17

Recommendation: That the Board of Supervisors approve the proposed grant agreements, totaling \$980,500, with the Community/Family Resource Centers (CRC/FRC) participating with CalWORKs and CalFresh outreach and support activities for fiscal year 2016-17; authorize the DHHS-Director of Social Services to sign individual grant agreements with the CRC/FRC participating with CalWORKs and CalFresh outreach and support activities substantially in the form of the attached sample grant agreement upon proof of insurance; authorize the DHHS-Director of Social Services to amend the grant agreement as necessary for fiscal year 2016-17 after review and approval by County Counsel and Risk Management; and direct the Clerk of the Board to return one (1) executed Board agenda item to the DHHS-Contract Unit for transmittal to DHHS-Social Services Administration.

Attachments: [Grant Agreements for CalWORKs and CalFresh.pdf](#)

Planning and Building Department

18. Successor Land Conservation Contract. Successor Contract for William and Kimberly Rich, New Owners of the Existing Jaggi Class "C" Agricultural Preserve. Case Number AGP-16-006. Assessor Parcel Numbers 309-051-017,311-122-001. Loleta Area

Recommendation: That the Board of Supervisors direct the Chair to execute the Successor Land Conservation Contract (Attachment A); direct the Clerk of the Board to record the Successor Land Conservation Contract with the County Recorder; and direct the Clerk of the Board to give notice of the decision to the applicant, the Planning Division, and any other interested party.

Attachments: [Successor Land Conservation Contract.pdf](#)

Public Works

19. Walnut Street (3J300) and Fern Street (3K210) Traffic Signal Project No.: RPL 5904 (107); Contract No.: 213501

Recommendation: That the Board of Supervisors approve the attached plans and specifications for the Walnut Street and Fern Street Traffic Signal Project; and direct the Clerk of the Board to advertise the above-mentioned project as required by Section 22037 of the California Public Contract Code with bids to be opened on Tuesday, September 13, 2016, at 2:00 PM.

Attachments: [Staff Report, Warrant Analysis.pdf](#)
[Plans and Specifications.pdf](#)

20. Resolution Calling a Special Election to Consider Whether an Ordinance Establishing a Local Transportation Authority Retail Transactions and Use Tax Should be Adopted and Consolidating Said Special Election with the General Election to be Held on November 8, 2016

Recommendation: That the Board of Supervisors adopt the attached resolution (Attachment 1) calling for a special election for the purpose of submitting to the qualified voters of Humboldt County the question of whether Humboldt County Association of Governments Ordinance No. 16-02, which imposes a one-half percent (0.5%) retail transactions and use tax for twenty years to provide for supplemental funding for transportation maintenance improvements throughout Humboldt County, should be approved or rejected and consolidating said special election with the general election to be held on November 8, 2016.

Attachments: [HCAOG Election Consolidation.pdf](#)

21. Agreement for Consultant Services with SHN Consulting Engineers & Geologists for the Eel River Valley Groundwater Basin Assessment

Recommendation: That the Board of Supervisors authorize the Chair to sign the attached Agreement for Consultant Services with SHN Consulting Engineers & Geologists to perform professional geologist services for the Eel River Valley Groundwater Basin Assessment.

Attachments: [Agreement for Eel River Valley Groundwater Basin Assessment.pdf](#)

22. Property Transfer to McKinleyville Community Services District (APN 507-141-021) (4/5 Vote Required)

Recommendation: That the Board of Supervisors (4/5 vote required) find that property known as Assessor's Parcel Number 507-141-021 is not required for County use; adopt and authorize the Chairman to execute the attached Resolution for Transfer of Property to McKinleyville Community Services District (Attachment 2); approve and authorize the Chairman to execute the attached Quitclaim Deed (Attachment 3); approve and authorize the Chairman to execute the attached Transfer Agreement (Attachment 4, page 3); direct the Clerk of the Board to return the original executed Quitclaim Deed, Resolution for Property Transfer, and Transfer Agreement to the Land Use Division staff for further processing, retaining a copy of the same with meeting records; and authorize the Public Works Director, Thomas K. Mattson, to execute the Escrow Instructions, disclosure statements, and any other documents needed to complete the property transfer (Attachment 4).

