

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, December 11, 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 Southern Humboldt Volunteer Fire Fighters (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors:
1. Ratify the certificates of recognition.

Attachments: [Staff Report](#)
[VFFCertificates.pdf](#)

Clerk of the Board**2. Approval of the Action Summary - Meeting of December 4, 2018**

Recommendation: That the Board of Supervisors:

1. Approve the Action Summary for the meeting of December 4, 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: [Staff Report](#)
[Action Summary 12-4-18.pdf](#)

County Clerk/Recorder/Registrar of Voters**3. Certification of the Results of the November 6, 2018, Statewide General Election**

Recommendation: That the Board of Supervisors:

1. Accept the Certified Statement of Results of the Official Canvass for the November 6, 2018, Statewide General Election.

Attachments: [Staff Report](#)
[Certificate of Final Election Results \(GEN2018\)](#)
[Final Cumulative Report - Official](#)
[Final Precinct Report - Official](#)

Department of Health and Human Services: Social Services**4. Agreement with United Indian Health Services to Assist with CalFresh Outreach and Support Activities**

Recommendation: That the Board of Supervisors:

1. Approve the agreement with United Indian Health Services to assist the Department of Health and Human Services (DHHS) increase utilization of CalFresh benefits by eligible households in an amount not to exceed \$281,698.49; and
2. Authorize the Chair to execute three (3) originals of the agreement (Attachment 1); and
3. Direct the Clerk of the Board to route two (2) fully executed originals of the agreement to the (DHHS)-Contract Unit for forwarding to DHHS-Social Services Administration.

Attachments: [Staff Report](#)
[agt Co. Humboldt UIHS 181106 \(Executed RM\).pdf](#)
[GL and WC Certificate & Add Insured](#)
[2019 Auto Ins CERTIFICATE TO DHHS SOCIAL SERVICES HUMBOLDT](#)

Human Resources

5. County Administrative Officer Employment Agreement

Recommendation: That the Board of Supervisors:

1. Approve the attached Employment Agreement which memorializes the appointment of Amy S. Nilsen as County Administrative Officer (CAO) effective December 11, 2018 and sets out the employment terms between the county and County Administrative Officer Amy Nilsen; and
2. Authorize the Chair of the Board of Supervisors to execute the Employment Agreement.

Attachments: [Staff Report](#)
[Exhibit A - ICMA Code of Ethics](#)
[CAO Contract.pdf](#)

6. Adoption of Compensation Plan for Elected and Appointed Department Heads Effective October 1, 2017 through and inclusive of Sept. 30, 2022

Recommendation: That the Board of Supervisors:

1. Adopt Resolution No. _____ (attached) approving the Compensation Plans for Elected and Appointed Department Heads effective Oct. 1, 2017 through and inclusive of Sept. 30, 2022
2. Approve the Compensation Plan for Elected and Appointed Department Heads effective Oct. 1, 2017, through and inclusive of Sept. 30, 2022

Attachments: [Staff Report](#)
[Resolution 18-125.pdf](#)
[2018 12 04 - Attachment - Compensation Plan for E&A Department Heads \(FINAL](#)
[2018 12 04 - Attachment - Compensation Plan for E&A Department Heads \(track cl](#)

Planning and Building Department

7. Adoption of County of Humboldt Extraction Review Team (CHERT) Ordinance (Establishing Procedures for Appointment, Duties and Compensation Mechanism for CHERT members)

Recommendation: That the Board of Supervisors:

1. Adopt Ordinance No. _____ (Attachment 1), relating to establishing procedures for appointment, duties and compensation mechanism for CHERT members, adding Chapter 2 to Division 9 of Title III of the Humboldt County Code.

Attachments: [Staff Report](#)
 [Ordinance 2617.pdf](#)
 [Proof of Publication.pdf](#)

8. Allocation of Code Enforcement Manager for Planning and Building Code Enforcement Budget Unit 269

Recommendation: That the Board of Supervisors:
1. Approve the allocation of 1.0 full-time (FTE) Code Enforcement Manager, (Class 0663, Range 475) in the Code Enforcement budget unit (BU) 269 effective immediately.

Attachments: [Staff Report](#)

Public Works

9. First Amendment to the Agreement for Consultant Services with Ghirardelli Associates, Inc. Regarding the Provision of Construction Management Services for Williams Creek Bridge (4C-258) Replacement on Grizzly Bluff Road (2G100) at Post Mile 10.21

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached first amendment to the agreement for consultant services with Ghirardelli Associates, Inc. regarding the provision of construction management services for the Williams Creek Bridge Replacement Project; and
2. Direct the Clerk of the Board to return two (2) fully executed original copies of the attached first amendment to the Department of Public Works for further processing.

