

BOARD OF SUPERVISORS

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



COUNTY STAFF

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

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

**AGENDA**

Tuesday, November 4, 2014

9:00 AM

Regular Meeting

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***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**

1. NONAGENDA ITEM REQUEST: Resolution for Exception to the 180-Day Wait Period and Temporary Employment of a Retired Annuitant (CONSENT)

***Recommendation:*** That the Board of Supervisors adopt the attached resolution for an exception to the 180-day wait period and employment of Mark Magladry as a temporary "retired annuitant" Legal Office Business Manager with the Probation Department.

***Attachments:*** [Resolution for Exception to 180 Day Wait Period.pdf](#)

**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. Continuation of Emergency - Prolonged Drought in Humboldt County (Supervisor Ryan Sundberg)  
**Recommendation:** That the Board of Supervisors declare that a local state of emergency, per Resolution #14-73, remains in effect until December 2, 2014, related to prolonged drought in Humboldt County.  
**Attachments:** [Continued Emergency for Prolonged Drought.pdf](#)
  
2. Resolution Naming the Fields Landing Boat Launch Facility in Honor of Former 1st District Supervisor Jimmy Smith (Supervisor Rex Bohn)  
**Recommendation:** That the Board of Supervisors authorize the Chair to sign the Resolution.  
**Attachments:** [Resolution Naming Fields Landing Boat Launch in Honor of Jimmy Smith.pdf](#)
  
3. Letter of Support for North Coast EMS Quality Improvement/Health Information Exchange Funding Request (Supervisor Ryan Sundberg)  
**Recommendation:** That the Board of Supervisors ratify authorization for the Chair to sign the letter of support.  
**Attachments:** [Letter of Support for North Coast EMS.pdf](#)
  
4. Resolution Supporting the Display of our National Motto "IN GOD WE TRUST" in the Humboldt County Board of Supervisors Chambers (Supervisor Rex Bohn)  
**Recommendation:** That the Board of Supervisor adopt the Resolution and direct the Clerk of the Board to mail a copy of the fully executed Resolution to IN GOD WE TRUST - AMERICAN, Inc., P.O. Box 11715, Bakersfield, CA 93389.  
**Attachments:** [In God We Trust Resolution.pdf](#)  
[Public Comment on In God We Trust Resolution.pdf](#)
  
5. Letter of Support for the Blue Creek Preserve and Yurok Tribal Community Forest Land Acquisition  
**Recommendation:** That the Board of Supervisors authorize the Chair to sign the letter of support.  
**Attachments:** [Blue Creek Preserve Letter of Support.pdf](#)

**Clerk of the Board**

6. Approval of the Action Summary - Meeting of October 28, 2014

**Recommendation:** That the Board of Supervisors approve the Action Summary from the meeting of October 28, 2014 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

**Attachments:** [Action Summary for Meeting of 10-28-2014.pdf](#)

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

7. Agreement with Oregon Community Health Information Network, Inc. and Open Door Community Health Centers, Inc. for Secure Access to Electronic Health Data System

**Recommendation:** That the Board of Supervisors approve the Agreement with Oregon Community Health Information Network, Inc. (OCHIN), Open Door Community Health Centers (ODCHC) and the Department of Health and Human Services (DHHS) -Mental Health for secure access to OCHIN's electronic health data system; authorize the Chair of the Board to execute four (4) originals of the Agreement; direct the Clerk of the Board to return three (3) fully executed originals of the Agreement to the DHHS-Contracts Unit for forwarding to DHHS-Mental Health Administration; and approve and authorize the DHHS-Mental Health Director to sign any amendments to the Agreement or substantially similar Agreements with OCHIN and/or ODCHC, after review and approval by County Counsel and Risk Management.

**Attachments:** [Agreement with Oregon Community Health Info Network.pdf](#)

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

8. Certification and Compliance for the Child Health Disability Prevention and California Children's Services Programs for Fiscal Year 2014-2015

**Recommendation:** That the Board of Supervisors authorize the Chair of the Board to sign the Certification Statements for the Child Health and Disability Prevention (CHDP) and California Children's Services Programs (CCS) and direct the Clerk of the Board to return the two signed Certification Statements to Public Health for Submission to the State Department of Health Services.

**Attachments:** [Certs and Compliance for Child Health Disability.pdf](#)

**Department of Health and Human Services: Social Services****9. Agreement with Area 1 Agency on Aging to Provide Older Americans Act Activities**

**Recommendation:** That the Board of Supervisors approve Agreement with Area 1 Agency on Aging to assist the Department of Health and Human Services (DHHS)-Social Services to provide Older Americans Act activities; 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 copies of the Agreement to the DHHS-Contract Unit for forwarding to DHHS-Social Services Administration.