Attachments: [Property Transfer to MCSD.pdf](#)

23. Surplus Property

Recommendation: That the Board of Supervisors declare the following property surplus: (1) 1985 Freightliner; Model #FLC 12064; 10 Yard Dump Truck; Equipment #52711; Serial #1FVNYBY90P273327, LICENSE #1094859; Engine; Cummins NTCC 300; and authorize the Purchasing Agent to dispose of the surplus property. Deposit the revenue from the sale in the appropriate revenue account.

Attachments: [Surplus Property.pdf](#)

Recorder/County Clerk

24. Approval of Help America Vote Act (HAVA) 301 Contract Agreement

Recommendation: That the Board of Supervisors authorize the County Clerk/Recorder/Registrar of Voters or her designee to execute the attached HAVA 301 Contract Agreement Number 16G30106, to carry out the purpose of the Board's order.

Attachments: [HAVA 301 Contract Agreement.pdf](#)

Sheriff

25. Fiscal Year 2016-17 Budget Adjustment Request for Humboldt County Sheriff's Operations Budget Unit 221 for Purchase of Dispatch Voice Logging Recorder System and Patrol Vehicle Computer Tablets Upgrade (4/5 Vote Required)

Recommendation: That the Board of Supervisors approve a supplemental budget adjustment request in Budget Unit 221 Sheriff-Operations to establish a fixed asset line item in the approved fiscal year budget 2016-17 for the purchase of a dispatch digital voice logging recorder upgrade and patrol vehicle computer tablets (4/5 vote required).

Attachments: [Sheriff Supplemental Budget.pdf](#)

26. Approve the Funding of .54 FTE Frozen Fiscal Assistant I/II for Sheriff's Operations Budget Unit 1100-221 (4/5 Vote Required)

Recommendation: That the Board of Supervisors approve the funding of a .54 FTE frozen Fiscal Assistant I/II (class 0177, salary range 293/319, position 02) in Sheriff's Office Budget Unit 221 effective at the beginning of the pay period following approval.

Attachments: [Funding of .54 FTE Frozen Fiscal Assistant for Sheriff.pdf](#)

27. Trinity River Substation Real Property Lease at 80 Country Club Drive, Willow Creek for the Period September 1, 2016 through August 31, 2019

Recommendation: That the Board of Supervisors approve Real Property Lease with Roger and Nancy Brown, Lessors, of facility located at 80 Country Club Drive, Willow Creek, Assessor Parcel Number (APN) 522-231-036, for the period September 1, 2016 to August 31, 2019, for the purpose of establishing the Trinity River Substation; authorize the Board of Supervisors Chair to sign two (2) original copies of the Lease (Attachment 1); and direct the Clerk of the Board to return one executed original of the Lease to Real Property for transmittal to Lessor.

Attachments: [Trinity River Substation Real Property Lease.pdf](#)

28. Fiscal Year 2015-16 Supplemental Budget Adjustment Request for Animal Shelter Budget Unit 278 (4/5 Vote Required)

Recommendation: That the Board of Supervisors approve supplemental budget adjustment request in Budget Unit 278 Animal Shelter to allow for final costs of veterinary services, medicine and other supplies in fiscal year budget 2015-16 (4/5 vote required).

Attachments: [Sheriff Supplemental Budget.pdf](#)

Treasurer/Tax Collector**29. Resolution to Sell Tax-Defaulted Properties via Sealed Bid**

Recommendation: That the Board of Supervisors approve Resolution # _____ (Attachment 1) for sale of properties tax-defaulted, subject to sale; and direct the Clerk of the Board to provide the Treasurer-Tax Collector with four certified copies of the Resolution by August 16, 2016.

Attachments: [Resolution to Sell Tax-Defaulted Properties.pdf](#)

D. SPECIAL PRESENTATIONS**Board of Supervisors****1. Proclaim August, 2016 as Coast Guard Month in Humboldt County (Supervisor Virginia Bass)**

Recommendation: That the Board of Supervisors adopt the Proclamation.

Attachments: [Coast Guard Month Proclamation.pdf](#)

2. Aviation Appreciation Month Proclamation (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors adopt the Proclamation.

