

BOARD OF SUPERVISORS

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

AGENDA

Tuesday, December 6, 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. Letter to the California State Horse Racing Board Concerning the Future of Horse Racing at the Humboldt County Fair (Supervisor Rex Bohn)

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

Attachments: [County Fair Horse Racing Letter of Support.pdf](#)

Clerk of the Board**2. Local Appointments List for 2017**

Recommendation: That the Board of Supervisors receive said list and direct the Clerk of the Board to send a copy of said list to the Humboldt County Library, Eureka Main Branch pursuant to Government Code Section 54973, and that the Board hereby designate the Humboldt County Library, Eureka Main Branch, as the public library required to receive a copy of such list.

Attachments: [Local Appointments List for 2017.pdf](#)

3. Approval of the Action Summary - Meeting of November 15, 2016

Recommendation: That the Board of Supervisors approve the Action Summary for the meeting of November 15, 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 11-15-16.pdf](#)

County Administrative Office**4. Local Fire District Allocations for Fiscal Year 2016-17 for the Arcata, Blue Lake, Samoa, Ferndale, Fortuna, Garberville, Humboldt, Petrolia, Rio Dell, and Whitethorn Fire Protection Districts, and Fieldbrook, Carlotta, and Orick Community Service Districts, and Shelter Cove Resort Improvement District (RID)**

Recommendation: That the Board of Supervisors authorize the Chair of the Board to execute agreements with Arcata, Blue Lake, Samoa, Ferndale, Fortuna, Garberville, Humboldt, Petrolia, Rio Dell and Whitethorn Fire Protection Districts, and Fieldbrook, Carlotta and Orick Community Service Districts, and Shelter Cove Resort Improvement District (RID) for revenue-sharing of the county's Fiscal Year 2016-17 Proposition 172 (Prop 172) funding; and direct the Clerk of the Board to submit one copy of the agreement to the County Administrative Office for processing.

Attachments: [Staff Report, Allocations.pdf](#)
[Contracts.pdf](#)

5. Authorization to Negotiate Terms to Purchase Property

Recommendation: That the Board of Supervisors authorize the County Administrative Officer and designees to hereby negotiate terms to purchase the property at 1017 4th Street, Eureka, 95501 and the adjacent block.

Attachments: [Authorization to Negotiate Terms to Purchase Property.pdf](#)

6. Cooperation Agreement for the Juvenile Hall Replacement Project

Recommendation: That the Board of Supervisors authorize the Chief Probation Officer to execute a Cooperation Agreement with the State Public Works Board relating to issuance of bonds for financing of the Juvenile Hall Replacement Project, based on the attached template provided by the state, after review by County Counsel, the Treasurer-Tax Collector and the County Administrative Officer; and authorize the Chief Probation Officer to execute any necessary amendments to the final Cooperation Agreement after review by County Counsel, the Treasurer-Tax Collector and the County Administrative Officer.

Attachments: [Cooperation Agreement for Juvenile Hall Replacement Project.pdf](#)

Department of Health and Human Services: Administration**7. Authorize Temporary Increase in Pay for Brittany Nelson, Senior Fiscal Assistant Pursuant to Article 12.4.1 of the AFSCME Memorandum of Understanding (MOU)**

Recommendation: That the Board of Supervisors authorize temporary increase in pay for Senior Fiscal Assistant, Brittany Nelson (Class 0124, Range 343) as though promoted to Fiscal Services Supervisor (Class 1149, Range 372) beginning December 18, 2016 and continuing until the incumbent returns.

Attachments: [Senior Fiscal Assistant Temporary Increase in Pay.pdf](#)

Department of Health and Human Services: Mental Health**8. Approval of California Department of Health Care Services Mental Health Performance Contract for the Term July 1, 2016 through June 30, 2017**

Recommendation: That the Board of Supervisors approve the Mental Health Performance Contract between Department of Health Care Services (DHCS) and Humboldt County Health and Human Services (DHHS) for the term July 1, 2016 to June 30, 2017; authorize the Interim Director of DHHS-Mental Health to sign the Performance Contract and subsequent amendments or documents related to the Performance Contract on behalf of Humboldt County; and direct the Clerk of the Board to send the DHHS-Mental Health Administration two (2) certified copies of this Board Order for submission to DHCS for final execution.

Attachments: [Staff Report.pdf](#)
[Agreement, Letter.pdf](#)

9. Agreement with Glenn County Health Services for Specialty Mental Health Services Provided by DHHS-Mental Health

Recommendation: That the Board of Supervisors approve the agreement (Attachment 1) with Glenn County Health Services for Specialty Mental Health Services provided by DHHS-Mental Health; authorize the Chair to sign three (3) originals (attached) of the agreement with Glenn County Health Services; and direct the Clerk of the

Board to return two (2) signed originals of the agreement to the DHHS-Contract Unit for transmittal to Glenn County for final execution.

