

BOARD OF SUPERVISORS

REX BOHN
Vice-Chair - First District
ESTELLE FENNELL
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

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

AGENDA

Tuesday, July 24, 2018

9:00 AM

Regular Meeting

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 combined single vote.

Agricultural Commissioner

1. Approval of Cooperative Agreement No. 18-0173-000-SA California Organic Program Contract with the California Department of Food and Agriculture in the Amount of \$6,540.00

Recommendation: That the Board of Supervisors approve Cooperative Agreement No. 18-0173-000-SA, known as the California Organic Program Contract between Humboldt County and the California Department of Food and Agriculture; authorize the Chair to sign the original agreement and one copy of the cover page, and return all copies to the Agricultural Commissioner's Office for further processing; and grant a waiver from the provisions of the Nuclear Free Ordinance.

Attachments: [Cooperative Agreement No. 18-0173-000-SA.pdf](#)

Board of Supervisors

2. Adjourned in Memory Certificate for Gregg “Vinny” DeVaney (Supervisor Mike Wilson)

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

Attachments: [Adjourned in Memory Certificate.pdf](#)

3. Letter of Support for Samoa Dunes and Wetlands Conservation Project: Acquisition of Dog Ranch and the Poovey Track (Supervisor Mike Wilson and Supervisor Virginia Bass)

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

Attachments: [Letter of Support for Samoa Dunes and Wetlands Conservation Project.pdf](#)

Clerk of the Board

4. Rescinding Resolution 18-14 Dated February 27, 2018 for Editing Purposes and Adoption of New Resolution for the Housing Trust Fund and Homelessness Solutions Committee

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

Attachments: [Resolution for the Housing Trust Fund and Homelessness Solutions Committee.pdf](#)

5. Approval of the Action Summary - Meeting of July 10, 2018

Recommendation: That the Board of Supervisors approve the Action Summary for the meeting of July 10, 2018 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 - Meeting of July 10, 2018.pdf](#)

County Administrative Office**6. Appointments to the Humboldt County Workforce Development Board (HC-WDB)**

Recommendation: That the Board of Supervisors review the attached membership applications for Treston Shull, Kerry Venegas, and Shaun Brenneman; and appoint Treston Shull, Kerry Venegas, and Shaun Brenneman to the HC-WDB for a two-year term effective immediately and pursuant to the HC-WDB bylaws.

Attachments: [Appointments to the HC-WDB.pdf](#)

7. Program Year 2018-19 Title I Workforce Innovation and Opportunity Act Subgrant

Recommendation: That the Board of Supervisors adopt the attached Resolution (Attachment 1), accepting Program Year 2018-19 Title I Workforce Innovation and Opportunity Act (WIOA) Subgrant, Registration Number K91 10012; authorize and direct the Chair of the Board to sign the two (2) copies of the Subgrant Agreement (Attachment 2); authorize and direct the County Administrative Officer, or designee, to sign fiscal documents utilizing these funds, such as contracts, after review and approval by County Counsel and Risk Management pursuant to Separation of Duties Assignment adopted September 27, 2005; authorize and direct the Workforce Development Board (WDB) Executive Director, or designee, to sign administrative documents as required by the State of California Employment Development Department, and pursuant to Separation of Duties Assignment adopted on September 27, 2005; and direct the Clerk of the Board to return the signed original Subgrant Agreement (two (2) copies) to the WDB Executive Director for submission to the state.

Attachments: [Program Year 2018-19 Title I WIOA Subgrant.pdf](#)

8. Designation of America's Job Center of California (AJCC) Operator

Recommendation: That the Board of Supervisors designate Smart Business Resource Center as the third partner to the three agency consortium acting as Operators for the AJCC, locally known as The Job Market.

Attachments: [Designation of America's Job Center of California.pdf](#)

County Counsel

9. Waiver of Conflict of Interest

Recommendation: That the Board of Supervisors delegate the authority to sign legal conflict waivers on behalf of the County to County Counsel subject to notification to the Board.

Attachments: [Waiver of Conflict of Interest.pdf](#)

Department of Health and Human Services: Administration

10. Agreement with Changing Tides Family Services to Assist with CalFresh Outreach and Support Activities

Recommendation: That the Board of Supervisors approve the agreement with Changing Tides Family Services to assist the Department of Health and Human Services (DHHS) increased utilization of CalFresh benefits by eligible households in the amount of \$239,746.06; authorize the Chair to execute three (3) originals of the agreement (Attachment 1); and direct the Clerk of the Board to route two (2) fully executed originals of the agreement to the (DHHS) - Contract Unit for forwarding to DHHS-Social Services Administration.