**Attachments:** [Agreement with Area 1 Agency on Aging.pdf](#)

**10. Leases with Performance Modular, Inc. for the Modular Units at Department of Health and Human Services-Social Services. 638 West Clark Street, Eureka**

**Recommendation:** That the Board of Supervisors approve the Lease Agreements for three (3) modular units located at 638 West Clark Street, Eureka, CA with Performance Modular, Inc. for the period December 1, 2014 through November 30, 2016; authorize the Chairperson to execute two originals of each Lease; and direct the Clerk of the Board to return one executed original of each Lease to Public Works-Real Property for transmittal to the Lessor.

**Attachments:** [Leases with Performance Modular.pdf](#)

**11. First Amendment to Lease at 808 E Street, Eureka**

**Recommendation:** That the Board of Supervisors approve the First Amendment To Lease at 808 E Street, Eureka with S&W Properties, a California Limited Partnership to extend the Lease through January 31, 2018 and reduce the monthly rental amount; authorize the Chairperson to execute two (2) originals of the First Amendment To Lease; and direct the Clerk of the Board to return one (1) original of the fully executed First Amendment to Lease to the Public Works-Real Property Division for transmittal to Lessor.

**Attachments:** [First Amendment to Lease 808 E Street Eureka..pdf](#)

**District Attorney****12. Equitable Sharing Agreement and Certification**

**Recommendation:** That the Board of Supervisors authorize the Chair of the Board of Supervisors and the District Attorney to sign the Equitable Sharing Agreement and Certification and instruct the Clerk of the Board to return the signed document to the District Attorney's Office, attention Kevin Furtado, for further processing and submission to the United States Department of Justice.

**Attachments:** [Equitable Sharing Agreement and Certification.pdf](#)

**13. Grant Award for Fiscal Year (FY) 2014-15 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 2014-15; approve the attached supplemental budget in Fund 1100, Budget Unit 205, District Attorney (4/5 vote); and direct the Clerk of the Board to process and return the Resolution to the District Attorney's Office, attention Kevin Furtado, for further processing and submission to the State.

**Attachments:** [Automobile Insurance Fraud Program Grant Award FY 2014-15.pdf](#)

**Planning and Building Department****14. Successor Land Conservation Contract - Successor Contract for Lane and Kathy Christiansen, New Owners of the Existing Alexandre Class "A" Agricultural Preserve; Ferndale Area, Case Number: AGP-14-005, Assessor Parcel Numbers (APNs): 106-021-086**

**Recommendation:** That the Board of Supervisors direct the Chair to execute the Successor Land Conservation Contract (Attachment A); direct the Clerk of the Board to record the Successor Land Conservation Contract with the County Recorder; and direct the Clerk of the Board to give notice of the decision to the applicant, the Planning Division, and any other interested party.

**Attachments:** [Successor Land Conservation Contract Lane and Kathy Christiansen.pdf](#)

**Public Works**

15. Second Appropriation Transfer for Removal of Airspace Obstructions from Trees near the Arcata-Eureka Airport ACV

**Recommendation:** That the Board of Supervisors approve and authorize the attached Appropriation Transfer to provide for the additional budget necessary for tree topping and obstruction removal near the Arcata-Eureka Airport.

**Attachments:** [Appropriation Transfer for Removal of Airspace Obstructions.pdf](#)

16. Second Amendment to Professional Services Agreement No. 289-1306-3 with GHD, Inc.

**Recommendation:** That the Board of Supervisors approve the proposed Second Amendment to the Professional Services Agreement with GHD, Inc. (Agreement No. 289-1306-3) to provide technical assistance to small economically disadvantaged water and wastewater providers throughout the North Coast region; authorize the Chair of the Board to execute the proposed Second Amendment in triplicate; and direct the Clerk of the Board to transmit two fully executed copies of the proposed Second Amendment to the Public Works Department.

**Attachments:** [Second Amendment to Professional Services Agreement with GHD, Inc.pdf](#)

17. McKay Community Forest Phase 1 Property Acquisition - Asset Acceptance, Fund Creation, and Supplemental Budget (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors authorize the Auditor-Controller to accept, on behalf of the Board of Supervisors, the Phase 1 property of the McKay Community Forest as a County asset with a market value of \$6,785,000; authorize the Auditor-Controller to establish a new special revenue fund number 1710 (entitled Forest Resources and Recreation) and new budget unit 716 (entitled McKay Community Forest) within the new fund 1710; and adopt the attached supplemental budget (4/5 vote) for Fiscal Year 2014-15, to incorporate funds provided to the County by The Trust for Public Land for start-up costs related to the community forest and funds granted from the Headwaters Fund for development of a management plan.

**Attachments:** [McKay Tract Phase 1.pdf](#)

**Sheriff**

18. Acceptance of Donation from an Anonymous Donor for the Humboldt County Sheriff's Office in the Amount of \$9,600 and Supplemental Budget (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors accept a donation in the amount of \$9,600 from an anonymous donor for the Humboldt County Sheriff's Office use, and approve the attached supplemental budget in the amount of \$9,600 (4/5 vote required).

