



COUNTY OF HUMBOLDT

AGENDA ITEM NO.
H-1

For the meeting of: April 22, 2014

Date: April 8, 2014
To: Board of Supervisors
From: Kevin R. Hamblin, Director Planning and Building Department *KRH*
Subject: Transfer from General Fund Contingences for Fund 1100, for Budget Unit 277 Current Planning of the Planning and Building Department, (4/5 Vote Required)

RECOMMENDATIONS:

That the Board of Supervisors:

Approve a transfer from General Fund Contingencies for Fiscal Year (FY) 2013-14 in the amount of \$4,875.00 for the Current Planning budget (1100-277). (Attachment I) (4/5 Vote Required).

SOURCE OF FUNDING:

General Fund

DISCUSSION:

At the regularly scheduled meeting on March 6, 2014 the Humboldt County Planning Commission held a public hearing to review the draft Medical Marijuana Land Use Ordinance Phase II. This project includes amendments to the Zoning Ordinance and Local Coastal Program (LCP) to regulate the lawful outdoor cultivation of medical marijuana for personal use, on parcels ranging from 1/2-acre to 5 acres in size. If adopted, this amendment to the Zoning Regulations will create new Humboldt County Code Sections in the Coastal and Inland Zoning Regulations.

Prepared by *Norma S Lorenzo*
Norma S Lorenzo, Business Manager

CAO Approval _____

REVIEW: Auditor *WBL* County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

PREVIOUS ACTION/REFERRAL:
Board Order No. _____
Meeting of: _____

BOARD ORDER

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor
Seconded by Supervisor

Ayes
Nays
Abstain
Absent

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

Dated: _____

By: _____

Kathy Hayes, Clerk of the Board

During the March 6, 2014 Planning Commission meeting, public comment was taken and the hearing was continued to the April 3, 2014 regular Planning Commission meeting. On April 3, 2014, the Planning Commission opened the public hearing, and received public comments, without review or deliberation of the Medical Marijuana Land Use Ordinance Phase II. The Planning Commission again continued the proposed ordinance to the next regular meeting on May 1, 2014, in order to accommodate the time sensitive permit applications that were before their Commission in April.

At the April 3, 2014 meeting, the Planning Commission requested that staff submit a supplemental budget request to the Board of Supervisors to fund two off-site special meetings in southern Humboldt and eastern Humboldt, for public hearings on the draft Medical Marijuana Ordinance.

Average meeting costs, including Access Humboldt setup and broadcast, Commissioner honorarium, mileage expense for both Commissioners and staff, and noticing and reproduction costs, equals \$2,362 - \$2,513 per meeting, depending on location (these amounts do not include expenses for staff time or overtime). Budget unit 277 has allowed meetings costs for regular Planning Commission meeting for permit review in this fiscal year; however, no meeting costs were included for special meetings of the Planning Commission.

Therefore, a transfer from Contingencies in the amount of \$4,875 is requested to cover the unfunded expenses associated with two special Planning Commission meetings to be scheduled for review of the draft Medical Marijuana Land Use Ordinance Phase II.

Planning Commission Special Meetings	Access Humboldt 2147	Securitas 2123	Honorarium 2123	Mileage 2125	Noticing Agenda Copying 2119 / 2117	Total
Medical Marijuana Outdoor Land Use Ordinance Phase II Southern Humboldt meeting	1,550.00	---	180.00	533.00	250.00	2,513.00
Medical Marijuana Outdoor Land Use Ordinance Phase II Eastern Humboldt meeting	1,550.00	---	180.00	382.00	250.00	2,362.00
TOTAL SPECIAL MEETING EXPENSE	3,100.00	---	360.00	915.00	500.00	4,875.00
TOTAL SUPPLEMENTAL BUDGET REQUEST	3,100.00	---	360.00	915.00	500.00	4,875.00

FINANCIAL IMPACT:

The estimated total cost related to two special Planning Commission meetings to be held in southern Humboldt (Garberville/Redway) and eastern Humboldt (Willow Creek) is \$4,875.00. The Planning and Building Department Current Planning Division, budget unit 277 has not budgeted for special Planning Commission meetings for fiscal year 2013-2014. The addition of two special Planning Commission meetings would add \$4,875 in unfunded costs. The department is requesting a transfer from General Fund Contingencies in the amount of \$4,875.00 to fund special Planning Commission meetings in May or June 2014 for review of the draft Medical Marijuana Land Use Ordinance Phase II.

General Fund Contingencies will be reduced by \$4,875.00 and thereby increasing the appropriation in budget unit 277 Current Planning by the same amount. There are sufficient funds in Contingencies to accommodate this request.

This request meets the Board of Supervisors Strategic Priorities by addressing improved communications and community input in enforcement of laws and regulations to protect residents, and by creating opportunities for improved safety, health and enterprise.

