

BOARD OF SUPERVISORS

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



COUNTY STAFF

AMY S. NILSEN
County Administrative Officer
JEFFREY S. BLANCK
County Counsel
KATHY HAYES
Clerk of the Board

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

Tuesday, March 27, 2018

9:00 AM

Regular Meeting

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

Board of Supervisors

1. Certificates of Recognition for the McKinleyville Chamber of Commerce Award Recipients for 2017
(Supervisor Ryan Sundberg)

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

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

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

2. Tsunami Preparedness Proclamation (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors adopt the Proclamation.

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

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

3. Proclamation of the Commemoration of the 50th Anniversary of the Vietnam War (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors adopt the Proclamation.

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

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

4. Adjourned in Memory Certificate for Herrmann Spetzler (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors ratify authorization for Board Members to sign the Certificate.

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

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

5. AB 2727 (Flora) Regarding Tax Credit to Volunteer Firefighters (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors authorize the Chair to sign the Letter of Support for AB 2727.

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

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

Clerk of the Board

6. Approval of the Action Summary - Special Meeting of March 19, 2018

Recommendation: That the Board of Supervisors approve the Action Summary for the meeting of March 19, 2018 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

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

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

7. Approval of the Action Summary - Meeting of March 20, 2018

Recommendation: That the Board of Supervisors approve the Action Summary for the meeting of March 20, 2018 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

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

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

Department of Health and Human Services: Administration**8. Lease at 77 Walnut Way, Willow Creek, California**

Recommendation: That the Board of Supervisors authorize the lease payment of one thousand five hundred dollars (\$1,500.00) per month for 77 Walnut Way, Willow Creek, California with James Fleming and Charla Fleming on a month to month basis; ratify the lease payment of one thousand five hundred dollars (\$1,500.00) that was paid for the month of March 2018; authorize Public Works-Real Property Division to send a notice to lessor that the county is continuing the lease at the higher amount; and direct the Clerk of the Board to return one executed agenda item to Public Works-Real Property Division.

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

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

9. Allocate One (1.0) Full-Time Equivalent Program Manager

Recommendation: That the Board of Supervisors allocate one (1.0) full-time equivalent (FTE) Program Manager I (class 0747, salary range 497) in budget unit (BU) 511; effective immediately following approval.

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

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

10. Master Agreement with North Coast Health Improvement and Information Network

Recommendation: That the Board of Supervisors approve the Master Agreement with the North Coast Health Improvement and Information Network (NCHIIN) for fiscal years 2017-2018, 2018-2019 and 2019-2020; approve and authorize the Department of Health and Human Services (DHHS) Director to execute three (3) originals of the Master Agreement between DHHS and the NCHIIN; and approve and authorize the DHHS Director to execute substantially similar Project Addenda and rates for a Health Information Exchange (HIE) agreement after review and approval by County Counsel and Risk Management.

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

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

Human Resources

11. Reallocate One (1) 1.0 Full-Time Equivalent (FTE) Human Resources Technician I/II in Budget Unit 130 to One (1) 1.0 FTE Secretary in Budget Unit 130

Recommendation: That the Board of Supervisors approve the reallocation of the Human Resources Technician I/II position (class 0699, salary range 371/400, position 02) in budget unit 130 currently occupied by Nancy Hampton, to Secretary (class 0175, 1.0 FTE, salary range 347, position 01) in budget unit 130, and reclassify Ms. Hampton accordingly, effective the beginning of the bi-weekly pay period immediately following approval.

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

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

Public Works

12. 2018 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 state law; and direct the Clerk of the Board to return a certified copy of the Resolution to the Public Works Department.

This item was pulled from consent for discussion.

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

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

13. Adoption of Ordinance Amending Section 431-96.5 Relating to Parking on Redwood Drive in Redway, of Title IV of the Humboldt County Code

Recommendation: That the Board of Supervisors adopt Ordinance No._____, amending section 431-96.5, relating to parking on Redwood Drive in Redway, of Title IV of the Humboldt County Code.

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

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

14. Proposed Vacation of a Portion of Mad River Road (County Road No. 4L680) Within Mad River County Park, Arcata Area

Recommendation: That the Board of Supervisors adopt and authorize the Chairperson of the Board of Supervisors to execute the attached Resolution of Intention (Attachment 1); direct the Clerk of the Board to publish the Resolution of Intention and Notice of Public Hearing (Attachment 2), pursuant to Streets and Highways Code section 8322, and arrange for the posting of the Resolution of Intention and Notice of Public Hearing in three conspicuous places, such as: Humboldt County Courthouse, Humboldt County Public Works headquarters, and Arcata City Hall; direct the Land Use Division to post the Resolution of Intention and Notice of Public Hearing along the portion of Mad River Road proposed for vacation pursuant to Streets and Highways Code sections 8320 and 8323; and set the matter for public hearing in the Board Chambers on April 17, 2018 at 9:00 a.m., or as soon thereafter as the matter can be heard.

