

EFFICIENCY, OVERSIGHT & TRUST

Advisory Committees and Boards to the Humboldt County Board of Supervisors

Released July 10, 2023

SUMMARY

The Humboldt County Board of Supervisors (BOS) currently oversee a yearly budget of approximately \$660 million and is assisted by 58 committees, boards, and commissions involving citizens and government officials. Thirty-seven committees have one or two supervisors as participating members addressing a wide range of issues. The five-member board is supported by the Clerk of the Board and three other clerks who have many time-consuming and ongoing tasks. The day-to-day operations reside with the County Administrative Officer who is tasked with an enormous responsibility.

The Humboldt County Board of Supervisors is at the center of a complex “input” and “output” information flow, but there is no log or calendar of communication received or due to be received or sent systematically distinguishing information from action items. The BOS is, for example, unaware that several committees may only be meeting sporadically, may have vacancies, may lack diverse community representation, may not be submitting mandated advisory reports to the BOS, or may be inactive. The Audit Committee, Behavioral Health Board, and Disaster Council are cases in point.

As County government evolves into the 21st century it is imperative that the BOS, as elected agents of the people, mandate changes to meet the expectations of the community.

BACKGROUND

The California Constitution recognizes two types of counties, of which there are 44 general law counties and 14 charter counties. General law counties, such as Humboldt County, adhere to state law as to the number and duties of county elected officials. Charter counties, on the other hand, have a limited degree of “home rule” authority.

Government Code Section §25000 requires each general law county to have a Board of Supervisors consisting of five members, each elected for a four-year term from one of five separate geographical districts of the county. BOS elections are non-partisan. Elections are staggered so that not all supervisors are on the ballot at one election. Humboldt County Supervisors are not term limited.

The BOS is both the legislative and the executive authority of the county. The board performs its executive role when it sets priorities for the county. The board oversees county departments and programs and annually approves their budgets; supervises the official conduct of county officers and employees; controls all county property; and appropriates and spends money on programs that meet county residents' needs. It fulfills a legislative role by passing necessary local laws (ordinances) that become part of the Humboldt County Code.

The Humboldt County Board of Supervisors usually meets Tuesdays at the Humboldt County Courthouse. A majority of the members of the board constitute a quorum for conducting business. A majority of all the members must concur on any act of the board. The BOS may enact rules governing how abstentions are counted. An official act of the BOS can only be performed in a regularly or specially convened meeting. The individual members have no power to act for the county merely because they are members of the BOS. Meetings of the BOS are subject to the restrictions of the Ralph M. Brown Act, Government Code Section §54950-54963.¹

With limited exceptions, the Brown Act requires that all BOS meetings be open and public. The board must keep a record of its decisions and the proceedings of all regular and special meetings. Agendas typically include community information to review, department budgets to approve and county business that is brought to their attention. Their weekly agenda is available on the county website, and sometimes parts of it are published in the local media. The minutes are published on the county website each week.

DISCUSSION

CLERKS

The Board of Supervisors has a staff of clerks and technical personnel who help set up each meeting and help the board members prepare for the topics of those meetings. The Clerk of the Board provides the official record of proceedings for the Humboldt County Board of Supervisors, including meeting records, resolutions, and ordinances. Clerk responsibilities also include administration of boards, commissions, and committees of the BOS; acceptance and processing of assessment appeals applications; and bid openings.

1. The duties of the Clerk of the Board are specified in the Humboldt County Code § 2416-2 (1982).²
 - a. Perform those duties prescribed by law for the County Clerk as ex officio Clerk of the Board of Supervisors or for the Clerk of the Board of Supervisors.
 - b. Attend each session of the Board of Supervisors of this County and attend committee meetings when requested to do so.

