

BOARD OF SUPERVISORS

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



COUNTY STAFF

PHILLIP SMITH-HANES  
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, November 10, 2015

9:00 AM

Regular Meeting

---

*Supervisor Virginia Bass was absent from this meeting.*

**A. SALUTE TO THE FLAG**

**B. MODIFICATIONS TO THE AGENDA**

**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 #15-111, remains in effect until December 8, 2015, 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: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

**Clerk of the Board**

2. Approval of the Action Summary - Meeting of November 3, 2015

**Recommendation:** That the Board of Supervisors approve the Action Summary from the meeting of November 3, 2015 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: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

**County Administrative Office**

3. Measure Z Contract with K'ima:w Medical Center

**Recommendation:** That the Board of Supervisors authorize the Chair of the Board to execute an agreement with the K'ima:w Medical Center for Measure Z funding, a local half-cent sales tax; and direct the Clerk of the Board to return two copies of all of the agreements to the County Administrative Office for processing.

**A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

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

4. Appointments to the Solid Waste Local Enforcement Agency Independent Hearing Panel

**Recommendation:** That the Board of Supervisors appoint Margaret Gaineras an At-Large Public Representative with a term to expire December 11, 2019; appoint Linda Wise as a Technical Expert Representative with a term to expire December 11, 2019; and appoint James Clark as a Technical Expert Representative with a term to expire December 11, 2019.

**A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

5. Certification of Compliance for the Child Health Disability Prevention and California Children's Services Programs for Fiscal Year 2015-16

**Recommendation:** That the Board of Supervisors authorize the Chair of the Board to sign the Certification Statements for the Child Health and Disability Prevention and California Children's Services Programs; and direct the Clerk of the Board to return the two signed original Certification Statements to Public Health for submission to the State Department of Health Care 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: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

**Libraries**

6. Adjusted Library Hours of Operation for November 25, 2015

**Recommendation:** That the Board of Supervisors approve the change in open hours for the library branch specified on Attachment 1 for Wednesday, November 25, 2015.

**A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

**Probation**

7. Approval of Supplemental Budget in Budget Unit 235 (4/5 Vote Required)

**Recommendation:** That the Board of Supervisors approve the Probation Department Supplemental Budget request to increase the Grant Fund Initiative (3591) line of Probation Public Safety Realignment Budget Unit 235 (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: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

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

1. Salvation Army 125th Red Kettle Campaign Kick-Off Presentation (Supervisor Virginia Bass)

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

**Approved per order of the Chair**

2. Proclaim November 15, 2015 as "Zero Waste Day" in Humboldt County (Supervisor Mark Lovelace)

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

**A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

3. Proclaim November, 2015 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 Lovelace, seconded by Supervisor Sundberg, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

4. 34th Annual Northwest Inter-Tribal Gathering and Elders Dinner on November 14, 2015 (Supervisor Ryan Sundberg)

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

*A motion was made by Supervisor Sundberg, seconded by Supervisor Lovelace, that the recommendations be approved. The motion carried by the following vote:*

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

#### E. MATTERS SET FOR TIME CERTAIN

#### F. ITEMS PULLED FROM CONSENT

#### G. MATTERS INITIATED BY BOARD MEMBERS

##### Board of Supervisors

1. Medical Marijuana Ad Hoc Committees to Sunset on December 31, 2015 (Supervisor Estelle Fennell)

*Recommendation:* That the Board of Supervisors consider appointing two Board Members to serve on a Medical Marijuana Ad Hoc Committee to address the issue of licensing of processing/manufacturing facilities, testing facilities, wholesale distribution and transportation facilities.

*A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, to disband the existing ad hoc committee regarding marijuana cultivation issues, to appoint Supervisor Fennell and Supervisor Sundberg to a new ad hoc committee specific to addressing manufacturing, testing, distribution, processing, transportation, taxation, certification, and other issues related to marijuana, and to report back no later than June 30, 2016. The motion carried by the following vote:*

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

**H. DEPARTMENT REPORTS****County Administrative Office****1. State Video Service Franchises Code Amendment**

**Recommendation:** That the Board of Supervisors introduce by title, Ordinance No. \_\_\_\_ (Attachment 1), amending Section 855-7 to the Humboldt County Code, and waive the first reading of the Ordinance; set the Ordinance for adoption at least one week away; direct the Clerk of the Board to publish the pre-adoption summary of the Ordinance (Attachment 2), and to post a certified copy of the full text of the proposed 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 3) 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 Sundberg, seconded by Supervisor Bohn, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

**Planning and Building Department****2. Introduction of Ordinance Amending Chapters 1 through 5, Inclusive, to Division 11 of Title III of the Humboldt County Code Relating to Fire Safe Regulations**

**Recommendation:** That the Board of Supervisors introduce the attached Ordinance by title and waive first reading; set the Ordinance for adoption at least one week away; direct the Clerk of the Board to publish the pre-adoption summary of the Ordinance and to post a certified copy of the full text of the proposed 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)]; direct the Clerk of the Board, within 15 days after adoption of the Ordinance, to publish 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 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)]; and direct Planning staff to transmit a copy of the Ordinance to the Board of Forestry for review and possible certification following adoption.

