



# COUNTY OF HUMBOLDT

For the meeting of: May 26, 2015

Date: May 21, 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 May 19, 2015**

RECOMMENDATION: That the Board of Supervisors approve the Action Summary from the meeting of May 19, 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 May 19, 2015 is attached. This Action Summary encompasses all actions taken by the Board of Supervisors at their May 19, 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 May 19, 2015

Prepared by Ana Hartwell, Deputy Clerk of the Board

CAO Approval: *Amy Green*

<b>REVIEW:</b>				
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: *May 26, 2015*

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

BOARD OF SUPERVISORS

REX BOHN  
First District  
ESTELLE FENNEL  
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  
FRANK DeMARCO  
Consultant Interim 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, May 19, 2015**

**9:00 AM**

**Regular Meeting**

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*Supervisor Ryan Sundberg was absent from this meeting.*

**A. SALUTE TO THE FLAG**

**B. MODIFICATIONS TO THE AGENDA**

1. NONAGENDA ITEM REQUEST: Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9 subd. (d)(1); County of Humboldt v. Robert C. McKee; Humboldt County Superior Court Case No. DR020825

*A motion was made by Supervisor Lovelace, seconded by Supervisor Bass, to determine by no less than a 4/5 vote that the need to take action on this item arose after the agenda was posted. The motion carried by the following vote:*

*Ayes: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass*

*A motion was made by Supervisor Bass, seconded by Supervisor Bohn, to add this item to closed session. The motion carried by the following vote:*

*Ayes: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass*

*The Board of Supervisors met in conference with Legal Counsel on existing litigation pursuant to Government Code Section 54956.9 subd. (d)(1); County of Humboldt v. Robert C. McKee; Humboldt County Superior Court Case No. DR020825. A motion was made by Supervisor Lovelace, seconded*



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*by Supervisor Bass, to authorize County Counsel and outside counsel to continue to review any reasonable settlement offers and make any recommendations which they deem appropriate. The motion carried by the following vote:*

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

## C. CONSENT CALENDAR

### Board of Supervisors

1. Certificate of Recognition for June Patton (Supervisor Estelle Fennell)

**Recommendation:** That the Board of Supervisors ratify the Certificate of Recognition.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

2. Certificates of Recognition for Soroptimist International of Arcata Annual Awards Recipients (Supervisor Mark Lovelace)

**Recommendation:** That the Board of Supervisors ratify authorization for the Chair to sign the Certificates of Recognition.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

3. Letter to Bureau of Reclamation (BOR) Requesting 50,000 acre feet of Water in Advance of its Anticipated Release, and Development of a Stakeholders Group to Advise the County on Policy and Technical Issues Regarding Future Release of Water (Supervisor Ryan Sundberg and Supervisor Mark Lovelace)

**Recommendation:** That the Board of Supervisors direct the Chair to send the attached letter to the Bureau of Reclamation and to authorize Supervisor Sundberg and Supervisor Lovelace to work with the Bureau and downstream water users to develop a stakeholders group to advise the County on policy and technical issues regarding future releases of this water.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

**Clerk of the Board**

4. Approval of the Action Summary - Meeting of May 12, 2015

**Recommendation:** That the Board of Supervisors approve the Action Summary from the meeting of May 12, 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 Bohn, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

**County Administrative Office**

5. Adoption of Ordinance Adding Humboldt County Code §812 et seq. Adopting Regulations for the Issuance of Film Permits in the County

**Recommendation:** That the Board of Supervisors adopt Ordinance No. \_\_\_\_\_, adding Humboldt County Code §812 et seq. Adopting Regulations for the Issuance of Film Permits in the County, to Title VIII of the Humboldt County Code.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

**County Counsel**

6. Adoption of Ordinance Repealing Ordinance Nos. 757 and 1178, and Sections 227-1 through 227-6 of Title II of the Humboldt County Code Relating to the Commission on the Status of Women.