¹ https://www.rcrcnet.org/sites/default/files/documents/Gov_Code_Section_54950-54963.pdf

² <https://humboldt.county.codes/Code/2416>

- c. Keep and enter in the minute book of the Board a full and complete record of the proceedings of the Board at all regular and special meetings, including the entry of all decisions on questions concerning the allowance of accounts. The vote of each member on every question shall be recorded.
- d. In lieu of entering resolutions, ordinances, and agreements in full in the minute book, the Clerk will keep a resolution book, ordinance book and agreement book in which he shall enter all resolutions, ordinances, and agreements in full. In such case, references in the minute book to resolutions, ordinances, and agreements will be made by number and subject references.
- e. Immediately after each meeting of the Board, the Clerk shall deliver to and leave with the Auditor all demands allowed for the payment of money.
- f. File and preserve, or dispose of pursuant to law, all petitions, applications, and other papers and records deposited with him/her.
- g. Authenticate with his/her signature and the seal of the Board and file each ordinance, resolution, agreement, and Board order passed by the Board.
- h. Take acknowledgments and administer and certify oaths in the performance of his/her official duties.
- i. Prepare and maintain the appointment list provided for by §§ 54972 and 54975 of the Government Code and prepare and post the notice required to be posted by § 54974 of the Government Code.
- j. Administer the provisions of County Code §§ 262-1 262-5 regarding scheduling of Courthouse facilities for meetings.
- k. Perform such other duties as may be assigned from time-to-time by the Board of Supervisors. (Ord.1510, § 1, 1/12/1982)

COUNTY ADMINISTRATIVE OFFICER

The duties of the County Administrative Officer are specified in the Humboldt County Code § 241-6.³

Subject to the control and direction of the Board of Supervisors, the County Administrative Officer shall:

- a. Administration: Administer, enforce, and carry out the policies, rules, regulations, orders and Code sections implemented by the Board of Supervisors relating to the administration of County departments, services, institutions or districts.

³ <https://humboldt.county.codes/Code/241-6>

- b. Supervision: Supervise the affairs of the County as charged by the Board of Supervisors and supervise all departments, services, institutions and districts of the County for whom or for which the Board of Supervisors is required to adopt an annual budget, except the County Counsel; and to have the right to report on or to discuss with the Board of Supervisors any matter concerning the affairs of the departments, services, institutions or districts under County Administrative Officer supervision.
- c. Coordination: Coordinate the administration of all departments, services, institutions, or districts under his or her supervision with the power and authority to transfer equipment, machinery, furnishings or supplies from one department, service or institution to another, and to make recommendations to the Board of Supervisors for the temporary transfer of such personnel between departments, services or institutions as are necessary to perform the functions and accomplish the work of the county with the greatest efficiency.
- d. County Budget: Supervise, in cooperation with the Auditor-Controller, the preparation of the County's annual budget. In this connection, review all departmental, services and institutional requests and make recommendations to the Board of Supervisors concerning decreases, increases and other changes in the preliminary and final budgets.
- e. Budget Control and Transfers: The County Administrative Officer, in cooperation with the Auditor-Controller, shall exercise continuous control over administration of the preliminary and final budget, and in connection, may establish policies and procedures for the transfer of funds and for the adoption of supplemental budgets. The County Administrative Officer, in cooperation with the Auditor-Controller and the respective department head, shall oversee departmental, services and institutional expenditures to assure that all expenditures are necessary and proper and that approved appropriations are not exceeded.
- f. Personnel: Make recommendations concerning the County's personnel policies and practices that are intended to result in a more efficient personnel program. Review all requests for additional personnel and make recommendations concerning such requests to the Board of Supervisors. In connection with personnel matters, the County Administrative Officer may make such studies, surveys, and recommendations, including comparative studies, surveys and recommendations, including comparative studies and surveys, as necessary concerning the number, qualifications and compensation of employees in any of the various departments and offices. The County Administrative Officer shall also make such studies and surveys concerning personnel matters as requested to make by the Board of Supervisors.
- g. Performance Evaluations. At the direction of the Board of Supervisors, the County Administrative Officer shall assist the Board in scheduling and evaluating appointed Department Head performance. The CAO shall confer with department heads as necessary to discuss any issues noted and to suggest remedial action.