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

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

15. McKay Tract Community Forest Northridge Road (3J400) Parking Lot and Walnut Drive (F3J300) Left Turn Pocket; Contract Number 331205

Recommendation: That the Board of Supervisors award the contract to GR Sundberg, Inc., for the total amount of \$368,280; and authorize the Chair of the Board to execute the project agreement upon submittal of the appropriate bonds and insurance.

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

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

16. Petition to Form Annexation Number 3 to Permanent Road Division 1000, Zone Number 007, Central Estates Phase 2D Subdivision, McKinleyville, and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors receive and file the petition, affidavit of valuation, and engineer's report for Annexation Number 3 to Permanent Road Division 1000, Zone Number 007 for Central Estates Phase 2D Subdivision; adopt the Resolution of Intent to establish Annexation Number 3 to Permanent Road Division 1000, Zone Number 007 and to impose parcel charges for road maintenance; set a time and date of May 15, 2018, at 9:00 a.m. or soon thereafter, to hold a public hearing to receive testimony of protest regarding the formation and setting of an assessment for road maintenance for Annexation Number 3 to Permanent Road Division 1000, Zone Number 007; direct the Clerk of the Board to publish the petition (Attachment 1), notice of formation (annexation) (Attachment 5) and notice of assessment (Attachment 6) in the Times-Standard newspaper on April 22, 2018, April 29, 2018, and May 6, 2018, as per Streets and Highways Code §§1164 and 1196; direct the Department of Public Works to mail the notice of assessment and ballot to all landowners within the proposed annexation area as per Government Code §53753; direct the Department of Public Works to post the petition (Attachment 1), notice of formation (annexation) (Attachment 5) and notice of assessment (Attachment 6) as per Streets and Highways Code §1195; and approve the attached supplemental budget (4/5th vote) to provide associated funding for PRD 1000, Zone Number 007.

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

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

17. Purchase of a 544K-II Loader, Authorization to Enter into Purchase Agreement, Declare Equipment Surplus and Approve the Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors authorize the purchase of a 544K-II loader; authorize the Purchasing Agent to enter into a purchase agreement with Pape Machinery; declare the damaged John Deere 544E Loader asset number 8762 as surplus; and approve the attached Supplemental Budget for Fiscal Year (FY) 2017-18 (4/5 vote required).

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

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

18. Extension of Extra-Help Hours- Motor Pool (350) (4/5 Vote Required)

Recommendation: That the Board of Supervisors extend Bryan Tidwell extra-help employment hours 960 hours to a maximum of 1,920 hours for fiscal year 2017-2018 pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

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

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

19. Extension of Extra-Help Hours- Roads-Right of Way (322) (4/5 Vote Required)

Recommendation: That the Board of Supervisors extend Diana Freeman extra-help employment hours 960 hours to a maximum of 1,920 hours for fiscal year 2017-2018 pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

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

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

20. Approval of extension of lease for 1105 6th Street, Natural Resource Planning

Recommendation: That the Board of Supervisors approve the extension of the lease with PWM, Inc. for 1105 6th Street for one (1), two (2) year term through July 31, 2020; authorize Real Property to send a notification to Lessor that county is exercising the option to extend the lease; and direct the Clerk of the Board to return one executed agenda item to Real Property.

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

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

D. PUBLIC COMMENT ON NON-AGENDA ITEMS**E. SPECIAL PRESENTATIONS****F. MATTERS SET FOR TIME CERTAIN****G. ITEMS PULLED FROM CONSENT****H. MATTERS INITIATED BY BOARD MEMBERS****I. DEPARTMENT REPORTS****County Administrative Office****1. Interim Appointment to Fill Chief Probation Officer Vacancy - William Damiano**

Recommendation: That the Board of Supervisors appoint Shaun Brenneman as the Interim Chief Probation Officer, effective April 14, 2018.

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

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

2. Amendments to Travel Expense Ordinance and Travel and Meal Policy

Recommendation: That the Board of Supervisors adopt the revised Travel and Meal Policy (Attachment 1) as the official Board policy on travel; introduce by title: "An ordinance of the Board of Supervisors of the County of Humboldt Updating Sections 254-4, and 254-6 of the Humboldt County Code Relating to Travel Expenses," Ordinance No. ____ (Attachment 5); waive the first reading of the Ordinance and set for adoption at least one week away; direct the Clerk of the Board to publish the pre-adoption summary of the ordinance (Attachment 8); 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 9) 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)].

