

BOARD OF SUPERVISORS

REX BOHN
First District
ESTELLE FENNELL
Second District
MARK LOVELACE
Chair - Third District
VIRGINIA BASS
Vice Chair - Fourth District
RYAN SUNDBERG
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, October 11, 2016

9:00 AM

Regular Meeting

A. SALUTE TO THE FLAG

B. MODIFICATIONS TO THE AGENDA

C. CONSENT CALENDAR

Board of Supervisors

1. National Business Women's Week Proclamation (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors adopt the Proclamation.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

2. Appreciation Letter to Ovieda Elliot for Service on the First Five Children and Families Commission (Supervisor Mark Lovelace)

Recommendation: That the Board of Supervisors authorize the chair to sign the letter of appreciation.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

3. Appointment of Mel Berti to the Fortuna Fire Protection Board of Commissioners (Supervisor Estelle Fennell)

Recommendation: That the Board of Supervisors appoint Mel Berti to the Fortuna Fire Protection Board of Commissioners.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

4. Fortuna Kiwanis 2016 Business Woman of the Year and Woman of Distinction Certificates (Supervisor Estelle Fennell)

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

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

County Administrative Office

5. Board Meetings - Calendar Year 2017

Recommendation: That the Board of Supervisors cancel Board meetings on the following dates in Calendar Year 2017 and direct the Clerk of the Board to notify all County departments of these cancelled meetings:

Tuesday, January 31, 2017 (5th Tuesday)

Tuesday, February 21, 2017 (Presidents' week)

Tuesday, May 30, 2017 (5th Tuesday)

Tuesday, July 4, 2017 (County holiday)

Tuesday, August 1, 2017 (Summer break)

Tuesday, August 8, 2017 (Summer break)

Tuesday, August 29, 2017 (5th Tuesday)

Tuesday, September 26, 2017 (RCRC conference)

Tuesday, October 31, 2017 (5th Tuesday)

Tuesday, November 21, 2017 (Thanksgiving week)

Tuesday, November 28, 2017 (CSAC conference)

Tuesday, December 19, 2017 (Holiday break)

Tuesday, December 26, 2017 (Holiday break)

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Department of Health and Human Services: Administration

6. Governor's Office of Emergency Services (Cal OES) Victims of Crime Child Abuse Treatment (CHAT) Program Grant Subaward and Supplemental Budget to Fund Mental Health Clinician and Mental Health Case Manager Positions (Supplemental Budgets Require 4/5 Vote)

Recommendation: That the Board of Supervisors ratify all previous actions taken by the Department of Health and Human Services (DHHS) and the County of Humboldt Board of Supervisors Board Chair pertaining to the Child Abuse Treatment (CHAT) grant; adopt the attached resolution which ratifies DHHS' submission of the CHAT grant application and the Board Chair's execution of the documents associated therewith; adopt the supplemental budget as attached in Exhibit B for fiscal year 2016-17, DHHS Mental Health budget unit 1170-424, Supplemental Budget requires 4/5 vote; approve the allocation of one (1.0 FTE) Mental Health Clinician I/II (job class 0909A/B, salary range 414/444) position in budget unit 424, effective immediately upon Board approval; approve the allocation of one (1.0 FTE) Mental Health Case Manager I (job class 0907, salary range 346) positions in budget unit 424, effective immediately upon Board approval; and direct the Clerk of the Board to return one certified copy of the Board Report to the DHHS Contract Unit.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

District Attorney

7. California Governor's Office of Emergency Services (Cal OES) Grant Augmentation and Supplemental Budget - Fiscal Year (FY) 2016-2017, Victim Witness Assistance Program

Recommendation: That the Board of Supervisors authorize the Chair to sign the attached Grant Award Face Sheet and the (2) Certifications of Assurance of Compliance; approve the attached supplemental budget in Fund 1100, Budget Unit 208, District Attorney's Victim Witness Program (4/5 vote); direct the Auditor-Controller to incorporate the attached supplemental budget into the adopted FY 2016-17 budget; and direct the Clerk of the Board to process and return the Grant Award Face Sheet and the (2) Certifications of Assurance of Compliance to the District Attorney's (DA) Office, attention Rachelle Davis, for submission to the State.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Libraries