**Recommendation:** That the Board of Supervisors adopt Ordinance No. \_\_\_\_\_, repealing Division 2 and Chapter 7, and Sections 227-1 through 227-6 to Title II of the Humboldt County Code relating to the Commission on the Status of Women.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

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

7. Increase Petty Cash Fund for Mental Health/Administration and Programs

**Recommendation:** That the Board of Supervisors increase the existing Petty Cash Fund for Mental Health Branch from \$1,200.00 to \$1,700.00 for the Mental Health/Administration and Programs, Budget Unit #424, Fund 1170, as follows: Mental Health Branch Administration and Programs 1170-424-2123 Special Departmental Expense - -\$500.00.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass



**Department of Health and Human Services: Public Health****8. Sixth Amendment to Lease at 317 Second Street, Eureka**

**Recommendation:** That the Board of Supervisors approve and authorize the Chair of the Board to execute two (2) originals of the Sixth Amendment to Lease at 317 Second Street, Eureka, CA with Al Abrahamsen, Alice F. Abrahamsen, Kent H. Pryor and Alice Pryor; and direct the Clerk of the Board to return one (1) executed original of the Sixth Amendment to Lease to Public Works-Real Property Division for transmittal to Lessor.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

**Department of Health and Human Services: Social Services****9. Research Subaward Agreement from Humboldt State University Sponsored Programs Foundation for California Social Work Education Center (CalSWEC) Title IV-E Students**

**Recommendation:** That the Board of Supervisors approve and accept the Research Subaward Grant Agreement from Humboldt State University Sponsored Programs Foundation for training and supervision of California Social Work Education Center (CalSWEC) Title IV-E students in the amount of twenty-five thousand dollars (\$25,000); authorize the Department of Health and Human Services (DHHS) Assistant Director of Programs to sign three (3) originals of the Research Subaward Grant Agreement (Attachment 1) and future Subaward Grant Agreements from the Humboldt State University Sponsored Programs Foundation substantially in the form of the attached Research Subaward Grant Agreement; and direct the Clerk of the Board to forward a certified Board Agenda Item to the DHHS-Contract Unit.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

**Public Works****10. Adoption of Ordinance: Amending Section 422-10 Relating to the Speed Limit on Mill Street, and Adding Section 422-14 Relating to Speed Limits Near Schools, to Title IV of the Humboldt County Code**

**Recommendation:** That the Board of Supervisors adopt Ordinance No. \_\_\_\_\_, Amending Section 422-10 regarding the speed limit on Mill Street in Fortuna, and adding Section 422-14 regarding speed limits near schools, to Title IV of the Humboldt County Code.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

**11. Supplemental Budget for FY 2014-15 for the Dinsmore Airport (4/5 Vote Required)**

**Recommendation:** That the Board of Supervisors adopt the attached supplemental budget (4/5 vote required) for FY 2014-15.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

**12. Contracts and Easements for Project Right of Way Acquisition**

**Recommendation:** That the Board of Supervisors accept the original Easement Deed, approve the Right of Way Contract between the County of Humboldt and Michael C. Thompson and Nancy Thompson, Trustees of the Michael C. Thompson and Nancy Thompson Trust established May 24, 1999 (Thompson), and authorize the chairwoman to sign the contract in triplicate; accept the original Easement Deed, approve the Right of Way Contract and Temporary Construction Easement between the County of Humboldt and Robert L. Bettinger and Sharon K. Bettinger, as Trustees of the R.L. Bettinger Family Trust dated April 27, 2006 (Bettinger), and authorizes the chairwoman to sign the contract in triplicate; direct the Clerk of the Board to sign the Certificate of Acceptance for both Easement Deeds; and direct the Clerk of the Board to return two of each executed Contracts and both executed Certificates of Acceptance and Easement Deeds to the Department of Public Works for further processing.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

**13. Fifth Amendment to Lease Agreement with Republic Parking System, Inc. at the Arcata/Eureka Airport in McKinleyville (4/5 Vote Required)**

**Recommendation:** That the Board of Supervisors by a 4/5's vote approve the Fifth Amendment to the Lease Agreement with Republic Parking System, Inc. (RPSI), and authorize the Chairperson to execute the Fifth Amendment to Lease Agreement, in triplicate; authorize Public Works Director or his designee to approve changes, as necessary, to parking lot to accommodate an automated revenue control system (LUKE II PAY STATION); and direct the Clerk of the Board to return two executed Amendments to the Department of Public Works-Land Use Division for further processing.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass



14. Francis Creek Culvert Replacement on Port Kenyon Road (2H010) PM 0.45 to PM 0.64, Agreement No.: P1210308, Contract No.: 211303