Attachments: [Aviation Appreciation Month.pdf](#)

3. Humboldt County Fair Proclamation (Supervisor Rex Bohn)

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

Attachments: [Humboldt County Fair Proclamation.pdf](#)

E. MATTERS SET FOR TIME CERTAIN**F. ITEMS PULLED FROM CONSENT**

G. MATTERS INITIATED BY BOARD MEMBERS

Board of Supervisors

1. Traffic Impact Fees (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors discuss Traffic Impact Fees, give direction to Planning staff as it relates to agendizing a discussion of Traffic Impact Fees on the Planning Commission Agenda, and take appropriate action, as necessary.

Attachments: [Traffic Impact Fees.pdf](#)

H. DEPARTMENT REPORTS

County Administrative Office

1. Responses to 2015-16 Grand Jury Reports: Jail and Law Enforcement Facilities, Booking Report, and Americans with Disabilities Act

Recommendation: That the Board of Supervisors review and modify as necessary the proposed Grand Jury responses from the Probation Department, under the appointment authority of the Board of Supervisors (Attachment 2); review and modify as necessary the proposed Grand Jury response from the Board of Supervisors, Human Resources Department and Department of Public Works (Attachment 5); receive reports from the Sheriff's Office; approve the documents, as may be modified, as the response; direct the Clerk of the Board, within five working days, to submit the final response with an accompanying Board Order to the 2015-16 Grand Jury and the Presiding Judge of the Superior Court; and direct the Clerk of the Board, within five 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.

Attachments: [Responses to 2015-16 Grand Jury Reports.pdf](#)

Department of Health and Human Services: Administration

2. Approval of Resolution to Establish a Blue Ribbon Task Force for the Department of Health and Human Services and Appointment of Individuals to Serve as Members

Recommendation: That the Board of Supervisors receive the staff report on the Blue Ribbon Task Force; approve a resolution to establish a Blue Ribbon Task Force for the Department of Health and Human Services; and provide direction to staff on the preferred process for selection of Task Force members.

Attachments: [Resolution for DHHS Blue Ribbon Task Force.pdf](#)

Recorder/County Clerk**3. Certification of Petition, Mobile Home Park Space Rent Stabilization**

Recommendation: That the Board of Supervisors accept the Certification of Results of the Mobile Home Park Space Rent Stabilization Initiative Petition; and take action pursuant to Election Code §9118.

Attachments: [Petition, Mobile Home Park Space Rent Stabilization.pdf](#)
[Public Comment.pdf](#)

I. CLOSED SESSION

1. It is the intention of the Board of Supervisors to meet in closed session to consider the appointment for the position of County Librarian pursuant to Government Code sections 54954.5 and 54957.
2. Conference with Legal Counsel - pursuant to Government Code Section 54956.9, subd. (d)(2); relating to the Department of Justice (DOJ) ADA Compliance.
3. Conference with Legal Counsel - pursuant to Government Code Section 54956.9, subd. (d)(2) relating to the impact of Flores v. City of San Gabriel, 2016 WL 3090782 (9th Cir. June 2, 2016) on bargaining units.

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

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 by 1:25 p.m. 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.

1. Public Comment Sign-In Sheet and Handouts

Attachments: [Public Comment Sign-In Sheet and Handouts.pdf](#)

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

1. Administrative Abatement Hearing. Tyrone Okane-Morgan and Bruce Okane. 3863 D Street, Eureka, California, AP# 018-193-014

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.

Attachments: [Abatement of Okane Property.pdf](#)

L. PUBLIC HEARINGS

Planning and Building Department

1. Community Development Block Grant 12-CDBG-8392 Final Closeout Report: Homebuyer and Economic Development Studies

Recommendation: That the Board of Supervisors receive Report; open public hearing and receive public comment; direct staff to submit final reports and studies to the State of California Housing and Community Development Block Grant (CDBG) Program.

Attachments: [Staff Report.pdf](#)
 [CDBG-8392 Closeout Board Report.pdf](#)

M. AFTERNOON DISCUSSION ITEMS

Board of Supervisors

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

N. 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 two 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/>