- h. Recommendations Concerning Appointments and Dismissals: Upon direction from the Board, the County Administrative Officer shall recommend one or more qualified persons for appointment to any County office, department, service, institution or district when the Board of Supervisors is the appointing power, prior to the appointment being made. In the event that the County Administrative Officer, after investigation, is of the opinion that any appointee of the Board of Supervisors to a County office, department, service, institution or district is not properly carrying out his or her duties, the County Administrative Officer shall recommend to the Board of Supervisors regarding the continued employment status of said appointee including but not limited to reassignment, reduction, or discipline up to and including termination.
- i. Travel Requests: Approve all requests for out of county travel in accordance with the provision of Code Sections 254-1 to 254-13.
- j. Supervisors' Meetings: The County Administrative Officer, or a representative designee, shall attend all meetings of the Board of Supervisors, except when excused therefrom, and advise and make recommendations concerning matters falling within his or her jurisdiction.
- k. Legislative Recommendations: Make recommendations to the Board of Supervisors concerning the endorsement or opposition of any proposed local, State or Federal legislation for which the County Administrative Officer feels the County should take a position. The County Administrative Officer shall also recommend to the Board Humboldt County Civil Grand Jury 2022-2023 pg. 5 of Supervisors the adoption of new and revised ordinances, Code sections, orders and resolutions when it is believed that such action would be in the best interest of the County.
- l. Investigations, Studies and Surveys: Make such investigations, studies and surveys as ordered by the Board of Supervisors or as deemed necessary by the County Administrative Officer.
- m. Recommendations Concerning Efficiency and Coordination: Make recommendations to the Board of Supervisors that the County Administrative Officer believes will result in greater efficiency and economy in the administration of County affairs. Such recommendations shall include, but not be limited to, matters involving the coordination of all County offices, departments, institutions, services or districts.
- n. Contracts: Make such recommendations to the Board of Supervisors regarding the feasibility of entering into any contracts, agreements, arrangements or other legal relationships as the County Administrative Officer believes will result in the greatest benefit to the County.
- o. Office to be Available for Contacting Supervisors: Operate the County Administrative Office so that it will be available as a place for the public to contact members of the Board of Supervisors and leave messages for them.
- p. Other Duties: Perform such other duties as may be assigned from time to time by the Board of Supervisors.

- q. Intergovernmental Affairs. The County Administrative Officer shall represent the Board of Supervisors in the County's intergovernmental relationships and activities in accordance with Board policies and directive.

The County Administrative Officer shall be appointed by and serve at the pleasure of the Board of Supervisors. (Humboldt County Code § 241-3)

COUNTY ADMINISTRATIVE OFFICER AND CLERK TASKS

The tasks assigned to the CAO and Clerks are time-consuming and ongoing with new tasks added daily. The CAO and Clerks constantly prioritize tasks. Sometimes delayed tasks wind up on the bottom of the to-do stack. This creates a backlog that the clerks find impossible to keep up with. Clerks also field phone calls, handle walk-ins, and sort mail requests. As with other county offices, this office is understaffed. The Supervisors share the clerks instead of each Supervisor having an individual clerk. It appears the BOS has a reactive approach to County tasks instead of a proactive approach. The clerks use the Granicus software package to manage some of their tasks. The clerks approve of this software.

COMMUNICATION

The Board of Supervisors is at the center of a complex information flow assisted by the County Administrative Officer (CAO) and the clerks who prioritize the information for the supervisors.

Input to the BOS include reports, studies, or demands for action addressed to the BOS either because they are mandated by ordinance or law, ordered by the BOS, or deemed by the sender to be an important information item. Input sources include committees, local, state, or federal agencies, county departments, and outside auditors.

Output from the BOS or subordinate departments include reports and studies on behalf of Humboldt County to the State of California or federal government. These items may be required by law or regulation. Other reports, such as grant applications, may be optional. There is no log or calendar of input and output communication, received or due, and no distinction between information and action items.

Intergovernmental grants-in-aid are important to funding county programs. The Sheriff's office and the Department of Health and Human Services have employed grant writers from time-to-time.

UNDERSTANDING OF INDIGENOUS CULTURE

There are eight Federally recognized Tribes in Humboldt County.⁴ They include:

[Bear River Band of the Rohnerville Rancheria](#)

[Big Lagoon Rancheria](#)

[Blue Lake Rancheria](#)

[Cher-Ae Heights Indian Community of the Trinidad Rancheria](#)

[Hoopa Valley Tribe](#)

[Karuk Tribe](#)

[Wiyot Tribe](#)

[Yurok Tribe of the Yurok Reservation](#)

While investigating County committees we noticed the lack of tribal representation. This misses opportunities for a significant portion of our population to be included. A tribal oversight liaison would contribute to collaboration between the tribes and the County. That would benefit all of us!