OTHER AGENCY INVOLVEMENT:

County Administrative Officer; Auditor-Controller

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose not to approve the transfer from contingencies. This is not recommended, as it would not allow the Current Planning Division to proceed with scheduling of the requested two special Planning Commission meetings. Transferring these expenses to another budget unit is not possible as they are accrued in the appropriate budget unit.

ATTACHMENTS:

Attachment I Appropriation Transfer

ATTACHMENT I

**Appropriation Transfer
General Fund Contingencies for Fiscal Year 2013-14**

COUNTY OF HUMBOLDT
REQUEST FOR BUDGET APPROPRIATION TRANSFER/ADJUSTMENT

#A _____

DEPARTMENT: CAO-Contingencies DEPARTMENT #: 1100-990 DATE: 04/22/14

1. The reason for this appropriation transfer request is:

	<u>Copies Required</u>
<u> </u> /Transfer within object accounts (with Auditor Approval)	Original only
<u> </u> /Transfer between object accounts (with CAO & Auditor Approval)	Original + 1
<u> </u> /Transfer between funds (with Board Approval)*	Original + 1
<u> X </u> /Transfer to or from Contingencies (with Board Approval)*	Original + 1
<u> </u> /Increase/decrease budget unit appropriation (with Board Approval)*	Original + 1
<u> </u> /Establish/transfer funds in Fixed Assets <\$10,000 (CAO Approval)	Original + 1
<u> </u> /Establish/transfer funds in Fixed Assets >\$10,000 (with Board Approval)*	Original + 1

2. TRANSFER FROM:

<u>Fund</u>	<u>Account Number</u>	<u>Name of Budget Item</u>	<u>Amount</u>
<u>1100</u>	<u>990-2010</u>	<u>Contingencies - General Fund</u>	<u>\$ 4,875.00</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>

TRANSFER TO:

<u>Fund</u>	<u>Account Number</u>	<u>Name of Budget Item</u>	<u>Amount</u>
<u>1100</u>	<u>277 2119</u>	<u>Publication & Legal Notices</u>	<u>\$ 500.00</u>
<u>1100</u>	<u>277 2123</u>	<u>Special Departmental Expense</u>	<u>\$ 360.00</u>
<u>1100</u>	<u>277 2125</u>	<u>Transportation and Travel</u>	<u>\$ 915.00</u>
<u>1100</u>	<u>282 2147</u>	<u>Media</u>	<u>\$ 3,100.00</u>

3. In the space below, state (a) reason for transfer request, (b) reason why there are sufficient balances in affected accounts to finance transfer, and (c) why transfer cannot be delayed until next budget year.

Per attached Agenda Item

4. Approved by Department Head: (signed) *Irvin R. Humble*

5. Account balances verified by Auditor-Controller: Date: 4/15/14 (signed) *Steven Columbus*

6. /Approved /Not approved /Recommended X /Not Recommended

County Administrative Officer: Date: 4/14/14 (signed) *Phillip Smith-Hanes*

INSTRUCTIONS

SEND ORIGINAL AND REQUIRED COPIES OF ALL TRANSFERS DIRECTLY TO THE AUDITOR-CONTROLLER

* Requires copy of Board Order to be attached.



COUNTY OF HUMBOLDT

MEMORANDUM – AGENDA ITEM

TO: BOARD OF SUPERVISORS
FROM: PHILLIP SMITH-HANES, COUNTY ADMINISTRATIVE OFFICER *PSH*
SUBJECT: ATTACHED AGENDA ITEM: RECOMMEND DENIAL
DATE: 4/14/2014

Attached you will find an agenda item from the Planning and Building Department, requesting a transfer from General Fund contingencies for the purpose of holding two special meetings of the Planning Commission regarding medical marijuana outdoor cultivation regulations. I recommend that your Board deny the requested transfer.

On October 7, 2008, the Board of Supervisors approved a policy governing contingencies and reserves. That policy provides that the General Fund contingencies may be used to support one-time costs when one or more of the following criteria apply:

1. When the County is impacted by an unanticipated reduction in State and/or federal grants and/or aid.
2. When the County faces economic recession/depression and the County must take budget actions before the beginning of a fiscal year.
3. When the County is impacted by a natural disaster.
4. When the County is presented with an unanticipated or unbudgeted expense that is necessary for the delivery of local services.
5. When the County is affected by known future events with unknown fiscal ramifications that require the allocation of funds.

With respect to the request of the Planning Commission to conduct special meetings, none of these criteria apply. As part of the analysis of a request for transfer from contingencies, the County Administrative Office is required to verify that the requested expense cannot be deferred until the next budget cycle. Again, that is not the case with respect to the current request. While it may be advisable or preferable to conduct the proposed meetings, it is not necessary for the delivery of local services that they be conducted prior to the beginning of the next fiscal year.