Attachments: [Agreement with Changing Tides Family Services.pdf](#)

Department of Health and Human Services: Mental Health

11. Approval of Daryn Nimmo, MFT as Clinical Director and Hospital Administrator of Humboldt County Mental Health-Sempervirens

Recommendation: That the Board of Supervisors adopt the statements of qualifications and duties pertaining to the position of Clinical Director and Hospital Administrator; acting as the Governing Body of Sempervirens Psychiatric Health Facility, approve the appointment of Daryn Nimmo, MFT as Clinical Director and Hospital Administrator of Humboldt County Mental Health Sempervirens Psychiatric Health Facility, effective July 2, 2018; and direct the Clerk of the Board to forward one (1) certified copy of the Board Report to the DHHS-Contract Unit for transmittal to DHHS-Mental Health Administration.

Attachments: [Clinical Director and Hospital Administrator.pdf](#)

Department of Health and Human Services: Public Health**12. Grant Award from the Rx Safe Humboldt Coalition**

Recommendation: That the Board of Supervisors approve and accept a grant award in the amount of \$103,150 from the Rx Safe Humboldt Coalition for the period of July 1, 2018 through March 31, 2019.

Attachments: [Grant Award from the Rx Safe Humboldt Coalition.pdf](#)

Department of Health and Human Services: Social Services**13. Agreement with Arcata House Partnership to Assist with CalFresh Outreach and Support Activities**

Recommendation: That the Board of Supervisors approve the agreement with Arcata House Partnership to assist the Department of Health and Human Services (DHHS) to increase utilization of CalFresh benefits by eligible households in an amount not to exceed \$189,970.00; authorize the Chair to execute three (3) originals of the agreement (Attachment 1); and direct the Clerk of the Board to route two (2) fully executed originals of the agreement to the Department of Health and Human Services (DHHS) - Contract Unit for forwarding to DHHS-Social Services Administration.

Attachments: [Agreement with Arcata House Partnership.pdf](#)

14. Agreement with Red Deer Consulting for Tribally-Specific Cultural Advising and Mentoring Services to Children and Youth for July 1, 2018 through June 30, 2019

Recommendation: That the Board of Supervisors approve the agreement between County of Humboldt and Red Deer Consulting for tribally-specific cultural advising and mentoring services to children and youth for fiscal year 2018-2019; authorize the Chairperson to execute three (3) originals of the agreement; authorize the DHHS Child Welfare Services Director to exercise the options to extend the agreement on behalf of DHHS-Children and Family Services, under the same terms and conditions, for fiscal year 2019-2020, fiscal year 2020-2021, and fiscal year 2021-2022; authorize the DHHS Child Welfare Services Director to amend program elements of the agreement as necessary for fiscal year 2018-2019, fiscal year 2019-2020, fiscal year 2020-2021, and fiscal year 2021-2022 after review and approval by County Counsel and Risk Management; and direct the Clerk of the Board to route two (2) fully executed originals of the agreement to the Department of Health and Human Services (DHHS) - Contract Unit forwarding to DHHS-Children and Family Services.

Attachments: [Agreement with Red Deer Consulting.pdf](#)
[Public Comment.pdf](#)

Planning and Building Department

15. Cathey Lot Line Adjustment and Joint Timber Management Plan; Case Numbers: LLA-17-015, JTMP-17-014; Assessor Parcel Number: 211-382-028; Miranda Area (4/5 Vote Required)

Recommendation: That the Board of Supervisors approve (by 4/5 vote) the Joint Timber Management Plan (JTMP) and Guide (Attachment B) prepared pursuant to Section 51119.5 of the California Government Code (C.G.C.) (Note: A 4/5th vote is required); find the project exempt from environmental review pursuant to Sections 15061(b)(3) and 15305 of the State CEQA Guidelines and make all of the required findings (Attachment D) to approve the Lot Line Adjustment; direct the Planning Division staff to record the Declaration with the JTMP and the Notices of Lot Line Adjustment and Certificate of Subdivision Compliance; and direct the Clerk of the Board to give notice of the decision to owners, the County Assessor's Office and any other interested party.

Attachments: [Cathey Lot Line Adjustment and Joint Timber Management Plan.pdf](#)

Public Works

16. Storm Damage Repair to Eel River Drive (3H160) Post Mile 1.00; Federal Emergency Management Agency (FEMA) 4301-DR-CA PW-585; Contract Number 217307

Recommendation: That the Board of Supervisors award the contract for Storm Damage Repair to Eel River Drive (3H160) Post Mile 1.00 to Kapel Construction, Inc., for the total amount of \$349,068.00; authorize the Chair of the Board to execute the project agreement upon submittal of the appropriate bonds and insurance; and direct the Auditor-Controller to establish a new contract account 1200321-0333 and transfer \$421,568.00 from 1200321-2118 to the new contract account per the attached appropriation transfer.