ADVISORY BOARDS, COMMITTEES, AND COMMISSIONS

Advisory Boards, Committees and Commissions are created and assembled by the BOS. They often contain “experts in the field” that have knowledge about the issues that caused the creation of that given committee. Committees are charged with reporting information to the BOS. This helps the Board to help manage and structure the Board’s work. Each Advisory Board, Committee or Commission operates with bylaws that designate how often they will meet with the BOS and what information or advice will be passed on to the BOS.

There are currently thirty-seven committees in which one or two members of the BOS participate. Twenty-one other advisory committees have resident-only membership.

THIRTY-SEVEN (37) BOARDS, COMMITTEES, AND COMMISSIONS WITH SUPERVISOR MEMBERSHIP:

1. Air Quality Management District (See North Coast Unified Air Quality Management District (NCUAQMD))
2. Area 1 Agency on Aging (A1AA) Advisory Council
3. Humboldt County Association of Governments (HCAOG)

⁴ <https://www.bia.gov/service/tribal-leaders-directory/federally-recognized-tribes>

4. Audit Committee, Humboldt County
5. Aviation Advisory Committee (Airline Recruitment Subcommittee)
6. Behavioral Health Board
7. California Cannabis Authority
8. California State Association of Counties (CSAC) – Board of Directors
9. Cal-Trans North District External Advisory Liaison
10. Convention and Visitors Bureau
11. Court/County Facilities Group
12. Disaster Council
13. Eel Russian River Commission
14. Eureka City and County Round Table Committee
15. Fire Services Ad Hoc
16. First 5 (Children and Families Commission of Humboldt County)
17. Great Redwood Trail Authority
18. Hazardous Materials Response Authority
19. Headwaters Fund Board
20. Humboldt Transit Authority (HTA)
21. Juvenile Justice Coordinating Council
22. Klamath Basin Coordinating Committee
23. Local Agency Formation Commission (LAFCO)
24. National Association of Counties
25. North Coast Emergency Medical Services Governing Board
26. North Coast Resource Partnership
27. North Coast Unified Air Quality Management District (NCUAQMD)
28. Northwest California Resource Conservation and Development Council
29. Redwood Coast Energy Authority (RCEA)
30. Redwood Coast Regional Center (RCRC)
31. Redwood Region Economic Development Commission
32. Sempervirens Joint Conference Committee
33. St. Joseph Hospital Advocacy Committee
34. Transient Occupancy Tax Ad Hoc Working Group
35. Trinity River Basin Fish and Wildlife Subcommittee
36. Waste Management Authority (Humboldt)

37. Workforce Development Board

TWENTY-ONE (21) COMMITTEES WITHOUT SUPERVISOR MEMBERSHIP:

1. Assessment Appeals Board
2. Big Lagoon Subdivision Design Review Committee
3. Fire Safe Council
4. Fish and Game Advisory Commission
5. Forestry Review Committee
6. Great Redwood Trails
7. Housing Authority Commission
8. Housing Trust Fund and Homelessness Solutions
9. Human Rights Commission
10. In-Home Supportive Services Advisory Committee
11. Law Library Board
12. McKinleyville Municipal Advisory Committee
13. Measure Z Citizens Advisory Committee
14. Orick Design Control Committee
15. Planning Commission
16. Project Trellis
17. Public Finance Authority – Samoa Peninsula Enhanced Infrastructure Financing District
18. Public Property Leasing Corporation
19. Redistricting Advisory Committee
20. Resource Conservation District
21. Williamson Act Advisory Committee

Although the Humboldt County Civil Grand Jury has not reviewed the mandate of each committee, some committees, typically ad hoc, may no longer be needed. Some necessary committees meet only sporadically, many lack diversity and have an abundance of vacancies, many are not submitting required advisory reports to the BOS, and some may be inactive. The Audit Committee, Behavioral Health Board, and Disaster Council are cases in point.

The Audit Committee has only met 3 times in the last 2 years. The Behavioral Health Board until recently had numerous vacancies and lacked the required diversity from the community. The Disaster Council has not met since 2015.

This workload and the apparent lack of oversight on the part of the Board of Supervisors is an argument for each supervisor having their own clerk.