**Recommendation:** That the Board of Supervisors approve the plans and specifications; direct the Clerk to advertise the above-mentioned project as required by Section 22037 of the California Public Contract Code with bids to be opened on Tuesday, June 23, 2015 at 2:00 p.m.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

#### D. SPECIAL PRESENTATIONS

##### Board of Supervisors

1. Proclaim May 2015 as Mental Health Month (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 Lovelace, that the recommendations be approved. The motion carried by the following vote:**

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

2. Proclamation Recognizing the Kinetic Sculpture Race (Supervisor Mark Lovelace)

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

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

3. Film Commission Annual Report (Supervisor Virginia Bass)

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

**Per Order of the Chair**

#### E. MATTERS SET FOR TIME CERTAIN

#### F. ITEMS PULLED FROM CONSENT

**G. MATTERS INITIATED BY BOARD MEMBERS****Board of Supervisors**

1. The Re-Appointment of Brian Mitchell to the Humboldt County Assessment Appeals Board (Supervisor Virginia Bass)

**Recommendation:** That the Board of Supervisors reappoint Brian Mitchell to the Assessment Appeals Board.

**A motion was made by Supervisor Bass, 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 Virginia Bass

**H. DEPARTMENT REPORTS****Public Works**

1. Introduction of Ordinance for Stormwater Quality Management and Discharge Control

**Recommendation:** That the Board of Supervisors introduce the attached Ordinance by title and waive the first reading; set the Ordinance for adoption on May 26, 2015, or at least one week after May 19, 2015; direct the Clerk of the Board to publish the required 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 the 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 the 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 Public Works to file the attached Notice of Exemption with the Humboldt County Clerk in accordance with the California Environmental Quality Act.

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

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass



**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

*This item was pulled from the agenda.*

2. Conference with Legal Counsel - Existing litigation pursuant to Government Code section 54956.9 subd.(d)(1); Douglas Jackson v. Humboldt County, et al.; Humboldt County Superior Court Case No. DR140698.

*The Board of Supervisors met in conference with Legal Counsel on existing litigation pursuant to Government Code section 54956.9 subd.(d)(1); Douglas Jackson v. Humboldt County, et al.; Humboldt County Superior Court Case No. DR140698. A motion was made by Supervisor Lovelace, seconded by Supervisor Bass, to ratify the execution of the joint representation agreement previously signed by the Humboldt County Human Resources Director, Dan Fulks, for the representation of the County of Humboldt and individually named county officers and employee defendants by the firm of Liebert Cassidy Whitmore. The motion carried by the following vote:*

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

3. Conference with Legal Counsel - Existing Litigation pursuant to Government Code section 54956.9 subd. (d)(1); Paul Koch; Timothy Blask; Fidel Munguia; Enrique Deloza; and all others similarly situated, vs. Paul Gallegos; Humboldt County District Attorney's Office; County of Humboldt; Humboldt County Drug Task Force; State of California; and Does 1-10; Humboldt County Superior Court Case No. DR020825

*The Board of Supervisors met in conference with Legal Counsel on existing litigation pursuant to Government Code section 54956.9 subd. (d)(1); Paul Koch; Timothy Blask; Fidel Munguia; Enrique Deloza; and all others similarly situated, vs. Paul Gallegos; Humboldt County District Attorney's Office; County of Humboldt; Humboldt County Drug Task Force; State of California; and Does 1-10; Humboldt County Superior Court Case No. DR020825. A motion was made by Supervisor Bass, seconded by Supervisor Lovelace, to approve the settlement and authorize the chair to sign when all other parties have executed the agreement. The motion carried by the following vote:*

Aye: 4 - Rex Bohn, Estelle Fennell, Mark Lovelace, and Virginia Bass

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

**M. AFTERNOON DISCUSSION ITEMS**

**County Administrative Office**

1. County Administrative Officer Report: May Revision and Various Other Topics

**Recommendation:** That the Board of Supervisors receive an oral report from the County Administrative Officer regarding the May Revision to the Governor's proposed State budget, and various other topics, and takes action as may be required.

*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*

  
\_\_\_\_\_  
May 19, 2015






MINUTES  
TUESDAY, MAY 19, 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, May 26, 2015, with the vote as shown below.

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

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

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