Attachments: [Storm Damage Repair to Eel River Drive.pdf](#)

17. Pedestrian Countdown Signal Project; Federal Project Number HSIPL-5904(160); Contract Number 217102

Recommendation: That the Board of Supervisors award the contract for the Pedestrian Countdown Signal Project to Pelagic Engineering for the total amount of \$59,859.00; authorize the Chair of the Board to execute the project agreement upon submittal of the appropriate bonds and insurance; and direct the Auditor-Controller to establish a

new contract account 1200321-0332 and transfer \$72,859.00 from 1200321-2118 to the new contract account per the attached appropriation transfer.

Attachments: [Pedestrian Countdown Signal Project.pdf](#)

18. Approval of Town of Scotia Subdivision, Phase 2, APN 205-351-031, Scotia

Recommendation: That the Board of Supervisors accept and approve the subdivision map for filing with the County Recorder; accept the dedications to the County of Humboldt of Main Street, Bridge Street, B Street, First Street, Second Street and Third Street for public road purposes; accept the Public Utility Easement (PUE) for public utility and sidewalk easement for public use; accept Alley 2A, Alley 2B, Alley 3, Alley 4, Alley 5, Alley 6, Alley 7, Alley 8 and Parcels A, AH and AI for public utilities; direct the Clerk of the Board to sign the subdivision map on behalf of the Board of Supervisors and further certify to the vacation of portions those existing easements for public highways within Phase 2 of this subdivision, lying outside the areas dedicated by this map pursuant to section 66434(g) of the Government code, reference is hereby made to the "Abandonment Note" on the subdivision map for particulars; authorize the Chair to execute the Conveyance and Agreement; and direct the Clerk of the Board to transmit the subdivision map and the Conveyance and Agreement to the County Recorder.

Attachments: [Town of Scotia Subdivision.pdf](#)

19. Request for Proposal Regarding Aviation Consulting and Engineering Services

Recommendation: That the Board of Supervisors authorize the Department of Public Works, Aviation Division to advertise and distribute the attached Request for Proposal for Qualified Aviation Consulting and Engineering Services firm regarding planning, designing, administration, and subcontracting special services for Airport Capital Improvement Projects (ACIP) resulting in Federal Aviation Administration (FAA) approved Airport Improvement Program (AIP) projects.

Attachments: [Staff Report.pdf](#)
[Request for Proposals Regarding Aviation Consulting and Engineering.pdf](#)
[FAA Advisory Circular.pdf](#)

Sheriff

20. Adoption of Ordinance Amending Chapter 5.5, to Title IX of the Humboldt County Code Prohibiting Target Shooting of Firearms in Public Places

Recommendation: That the Board of Supervisors adopt Ordinance No._____, amending Chapter 5.5, to Title IX of the Humboldt County Code Prohibiting Target Shooting of Firearms in Public Places.

Attachments: [Ordinance Amending Chapter 5.5, to Title IX.pdf](#)
[Public Comment.pdf](#)
[Proof of Publication.pdf](#)

21. Approve Office of National Drug Control Policy Agreement and FY 2018-19 Supplemental Budget Adjustment Request for Purchase of Surveillance Equipment (4/5 Vote Required)

Recommendation: That the Board of Supervisors approve the Office of National Drug Control Policy (ONDCP) Initial Acknowledgement of Receipt of Agreement and Understanding of Spending and Billing Requirements and Limitations (Attachment 1) and authorize the Sheriff to sign this agreement and any amendments, modifications, extensions and billing invoices; and approve a FY 2018-19 supplemental budget adjustment request in Budget Unit 228 Sheriff's Marijuana Eradication to establish line items in the approved budget for the purchase of recommended surveillance equipment (Attachment 2) (4/5 vote required).

Attachments: [Office of National Drug Control Policy Agreement.pdf](#)

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

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. 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.

Public Comment Sign-In Sheet

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

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. Ballot Statement and Ordinance Relating to the Measure for Voter Consideration to Renew Measure Z on the Ballot for the November 6, 2018 Election

Recommendation: That the Board of Supervisors approve the attached ballot measure statement (Attachment 1) to renew Measure Z to be placed before the voters of Humboldt County on November 6, 2018; introduce the attached ordinance by title (Attachment 2), repealing and replacing section 718-16 of Chapter 8, Division 1 of Title VII to the Humboldt County Code relating to renewal of the 0.5% transactions and use tax (Measure Z) administered by the state board of equalization, and waive the first reading; set the ordinance for adoption on July 31, 2018; 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 modification to the 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 modification to the ordinance, and to post in the office of the Clerk of the Board a certified copy of the full text of the adopted modified ordinance and amendments along with the names of those Supervisors voting for and against the modification to the ordinance [Government Code Section 25124 (b)(1)].