Attachments: [Staff Report](#)
 [Ghirardelli Consultant Service Agreement Re CM Williams Creek Bridge 180515 e:](#)
 [First Amendment to Agreement CM Services for Williams Crk Bridge with Ghirard](#)
 [Ghirardelli Insurance Certificate_2019.pdf](#)

10. First Amendment to the Agreement for Consultant Services with Points West Surveying Company Regarding the Provision of On-Call Professional Land Surveying Services

Recommendation: That the Board of Supervisors:

1. Approve, and authorize the Chair of the Board to execute, the attached first amendment to the agreement for consultant services with Point West Surveying Company regarding the provision of on-call professional land surveying services; and
2. Direct the Clerk of the Board to return two fully executed original copies of the attached first amendment to the Department of Public Works for further processing.

Attachments:[Staff Report](#)[Agreement for On-Call Surveying Points West Surveying_Executed 180109.pdf](#)[First Amendment to PWSC On-Call Surveying Services Agreement \(11-15-18\).pdf](#)[Points West Survey COI_update 2019.pdf](#)**11. Approval of Fawn Meadows Subdivision, APN 509-240-037, McKinleyville Area*****Recommendation:*** That the Board of Supervisors:

1. Accept and approve the subdivision map for filing with the County Recorder;
2. Accept the dedications to the County of Humboldt of Tasi Lane for public road and public utility purposes;
3. Accept Challis Court and Dogwood Road for public utility purposes; accept Public Utility Easement (PUE) for Parcels T and Z for public use;
4. Accept for drainage facilities and access thereto Parcel X with right to convey to McKinleyville Community Services District;
5. Reject Challis Court and Dogwood Road for public road purposes and Parcel S for public sidewalk purposes;
6. Direct the Clerk of the Board to sign the subdivision map on behalf of the Board of Supervisors;
7. Authorize the Chair to execute the Conveyance and Agreement; and
8. Direct the Clerk of the Board to transmit the subdivision map and the Conveyance and Agreement to the County Recorder.

Attachments:[Staff Report](#)[Attachment 1 - Fawn Meadows Final Map](#)[Attachment 2 - Conveyance and Agreement.pdf](#)**12. Extension of Extra-Help Hours- Facilities Management 1100 162 (4/5 Vote Required)*****Recommendation:*** That the Board of Supervisors:

1. Extend Andrea Evans extra-help employment hours 960 hours to a maximum of 1920 hours for fiscal year 2018-2019 pursuant to Section 7 of the Humboldt County Salary Resolution.

Attachments:[Staff Report](#)

13. First Amendment to the Professional Services Agreement with Nichols, Melburg & Rossetto Architects Regarding the Provision of Design Engineering Services for the Humboldt County Juvenile Hall Replacement Facility Construction Project

Recommendation: That the Board of Supervisors:

1. Approve and ratify the Public Works Director's execution of the attached first amendment to the professional services agreement with Nichols, Melburg & Rossetto Architects regarding the provision of design engineering services for the Humboldt County Juvenile Hall Replacement Facility Construction Project.

Attachments: [Staff Report](#)
[170212_NMR_FirstAmendment](#)
[EXTENDED Agrmt for Professional Services NMR - Executed - 6-27-17](#)
[Insurance Certificates for Nichols, Melburg & Rossetto Architects](#)

Sheriff

14. Governing Body Resolution for the Emergency Management Performance Grant Federal Fiscal Year (FFY) 2018 and the Homeland Security Grant Program FFY 2018; Authorization to Appoint Individuals to Act on Behalf of the Governing Body and the Operational Area

Recommendation: That the Board of Supervisors:

1. Authorize the Chair to sign Resolution No. _____, the Governing Body Resolution (Attachment 1) for the Emergency Management Performance Grant (EMPG) and direct the Clerk of the Board to certify;
2. Authorize the Chair to sign Resolution No. _____, the Governing Body Resolution (Attachment 2) for the Homeland Security Grant Program (HSGP) and direct the Clerk of the Board to certify;
3. Authorize the Sheriff, Undersheriff, and Deputy Director of Sheriff's Administration to execute for and on behalf of the named applicant, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining EMPG or HSGP funding provided by the federal Department of Homeland Security and subgranted through the State of California; and
4. Direct the Clerk of the Board to return the completed documents to the Sheriff's Office of Emergency Services, Attn: Dorie Lanni, for immediate submission to the California Governor's Office of Emergency Services.

