

BOARD OF SUPERVISORS

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



COUNTY STAFF

AMY S. NILSEN
County Administrative Officer
JEFFREY S. BLANCK
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, March 27, 2018

9:00 AM

Regular Meeting

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

These matters are routine in nature and are usually approved by a combined single vote.

Board of Supervisors

1. Certificates of Recognition for the McKinleyville Chamber of Commerce Award Recipients for 2017 (Supervisor Ryan Sundberg)

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

Attachments: [Certificates of Recognition.pdf](#)

2. Tsunami Preparedness Proclamation (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors adopt the Proclamation.

Attachments: [Tsunami Preparedness Proclamation.pdf](#)

3. Proclamation of the Commemoration of the 50th Anniversary of the Vietnam War (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors adopt the Proclamation.

Attachments: [50th Anniversary of the Vietnam War Proclamation.pdf](#)

4. Adjourned in Memory Certificate for Herrmann Spetzler (Supervisor Virginia Bass)

Recommendation: That the Board of Supervisors ratify authorization for Board Members to sign the Certificate.

Attachments: [Adjourned in Memory Certificate for Herrmann Spetzler.pdf](#)

5. AB 2727 (Flora) Regarding Tax Credit to Volunteer Firefighters (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors authorize the Chair to sign the Letter of Support for AB 2727.

Attachments: [Letter of Support for AB 2727 Regarding Tax Credit to Volunteer Firefighters.pdf](#)

Clerk of the Board

6. Approval of the Action Summary - Special Meeting of March 19, 2018

Recommendation: That the Board of Supervisors approve the Action Summary for the meeting of March 19, 2018 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 - Special Meeting of March 19, 2018.pdf](#)

7. Approval of the Action Summary - Meeting of March 20, 2018

Recommendation: That the Board of Supervisors approve the Action Summary for the meeting of March 20, 2018 and authorize the Clerk of the Board and Board Chair to sign the minute book in accordance with California Government Code Section 25103.

Attachments: [Approval of the Action Summary - Meeting of March 20, 2018.pdf](#)

Department of Health and Human Services: Administration**8. Lease at 77 Walnut Way, Willow Creek, California**

Recommendation: That the Board of Supervisors authorize the lease payment of one thousand five hundred dollars (\$1,500.00) per month for 77 Walnut Way, Willow Creek, California with James Fleming and Charla Fleming on a month to month basis; ratify the lease payment of one thousand five hundred dollars (\$1,500.00) that was paid for the month of March 2018; authorize Public Works-Real Property Division to send a notice to lessor that the county is continuing the lease at the higher amount; and direct the Clerk of the Board to return one executed agenda item to Public Works-Real Property Division.

Attachments: [Lease at 77 Walnut Way, Willow Creek, California.pdf](#)

9. Allocate One (1.0) Full-Time Equivalent Program Manager

Recommendation: That the Board of Supervisors allocate one (1.0) full-time equivalent (FTE) Program Manager I (class 0747, salary range 497) in budget unit (BU) 511; effective immediately following approval.

Attachments: [Classification Letter.pdf](#)

10. Master Agreement with North Coast Health Improvement and Information Network

Recommendation: That the Board of Supervisors approve the Master Agreement with the North Coast Health Improvement and Information Network (NCHIIN) for fiscal years 2017-2018, 2018-2019 and 2019-2020; approve and authorize the Department of Health and Human Services (DHHS) Director to execute three (3) originals of the Master Agreement between DHHS and the NCHIIN; and approve and authorize the DHHS Director to execute substantially similar Project Addenda and rates for a Health Information Exchange (HIE) agreement after review and approval by County Counsel and Risk Management.

Attachments: [Master Agreement with North Coast Health Improvement and Information Network](#)

Human Resources

11. Reallocate One (1) 1.0 Full-Time Equivalent (FTE) Human Resources Technician I/II in Budget Unit 130 to One (1) 1.0 FTE Secretary in Budget Unit 130

Recommendation: That the Board of Supervisors approve the reallocation of the Human Resources Technician I/II position (class 0699, salary range 371/400, position 02) in budget unit 130 currently occupied by Nancy Hampton, to Secretary (class 0175, 1.0 FTE, salary range 347, position 01) in budget unit 130, and reclassify Ms. Hampton accordingly, effective the beginning of the bi-weekly pay period immediately following approval.

Attachments: [Classification Review Report..pdf](#)

Public Works

12. 2018 Financial Assurances for Reclamation of Surface Mining Operations

Recommendation: That the Board of Supervisors adopt the attached resolution authorizing the annual adjustment of funds pledged by the Humboldt County Department of Public Works to complete reclamation of the department's surface mining operations as required by state law; and direct the Clerk of the Board to return a certified copy of the Resolution to the Public Works Department.