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

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

3. Introduction of Ordinance Amending Sections 719-6 and 719-7 of Title VII, Division 1, Chapter 9 of the Humboldt County Code Relating to the Humboldt County Commercial Marijuana Cultivation Tax Ordinance; Adoption of Administrative Regulations Related to the Collection and Remittance of Commercial Marijuana Cultivation Taxes; Review of the Humboldt County Marijuana Ad Hoc Committee's Report Regarding the Imposition of Commercial Marijuana Cultivation Taxes

Recommendation: That the Board of Supervisors introduce the attached ordinance by title and waive the first reading; set the attached ordinance for adoption on April 3, 2018, or at least one (1) week away from the date of the Board of Supervisors meeting at which the attached ordinance was first introduced; direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [Government Code Section 25124(b)(1)]; direct the Clerk of the Board of Supervisors to publish, within fifteen (15) days after adoption of the attached ordinance, a post-adoption summary of the ordinance with the names of the Supervisors voting for and against the ordinance and to post in the office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance [Government Code Section 25124(b)(1)]; adopt the attached administrative regulations related to the collection and remittance of commercial marijuana cultivation taxes; and receive the Humboldt County Marijuana Ad Hoc Committee's report regarding the imposition of commercial marijuana cultivation taxes and take appropriate action as necessary.

A motion was made by Supervisor Fennell, seconded by Supervisor Bass, to approve staff recommendations with the additional direction to staff. The motion carried by the following vote:

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

County Counsel**4. Attorney Contingency Fee Agreement with Keller Rohrback LLP Re: Opioid Litigation**

Recommendation: That the Board of Supervisors retain Keller Rohrback LLP to represent the County with respect to potential claims against the manufacturers and wholesalers of prescription opioid painkillers; and approve, and authorize the Chair to execute, the attached Attorney Engagement & Contingency Fee Agreement with Keller Rohrback LLP.

A motion was made by Supervisor Wilson; seconded by Supervisor Bass, to move forward with the contract and language change as advised by County Counsel. The motion carried by the following vote:

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

Probation**5. Resolution for the Employment of Temporary Retired Annuitant as Senior Fiscal Assistant at the Probation Department**

Recommendation: That the Board of Supervisors resolve that the employment of Jayme Turner as a temporary retired annuitant Senior Fiscal Assistant with the Humboldt County Probation Department is necessary to fill a critically needed position and that Jayme Turner's employment as a temporary retired annuitant is needed before the California Public Employees Retirement System (CalPERS) 180-day wait period has expired; and adopt the attached resolution for an exception to the 180-day wait period.

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

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

J. PUBLIC HEARINGS**K. DISCUSSION ITEMS****L. CLOSED SESSION****1. It is the intention of the Board of Supervisors to meet in closed session to discuss pending litigation pursuant to Government Code Section 54956.9(a), (d)(2).**

The Board of Supervisors met in closed session to discuss pending litigation pursuant to Government Code Section 54956.9(a), (d)(2). There was no action to report.

M. ADJOURNMENT

I, RYAN SHARP, Deputy Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above entitled meeting of the Humboldt County Board of Supervisors held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

RYAN SHARP

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



March 28, 2018



MINUTES
TUESDAY, MARCH 27, 2018
Regular Session

The Honorable Board of Supervisors of the County of Humboldt met in regular session on the above date within the Humboldt County Courthouse, Eureka, California. The minutes of this meeting were approved on Tuesday, April 3, 2018 with the vote as shown below.

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



RYAN SHARP
Deputy Clerk of the Board



RYAN SUNDBERG
Chair of the Board



COUNTY OF HUMBOLDT

For the meeting of: April 3, 2018

Date: March 28, 2018
 To: The Honorable Board of Supervisors
 From: Clerk of the Board of Supervisors
 Subject: **Approval of the Action Summary – Meeting of March 27, 2018**

RECOMMENDATION: That the Board of Supervisors approve the Action Summary for the meeting of March 27, 2018 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

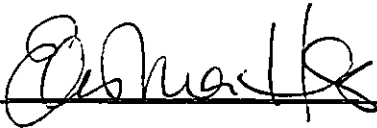
DISCUSSION: The Action Summary from the meeting of March 27, 2018 is attached. This Action Summary encompasses all actions taken by the Board of Supervisors at their March 27, 2018 meeting.

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 Ryan Sharp, Deputy Clerk of the Board CAO Approval: 

REVIEW:

Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

☒ Consent
☐ Departmental
☐ Public Hearing
☐ Other _____

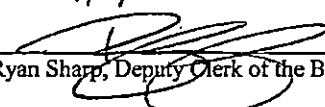
BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Wilson Seconded by Supervisor Bass

Ayes Bass, Fennell, Sundberg, Bohn, Wilson
 Nays
 Abstain
 Absent

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

Dated: 4/3/18

By: 
 Ryan Sharp, Deputy Clerk of the Board