Attachments: [Staff Report](#)
[Resolution 18-126](#)
[Resolution 18-127.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](#)

E. SPECIAL PRESENTATIONS

F. MATTERS SET FOR TIME CERTAIN

Board of Supervisors

1. 9:30 a.m. - Assemblymember Wood End of the Year Wrap Up (Supervisor Ryan Sundberg)

Recommendation: That the Board of Supervisors:

1. Hear the presentation and take appropriate action, if required.

Attachments: [Staff Report](#)

Planning and Building Department

2. 10:00 a.m. - Zoning Text Amendments and Zone Reclassifications to Implement the General Plan

Recommendation: That the Board of Supervisors:

1. Introduce the ordinance by title and waive further reading;
2. Open the public hearing and receive the staff report and public testimony;
3. Close the public hearing;
4. Adopt the attached resolution (Resolution 18-__ (Attachment 1)) doing the following:
 - a. Consider the Environmental Impact Report for the Humboldt County General Plan and find that it sufficiently addresses the potential environmental impacts associated with adoption of the Zone Reclassifications and Text Amendment Ordinance and was prepared in accordance with Section 15168 (c)(2) and no new information has been presented to change the findings of the EIR in accordance with section 15162 of the State CEQA Guidelines;
 - b. Make all of the required findings for approval based on evidence in the staff report and public testimony;
5. Adopt the attached ordinance (Ordinance No. ____ amending Title III of Humboldt County Code (Zoning Ordinance) adding Section 314-4.5 (PR - Public Resource and Recreation Zone), Section 314-7.5 (TE - Timberland Exclusive Zone), Section 314-7.6 (TL - Tribal Lands), Section 314-9 (Mixed Use Zone Districts) amending Section 314-17.1 (B - Building Site Combining Zone), adding

Section 314-28.5 (MR - Mineral Resources Combining Zone), and Section 314-33.5 (RR - Railroad Rights of Way Protection Combining Zone), and amending Section 311-7 of the Humboldt County Code by Rezoning Property in the Unincorporated Areas of Humboldt County to be consistent with the General Plan. (Attachment 2));

6. Direct the Planning and Building Department to file a Notice of Determination with the Humboldt County Recorder's Office, pursuant to the California Environmental Quality Act; and

7. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after adoption by the Board, along with the names of those Supervisors voting for and against the ordinance (Attachment 3) 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.

8. Direct Staff to initiate preparation of the McKinleyville Downtown Plan and Community Plans for Willow Creek, Fieldbrook-Glendale and Blue Lake.

Attachments:

[Staff Report](#)

[Attachment 1.docx](#)

[Attachment 2a.docx](#)

[Attachment 2b.pdf](#)

[Attachment 2c.pdf](#)

[Attachment 2d.pdf](#)

[Attachment 2e.pdf](#)

[Attachment 2f.pdf](#)

[Attachment 2g.pdf](#)

[Attachment 2h.pdf](#)

[Attachment 3.docx](#)

[Attachment 4a.docx](#)

[Attachment 4b.pdf](#)

[Attachment 4c.pdf](#)

[Attachment 5a.docx](#)

[Attachment 5b.pdf](#)

[Attachment 5c.pdf](#)

[Attachment 5d.pdf](#)

[Attachment 6.docx](#)

[Public Comment](#)

G. ITEMS PULLED FROM CONSENT

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

1. Update from the Cannabis Ad Hoc Committee (Supervisor Estelle Fennell and Supervisor Ryan Sundberg)

Recommendation: That the Board of Supervisors:
1. Hear the report and take appropriate action, if required.

Attachments: [Staff Report](#)
[H-1 AGenda Item from January 16 2018 RE Report from Medical Marijuana Ad Hc](#)

I. DEPARTMENT REPORTS**Auditor/Controller**

1. Introduction of Ordinance Adding Section 243-4 to Chapter 3 of Division 4 of Title II of the Humboldt County Code Relating to the Preparation and Filing of an Annual Inventory

Recommendation: That the Board of Supervisors:
1. Introduce the attached ordinance by title and waive the first reading; set the attached ordinance for adoption on December 18, 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;
2. 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)]; and
3. 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)].