Attachments: [2018 Financial Assurances for Reclamation of Surface Mining Operations.pdf](#)

13. Adoption of Ordinance Amending Section 431-96.5 Relating to Parking on Redwood Drive in Redway, of Title IV of the Humboldt County Code

Recommendation: That the Board of Supervisors adopt Ordinance No._____, amending section 431-96.5, relating to parking on Redwood Drive in Redway, of Title IV of the Humboldt County Code.

Attachments: [Adoption of Ordinance Relating to Parking on Redwood Drive in Redway.pdf](#)
[Proof of Publication.pdf](#)

14. Proposed Vacation of a Portion of Mad River Road (County Road No. 4L680) Within Mad River County Park, Arcata Area

Recommendation: That the Board of Supervisors adopt and authorize the Chairperson of the Board of Supervisors to execute the attached Resolution of Intention (Attachment 1); direct the Clerk of the Board to publish the Resolution of Intention and Notice of Public Hearing (Attachment 2), pursuant to Streets and Highways Code section 8322, and arrange for the posting of the Resolution of Intention and Notice of Public Hearing in three conspicuous places, such as: Humboldt County Courthouse, Humboldt County Public Works headquarters, and Arcata City Hall; direct the Land Use Division to post the Resolution of Intention and Notice of Public Hearing along the portion of Mad River Road proposed for vacation pursuant to Streets and Highways Code sections 8320 and 8323; and set the matter for public hearing in the Board Chambers on April 17, 2018 at 9:00 a.m., or as soon thereafter as the matter can be heard.

Attachments: [Proposed Vacation of a Portion of Mad River Road.pdf](#)
[Proof of Publication.pdf](#)

15. McKay Tract Community Forest Northridge Road (3J400) Parking Lot and Walnut Drive (F3J300) Left Turn Pocket; Contract Number 331205

Recommendation: That the Board of Supervisors award the contract to GR Sundberg, Inc., for the total amount of \$368,280; and authorize the Chair of the Board to execute the project agreement upon submittal of the appropriate bonds and insurance.

Attachments: [McKay Tract Community Forest Northridge Road.pdf](#)

16. Petition to Form Annexation Number 3 to Permanent Road Division 1000, Zone Number 007, Central Estates Phase 2D Subdivision, McKinleyville, and Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors receive and file the petition, affidavit of valuation, and engineer's report for Annexation Number 3 to Permanent Road Division 1000, Zone Number 007 for Central Estates Phase 2D Subdivision; adopt the Resolution of Intent to establish Annexation Number 3 to Permanent Road Division 1000, Zone Number 007 and to impose parcel charges for road maintenance; set a time and date of May 15, 2018, at 9:00 a.m. or soon thereafter, to hold a public hearing to receive testimony of protest regarding the formation and setting of an assessment for road maintenance for Annexation Number 3 to Permanent Road Division 1000, Zone Number 007; direct the Clerk of the Board to publish the petition (Attachment 1), notice of formation (annexation) (Attachment 5) and notice of assessment (Attachment 6) in the Times-Standard newspaper on April 22, 2018, April 29, 2018, and May 6, 2018, as per Streets and Highways Code §§1164 and 1196; direct the Department of Public Works to mail the notice of assessment and ballot to all landowners within the

proposed annexation area as per Government Code §53753; direct the Department of Public Works to post the petition (Attachment 1), notice of formation (annexation) (Attachment 5) and notice of assessment (Attachment 6) as per Streets and Highways Code §1195; and approve the attached supplemental budget (4/5th vote) to provide associated funding for PRD 1000, Zone Number 007.

Attachments: [Petition to Form Annexation Number 3.pdf](#)
[Affidavit of Posting.pdf](#)
[Proof of Publication.pdf](#)

17. Purchase of a 544K-II Loader, Authorization to Enter into Purchase Agreement, Declare Equipment Surplus and Approve the Supplemental Budget (4/5 Vote Required)

Recommendation: That the Board of Supervisors authorize the purchase of a 544K-II loader; authorize the Purchasing Agent to enter into a purchase agreement with Pape Machinery; declare the damaged John Deere 544E Loader asset number 8762 as surplus; and approve the attached Supplemental Budget for Fiscal Year (FY) 2017-18 (4/5 vote required).

Attachments: [Quotes and Supplemental Budget.pdf](#)

18. Extension of Extra-Help Hours- Motor Pool (350) (4/5 Vote Required)

Recommendation: That the Board of Supervisors extend Bryan Tidwell extra-help employment hours 960 hours to a maximum of 1,920 hours for fiscal year 2017-2018 pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

Attachments: [Extension of Extra-Help Hours- Motor Pool.pdf](#)

19. Extension of Extra-Help Hours- Roads-Right of Way (322) (4/5 Vote Required)

Recommendation: That the Board of Supervisors extend Diana Freeman extra-help employment hours 960 hours to a maximum of 1,920 hours for fiscal year 2017-2018 pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

Attachments: [Extension of Extra-Help Hours- Roads-Right of Way.pdf](#)

20. Approval of extension of lease for 1105 6th Street, Natural Resource Planning

Recommendation: That the Board of Supervisors approve the extension of the lease with PWM, Inc. for 1105 6th Street for one (1), two (2) year term through July 31, 2020; authorize Real Property to send a notification to Lessor that county is exercising the option to extend the lease; and direct the Clerk of the Board to return one executed agenda item to

Real Property.