8. Adjust Humboldt County Library (HCL) Hours of Operation for November 23, 2016; December 24, 2016; and December 31, 2016 at All HCL Locations

Recommendation: That the Board of Supervisors approve the change in open hours for the HCL as specified on Attachment 1 to accommodate an early closure of the County Library on November 23, 2016 and closure December 24 and December 31, 2016.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Planning and Building Department

9. Release from Conveyance and Agreement to Allow Construction of Second Residential Unit on Lot 23 (APN 511-084-042) of the Morgan Final Map Subdivision. Case Number PRK-16-001. Assessor Parcel Number 511-081-069. 1350 Underwood Court, McKinleyville Area

Recommendation: That the Board of Supervisors consider the application; authorize the Chair of the Board to execute the Quitclaim and Partial Reconveyance (for Development Restrictions) for Lot 23 of the Morgan Final Map Subdivision (Attachment A); direct Planning and Building Department - Planning Division to record the Quitclaim and Partial Reconveyance (for Development Restrictions); and direct the Clerk of the Board to give notice of the decision to the applicant and any other interested party and to return original copies to the Planning Division for recording.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Public Works

10. Humboldt County Fire Safe Council Five-Year Term Extension

Recommendation: That the Board of Supervisors review a staff report and associated supporting documents regarding a proposal to renew the Humboldt County Fire Safe Council ("HCFSC") for five years; review and approve the attached resolution extending the HCFSC as amended; and review and approve the attached list of proposed HCFSC member appointees and alternates.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

11. Third Amendment to the Agreement for Consultant Services to Rehabilitate Brookwood Drive Bridge (04C-124) over Jacoby Creek, Contract No.: 594124

Recommendation: That the Board of Supervisors approve the Third Amendment to the Agreement for Consultant Services with Quincy Engineering, Inc., which expands the scope of work and increases the cost to provide consultant services pertaining to the rehabilitation of Brookwood Drive Bridge (04C-124) Over Jacoby Creek; authorize the Chairman of the Board to execute three (3) originals of the Third Amendment to the Agreement for Consultant Services with Quincy Engineering, Inc.; and direct the Clerk of the Board to return two (2) executed originals of the Third Amendment to the Department of Public Works.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

D. SPECIAL PRESENTATIONS

1. National Disability Employment Awareness Month (Supervisor Mark Lovelace)

Recommendation: That the Board of Supervisors adopt the Proclamation.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

2. Binational Health Week and Latino Health Awareness Month in Humboldt County (Supervisor Mark Lovelace)

Recommendation: That the Board of Supervisors adopt the Proclamation.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

E. MATTERS SET FOR TIME CERTAIN

F. ITEMS PULLED FROM CONSENT

G. MATTERS INITIATED BY BOARD MEMBERS

H. DEPARTMENT REPORTS

Clerk of the Board

1. Appointment of 2016-2017 Member and Alternate to the California State Association of Counties (CSAC) Board of Directors

Recommendation: That the Board of Supervisors appoint a Member and Alternate to the California State Association of Counties Board of Directors, and direct the Clerk of the Board to notify Sue Ronkowski at CSAC, 1100 K Street, Suite #101, Sacramento, CA 95814, of the appointments.

A motion was made by Supervisor Fennell, seconded by Supervisor Sundberg, to nominate Supervisor Bass as the CSAC member and Supervisor Fennell as the alternate. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

2. Blue Ribbon Task Force Appointments

Recommendation: That the Board of Supervisors make appointments to the newly formed Blue Ribbon Task Force.