Attachments: [Agreement with Glenn County Health Services.pdf](#)

Department of Health and Human Services: Social Services

10. Approve Allocation of One Social Worker Supervisor II, Two Social Worker IV A/B/C/D and One Social Service Aide in Fund 1160, Budget Unit 511; Effective Immediately upon Board Approval

Recommendation: That the Board of Supervisors approve the allocations of one full time equivalent (1.00 FTE) Social Worker Supervisor II (job class 0714, salary range 471) position; two (2.0 FTE) Social Worker IV A/B/C/D (job class 0707, salary range 402/416/418/448) positions and one (1.0 FTE) Social Service Aide (job class 0708, salary range 297) position, effective immediately upon Board approval.

Attachments: [Allocation of Social Services Positions.pdf](#)

District Attorney

11. Grant Award for Fiscal Year (FY) 2016-17 Automobile Insurance Fraud Program (4/5 Vote Required)

Recommendation: That the Board of Supervisors adopt the attached Resolution accepting the Grant Award from the State of California for the Automobile Insurance Fraud Program FY 2016-17; approve the attached supplemental budget in Fund 1100, Budget Unit 205, District Attorney (4/5 vote); direct the Clerk of the Board to process and return the Resolution to the District Attorney's Office, attention Rachelle Davis, for further processing and submission to the State; and direct the Clerk of the Board to provide the attached supplemental budget to the Auditor-Controller's Office, if approved.

Attachments: [Grant Award for Auto Insurance Fraud Program.pdf](#)

12. Grant Award for Fiscal Year (FY) 2016-17 Workers' Compensation Insurance Fraud Program

Recommendation: That the Board of Supervisors adopt the attached Resolution accepting the Grant Award from the State of California for the Workers' Compensation Fraud Program FY 2016-17; and direct the Clerk of the Board to process and return the approved resolution to the District Attorney's Office, attention Rachelle Davis, for further processing and submission to the State.

Attachments: [Workers' Compensation Insurance Fraud Program.pdf](#)

13. Classification Review and Reallocation of District Attorney Legal Office Services Supervisor

Recommendation: That the Board of Supervisors reallocate the full-time 'Y-rated' Legal Office Services Supervisor Position (class 1150, salary range 372, position 01) in budget unit 205, currently occupied by Jean Gomes, to Legal Office Services Manager (class 0143, salary range 423) effective the beginning of the pay period following approval; and provide an approved item reflecting the reallocation to the Human Resources and Payroll departments.

Attachments: [Classification Review, Reallocation of DA Position.pdf](#)

14. Advanced Step Increase for Sumech Borja, Legal Office Assistant I

Recommendation: That the Board of Supervisors approve an advanced step increase for Sumech Borja, Legal Office Assistant I (class 0178A, position 07) from Step 1A (range 288) to Step E (range 288), effective the beginning of the pay period following 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); and provide an approved item reflecting the advance step increase to the Human Resources and Payroll departments.

Attachments: [Advanced Step Increase for Legal Office Assistant I.pdf](#)

Probation**15. Extension of Extra Help Hours to 1950 for Juvenile Corrections Officers Molly Turner, Virginia Ramsey, and Lyndon Rowells (4/5 Vote Required)**

Recommendation: That the Board of Supervisors approve the extension of extra help hours for Juvenile Corrections Officers Molly Turner, Virginia Ramsey, and Lyndon Rowells to 1950 hours through June 30, 2017, per Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

Attachments: [Probation Extension of Extra Help Hours.pdf](#)

Public Works**16. Request to Use County Equipment in the Annual Truckers' Parade**

Recommendation: That the Board of Supervisors authorize the use of County Road equipment in the annual Truckers' Parade.

Attachments: [County Equipment in Annual Truckers' Parade.pdf](#)

17. Third Amendment to Agreement for Professional Services Regarding Mattole Road Bridge (04C-055) Over the Mattole River at Honeydew

Recommendation: That the Board of Supervisors approve, the Third Amendment to the Agreement for Professional Services with Morrison Structures, Inc., which designates North State Resources, Inc. as the entity which will assist the Humboldt County Public Works Natural Resources Department in preparation of the environment documents pertaining to the Mattole Road Bridge (04C-055) over the Mattole River at Honeydew; authorize the Chairman of the Board to execute three (3) originals of the Third Amendment to the Agreement with Morrison Structures, Inc.; and direct the Clerk of the Board to return two executed originals of the Third Amendment to the Department of Public Works.

