



# COUNTY OF HUMBOLDT

For the meeting of: April 5, 2016

Date: March 23, 2016  
To: The Honorable Board of Supervisors  
From: Ana Hartwell, Deputy Clerk of the Board of Supervisors  
Subject: **Approval of the Action Summary – Meeting of March 22, 2016**

RECOMMENDATION: That the Board of Supervisors approve the Action Summary for the meeting of March 22, 2016 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

SOURCE OF FUNDING: General Fund

DISCUSSION: The Action Summary from the meeting of March 22, 2016 is attached. This Action Summary encompasses all actions taken by the Board of Supervisors at their March 22, 2016 meeting.

FINANCIAL IMPACT: None

OTHER AGENCY INVOLVEMENT: None

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

ATTACHMENT(S): Action Summary

Prepared by Ana Hartwell, Deputy Clerk of the Board

CAO Approval: Amy P. Usher

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 Fennell Seconded by Supervisor Bass

Ayes Sundberg, Fennell, Lovelace, Bohn, Bass

- Nays
- Abstain
- Absent

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

Dated: April 5, 2016

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

BOARD OF SUPERVISORS

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



COUNTY STAFF

CHERYL DILLINGHAM  
Interim 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, March 22, 2016

9:00 AM

Regular Meeting

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**A. SALUTE TO THE FLAG**

**B. MODIFICATIONS TO THE AGENDA**

**C. CONSENT CALENDAR**

**Board of Supervisors**

1. Resolution from the City of Blue Lake Requesting Consolidation of the General Municipal Election with the Statewide General Election to be Held on November 8, 2016 (Supervisor Mark Lovelace)

***Recommendation:*** That the Board of Supervisors approve request for consolidation with the condition that the City of Blue Lake 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.

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

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

2. Appreciation Letter to Barbara LaHaie for Service on the Workforce Development (Supervisor Mark Lovelace)

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

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

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

### Clerk of the Board

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

**Recommendation:** That the Board of Supervisors approve the Action Summary from the meeting of March 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.

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

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

### County Administrative Office

4. Local Workforce Development Board Recertification

**Recommendation:** That the Board of Supervisors authorize and direct the Chair of the Board of Supervisors to sign two copies of the Local Workforce Development Board Recertification Application (Attachment A); and direct the Clerk of the Board to return two signed copies of the request to the Economic Development office.

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

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

### County Counsel

5. Request for Extension of Extra-Help Hours for Karen Olson (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors approve the extension of extra help hours for Karen Olson, Senior Office Assistant, to a maximum 1,310 hours through June 30, 2016, pursuant to Section 7 of Humboldt County-Salary Resolution (4/5 vote required).

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

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

**Department of Health and Human Services: Administration**

6. Software License Agreement with the Regents of the University of California for the Automated Vital Statistics System (AVSS)

**Recommendation:** That the Board of Supervisors approve and authorize the Chair to sign three (3) originals of Software License Agreement #1874-C12 between the Regents of the University of California (UC Regents) and DHHS-Public Health for AVSS for the period of January 1, 2016 through June 30, 2016; grant a waiver of the Nuclear Free Ordinance; and direct the Clerk of the Board to return the three (3) signed originals to the DHHS-Contract Unit for forwarding to DHHS-Public Health for execution by the UC Regents.

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

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

**Human Resources**

7. Adopt the New Merit System Services Job Classification of Child Support Program Manager and Reallocate the Current Program Manager Position in Child Support Services to Child Support Program Manager

**Recommendation:** That the Board of Supervisors adopt the new Merit System Services job classification of Child Support Program Manager (class 0368, salary range 483, employee unit 08) into the classification plan; and reallocate the currently vacant Program Manager (class 0934, salary range 483, position 01) in budget unit 206 to Child Support Program Manager (class 0368, salary range 483), effective immediately following Board approval.

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

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

8. Extend the Employment Eligibility List for Sheriff's Lieutenant

**Recommendation:** That the Board of Supervisors approve the extension of the employment eligibility list for Sheriff's Lieutenant for one year, to expire on April 10, 2017.

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

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

**Planning and Building Department**

9. Approve Allocation of Additional FTEs and Approve the Supplemental Budget for the Current Planning Division Budget Unit 1100-277 (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors approve the allocations of three 1.0 PTE Planner I/II (class number 0631, salary range 355/382) positions, one 1.0 PTE 40 hr. Administrative Analyst I/II (class 0626, salary range 365/398) position, and one 1.0 PTE 37.5 hr. Office Assistant I/II (class 0180, salary range 241/272) position in budget unit 277 effective April 1, 2016; and approve the supplemental budget found in Attachment 3.

***This item was pulled for discussion.***

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

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

10. Memorandum of Understanding (MOU) with City of Rio Dell for Assistance with State of California Housing and Community Development Block Grant Program Administration

**Recommendation:** That the Board of Supervisors review, approve and authorize the Board Chair to sign the attached Memorandum of Understanding with the City of Rio Dell for assistance administering and managing HCD programs.