Attachments: [Staff Report](#)
[Final Ordinance Re Preparation and Filing of Annual Inventories](#)
[Pre-Adoption Summary of Proposed Ordinance](#)
[Post-Adoption Summary of the Proposed Ordinance](#)
[Proof of Publication.pdf](#)

J. PUBLIC HEARINGS**Planning and Building Department****1. Brodt Dairies New Class “D” Agricultural Preserve and Farmland Security Zone*****Recommendation:*** That the Board of Supervisors:

1. Open a public hearing in the manner prescribed by law;
2. Receive a staff report, consider the applications, and receive public testimony;
3. Close the public hearing;
4. Adopt the necessary findings prepared by Current Planning Division staff;
5. Adopt Resolution No. _____ (Attachment A) establishing the Brodt Agricultural Preserve and Farmland Security Zone;
6. Authorize the Chair of the Board to execute the Land Conservation Contract (Attachment B);
7. Authorize the Chair of the Board to execute the Conveyance and Agreement (Attachment C);
8. Direct Current Planning Division staff to prepare and file a Notice of Exemption with the County Clerk and Office of Planning and Research;
9. Direct the Clerk of the Board to record copies of the Resolution and Land Conservation Contract with the County Recorder; and
10. Direct the Clerk of the Board to give notice of the decision to the applicant, the Assessor's Office, County Counsel, Current Planning Division, the California Office of Land Conservation, and any other interested party.

Attachments:[Staff Report](#)[Resolution 18-128](#)[2. Land Conservation Contract for Brodt Dairies proposed preserve.pdf](#)[3. Conveyance and Agreement for Development Restrictions.pdf](#)[4. Planning Commission Staff Report August 2, 2018.pdf](#)[5. Planning Commission Resolution 18-64_Brodt.pdf](#)**2. Thompson Zone Reclassification, ZR-16-007, Assessor Parcel Number 522-272-006, Willow Creek area (4/5 Vote Required)*****Recommendation:*** That the Board of Supervisors:

1. Introduce Ordinance No. _____ (Attachment 2) by title and waive further reading;
2. Open the public hearing, receive and consider the staff report, the Planning Commission's recommendation and accept public comments;
3. Close the public hearing;
4. Consider the Addendum to the General Plan Update Programmatic Environmental Impact Report (PEIR) (Attachment 6);

5. Make the necessary findings approving the proposed zone reclassification and adopt by 4/5ths vote Resolution No. __ (Attachment 1) and Ordinance No. __ (Attachment 2), amending Section 311-7 of the Humboldt County Code by reclassifying approximately 10 acres in the Willow Creek area from Agricultural General (AG) to Community Commercial (C-2) and Flood Plain (FP);
6. Direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after the adoption of the Ordinance;
7. Direct the Clerk of the Board to give notice of the decision to the applicant, the Assessor's office, County Counsel, the Planning Division, and any other interested party; and
8. Direct Planning Division staff to prepare and file a Notice of Determination pursuant to the California Environmental Quality Act (CEQA).

Attachments:

[Staff Report](#)

[Attachment 1 - Resolution .docx](#)

[Attachment 2 - Ordinance.docx](#)

[Attachment 3 - Post Adoption Summary.docx](#)

[Attachment 4 - Copy of PC staff report 6.21.18.pdf](#)

[Attachment 5 - PC Resolution 18-48.pdf](#)

[Attachment 6 - Addendum to PEIR.docx](#)

K. DISCUSSION ITEMS

L. CLOSED SESSION

1. It is the intention of the Board of Supervisors to meet in closed session to consider the Public Employee Performance Evaluation for the position of the Child Support Services Director pursuant to Government Code sections 54954.5 and 54957.
2. It is the intention of the Board of Supervisors to meet in closed session to consider the Public Employee Performance Evaluation for the position of the Department of Health and Human Services Director pursuant to Government Code sections 54954.5 and 54957.
3. It is the intention of the Board of Supervisors to meet in closed session to consider the Public Employee Performance Evaluation for the position of the Public Works Director pursuant to Government Code sections 54954.5 and 54957.
4. It is the intention of the Board of Supervisors to meet in closed session to consider the Public Employee Performance Evaluation for the position of the Aviation Director pursuant to Government Code sections 54954.5 and 54957.
5. It is the intention of the Board of Supervisors to meet in closed session to discuss pending/threatened litigation pursuant to Government Code Section 54956.9(a) and (d)(2), relating to Humboldt County

Juvenile Hall construction project.

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://humboldtgov.org/>