



*“Jobs, Homes & Individual Rights ”*

November 23, 2009

Mr. Jeff Smith, Chairman  
Planning Commission  
County of Humboldt  
825 Fifth Street, Room 111  
Eureka, California 95501

Subject: Public Testimony

Dear Chairman Smith and Members of the Commission:

As we testified before your Commission last Thursday evening, November 19, 2009, we urge you to reconsider your current policy regarding public testimony.....that there may or may not be an opportunity for such comment periods during future Planning Commission meetings.

We thoroughly appreciate you and the other Commissioners wanting to proceed through the General Plan update as quickly as possible. However, as members of the public, HELP is among several groups who believe there has not been adequate opportunity for our input on the various GP Elements.

Section 54954.3.(a) of The Brown Act reads as follows:

Every agenda for regular meetings **shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item**, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by subdivision (b) of Section 54954.2. However, the agenda need not provide an opportunity for members of the public to address the legislative body on any item that has already been considered by a committee, composed exclusively of members of the legislative body, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the legislative body. Every notice for a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item that has been described in the notice for the meeting before or during consideration of that item.

We were surprised County Counsel did not provide this guidance to you regarding California State law during last Thursday's meeting.

In reflecting on how it is that, after ten years of working on the General Plan update, the public's input has been limited, we would point to the so-called outreach meetings, where planning staff told some members of the public to sit down and be quiet during their attempt to communicate their opinions. And as you are aware, it also happened more than once at the Planning Commission meetings.

We would not be in this predicament if the County had only implemented the current / framework General Plan, Section: 5-1500 PLANNING AND COORDINATION

***The County should use combinations of the following techniques to involve the public in the planning process:***

***Planning Advisory Committees***

***Community Advisory Committees***

As we all know, this was not done -- in spite of HELP's letter of two years ago, to then County Counsel Mr. Ralph Faust, urging the Supervisors to establish such a committee. (See attached letter) Unfortunately, that has resulted in this pent-up demand for our voices to be heard.....a legal right we urge you not to deny.

Respectfully,

Kay Backer, representing  
Humboldt Economic & Land Plan

cc: Bruce Emad, Planning Commissioner  
Ralph Faust, Planning Commissioner  
Mary Gearheart, Planning Commissioner  
Mel Kreb, Planning Commissioner  
Dennis Mayo, Planning Commissioner  
Sef Murguia, Planning Commissioner  
Supervisor/Chair Jimmy Smith, District 1  
Supervisor Clif Clendenen, District 2  
Supervisor Mark Lovelace, District 3  
Supervisor Bonnie Neely, District 4  
Supervisor Jill Duffy, District 5  
Loretta A. Nickolaus, County Administrative Officer  
Kirk A. Girard, Community Development Services Director  
Michael Richardson, Senior Planner  
Kathy Hayes, Clerk of the Board  
Sharyn Lodes, Planning Commission Clerk  
Bonnie Blackberry, Civil Liberties Monitoring Project  
FRC Chairman and Members  
Lynn Jacobs, HCD Director  
Cathy Creswell, HCD Deputy Director  
Paul McDougall, HCD Program Manager

helpcountyjeffsmith24



“ Jobs, Homes & Individual Rights ”  
November 29, 2007

Mr. Ralph Faust  
County Counsel  
Humboldt County  
825 Fifth Street  
Eureka, California 95501

Subject: General Plan Update Task Force

Dear Ralph:

Thank you for meeting with me October 17<sup>th</sup>.....enjoyed our visit.

Have you received any feedback from the Supervisors regarding our proposal that the County form a General Plan Task Force? We are hopeful it would be a productive group consisting of representatives from, as an example:

- NCHB (Northern California Association of Home Builders)
- HAR (Humboldt Association of Realtors)
- CPR (Coalition of Property Rights)
- FRC (Forestry Review Committee)
- HELP (Humboldt Economic & Land Plan)
- Buckeye Conservancy
- Chambers of Commerce
- Healthy Humboldt
- Labor Unions
- Builders Exchange
- Harbor Commission
- CSDs (Community Services Districts)
- County Staff

It seems to us the work done by such a group could provide to the Planning Commission and to the Board of Supervisors, a meaningful body of work which would assist in making the process evolve smoother when all of the elements of the General Plan come together.

Other jurisdictions take this kind of approach and have found it to be a most efficient and collaborative process. It would be in keeping with the current Humboldt County General Plan / Framework Plan:

Section: 5-1500 PLANNING AND COORDINATION

5. The County should use combinations of the following techniques to involve the public in the planning process:

- Planning Advisory Committees
- Community Advisory Committees

Please call if we can be of assistance in any way.

Sincerely,

Kay Backer, representing  
Members of HELP

helpcountyfaust3

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