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

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

**Public Works**

11. Grant Easement on County's Property to Pacific Gas and Electric Company (APN 013-101-009 AND 013-101-010)

**Recommendation:** That the Board of Supervisors find that the grant of a permanent utility easement to PG&E is in the public interest and that the easement will not substantially conflict or interfere with the County's use of the property; execute the attached Easement Deed, conveying a permanent utility easement to PG&E; and direct the Clerk of the Board to transmit the executed deed to the Land Use Division for further processing.

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

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

**12. 2015 Streets Resurfacing Project, Contract No.: 325374**

**Recommendation:** That the Board of Supervisors accept the completed contract between Sierra Nevada Construction, Inc. and Humboldt County for the construction of the 2015 Streets Resurfacing project; and approve the final payment, as submitted by the Public Works Department to the Auditor/Controller, in the amount of \$34,063.78 which is the five percent (5%) retention. This will bring the total amount paid to one hundred percent (100%) of the contract.

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

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

**13. Second 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 Second Amendment to the Agreement for Professional Services with Morrison Structures, Inc., which extends the deadline for completion and delivery of certain consultant services pertaining to the Mattole Road Bridge (04C-055) over Mattole Road at Honeydew; authorize the Chair of the Board to execute three (3) originals of the Second Amendment to the Agreement with Morrison Structures, Inc.; and direct the Clerk of the Board to return two executed originals of the Second Amendment to the Department of Public Works.

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

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

**14. Salt River Bridge Replacement on Waddington Road (C3G025) at PM 1.69; Project No.: BRLOZB-5904 (094); Contract No.: 594011**

**Recommendation:** That the Board of Supervisors authorize the Director of Public Works to sign Contract Change Order Number 2 for the amount of \$37,136.70; and direct the Auditor-Controller to transfer \$26,169.00 to 1200321-0316 per the attached appropriation transfer.

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

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

**15. Resolution Urging the State of California to Provide New Sustainable Funding for State and Local Transportation Infrastructure**

**Recommendation:** That the Board of Supervisors adopt the resolution urging the State of California to provide new sustainable funding for State and local transportation infrastructure.

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

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

16. Resolution to Summarily Vacate a Portion of Alley between Walnut Drive and Cedar Avenue, North of Arbutus Street and South of Fern Avenue, in Cutten

**Recommendation:** That the Board of Supervisors adopt the attached resolution to summarily vacate a portion of the alley between Cedar Avenue and Walnut Drive, in the Cutten area of Eureka at the request of the agent for the property owner, Gerald Pavlich, pursuant to Streets and Highways Code Section 8331 (Attachment 1); and direct the Clerk of the Board to record in the Office of the County Recorder, a certified copy of the resolution via the Land Use Division.

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

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

17. Supplemental Budget for Parks & Recreation-Fiscal Year 2015-16 (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors adopt the attached supplemental budget for FY 2015-16.

**This item was pulled for discussion.**

**A motion was made by Supervisor Fennell, seconded by Supervisor Sundberg, to approve staff recommendations and to request that the County Administrative Office work with Public Works Director Mattson to put an item on the County website for community input on this subject. The motion carried by the following vote:**

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

18. Allocate One Full-Time Senior Real Property Agent Position; Approve the Attached Memorandum of Understanding between the Humboldt County Department of Health and Human Services (DHHS) and Humboldt County Department of Public Works; Approve the Supplemental Budget for Facility Management Division - 1100162 (Supplemental Budgets Require 4/5 Vote)

**Recommendation:** That the Board of Supervisors approve the allocation of one full-time Senior Real Property Agent (class 0629, salary range 406), in budget unit 162 effective at the beginning of the next bi-weekly pay period following approval; approve the attached Memorandum of Understanding (MOU) between the Department of Health and Human Services and the Public Works Department effective at the beginning of the next bi-weekly pay period following approval; and approve the attached supplemental budget for Facility Management Division 1100162 (4/5 vote required).

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

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

19. Adoption of Ordinance: Amending Section 422-7 Relating to Speed Limit in Hydesville, Amending Section 431-65 Relating to Parking in McKinleyville, and Amending Section 435-3 Relating to Establishment of Class II Bicycle Lanes in Eureka to Title IV of the Humboldt County Code

**Recommendation:** That the Board of Supervisors adopt Ordinance No. \_\_\_\_\_, amending section 422-7 relating to speed limit in Hydesville, section 431 -65 relating to parking in McKinleyville, and section 435-3 relating to establishment of class II bicycle lanes in Eureka, to Title IV of the Humboldt County Code.

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

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

20. 2016 Financial Assurances for Reclamation of Surface Mining Operations

**Recommendation:** That the Board of Supervisors adopt the attached Resolution authorizing the annual adjustment of funds pledged by the Humboldt County Department of Public Works to complete reclamation of the department's surface mining operations as required by law; and direct the Clerk of the Board to return a certified copy of the Resolution to the Public Works Department.

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

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

### Sheriff

21. Fiscal Year 2015-16 Supplemental Budget Adjustment Request #1 for Coroner/Public Administrator Budget Unit 272 (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors approve supplemental budget adjustment request #1 in Budget Unit 272 Coroner/Public Administrator to allow for increased costs of autopsies and forensic medical services in fiscal year budget 2015-16 (4/5 vote required).