Attachments: [Approval of extension of lease for 1105 6th Street, Natural Resource Planning.pdf](#)

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

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. 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.

Public Comment Sign-In Sheet and Handouts

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

E. SPECIAL PRESENTATIONS

F. MATTERS SET FOR TIME CERTAIN

G. ITEMS PULLED FROM CONSENT

H. MATTERS INITIATED BY BOARD MEMBERS

I. DEPARTMENT REPORTS

County Administrative Office

1. Interim Appointment to Fill Chief Probation Officer Vacancy - William Damiano

Recommendation: That the Board of Supervisors appoint Shaun Brenneman as the Interim Chief Probation Officer, effective April 14, 2018.

Attachments: [Interim Appointment to Fill Chief Probation Officer Vacancy.pdf](#)

2. Amendments to Travel Expense Ordinance and Travel and Meal Policy

Recommendation: That the Board of Supervisors adopt the revised Travel and Meal Policy (Attachment 1) as the official Board policy on travel; introduce by title: "An ordinance of the Board of Supervisors of the County of Humboldt Updating Sections 254-4, and 254-6 of the Humboldt County Code Relating to Travel Expenses," Ordinance No. ___ (Attachment 5); waive the first reading of the Ordinance and set for adoption at least one week away; direct the Clerk of the Board to publish the pre-adoption summary of the ordinance (Attachment 8); 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 9) 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)].

Attachments: [Amendments to Travel Expense Ordinance and Travel and Meal Policy.pdf](#)

3. Introduction of Ordinance Amending Sections 719-6 and 719-7 of Title VII, Division 1, Chapter 9 of the Humboldt County Code Relating to the Humboldt County Commercial Marijuana Cultivation Tax Ordinance; Adoption of Administrative Regulations Related to the Collection and Remittance of Commercial Marijuana Cultivation Taxes; Review of the Humboldt County Marijuana Ad Hoc Committee's Report Regarding the Imposition of Commercial Marijuana Cultivation Taxes

Recommendation: That the Board of Supervisors introduce the attached ordinance by title and waive the first reading; set the attached ordinance for adoption on April 3, 2018, or at least one (1) week away from the date of the Board of Supervisors meeting at which the attached ordinance was first introduced; direct the Clerk of the Board of Supervisors to publish the pre-adoption summary of the attached ordinance and to post a certified copy of the full text of the ordinance in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the ordinance will be adopted [Government Code Section 25124(b)(1)]; direct the Clerk of the Board of Supervisors to publish, within fifteen (15) days after adoption of the attached ordinance, 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 of Supervisors a certified copy of the full text of the adopted ordinance along with the names of those Supervisors voting for and against the ordinance [Government Code Section 25124(b)(1)]; adopt the attached administrative regulations related to the collection and remittance of commercial marijuana cultivation taxes; and receive the Humboldt County Marijuana Ad Hoc Committee's report regarding the imposition of commercial marijuana cultivation taxes and take appropriate action as necessary.

Attachments: [Proposed Ordinance - Commercial Marijuana Cultivation Tax.pdf](#)

County Counsel

4. Attorney Contingency Fee Agreement with Keller Rohrback LLP Re: Opioid Litigation

Recommendation: That the Board of Supervisors retain Keller Rohrback LLP to represent the County with respect to potential claims against the manufacturers and wholesalers of prescription opioid painkillers; and approve, and authorize the Chair to execute, the attached Attorney Engagement & Contingency Fee Agreement with Keller Rohrback LLP.

Attachments: [Attorney Contingency Fee Agreement with Keller Rohrback LLP.pdf](#)

Probation

5. Resolution for the Employment of Temporary Retired Annuitant as Senior Fiscal Assistant at the Probation Department

Recommendation: That the Board of Supervisors resolve that the employment of Jayme Turner as a temporary retired annuitant Senior Fiscal Assistant with the Humboldt County Probation Department is necessary to fill a critically needed position and that Jayme Turner's employment as a temporary retired annuitant is needed before the California Public Employees Retirement System (CalPERS) 180-day wait period has expired; and adopt the attached resolution for an exception to the 180-day wait period.

Attachments: [Resolution for the Employment of Temporary Retired Annuitant.pdf](#)

J. PUBLIC HEARINGS**K. DISCUSSION ITEMS****L. CLOSED SESSION**

1. It is the intention of the Board of Supervisors to meet in closed session to discuss pending litigation pursuant to Government Code Section 54956.9(a), (d)(2).

M. 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/>