FINDINGS

The Humboldt County Civil Grand Jury finds that:

- **F1:** The clerks assigned to the Humboldt County Board of Supervisors are competent, dedicated, and hardworking individuals.
- **F2:** The Humboldt County Board of Supervisors share an insufficient number of clerks making it difficult for them to keep up with the intricacies of government, leading to poor direction, poor oversight and missed deadlines.
- **F3:** Some of the Humboldt County Board of Supervisors' advisory boards, commissions, and committees have met sporadically, if at all, leading to a breakdown in communication.
- **F4:** Local tribal governments and other underrepresented community members are not represented in many of the 2023 Board of Supervisors committees. This leads to a lack of representation for a sizable community population.
- **F5:** The relationship and responsibilities of the Audit Committee to the Humboldt County Board of Supervisors is uncertain and could lead to budgetary problems.
- **F6:** The Humboldt County Board of Supervisors has limited ability to hold various committees accountable for missing mandated reports. Thus, key agenda items may be delayed or missed altogether, with resident services impacted.
- **F7:** Missed mandated committee reports and meetings cause disruption to employees working in a process already understaffed and overworked.
- **F8:** The lack of a permanent, full-time grant writing position leads to Humboldt County missing out on potential funding.
- **F9:** We could find no evidence that the Disaster Council has met since the adoption of the Humboldt County Emergency Operation Plan in 2015, leading to no guidance for updating emergency planning, coordination, or response.

RECOMMENDATIONS

The Humboldt County Civil Grand Jury recommends that:

- **R1:** The Humboldt County Board of Supervisors enlarge their staff, ensuring that each supervisor has a personal clerk. This hiring to commence by January 31, 2024. For funding recommendations see wording below recommendation #6. **(F2, F7)**
- **R2:** The Humboldt County Board of Supervisors and Audit Committee meet on a permanent regular basis to review the current auditor's office policies and procedures. **(F5)**
- **R3:** The Humboldt County Board of Supervisors establish a dedicated liaison position for Tribal affairs to address Tribal issues and systems interactions. This is to be implemented by December 31, 2024. **(F4)**
- **R4:** The Humboldt County Board of Supervisors create a permanent grant writer position. This is to be implemented by January 1, 2024. For funding recommendations see wording below recommendation #6. **(F8)**
- **R5:** The Humboldt County Board of Supervisors review county advisory boards, commissions, and committees not mandated by the state or federal governments, and sunset those no longer meeting or relevant. This is to be implemented by January 1, 2024. **(F3, F6)**
- **R6:** The Humboldt County Board of Supervisors fully staff the Disaster Council and schedule meetings no later than December 31, 2023 for the purpose of reviewing, rewriting, and updating the county's Emergency Operation Plan. **(F9)**
 - **Funding Recommendation:** The Grand Jury recommends that the Humboldt County Board of Supervisors fund the expenses listed in R1, R2, R3, and R4 with existing appropriations in the current fiscal year. If current appropriations are not sufficient, the Grand Jury recommends that the Board of Supervisors, at its next earliest opportunity, pursue additional funding from an appropriate agency, including state or federal agencies.

REQUEST FOR RESPONSES

Pursuant to California Penal Code sections 933 and 933.05, the Grand Jury requests each entity or individual named below to respond to the enumerated Findings and Recommendations within specific statutory guidelines.

Responses to Findings shall be either:

- The respondent agrees with the finding
- The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

Responses to Recommendations shall be one of the following:

- The recommendation has been implemented, with a summary regarding the implemented action.
- The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation
- The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency where applicable. This time frame shall not exceed six months from the date of the publication of the Grand Jury report.
- The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

REQUIRED RESPONSES – Within 90 days

The Humboldt County Board of Supervisors
(F2 through F9) and (R1 through R10)

The Humboldt County Auditor/Controller – Within 60 days
(F5) and (R2)

The Humboldt County Sheriff – Within 60 days
(F9)

INVITED RESPONSES

The Humboldt County Administrative Officer
(F2 through F9) and (R1 through R10)

The Tribal Councils of:

Bear River Band of the Rohnerville Rancheria

Big Lagoon Rancheria

Blue Lake Rancheria

Cher-Ae Heights Indian Community of the Trinidad Rancheria

Hoopa Valley Tribe

Karuk Tribe

Wiyot Tribe

Yurok Tribe of the Yurok Reservation

(F4) and (R3)

Responses are to be sent to:

The Honorable Judge Neel
Humboldt County Superior Court
825 5th Street, Eureka, CA 95501

The Humboldt County Civil Grand Jury
825 5th Street, Eureka, CA 95501

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identify of any person who provides information to the Grand Jury.