

BOARD OF SUPERVISORS

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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

**BOARD OF SUPERVISORS
COUNTY OF HUMBOLDT**

**825 FIFTH STREET
EUREKA, CA 95501
SUPERVISORS' CHAMBER, FIRST FLOOR**

ACTION SUMMARY

Tuesday, November 4, 2014

9:00 AM

Regular Meeting

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

A motion was made by Supervisor Bass, seconded by Supervisor Fennell, to make the findings that the need to take action on the Nonagenda Item arose after the agenda was posted. The motion carried by the following vote:

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

A motion was made by Supervisor Sundberg, seconded by Supervisor Lovelace, to add the Nonagenda Item to the Consent Calendar. The motion carried by the following vote:

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

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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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

C. CONSENT CALENDAR**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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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. 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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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

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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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

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.

This item was pulled from the agenda and not heard.

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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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

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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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: 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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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: 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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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: 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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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. 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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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

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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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

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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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. 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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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**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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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

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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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. 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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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. 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.

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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

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).

A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, 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

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.

A motion was made by Supervisor Bass, seconded by Supervisor Fennell, 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. 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.

A motion was made by Supervisor Fennell, seconded by Supervisor Sundberg, 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

3. National Adoption Awareness Month (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors adopt the Proclamation.

A motion was made by Supervisor Bass, seconded by Supervisor Lovelace, 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

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.

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

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

Recommendation: That the Board of Supervisors adopt the Resolution.

A motion was made by Supervisor Sundberg, seconded by Supervisor Fennell, 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

- 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.

A motion was made by Supervisor Bass, seconded by Supervisor Lovelace, 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

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.

Per Order of the Chair

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.

A motion was made by Supervisor Sundberg, seconded by Supervisor Fennell, to bring this item back at the November 14, 2014 Board of Supervisors meeting to consider the appointment. The motion carried by the following vote:

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

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.

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**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.

A motion was made by Supervisor Bass, seconded by Supervisor Sundberg, 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

I. CLOSED SESSION**J. PUBLIC COMMENT ON NON-AGENDA ITEMS – 1:30 P.M.**

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.

A motion was made by Supervisor Sundberg, seconded by Supervisor Lovelace, 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

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

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


November 4, 2014



MINUTES
TUESDAY, NOVEMBER 4, 2014
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, November 14, 2014, with the vote as shown below.

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

ANA HARTWELL
Deputy Clerk of the Board

REX BOHN
Chair of the Board



COUNTY OF HUMBOLDT

For the meeting of: November 14, 2014

Date: November 6, 2014
To: The Honorable Board of Supervisors
From: Ana Hartwell, Deputy Clerk of the Board of Supervisors
Subject: **Approval of the Action Summary – Meeting of November 4, 2014**

RECOMMENDATION: That the Board of Supervisors approve the Action Summary from the meeting of November 4, 2014 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 November 4, 2014 is attached. This Action Summary encompasses all actions taken by the Board of Supervisors at their November 4, 2014 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 for the meeting of November 4, 2014

Prepared by Ana Hartwell, Deputy Clerk of the Board

CAO Approval: Amey Rosen

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, Lovelace, Bohn, Bass, Fennell
Nays _____
Abstain _____
Absent _____

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

Dated: November 14, 2014
By: Ana Hartwell
Ana Hartwell, Deputy Clerk of the Board