



COUNTY OF HUMBOLDT

For the meeting of: November 4, 2014

Date: October 30, 2014
To: The Honorable Board of Supervisors
From: Ana Hartwell, Deputy Clerk of the Board of Supervisors
Subject: **Approval of the Action Summary – Meeting of October 28, 2014**

RECOMMENDATION: That the Board of Supervisors approve the Action Summary from the meeting of October 28, 2014 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 October 28, 2014 is attached. This Action Summary encompasses all actions taken by the Board of Supervisors at their October 28, 2014 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 for the meeting of October 28, 2014

Prepared by Tracy Damico, Deputy Clerk of the Board

CAO Approval: Amey Jensen

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 Lovelace Seconded by Supervisor Sundberg
Ayes Sundberg, Lovelace, Bahn, Fennell, Bass
Nays _____
Abstain _____
Absent _____

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

Dated: Nov. 4, 2014

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

BOARD OF SUPERVISORS

REX BOHN
Chair - First District
ESTELLE FENNELL
Vice Chair - Second District
MARK LOVELACE
Third District
VIRGINIA BASS
Fourth District
RYAN SUNDBERG
Fifth District



COUNTY STAFF

PHILLIP SMITH-HANES
County Administrative Officer
WENDY B. CHAITIN
County Counsel
KATHY HAYES
Clerk of the Board

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

Tuesday, October 28, 2014

9:00 AM

Regular Meeting

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

Board of Supervisors

1. Support for the Humboldt Area Saltwater Angler's (HASA) Position Related to the Pacific Halibut Allocations (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors take a position of support for the Humboldt Area Saltwater Angler's letter to the Pacific Fishery Management Council related to Pacific Halibut Allocations, and direct the Clerk of the Board to send a copy of the Board Action to the Secretary of the Humboldt County Fish & Game Advisory Committee for submission to Humboldt Area Saltwater Anglers, Inc.

A motion was made by Supervisor Sundberg, 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. Consider the Appointment of Hannes Becker to the Fortuna Cemetery District Board of Directors (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors appoint Hannes Becker to the Fortuna Cemetery District Board of Directors to a four-year term expiring on 10/28/2018.

A motion was made by Supervisor Sundberg, 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

3. Henderson Center Kiwanis 2014 Women in Business Award Winners (Supervisor Virginia Bass)

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

A motion was made by Supervisor Sundberg, 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

4. Approval of the Action Summary - Meeting of October 21, 2014

Recommendation: That the Board of Supervisors approve the Action Summary from the meeting of October 21, 2014 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 Sundberg, 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

5. Establishment of Trust Fund for Implementation of the Headwaters Investment Portfolio

Recommendation: That the Board of Supervisors direct the Auditor/Controller to establish Trust Fund 3852 - Headwaters Investment Fund.

A motion was made by Supervisor Sundberg, 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

Libraries

6. Public Library Consortium Letter of Agency

Recommendation: That the Board of Supervisors delegate the authority to the Director of Library Services to sign the attached Letter of Agency with the California State Library.

A motion was made by Supervisor Sundberg, 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

7. Supplemental Budget Request (4/5 Vote Required)

Recommendation: That the Board of Supervisors adopt a supplemental budget in Fund 1500 Budget Unit 621, County Library for fiscal year 2014-15 and authorize the Auditor-Controller to supplement the budget as shown in Attachment 1. (4/5 vote required)

A motion was made by Supervisor Sundberg, 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

Planning and Building Department

8. Resolution Authorizing the Submittal of an Application for a Grant from the California Department of Transportation (CalTrans) Sustainable Transportation Planning Program

Recommendation: That the Board of Supervisors adopt the attached Resolution; authorize the submission of an application for a \$100,000 CalTrans Sustainable Transportation Planning Program grant; and authorize the Director of Planning and Building Department to execute all necessary applications, contracts and agreements and amendments thereto, in the name of the County of Humboldt and all other documents required by CalTrans for participation in the grant program.

This item was pulled for discussion.

A motion was made by Supervisor Sundberg, seconded by Supervisor Bass, to accept staff recommendations with one modification, to include the intended outcomes of the project:

- Create a roadway design guide highlighting a suite of roadway cross-sections appropriate for different land uses (urban, suburban, rural and remote) and a range of community character found through unincorporated Humboldt County, and

- Develop a web GIS-based portal to access the suite of community-preferred roadway designs, and

- Engage the community to link specific roadway cross-sections to individual streets, and

- Include incentives as a form of funding mechanism.

Also, direct staff to work with the grant writer to include the incentive language in the grant. The motion carried by the following vote:

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

Public Works

9. Professional Services Agreement for Work to be Completed Under the Strategic Growth Council Grant "North Coast Integrated Regional Planning: Healthy Communities, Functional Watersheds and Viable Economies"

Recommendation: That the Board of Supervisors approve the attached professional services agreement with West Coast Watershed to perform consulting services for the tasks included in the Strategic Growth Council Grant; authorize the Chair to execute the attached agreement in triplicate; and direct the Clerk of the Board to transmit two copies of the executed agreement to the Public Works Department.

