



COUNTY OF HUMBOLDT

For the meeting of: April 4, 2017

Date: March 29, 2017
 To: The Honorable Board of Supervisors
 From: Clerk of the Board of Supervisors
 Subject: **Approval of the Action Summary – Meeting of March 28, 2017**

RECOMMENDATION: That the Board of Supervisors approve the Action Summary for the meeting of March 28, 2017 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 March 28, 2017 is attached. This Action Summary encompasses all actions taken by the Board of Supervisors at their March 28, 2017 meeting.

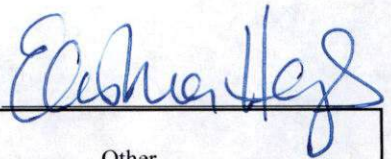
FINANCIAL IMPACT: None

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

Prepared by Ana Hartwell, Deputy Clerk of the Board

CAO Approval: 

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 Wilson Seconded by Supervisor Fennell

Ayes Sundberg, Fennell, Bass, Wilson


Nays _____

Abstain _____

Absent Bohn

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

Dated: Apr. 4, 2017

By: 
 Kathy Hayes, Clerk of the Board

BOARD OF SUPERVISORS

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



COUNTY STAFF

AMY S. NILSEN
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, March 28, 2017

9:00 AM

Regular Meeting

Supervisor Virginia Bass was absent from the beginning of the meeting.

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

Board of Supervisors

1. Certificates of Recognition for the McKinleyville Chamber of Commerce Award Recipients for 2016 (Supervisor Ryan Sundberg)

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

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson
Not Present: 1 - Virginia Bass

2. Letter of Support for AB 980 (Woods) Broadband Fiber Optic Cables: Priority Areas (Supervisor Rex Bohn)

Recommendation: That the Board of Supervisors ratify authorization for the Chair to sign the letter of support.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

3. Informational Report on the Appointment of Kenny Priest to the Fish and Game Advisory Commission Representing District 4 (Supervisor Virginia Bass & Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors receive and file the report.

This item was pulled for discussion.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

4. Informational Report on the Appointment of Harry Vaughn to the Fish and Game Advisory Commission Representing District 2 (Supervisor Estelle Fennell and Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors receive and file the report.

This item was pulled for discussion.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

5. Appointment of Lorey Keele to the First Five Humboldt Commission (Supervisor Mike Wilson)

Recommendation: That the Board of Supervisors approve the appointment of Lorey Keele to the First Five Humboldt Commission.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

6. Request from Fish & Game Commission to Forward a Letter to the U.S. Army Corps of Engineers Related to the Coast Seafood Project (Supervisor Rex Bohn)

Recommendation: That the Boards of Supervisors authorize the Chair to sign the letter and forward to the US Army Corps of Engineers on behalf of the Humboldt County Fish & Game Commission.

This item was pulled for discussion.

A motion was made by Supervisor Fennell, seconded by Supervisor Wilson, to send a letter to the Army Corps of Engineers with changes to the recommended letter from the Fish & Game Commission inserting at the beginning of the letter: "On behalf of the Humboldt County Board of Supervisors' Fish & Game Commission," replacing the word "we" with "Fish & Game Commission," and any other nomenclature corrections needed to reflect the changes discussed. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

Clerk of the Board

7. Approval of the Action Summary - Meeting of March 21, 2017

Recommendation: That the Board of Supervisors approve the Action Summary for the meeting of March 21, 2017 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 Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

County Administrative Office

8. Change Public Meeting Date for Humboldt County Tourism Business Improvement District Renewal

Recommendation: That the Board of Supervisors adopt the revised Resolution contained in Attachment 1 declaring the Board's intention to renew the District for a ten year term and setting a public meeting for May 9, 2017 and the public hearing for May 16, 2017; and direct the Clerk of the Board to publish the notice of public meeting on May 9, 2017 and public hearing on May 16, 2017 contained in Attachment 2 and to mail out majority protest notices in conformity with Streets and Highways Code Section 36623 and Government Code Section 54954.6.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

District Attorney

9. Non-Competitive Grant Application for the California Governor's Office of Emergency Services (Cal OES) Unserved/Underserved Victim Advocacy and Outreach (UV) Program for Fiscal Year (FY) 2017-18 (4/5 Vote Required)

Recommendation: That the Board of Supervisors authorize the District Attorney to sign all documents necessary to submit a Non-Competitive Grant Application California Governor's Office of Emergency Services (Cal OES) Unserved/Underserved Victim Advocacy and Outreach Program Fiscal Year (FY) 2017-18 (requires 4/5 vote); and direct the Clerk of the Board to return an approved agenda item to the District Attorney's Office, attention Rachelle Davis, for submission to Cal OES.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

Public Works

10. U.S. Department of Transportation Federal Aviation Administration Antenna and Rack Space Lease for Real Property at Garberville Airport. Land Lease Renewal - DTFAWN-17-L-00048 (4/5 Vote Required)

Recommendation: That the Board of Supervisors by a 4/5's vote approve and authorize the Chairwoman to execute in the presence of a Notary Public, the attached lease agreement with the U.S. Department of Transportation Federal Aviation Administration (FAA) in triplicate; and direct the Clerk of the Board to return the executed lease agreement, in triplicate, to the Land Use Division for transmittal to Lessee.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

11. 2017 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.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

12. Supplemental Budget for Upgrade to the Biometric Access Control System at California Redwood Coast - Humboldt County Airport; Supplemental Budgets Require 4/5 Vote

Recommendation: That the Board of Supervisors adopt the attached supplemental budget for FY 2016-17 (4/5 vote required).