Attachments: [Ballot Statement and Ordinance.pdf](#)

J. PUBLIC HEARINGS

Planning and Building Department

1. Garden Apartments Multifamily Development; General Plan Amendment, Zone Reclassification Coastal Development Permit and Notice of Merger; Application Number 13974; Case Numbers GPA-18-001, ZR-18-001, CDP-18-001; NOM 18-005; Assessor Parcel Numbers 016-152-020, 016-152-021, 016-152-022, and 016-222-001

Recommendation: That the Board of Supervisors introduce the proposed Ordinance by title and waive further reading of Ordinance No. _____ (Attachment C) amending Section 311-7 of the Humboldt County Code - the Zoning Ordinance by rezoning

Assessor Parcel Numbers 016-152-020, 016-152-021, 016-152-022, and 016-222-001 from CG to RM as shown on the attached map; and open the public hearing, receive and consider the staff report, the Planning Commission's recommendations and accept public comment; close the public hearing; adopt the attached Resolution No. _____ adopting the Mitigated Negative Declaration (MND) (Attachment A) and approving the Mitigation Monitoring and Reporting Program; adopt the attached Resolution No. _____ (Attachment B) approving the General Plan Amendment to change the General Plan Land Use Designation on the 2.2 acre site from commercial General (CG) to Residential Medium Density; adopt Ordinance No. _____ (Attachment C) amending Section 311-7 of the Humboldt County Code by reclassifying property in the Myrtle town area in APNs 016-152-020, 016-152-021, 016-152-022, and 016-222-001 from CG to RM as shown on the attached map; and direct the Clerk of the Board to publish a Summary of the Ordinance within 15 days of the date of the hearing (Attachment D) along with the names of those 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.

Attachments:

[Staff Report.pdf](#)

[Resolution - Attachment A..pdf](#)

[Resolution - Attachment B.pdf](#)

[Ordinance - Attachment C.pdf](#)

[Summary of the Ordinance - Attachment D.pdf](#)

[Planning Commission Resolution and Staff Report - Attachment E.pdf](#)

[Attachment E Appendix A.pdf](#)

[Attachment E Appendix B.pdf](#)

[Attachment E Appendix C.pdf](#)

[Attachment E Appendix D.pdf](#)

[Proof of Publication.pdf](#)

2. Rock Zone Reclassification; Case Number ZR-16-004; Assessor Parcel Number 101-142-002; Ferndale Area

Recommendation: That the Board of Supervisors introduce Ordinance No. _____ (Attachment 2) by title and waive further reading; open the public hearing, receive and consider the staff report, the Planning Commission's findings and accept public comments; close the public hearing; find the project exempt from CEQA pursuant to Section 15264 of the CEQA Guidelines, and that there is no substantial evidence that the project will have a significant effect on the environment; make the necessary findings as prepared by staff to approve the Zone Reclassification; adopt Ordinance No. _____ (Attachment 2) amending Section 311-7 of the Humboldt County Code by reclassifying property in the Ferndale area from Agriculture Exclusive (AE-B-5(160)) to Timberland Production Zone (TPZ); direct the Clerk of the Board to publish a summary of the zoning change within 15 days of the

date of the hearing (Attachment 4), and Map (Attachment B, Exhibit A); direct the Clerk of the Board to record Certification of Rezoning (Notice of Timberland Production Zone Status) (Attachment 3) 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 2); direct Planning Staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research; and direct the Clerk of the Board to give notice of the decision to the applicant, the Assessor's office, County Planning and Building Department and any other interested party.

Attachments: [Rock Zone Reclassification.pdf](#)
 [Proof of Publication.pdf](#)

K. DISCUSSION ITEMS

L. CLOSED SESSION

1. Conference with Legal Counsel – pursuant to Government Code section 54956.9(d)(4) regarding pending litigation; joinder by Humboldt County in Class Action suit for underpayment of Payment In Lieu of Taxes (PILT) by Federal Government.
2. Conference with Legal Counsel – pursuant to Government Code section 54956.9(d)(2) regarding pending litigation; TSA v. County (Airport Security).
3. Conference with Legal Counsel – pursuant to Government Code section 54956.9 - Ken's Water Tender, Inc. v. County of Humboldt; Humboldt County Superior Court No. DR 170672.

M. 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/>