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

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

22. Deputization Agreement between the Hoopa Valley Tribe, the County of Humboldt, and the Sheriff of Humboldt County for the Deputization of Qualified Hoopa Valley Tribal Police Officers

**Recommendation:** That the Board of Supervisors approve Deputization Agreement Between the Hoopa Valley Tribe, the County of Humboldt, and the Sheriff of Humboldt County (Attachment 1) for the Deputization of qualified Hoopa Valley Tribal Police Officers in compliance with California Penal Code Sections 830.6 and 830.8; authorize the Board of Supervisors Chair to sign three (3) original copies of the Deputization Agreement (Agreement) and all amendments, extensions or revisions to the document for the term of the Agreement; and authorize the Humboldt County Sheriff to sign three (3) original copies of the Deputization Agreement (Agreement) and all amendments, extensions or revisions to the document for the term of the Agreement and to distribute to all interested parties.

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

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

*Supervisor Bass left the meeting.*

#### D. SPECIAL PRESENTATIONS

##### Board of Supervisors

1. Proclaim March 2016 as "Welcome Home Vietnam Veterans Day" in Humboldt County (Supervisor Rex Bohn and Supervisor Virginia Bass)

**Recommendation:** That the Board of Supervisors adopt the Proclamation.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

Not 1 - Virginia Bass

Present:

2. St. Joseph Health System Update on Stemi Center and Efforts toward Achieving Trauma Center Designation (Supervisor Ryan Sundberg)

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

*Approved per order of the Chair*

#### E. MATTERS SET FOR TIME CERTAIN

#### F. ITEMS PULLED FROM CONSENT

#### G. MATTERS INITIATED BY BOARD MEMBERS

## H. DEPARTMENT REPORTS

### Code Enforcement Unit

1. 2015 Code Enforcement Unit Annual Report

**Recommendation:** That the Board of Supervisors receive the Code Enforcement Unit's 2015 annual report.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

Not 1 - Virginia Bass

Present:

### Department of Health and Human Services: Administration

2. Amendment to Section 591-3 of the Humboldt County Code Relating to the Partnership HealthPlan of California Commission

**Recommendation:** That the Board of Supervisors introduce the attached ordinance by title and waive the first reading; direct that the ordinance be set for adoption at least one week away; direct the Clerk of the Board to publish the pre-adoption summary of the ordinance, and that the clerk shall post a certified copy of the full text of the proposed ordinance in the office of the Clerk of the Board of Supervisors, 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 fifteen (15) days after the adoption of the ordinance, to publish a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance and the clerk shall post in the office of the Clerk of the Board a certified copy of the full text of those adopted ordinances and amendments 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 Sundberg, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

Not 1 - Virginia Bass

Present:

*Supervisor Bass returned to the meeting.*

## 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 Administrative Officer pursuant to Government Code sections 54954.5 and 54957.

*The Board of Supervisors met in closed session to consider the appointment for the position of County Administrative Officer pursuant to Government Code sections 54954.5 and 54957. The Board of Supervisors made an offer to Amy Nilsen, who accepted, with a start date of April 11, 2016 and an employment contract is in the process of being negotiated that will be brought back to the Board shortly.*

2. Conference with Legal Counsel - Existing Litigation pursuant to Government Code section 54956.9 subd. (a); Livingwell Medical Clinic, et al. v. Kamala Harris, Attorney General of the State of California, in her official capacity, et al., U.S. District Court for Northern California, Oakland, Case No. 4:15-cv-04939-JSW.

*The Board of Supervisor met in conference with Legal Counsel on existing litigation pursuant to Government Code section 54956.9 subd. (a); Livingwell Medical Clinic, et al. v. Kamala Harris, Attorney General of the State of California, in her official capacity, et al., U.S. District Court for Northern California, Oakland, Case No. 4:15-cv-04939-JSW. The Board has approved the County to enter into a stipulation for dismissal of the Livingwell Medical Clinic vs. Harris law suit, with the one condition that pending the outcome of that ongoing litigation, County Counsel's office will not be enforcing that law as it regards to the constitutional claims until they are determined by the Court.*

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

## K. ADMINISTRATIVE ABATEMENT HEARINGS

## L. PUBLIC HEARINGS

### Planning and Building Department

1. Adoption of Amended Owner-Occupied Rehabilitation Guidelines

**Recommendation:** That the Board of Supervisors receive staff report; open the public hearing and receive public testimony; close the public hearing; and adopt attached Resolution amending Guidelines.

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

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

## M. AFTERNOON DISCUSSION ITEMS

### Board of Supervisors

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

**N. ADJOURNMENT**

*I, 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*

  
\_\_\_\_\_  
*March 22, 2016*



MINUTES  
TUESDAY, MARCH 22, 2016  
Regular Session

The Honorable Board of Supervisors of the County of Humboldt met in regular session on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Tuesday, April 5, 2016, with the vote as shown below.

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

  
ANA HARTWELL  
Deputy Clerk of the Board

  
MARK LOVELACE  
Chair of the Board