Attachments: [3rd Amendment to Agreement for Mattole Road Bridge.pdf](#)

18. Consent to Change in Control of Arcata Garbage Company, Inc. regarding the Solid Waste Collection Franchise Agreement for the Unincorporated Arcata Area of the County of Humboldt

Recommendation: That the Board of Supervisors approve, and authorize the Board Chair, to execute the attached Consent to Change in Control of Arcata Garbage Company, Inc. regarding the Solid Waste Collection Franchise Agreement for the Unincorporated Arcata Area of the County of Humboldt; and direct the Clerk of the Board to return two fully-executed originals of the attached Consent to Change in Control to the Department of Public Works for distribution.

Attachments: [Consent to Change in Control of Arcata Garbage Company, Inc.pdf](#)

19. Regional Surface Transportation Program Allocation for Humboldt County Tribal Transportation Commission for Fiscal Year 2015-16; Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors authorize County Public Works to be the designated administrator and receive Regional Surface Transportation Program (RSTP) funds on behalf of the North Coast Tribal Transportation Commission (NCTTC); authorize the Public Works Director to sign and submit to the Humboldt County Association of Governments (HCAOG) the RSTP documents required in order to receive tribal fund allocations; adopt the attached supplemental budget for FY 2016-17 (4/5 vote required); and authorize the Public Works Director to sign and submit RSTP documents required to receive the annual tribal fund allocations in the future.

Attachments: [RSTP Allocation and Supplemental Budget.pdf](#)

Treasurer/Tax Collector

20. Resolution for Chapter 8 Sale of Tax-Defaulted Properties to the Shelter Cove Resort Improvement District

Recommendation: That the Board of Supervisors approve Resolution #_____ for the sale of tax-defaulted property to the Shelter Cove Resort Improvement District No. 1 (Attachment 1); approve and sign the 'Agreement to Purchase Tax Defaulted Property' with the Shelter Cove Resort Improvement District No. 1 (Attachment 4); and return all original documentation to the Treasurer-Tax Collector for sending to the State Controller's Office for approval and execution pursuant to Revenue and Taxation Codes 3795.

Attachments: [Chapter 8 Sale to Shelter Cove RID.pdf](#)

D. SPECIAL PRESENTATIONS**E. MATTERS SET FOR TIME CERTAIN****F. ITEMS PULLED FROM CONSENT****G. MATTERS INITIATED BY BOARD MEMBERS****H. DEPARTMENT REPORTS****Clerk of the Board**

1. Appointment of Chair and Vice Chair for the Board of Supervisors - Calendar Year 2017

Recommendation: That the Board of Supervisors appoint a Chair and Vice Chair for the Board of Supervisors for Calendar Year 2017.

Attachments: [Appointment of Chair, Vice Chair 2017.pdf](#)

2. Appointment of 2017 Delegate and Alternate to the Rural County Representatives of California (RCRC) and Golden State Financing Authority (GSFA) Boards of Directors

Recommendation: That the Board of Supervisors make appointments to the RCRC and GSFA Boards of Directors for 2017 and direct the Clerk of the Board to notify RCRC and GSFA of the appointments.

Attachments: [2017 RCRC and GSFA Appointments.pdf](#)

County Administrative Office**3. Adoption of 2017 State and Federal Legislative Platforms**

Recommendation: That the Board of Supervisors provide input and direction to staff as desired regarding the proposed state and federal legislative platforms for 2017; provide input and direction to staff as desired on federal policy issues to receive priority federal advocacy services; provide input and direction to staff as desired on state issues to receive priority state advocacy services; adopt the proposed state and federal legislative platforms, incorporating any changes desired by the Board, as the final platforms for 2017; direct the County Administrative Officer to submit the final version of the state legislative platform to Governor Jerry Brown, Assembly Member Jim Wood, State Senator Mike McGuire, California State Association of Counties, Rural County Representatives of California and Shaw Yoder Antwih; direct the County Administrative Officer to submit the final version of the federal legislative platform to U.S. Representative Jared Huffman, U.S. Senators Dianne Feinstein and Kamala Harris, National Association of Counties and Waterman & Associates; and authorize and direct the County Administrative Officer to submit letters to state and federal representatives, as needed to support the county's legislative platform during 2017.

Attachments: [2017 State and Federal Legislative Platforms.pdf](#)
[Public Comment.pdf](#)

I. CLOSED SESSION

1. The Board of Supervisors will adjourn as the Humboldt County Board of Supervisors and convene as the Governing Board for the Humboldt County Public Authority for In-Home Supportive Services.