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

13. Supplemental Budget for Resurfacing/Restriping of Courthouse and Public Health Parking Lots at 5th & I Street; Supplemental Budgets Require 4/5 Vote

Recommendation: That the Board of Supervisors adopt the attached supplemental budget for FY 2016-17 (4/5 vote required).

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

14. Termination of Lease with Redwood Community College District

Recommendation: That the Board of Supervisors approve the termination of the lease with Redwood Community College District (District); authorize Real Property to send a thirty (30) day notice of termination to the District; and direct the Clerk of the Board to return a copy of the executed agenda item to Real Property.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

15. Rescind Recommendations 4 and 5 from Item C-25 on the March 7, 2017 Board of Supervisors' Agenda: "Lease/Purchase of a Portable Generator and a Truck Mounted Boom Lift Assembly, Authorization to Enter into Two Lease/Purchase Agreements and Declare Equipment Surplus

Recommendation: That the Board of Supervisors rescind Recommendations 4 and 5 from Item C-25 on the Board of Supervisors' March 7, 2017 Agenda: "Lease/Purchase of a Portable Generator and a Truck Mounted Boom Lift Assembly, Authorization to Enter into Two Lease/Purchase Agreements and Declare Equipment Surplus.

4. Declare the Genie TMZ 34/19 trailer man lift surplus.

5. Authorize the Purchasing Agent to dispose of the surplus property deposit the revenue from the sale in the Roads Heavy Equipment Internal Service Fund (ISF) line item 3540330-705020."

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

16. Extension of Extra-Help Hours - Roads Maintenance (325) Measure Z (298) (4/5 Vote Required)

Recommendation: That the Board of Supervisors extend Manuel Andersen, Thoret Farnsworth, Dylan Mace, Dane Crawford and Henry Stommel's extra-help employment hours 960 hours to a maximum of 1,920 hours for fiscal year 2016-2017 pursuant to Section 7 of the Humboldt County Salary Resolution (4/5 vote required).

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

Registrar of Voters/Recorder/County Clerk

17. Certification of the Results of the March 14, 2017, McKinleyville Community Services District Special Election

Recommendation: That the Board of Supervisors accept the Certified Statement of Results of the Official Canvass for the March 14, 2017, McKinleyville Community Services District Special Election.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

Sheriff**18. Acceptance of Boating Safety and Enforcement Financial Aid Program Agreement**

Recommendation: That the Board of Supervisors authorize the Chair to sign four (4) copies of the Boating Safety and Enforcement Financial Aid Program Agreement with the California Department of Parks and Recreation, Division of Boating and Waterways for Fiscal Year 2017-18 (Attachment 1); authorize the Sheriff to execute all the necessary reimbursement claims, applications, contracts, and agreements and amendments thereto, in the name of the County of Humboldt, and all other documents required by California Department of Parks and Recreation for participation in the Boating Safety and Enforcement Financial Aid Program; and direct the Clerk of the Board to return signed copies of the agreement to the Sheriff's Office, Attention: Norma Lorenzo for submittal to funding agency no later than April 4, 2017.

A motion was made by Supervisor Wilson, seconded by Supervisor Fennell, that the recommendations be approved. The motion carried by the following vote:

Aye: 4 - Rex Bohn, Estelle Fennell, Ryan Sundberg, and Mike Wilson

Not 1 - Virginia Bass

Present:

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

Supervisor Virginia Bass joined the meeting during Public Comment on Non-Agenda Items.

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. Appoint Board Members to American with Disabilities Act (ADA) Ad Hoc Group**

Recommendation: That the Board of Supervisors appoint two Board members to participate in an American with Disabilities Act (ADA) Ad Hoc group and take other action as appropriate.

A motion was made by Supervisor Sundberg, seconded by Supervisor Wilson, to appoint Supervisor Wilson and Supervisor Fennell to the ADA Ad Hoc Group. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

2. Reaffirm Commitment to Protect Federal Investment in Medicaid

Recommendation: That the Board of Supervisors provide clarification regarding the county's position on advocating to protect the current level of federal investment in Medicaid; and provide other direction, as necessary.