**Attachments:** [Acceptance of Donation to Sheriff.pdf](#)

**D. SPECIAL PRESENTATIONS****Board of Supervisors**

1. Proclaim November 20, 2014 as the American Cancer Society's Great American Smokeout (Supervisor Virginia Bass)

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

**Attachments:** [Cancer Society Geat American Smokeout Proclamation.pdf](#)

2. Proclamation for Humboldt State University, College of the Redwoods and the Humboldt County Library "Book of the Year" for 2014-2015 (Supervisor Rex Bohn)

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

**Attachments:** [Humboldt County Library Book of the Year Proclamation.pdf](#)

3. National Adoption Awareness Month (Supervisor Rex Bohn)

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

**Attachments:** [National Adoption Awareness Month Proclamation.pdf](#)

4. Proclaim November 2014 as National Family Caregiver Month (Supervisor Estelle Fennell)

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

**Attachments:** [National Family Caregiver Month Proclamation.pdf](#)

5. 33rd Annual Northwest Inter-Tribal Gathering and Elders Dinner Resolution (Supervisor Ryan Sundberg)

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

**Attachments:** [33rd Annual Northwest InterTribal Gathering Resolution.pdf](#)

6. Retirement Resolution for Lieutenant Steve Knight Commending Him on His Thirty Years of Service for the Humboldt County's Sheriff's Office (Supervisor Virginia Bass)

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

*Attachments:* [Retirement Resolution for Lieutenant Steve Knight.pdf](#)

#### **E. MATTERS SET FOR TIME CERTAIN**

#### **F. ITEMS PULLED FROM CONSENT**

#### **G. MATTERS INITIATED BY BOARD MEMBERS**

##### **Board of Supervisors**

1. Presentation on Clean Up Efforts Related to Marijuana Grow Sites in Humboldt County (Supervisor Estelle Fennell)

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

*Attachments:* [Presentation on Clean Up Efforts Related to Marijuana Grow Sites.pdf](#)

#### **H. DEPARTMENT REPORTS**

##### **Clerk of the Board**

1. Notice of At-Large Vacancy for an Alternate on the Assessment Appeals Board

*Recommendation:* That the Board of Supervisors consider setting a date to make an appointment to fill the open at-large Alternate seat on the Assessment Appeals Board.

*Attachments:* [Notice of Vacancy on Assessment Appeals Board.pdf](#)



**County Administrative Office****2. First Quarter Fiscal Year 2014-15 Budget Update (4/5 Vote Required)**

**Recommendation:** That the Board of Supervisors receive a review of the Fiscal Year (FY) 2013-14 ending balances, first quarter budget results for FY 2014-15, and an initial projection of the County's budget condition for FY 2015-16; authorize the County Administrative Officer to discontinue his voluntary unpaid furlough effective the pay period beginning November 9, 2014; approve the list of budget adjustments shown on Attachment 1 (4/5 vote required); approve corrections to the position allocation table as shown on Attachment 2; direct the County Administrative Officer to pursue a community partnership related to the provision of economic development services; and provide additional direction to staff as appropriate.

**Attachments:** [First Quarter FY 2014-15 Budget Update.pdf](#)

**Public Works****3. Funding Agreement and Resolution for Engineering Evaluation of Jacobs Avenue Levee**

**Recommendation:** That the Board of Supervisors adjourn as the Board of Supervisors and reconvene as the governing board of the Humboldt County Flood Control District; approve the Humboldt County Flood Control District serving as funding recipient for the Jacobs Avenue Levee Evaluation Project; review and approve the attached Funding Agreement (Attachment 1) with the California Department of Water Resources; authorize the Chair to sign the attached resolution (Attachment 2) which accepts the funds for the project and authorize the Public Works Director, as an ex officio officer of the Humboldt County Flood Control District, to sign and administer the Funding Agreement; direct the Auditor-Controller to establish fund 2850 for the Humboldt County Flood Control District; adopt the attached supplemental budget for Fiscal Year 2014-2015; and adjourn as the governing board of the Humboldt County Flood Control District and reconvene as the Board of Supervisors.

**Attachments:** [Engineering Evaluation of Jacobs Avenue Levee.pdf](#)  
[Public Comment on Jacobs Avenue Levee.pdf](#)

**I. CLOSED SESSION**

**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 Appearances Sign-In Sheet and Handouts**

*Attachments:*            [Public Appearances Sign-In Sheet and Handouts.pdf](#)

**K. ADMINISTRATIVE ABATEMENT HEARINGS****Code Enforcement Unit**

1. Administrative Abatement Hearing, the Estate of Edwin and Pearl Arndt. 2150 Park Road, McKinleyville, California. AP# 509-141-047

*Recommendation:* That the Board of Supervisors, pursuant to Humboldt County Code sections 351-21 and 351-22, open the hearing; hold an administrative hearing to determine whether a public nuisance exists on the subject property; adopt the attached Findings of Nuisance and Order of Abatement consistent with the evidence presented at the hearing; and close the hearing.

*Attachments:*            [Abatement Hearing 2150 Park Road, McKinleyville.pdf](#)

**L. PUBLIC HEARINGS****M. AFTERNOON DISCUSSION ITEMS****Board of Supervisors**

1. 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/>**