This item was pulled for discussion.

A motion was made by Supervisor Bass, 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

10. License Agreement for UNAVCO INC. to Operate and Maintain Global Positioning Systems (GPS) at Rohnerville Airport (4/5 Vote Required)

Recommendation: That the Board of Supervisors by a 4/5's vote approve and authorize the Chairperson to execute the attached License Agreement, in duplicate, with UNAVCO INC.; and direct the Clerk of the Board to return one of the executed License Agreements to the Land Use Division for transmittal to Licensee, maintaining the other with meeting records.

A motion was made by Supervisor Sundberg, 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. Proclaim October 2014 as Physical Therapy Month (Supervisor Virginia Bass)

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

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, Mark Lovelace, Virginia Bass, and Ryan Sundberg

2. Proclaim the 4th Week in October as Wild and Scenic Rivers Week in Humboldt County (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors adopt the Proclamation.

A motion was made by Supervisor Lovelace, 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

E. MATTERS SET FOR TIME CERTAIN**Board of Supervisors**

1. 9:30 a.m. - Humboldt County Aviation Advisory Committee Annual Report (Supervisor Rex Bohn)

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

Per Order of the Chair

2. 10:00 a.m. - Presentation on Proposed Broadband Deployment on Highway 299 (Supervisor Mark Lovelace and Supervisor Ryan Sundberg)

Recommendation: That the Board of Supervisors hear the proposal from Praxis Associates, Inc. regarding broadband deployment on Highway 299 and determine whether to encourage Praxis to seek funding for deployment. Authorize staff to work with Trinity County to develop an MOU to work together on broadband deployment along Highway 299. Authorize staff to collaborate with Praxis to develop a successful project, and ask staff to work with the California Center for Rural Policy on funding for the Humboldt-Trinity County effort.

A motion was made by Supervisor Lovelace, seconded by Supervisor Bass, to authorize Supervisor Sundberg and Supervisor Lovelace to work with staff, Trinity County, CCRP, Praxis and other partners to advance this proposal. The motion carried by the following vote:

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

County Administrative Office

3. 1:35 p.m. - County Administrative Officer Report: Seasonal Influenza and Various Other Topics

Recommendation: That the Board of Supervisors receive an oral report from the County Administrative Officer regarding seasonal influenza, and various other topics, and take action as may be required.

Per Order of the Chair

F. ITEMS PULLED FROM CONSENT**G. MATTERS INITIATED BY BOARD MEMBERS**

H. DEPARTMENT REPORTS**Probation**

1. Employment of Temporary Retired Annuitant as Legal Office Business Manager in the Probation Department

Recommendation: That the Board of Supervisors resolve that the employment of Mark Magladry as a temporary "retired annuitant" Legal Office Business Manager with the Probation Department (budget unit 235) is necessary to fill a critically needed position and that Mr. Magladry's employment as a temporary "retired annuitant" is needed before the CalPERS "180-day wait period" has expired.

A motion was made by Supervisor Sundberg, 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

I. CLOSED SESSION**J. PUBLIC COMMENT ON NON-AGENDA ITEMS – 1:30 P.M.****K. ADMINISTRATIVE ABATEMENT HEARINGS**

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

1. North Coast Timberlands, LLC General Plan Amendment and Zone Reclassification. Application Number 9044, Case Numbers GPA-13-002, ZR-13-005, Assessor Parcel Numbers 307-011-004, 311-221-027 Eureka Area

Recommendation: That the Board of Supervisors introduce Ordinance No. ____ (Attachment II) by title and waive further reading; open the public hearing and receive the staff report and public comment; close the public hearing and deliberate; make the necessary findings to approve the General Plan Amendment and adopt Resolution No. ____ (Attachment I), approving the amendment of the Humboldt County General Plan (Eureka Community Plan (ECP)) land use map, by amending property in the Eureka area (GPA-13-002, North Coast Timberlands, LLC) from Agriculture Rural (AR) to Timberland (T) subject to the recommended conditions of approval; make the necessary findings for approving the proposed Zone Reclassification and adopt Ordinance No. ____ (Attachment II) amending Section 311-7 of the Humboldt County Code by reclassifying property in the Eureka area from Agriculture General with a five-acre minimum parcel size (AG-B-5(5)) to Timberland Production Zone (TPZ); direct the Clerk of the Board to record a Certification of Rezoning (Notice of Timberland Production Zone Status) (Attachment III) on the parcels pursuant to Sections 51117 and 51141 of the California Government Code (C.G.C.), after attaching a copy of the fully executed Ordinance (Attachment II); direct the Clerk of the Board to publish a Post-Adoption Summary of the Ordinance within 15 days after adoption of the ordinance by the Board, along with the names of those Supervisors voting for and against the ordinance (Attachment IV) 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; direct the Clerk of the Board to record in the minutes of the Board meeting that the ordinance has been duly published and posted and to give notice of the decision to the applicant, the County Assessor's Office and any other interested party; direct the Planning and Building Department - Planning Division to file a Notice of Exemption pursuant to California Environmental Quality Act (CEQA).