A motion was made by Supervisor Sundberg, seconded by Supervisor Fennell, to appoint Chris Hartley, Connie Stewart, Drew Redden, Dale Maples, Lance G. Morton, Tim Ash, William Damiano, Melissa Norwood, Cole Vanwey, Angela Sundberg, Human Resources Director Dan Fulks, and County Administrative Officer Amy Nilsen (or designee) to the Blue Ribbon Task Force. The motion carried by the following vote:

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

County Administrative Office

3. Responses to 2015-16 Grand Jury Reports: Earthquakes, Flood, Tsunami and Police Training

Recommendation: That the Board of Supervisors review and modify as necessary the proposed Grand Jury responses from the Board of Supervisors (Attachment 2); approve the documents, as may be modified, as the response; direct the Clerk of the Board, within five working days, to submit the final response with an accompanying Board Order to the 2015-16 Grand Jury and the Presiding Judge of the Superior Court; and direct the Clerk of the Board, within five working days, to submit two copies of all responses to the County Clerk/Recorder, one of which will be forwarded to the State Archivist, together with a copy of the original report.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Planning and Building Department**4. Analysis of Certification of Petition, Mobile Home Park Space Rent Stabilization**

Recommendation: That the Board of Supervisors receives a staff report on the impacts and possible costs associated with implementation of Mobile Home Park Space Rent Stabilization Initiative.

This item was pulled from the agenda and will return October 18, 2016.

I. 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 Agricultural Commissioner/Sealer of Weights and Measures pursuant to Government Code sections 54954.5 and 54957.

The Board of Supervisors met in closed session to consider the Public Employee Performance Evaluation for the position of Agricultural Commissioner/Sealer of Weights and Measures pursuant to Government Code sections 54954.5 and 54957. There was no action to report.

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 Director of Human Resources pursuant to Government Code sections 54954.5 and 54957.

The Board of Supervisors met in closed session to consider the Public Employee Performance Evaluation for the position of Director of Human Resources pursuant to Government Code sections 54954.5 and 54957. There was no action to report.

3. Conference with Legal Counsel pursuant to Government Code section 54956.9 subd. (d)(1); Tim Phillis and Kathy Phillis v. County of Humboldt; Humboldt County Superior Court Case No. DR150517.

The Board of Supervisors met in conference with Legal Counsel pursuant to Government Code section 54956.9 subd. (d)(1); Tim Phillis and Kathy Phillis v. County of Humboldt; Humboldt County Superior Court Case No. DR150517. There was no action to report.

4. Conference re Personnel Performance Evaluation -- pursuant to Government Code Section 54957, subd. (b)(1) regarding Department of Health & Human Services employee; and Conference with Legal Counsel -- pursuant to Government Code Section 54956.9, subd. (d)(2) relating to threatened litigation by Department of Health & Human Services employee.

The Board of Supervisors met in conference re Personnel Performance Evaluation -- pursuant to Government Code Section 54957, subd. (b)(1) regarding Department of Health & Human Services employee; and Conference with Legal Counsel -- pursuant to Government Code Section 54956.9, subd. (d)(2) relating to threatened litigation by Department of Health & Human Services employee. There was no action to report.

5. Conference with Legal Counsel to discuss threatened litigation pursuant to Government Code Section 54956.9 relating to Humboldt Mendocino Marijuana Advocacy Project, an unincorporated association v. County of Humboldt, the Board of Supervisors of the County of Humboldt, Humboldt Superior Court Case No. CV160171.

The Board of Supervisors met in conference with Legal Counsel to discuss threatened litigation pursuant to Government Code Section 54956.9 relating to Humboldt Mendocino Marijuana Advocacy Project, an unincorporated association v. County of Humboldt, the Board of Supervisors of the County of Humboldt, Humboldt Superior Court Case No. CV160171. There was no action to report.