It is the intention of the Public Authority Governing Board to meet in closed session with Labor Negotiator pursuant to Government Code section 54957.6, to review the Public Authority's position and instruct its designated labor negotiators with respect to various forms of compensation provided to the Public Authority's represented and unrepresented personnel. Negotiator: Dan Fulks. Employee Organization: Service Employees International Union (SEIU).

Appear in public to report out of closed session as the Governing Board for the Public Authority, adjourn as the Governing Board for the Public Authority, and re-convene as the Humboldt County Board of Supervisors.

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**L. PUBLIC HEARINGS****Planning and Building Department****1. Appeal of the Planning Commission Approval of the Royal Gold Conditional Use Permit Application. Case No.: CUP-13-021A. File No.: APN 516-191-079. Glendale Area**

Recommendation: That the Board of Supervisors open the public hearing and receive the staff report, testimony and argument by the appellant and applicant, and public comment; based on the findings in the staff report and testimony received about the project, deny, the appeal in full, adopt the Mitigated Negative Declaration, and adopt Resolution No. ____ (Exhibit A of Attachment A) approving the Royal Gold Conditional Use Permit application subject to the conditions of approval (Exhibit B of Attachment A); direct the Clerk of the Board to give notice of the decision to the appellant, the project applicant, the agent and any other interested party; and close the public hearing.

Attachments: [Staff Report, Draft Board Resolution, Appeal.pdf](#)
[Planning Commission Resolution, Staff Report, Supplemental Info.pdf](#)
[Action Summary, Responses to Comments on Appeal.pdf](#)
[Supplemental Information.pdf](#)

2. Tomac, LLC General Plan Amendment and Zone Reclassification. Application Number 9588. Case Numbers GPA-15-002, ZR-15-002. Assessor Parcel Numbers 201-241-015, 201-241-018. 2832 Old State Highway, Alton Area

Recommendation: That the Board of Supervisors introduce Ordinance No. ____ (Attachment B) by title and waive further reading; open the public hearing and receive the staff report and public testimony; close the public hearing and deliberate; consider the Addendum to the certified Environmental Impact Report; make the findings in Exhibit A to Resolution No. ____ (Attachment A) and approve the amendment of the Fortuna Area Community Plan (FACP) land use map, by re-designating property in the Alton area (GPA-15-002, Tomac, LLC) from Agriculture Suburban (AS) to Industrial General (IG); make the necessary findings in Exhibit

A to Resolution No. _____ (Attachment A) approving the proposed Zone Reclassification and adopt Ordinance No. _____ (Attachment B), amending Section 311-7 of the Humboldt County Code by reclassifying approximately 8.3 acres from Residential Suburban with a 2.5 acre minimum parcel size and a manufactured home combining zone (RS-B-5(2.5)-T) to Heavy Industrial with a Qualified combining zone (MH-Q) and modifying the terms of the Q-Zone; direct Current Planning Division Staff to prepare and file a Notice of Determination with the County Clerk and Office of Planning and Research; and 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 C) 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.

Attachments: [Staff Report, Resolution, Ordinance.pdf](#)
[Planning Commission Staff Report, Ordinance](#)

M. AFTERNOON DISCUSSION ITEMS

County Administrative Office

1. Commercial Marijuana Cultivation Tax Ordinance

Recommendation: That the Board of Supervisors introduce the attached ordinance by title (Attachment 1), adding Chapter 9, Division 1 of Title VII to the Humboldt County Code, and waive the first reading; set the ordinance for adoption on December 13, 2016; direct the Clerk of the Board to publish the pre-adoption summary of the ordinance (Attachment 3), and to post a certified copy of the full text of the proposed ordinance in the office of the Clerk of the Board, both publication and posting to be done at least five (5) days prior to the Board meeting at which the ordinance will be adopted [Government Code Section 25124 (b)(1)]; and direct the Clerk of the Board, within 15 days after adoption of the ordinance, to publish a post-adoption summary of the ordinance (Attachment 4) with the names of the Supervisors voting for and against the ordinance, and to post in the office of the Clerk of the Board a certified copy of the full text of the adopted ordinance and amendments along with the names of those Supervisors voting for and against the ordinance [Government Code Section 25124 (b)(1)].

Attachments: [Introduction of Commercial Marijuana Cultivation Tax Ordinance.pdf](#)

2. Board Appointed Commissions - Planning and Human Rights

Recommendation: That the Board of Supervisors receive the staff report on the makeup of Planning and Human Rights Commissions in other California counties; and take other action as appropriate.

Attachments: [Board Appointed Commissions - Planning and Human Rights.pdf](#)
[Public Comment.pdf](#)

Board of Supervisors

3. 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/>