A motion was made by Supervisor Lovelace, 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

2. North Coast Timberlands, LLC General Plan Amendment and Zone Reclassification. Application Number 9045, Case Numbers GPA-13-003, ZR-13-006 Assessor Parcel Numbers 503-281-004, 503-291-014, 504-011-006, 504-251-001, 507-041-004 Arcata Area

Recommendation: That the Board of Supervisors introduce Ordinance No. ____ (Attachment II) by title and waive further reading; open the public hearing and receive the staff report and public comment; close the public hearing and deliberate; make the necessary findings to approve the General Plan Amendment and adopt Resolution No. ____ (Attachment I), approving the amendment of the Humboldt County General Plan (Arcata Community Plan 1966 (ARC66)) land use map, by amending property in the Arcata area (GPA-13-003, North Coast Timberlands, LLC) from Estate Residential and Open Space to Timberland (T) subject to the recommended conditions of approval; make the necessary findings for approving the proposed Zone Reclassification and adopt Ordinance No. ____ (Attachment II) amending Section 311-7 of the Humboldt County Code by reclassifying property in the Arcata area from Agriculture General (AG) to Timberland Production Zone (TPZ); direct the Clerk of the Board to record a Certification of Rezoning (Notice of Timberland Production Zone Status) (Attachment III) on the parcels pursuant to Sections 51117 and 51141 of the California Government Code (C.G.C.), after attaching a copy of the fully executed Ordinance (Attachment II); direct the Clerk of the Board to publish a Post-Adoption Summary of the Ordinance within 15 days after adoption of the ordinance by the Board, along with the names of those Supervisors voting for and against the ordinance (Attachment IV) 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; direct the Clerk of the Board to record in the minutes of the Board meeting that the ordinance has been duly published and posted and to give notice of the decision to the applicant, the County Assessor's Office and any other interested party; direct the Planning and Building Department - Planning Division to file a Notice of Exemption pursuant to California Environmental Quality Act (CEQA).

A motion was made by Supervisor Lovelace, 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

3. Zoning Ordinance Revisions. Medical Marijuana Land Use Ordinance Phase II - Regulation of Neighborhood Impacts from Outdoor Cultivation on Small Parcels. Case Number OR-14-001 Applies Countywide

Recommendation: That the Board of Supervisors introduce the Modified Ordinance No. _____ by title and waive further reading [Attachment 1]; open the public hearing, receive and consider the staff report and proposed determination of exempt status under California Environmental Quality Act (CEQA), and accept public comment; deliberate on the Recent Modifications to the Draft Ordinance; accept the recent modifications to the ordinance performed by staff pursuant to prior Board direction; approve Resolution No. _____ [Attachment 2] adopting the proposed Zoning Ordinance changes and making the CEQA findings. Approval of the proposed changes to Chapter 4 of the Zoning Regulations (Outside the Coastal Zone) will become effective 30 days from the date of its passage. Approval of the proposed changes to Chapter 3 (Inside the Coastal Zone) will become effective upon certification by the Coastal Commission; adopt Ordinance No. _____ [Attachment 1] amending sections 313-55.1 and 314-55.1, and adding sections 313-55.2 and 314-55.2 to Title III of the Humboldt County Code, regulating the Outdoor Cultivation of Medical Marijuana on Small Parcels; direct the Planning & Building Department Current Planning Division to transmit the Local Coastal Program Amendment to the California Coastal Commission for certification in accordance with the Coastal Act; direct the Clerk of the Board to publish a Summary of the Ordinance within 15-days after adoption of the ordinance 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; direct the Clerk of the Board to record in the minutes of the Board meeting that the ordinance has been duly published and posted, and to give notice of the decision to any interested parties; close the Public Hearing.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, to approve staff recommendations with modified language in Ordinance section 55.2.7.2.2 as follows:

ORIGINAL LANGUAGE: *On parcels greater than one (1) acre and up to five (5) acres in size, the total plant canopy of medical marijuana cultivated outdoors may not exceed two hundred (200) square feet in size, nor may cultivation occur within forty (40) feet of a property boundary line.*

NEW LANGUAGE: *On parcels greater than one (1) acre and up to five (5) acres in size, the total plant canopy of medical marijuana cultivated outdoors may not exceed two hundred (200) square feet in size, nor may cultivation occur within forty (40) feet of a property boundary line, where the neighboring parcel is less than (5) five acres in size, or (20) feet of a property line, where the neighboring parcel is (5) five acres or above in size.*

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, ANA HARTWELL, 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.

ANA HARTWELL

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




October 28, 2014




MINUTES
TUESDAY, OCTOBER 28, 2014
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, November 4, 2014, with the vote as shown below.

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



ANA HARTWELL
Deputy Clerk of the Board



REX BOHN
Chair of the Board