A motion was made by Supervisor Wilson, seconded by Supervisor Sundberg, to update the federal legislative platform to read: "The County supports continuing the current structure of federal investment for the Medicaid program, while also protecting small business, and opposes measures that would reduce access to important safety-net programs." The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

Public Works**3. Resolution by the Board of Supervisors and Resolution by the Airports Land Use Commission Regarding Updating the Airport Land Use Compatibility Plan**

Recommendation: That the Board of Supervisors adjourn as the Humboldt County Board of Supervisors; convene as the Governing Board of the Humboldt County Airports Land Use Commission and consider the following agenda; adopt the resolution recommending submittal of an application for a grant to update the Airport Land Use Compatibility Plan for Humboldt County airports (Attachment 1); public appearance; adjourn as the Governing Board of the Humboldt County Airports Land Use Commission; reconvene as the Humboldt County Board of Supervisors; adopt the resolution authorizing submittal of an application to update the Airport Land Use Compatibility Plan for Humboldt County Airports, acceptance of an allocation of funds and execution of a grant agreement with the California Department of Transportation for an acquisition and development grant and certifying the availability of the county's share of matching funds (Attachment 2); authorize the Director of Public Works to develop agreements between the county, the City of Eureka, Hoopa Tribe and Resort Improvement District regarding the inclusion of Samoa Field, Hoopa Airport, and Shelter Cove Airport, respectively, in the update as well as participating financially in the cost; upon receipt of the grant, authorize the Department of Public Works (Department) to issue a Request for Proposal for updating the Airport Land Use Compatibility Plan.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

4. Introduction of Ordinance: Amending Section 422-9 Relating to a Speed Limit in the Eureka Area, Adding Section 431-82 Relating to Parking on North Ridge Road in the Eureka Area and Amending Section 431-87 Relating to Parking on Pennsylvania Avenue in the Eureka Area of Title IV of the Humboldt County Code

Recommendation: That the Board of Supervisors introduce the attached ordinance by title and waive the first reading; set the ordinance for adoption on April 4, 2017, or at least one week away; direct the Clerk of the Board of Supervisors 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 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, within fifteen (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 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)]; and direct Humboldt County Department of 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 Bohn, seconded by Supervisor Wilson, that the recommendations be approved. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

J. ADMINISTRATIVE ABATEMENT HEARINGS

Code Enforcement Unit

1. Administrative Abatement Hearing. JoAnn Dinning, Christine Daniels. 2331 Lincoln Avenue, Samoa, California, AP#401-246-001

Recommendation: That the Board of Supervisors, pursuant to Humboldt County Code Sections 351-21 and 351-22, open the hearing; hold an administrative hearing to determine whether a public nuisance exists on the subject property; adopt the attached Findings of Nuisance and Order of Abatement consistent with the evidence presented at the hearing; and close the hearing.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

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

1. Southern Humboldt Community Park General Plan Amendment, Zone Reclassification, Conditional Use Permit and Special Permit. Application #6111; Case # GPA-10-02, ZR-10-02, CUP-10-04, SP-10-10. Assessor Parcel Numbers (APNs): 222-091-014, 222-241-009. 1144 Sprowel Creek Road, Garberville Area

Recommendation: That the Board of Supervisors receive and consider the staff report, the Draft Environmental Impact Report and the Final Environmental Impact Report, and the Planning Commission's findings (Attachment A and C), open the public hearing, and accept public comment; determine whether the Board intends to approve or deny the project:

- a. If the Board intends to approve the project, provide direction to staff on the following components:
 - i. Conditional Use Permit to allow medium and or large events
 - ii. Include Transfer of Development Rights Program as part of the project
 - iii. Determine whether the Board intends to approve the project as proposed or in the environmentally superior Alternative 2
 - iv. Determine whether to include ballfields as part of the project
 - v. Special Permit to allow for reduced streambank setbacks per the County's Streambank Management Area Ordinance;
- continue the meeting and the public hearing to Tuesday April 25, 2017 for consideration of resolutions and findings consistent with the Board's Motion of Intent and consideration and certification of the Environmental Impact Report and associated documents.

A motion was made by Supervisor Fennell, seconded by Supervisor Bohn, to approve staff recommendation number 2.a.i-v, namely:

- i. Approve the Conditional Use Permit to allow medium and/or large events;*
- ii. Include the Transfer of Development Rights Program as part of the project as discussed today;*
- iii. Approve the project as proposed;*
- iv. Include ballfields as part of the project; and*
- v. Approve a Special Permit to allow for reduced streambank setbacks per the County's Streambank Management Area Ordinance.*

Additionally, include a statement of overriding consideration to go with certification of the EIR, specifically: Support the proposed construction of ballfields, etc., balancing the protection of farmland with the substantial social benefit of providing opportunity for much-needed healthy, organized sports and other outdoor activities for area youth and families, with particular consideration of strong public demand and the current lack of other suitable locations as evidenced by public input and the facts; and recognizing strong mitigation factors contained in EIR BIO-5; and recognizing that the project will be managed as both a farm and a park. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Virginia Bass, Ryan Sundberg, and Mike Wilson

L. DISCUSSION ITEMS**Board of Supervisors**

1. Monthly report on Board members' meeting attendance at county expense and other public supervisorial district events.

M. CLOSED SESSION**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




March 28, 2017



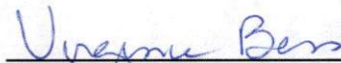
MINUTES
TUESDAY, MARCH 28, 2017
Regular Session

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, April 4, 2017 with the vote as shown below.

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



ANA HARTWELL
Deputy Clerk of the Board



VIRGINIA BASS
Chair of the Board