**A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

**I. CLOSED SESSION**

1. Conference with Labor Negotiator - Pursuant to Government Code section 54957.6 it is the intention of the Board of Supervisors to meet in closed session to review the County's position and instruct its designated labor negotiator with respect to the various forms of compensation provided to the County's represented and unrepresented personnel. Negotiator: Dan Fulks. Employee Organizations: American Federation of State, County and Municipal Employees (AFSCME local 1684), Humboldt County Attorneys Association, Humboldt Deputy Sheriffs' Organization (Law Enforcement Non-Management Unit), Humboldt Deputy Sheriffs' Organization (Law Enforcement Management Unit), Elected & Appointed County Officials, and Management & Confidential Employees.

*The Board of Supervisors met in conference with Labor Negotiator pursuant to Government Code section 54957.6 to review the County's position and instruct its designated labor negotiator with respect to the various forms of compensation provided to the County's represented and unrepresented personnel. Negotiator: Dan Fulks. Employee Organizations: American Federation of State, County and Municipal Employees (AFSCME local 1684), Humboldt County Attorneys Association, Humboldt Deputy Sheriffs' Organization (Law Enforcement Non-Management Unit), Humboldt Deputy Sheriffs' Organization (Law Enforcement Management Unit), Elected & Appointed County Officials, and Management & Confidential Employees. There was no action to report.*

2. It is the intention of the Board of Supervisors to meet in closed session to consider the appointment for the position of Director of Planning and Building Department pursuant to Government Code sections 54954.5 and 54957.

*The Board of Supervisors met in closed session to consider the appointment for the position of Director of Planning and Building Department pursuant to Government Code sections 54954.5 and 54957. The Board of Supervisors appointed Robert Wall as Interim Director of Planning and Building Department, effective December 20, 2015.*

**J. PUBLIC COMMENT ON NON-AGENDA ITEMS – 1:30 P.M.****K. ADMINISTRATIVE ABATEMENT HEARINGS**

**L. PUBLIC HEARINGS****Planning and Building Department**

1. Big Lagoon Park Company General Plan Amendment and Zone Reclassification; Case Numbers GPA-03-01 and ZR-03-04; Application Number 2346; Assessor Parcel Numbers 517-121-010 and 517-131-009; Big Lagoon Area

**Recommendation:** That the Board of Supervisors open the public hearing, receive and consider the staff report, and accept public comment; close the public hearing and deliberate; adopt Resolution No. \_\_\_\_\_ (Attachment 5), acknowledging receipt of the Coastal Commission's resolutions adopted September 10, 2015, referring the Coastal Commission's Suggested Modifications adopted September 10, 2015 to the Planning Commission for report and recommendation, and setting reporting time limit of forty (40) calendar days or less for the Planning Commission report its recommendations on the three proposed amendments to the Board of Supervisors pursuant to Government Code Sections 65356 and 65857.

**A motion was made by Supervisor Lovelace, seconded by Supervisor Sundberg, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

**Public Works**

2. Unmet Transportation Needs Public Hearing for FY 2016-17

**Recommendation:** That the Board of Supervisors open a public hearing and receive the staff report and allow the public to comment on transit needs in the unincorporated areas of the County; and close the public hearing and direct that the Clerk of the Board to forward an action summary of the meeting to the Humboldt County Association of Governments (HCAOG) for inclusion in their 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: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Ryan Sundberg

**M. AFTERNOON DISCUSSION ITEMS****County Administrative Office**

1. County Administrative Officer Report: Biomass Meeting and Various Other Topics

**Recommendation:** That the Board of Supervisors receive an oral report from the County Administrative Officer regarding an upcoming meeting on biomass energy production, and various other topics, and take action as may be required.

**Approved per order of the Chair.**

**Board of Supervisors**

2. 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 10, 2015*






MINUTES  
TUESDAY, NOVEMBER 10, 2015  
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 17, 2015, with the vote as shown below.

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

  
\_\_\_\_\_  
ANA HARTWELL  
Deputy Clerk of the Board

  
\_\_\_\_\_  
ESTELLE FENNELL  
Chair of the Board



COUNTY OF HUMBOLDT

For the meeting of: November 17, 2015

Date: November 12, 2015  
 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 10, 2015**

RECOMMENDATION: That the Board of Supervisors approve the Action Summary from the meeting of November 10, 2015 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 10, 2015 is attached. This Action Summary encompasses all actions taken by the Board of Supervisors at their November 10, 2015 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 10, 2015

Prepared by Ana Hartwell, Deputy Clerk of the Board

CAO Approval: Cheyl Dillingham

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 Sundberg Seconded by Supervisor Bass

Ayes Sundberg, Lovelace, Fennell, Bohn, Bass  
 Nays \_\_\_\_\_  
 Abstain \_\_\_\_\_  
 Absent \_\_\_\_\_

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

Dated: Nov. 17, 2015

By: Ana Hartwell  
 Ana Hartwell, Deputy Clerk of the Board