J. PUBLIC COMMENT ON NON-AGENDA ITEMS – 1:30 P.M.

K. ADMINISTRATIVE ABATEMENT HEARINGS

L. PUBLIC HEARINGS

Auditor/Controller

1. Resolution Establishing Fiscal Year 2016-2017 Budgets for Special Districts Governed by the Humboldt County Board of Supervisors

Recommendation: That the Board of Supervisors adjourn and reconvene as the Board of Directors of those special districts governed by the Board of Supervisors; open the public hearing; receive reports from staff; receive testimony from public; close the public hearing; approve and adopt the Fiscal Year 2016-2017 budgets for special districts governed by the Board of Supervisors; and adopt the attached resolution No. _____, establishing fiscal year 2016-2017 budgets for special districts governed by the Board of Supervisors.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

Planning and Building Department

2. Grosjean Lot Line Adjustment and Zone Boundary Adjustment Application. Case Numbers LLA-15-002, ZBA-15-001. Assessor Parcel Numbers 504-021-007, 504-021-017. 15 Glendale Drive, Glendale Area

Recommendation: That the Board of Supervisors introduce Ordinance No. _____, (Attachment A) by title and waive further reading; open the public hearing and receive the staff report and public comment; close the public hearing and deliberate; make the necessary findings to approve the Lot Line Adjustment (LLA) and Zone Boundary Adjustment (ZBA) and adopt Ordinance No. _____, (Attachment A) amending Section 311-7 of the Humboldt County Code by reclassifying property in the Glendale area (ZBA-15-001; Grosjean) from Agriculture General with a combining zone that requires a five-acre minimum parcel size (AG-B-5(5)) to Agriculture General (AG) to conform to the reconfigured lot lines approved with the LLA; direct the Clerk of the Board to give notice of the decision to the applicant/owner, the County Assessor's Office and any other interested party, direct Planning and Building Department - Planning Division to file a Notice of Exemption pursuant to California Environmental Quality Act (CEQA); and direct the Clerk of the Board to publish a summary of the Ordinance within 15 days after adoption of the ordinance by the Board, along with the names of those Supervisors voting for and against the ordinance (Attachment B) 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.

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

Aye: 5 - Rex Bohn, Estelle Fennell, Mark Lovelace, Virginia Bass, and Ryan Sundberg

3. Appeal of Planning Commission Approval of the Dollar General Coastal Development and Special Permit. Case Number CDP-14-033AA, SP-14-049AA. Assessor Parcel Number 305-101-054. Humboldt Hill Area (Continued Agenda Item)

Recommendation: That the Board of Supervisors open the public hearing and receive the staff report, testimony and argument by the appellant and applicant, and public comment; based on the findings in the staff report and testimony received about the project, deny the appeal, uphold the Planning Commission's approval of the project, making the findings in Resolution No. _____, (Attachment E) for the Dollar General Coastal Development and Special Permit application subject to the conditions of approval; direct the Clerk of the Board to give notice of the decision to the appellant, the project applicant, the agent and any other interested party; and close the public hearing.

Per order of the Chair, this item was continued to November 15, 2016.

M. AFTERNOON DISCUSSION ITEMS

1. Reports on Board Member Travel at County Cost, Meeting Attendance, and Supervisorial District Matters

N. ADJOURNMENT

I, BROOKE EBERHARDT, 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.

BROOKE EBERHARDT

Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California




October 11, 2016



MINUTES
TUESDAY, OCTOBER 11, 2016
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, October 18, 2016, with the vote as shown below.

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



ANA HARTWELL
Deputy Clerk of the Board



MARK LOVELACE
Chair of the Board

D-8

COUNTY OF HUMBOLDT

For the meeting of: October 18, 2016

Date: October 12, 2016
 To: The Honorable Board of Supervisors
 From: Clerk of the Board of Supervisors
 Subject: **Approval of the Action Summary – Meeting of October 11, 2016**

RECOMMENDATION: That the Board of Supervisors approve the Action Summary for the meeting of October 11, 2016 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 October 11, 2016 is attached. This Action Summary encompasses all actions taken by the Board of Supervisors at their October 11, 2016 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 Brooke Eberhardt, Deputy Clerk of the Board CAO Approval: Cheryl 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 Fennell Seconded by Supervisor Bass

Ayes Fennell, Bass, Lovelace, Bohn, Sundberg
 Nays _____
 Abstain _____
 Absent _____

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

Dated: October 18, 2016

By: Brooke Eberhardt
 Brooke Eberhardt, Deputy Clerk of the Board