



AGENDA ITEM NO.
H-6

COUNTY OF HUMBOLDT

For the meeting of: December 2, 2014

Date: November 17, 2014
To: Board of Supervisors
From: Phillip Smith-Hanes, County Administrative Officer *PSH*
Subject: Citizens' Advisory Committee on Measure Z Expenditures

RECOMMENDATION(S):

That the Board of Supervisors review and discuss composition of a citizens' advisory committee on expenditure of funds derived from the countywide local sales tax imposed pursuant to Measure Z and provide direction to staff to return with a resolution establishing the committee.

SOURCE OF FUNDING: General Fund (Local Sales Tax Measure)

DISCUSSION:

On November 14, the County Administrative Officer reported to your Board on the likely passage of Measure Z, the results of which are being certified today in separate Board action. The passage of Measure Z imposes a 0.5-percent local transactions and use tax (sales tax) countywide in accordance with Humboldt County Code Sections 718-1 through 718-18.

At the meeting of November 14, your Board discussed a number of options concerning the advisory committee called for in Section 718-17 "that will make recommendations to the Board of Supervisors as to expenditure of funds derived from this tax." It appeared to be the consensus of your Board that such a

Prepared by Phillip Smith-Hanes CAO Approval *Cheryl Dillingham*

REVIEW:
Auditor _____ County Counsel *WBC* Human Resources _____ Other _____

TYPE OF ITEM:
 Consent
 Departmental
 Public Hearing
 Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor _____ Seconded by Supervisor _____

Ayes _____
Nays _____
Abstain _____
Absent _____

SEE ACTION SUMMARY

PREVIOUS ACTION/REFERRAL:

Board Order No. H-4

Meeting of: 11/14/14

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

Dated: _____
By: _____
Kathy Hayes, Clerk of the Board

committee should consist of nine members, including one member from each supervisorial district, appointed by the Supervisor thereof. Your Board also expressed a desire for two additional seats as at-large representatives appointed by the Board as a body. The questions that remain concern:

- How should representation of a broad range of interests be achieved?
- Should there be alternates in addition to the nine members of the committee?
- For what term should committee members be appointed?

How should representation of a broad range of interests be achieved?

The sales tax imposed by the passage of Measure Z is a general purpose tax. It can be spent on any County service. However, it was clear that the impetus for your Board's decision to place the measure before voters was community concern around public safety. What is less clear is how public safety should be defined, and how (or whether) the community concern about public safety should be reflected in the composition of a citizens' advisory committee.

One of the actions that your Board took in advance of your decision to place Measure Z on the ballot was to commission a professional survey of likely voters to determine community priorities for expenditure of funds. The results of that survey were presented to the Board on July 8. As revealed at that time, the top spending priorities identified by more than two-thirds of surveyed voters as extremely or very important were:

Investigating violent crimes such as rape and domestic violence – 85%

Maintaining 911 emergency response times – 83%

Ensuring there are Sheriff's deputies on-duty 24 hours a day – 83%

Providing services for the victims of child abuse – 80%

Investigating property crimes such as burglaries, robberies and auto theft – 72%

Maintaining support services for local veterans – 71%

Reducing the practice of "catching and releasing" criminals due to overcrowded jails – 71%

Maintaining rural ambulance services – 70%

Providing protective services for the witnesses of child abuse – 69%

Maintaining rural fire protection services – 67%

These services are provided by a number of County departments and outside agencies, including the Sheriff's Office, Tribes, private companies, fire districts, the District Attorney's Office, and the Department of Health & Human Services. In addition, these departments and agencies in turn rely on other departments to complement the direct services they provide. A spending priority around "maintaining support for local veterans," for one example, might rely on the County Administrative Office negotiating contracts with local veterans' groups, the Public Works Department providing maintenance services for veterans' halls, the Auditor's Office processing payments, the County Counsel providing advice on contract terms, and the Department of Health & Human Services providing direct services. Even something as seemingly straightforward as "ensuring there are Sheriff's deputies on-duty 24 hours a day" relies not just on the Sheriff's Office but also the recruitment and risk management services of Human Resources, the payroll services of the Auditor's Office, the radio repeater maintenance services of Information Technology, and the fleet management services of Motor Pool.

Your Board, therefore, is faced with a significant challenge in making sure that a citizens' advisory committee will adequately consider all the expenditure priorities that might be associated with achieving voters' desired intent – as well as any new community priorities that might arise over the five-year life of

the countywide local sales tax imposed by Measure Z. Some suggestions mentioned by your Board on November 14 were:

- Provide a designated representative for the Humboldt County Fire Chiefs' Association: The County does rely on a formula developed by the Chiefs' Association in annually distributing a share of Proposition 172 funds to the fire districts.
- Provide a designated representative for the Humboldt County Sheriff. The Sheriff currently has the authority to designate a representative on another Board-created committee, the Citizens' Law Enforcement Liaison Committee.
- Ask the Community Corrections Partnership (CCP) to nominate one member to the citizens' advisory committee. Although the CCP exists primarily to develop the local plan for public safety realignment, it does have the advantage of a broad perspective on the criminal justice system including local courts, Probation, the Public Defender, city police departments and treatment providers as well as the Sheriff, District Attorney and Health & Human Services.
- Provide that designated representatives be non-voting members of the committee. All of the groups mentioned as likely to designate a representative also fit into the community priorities for expenditure of funds.

There is a large range of options from which your Board could choose. Possibilities include:

5 members by district 2 at-large 2 non-voting: - 1 by Fire Chiefs - 1 by Sheriff	5 members by district 2 at-large 2 non-voting: - 1 by Fire Chiefs - 1 by CCP	5 members by district 2 at-large 2 voting: - 1 by Fire Chiefs - 1 by Sheriff	5 members by district 2 at-large 2 voting: - 1 by Fire Chiefs - 1 by CCP
5 members by district 2 at-large - 1 "CCP-type" - 1 general community 2 voting: - 1 by Fire Chiefs - 1 by Sheriff	5 members by district 2 at-large - 1 "CCP-type" - 1 general community 2 non-voting: - 1 by Fire Chiefs - 1 by Sheriff	5 members by district 2 at-large - represent public safety other than Fire & Sheriff 2 non-voting: - 1 by Fire Chiefs - 1 by Sheriff	5 members by district 2 at-large - represent public safety other than Fire & Sheriff 2 voting: - 1 by Fire Chiefs - 1 by Sheriff

Staff seeks direction from your Board in choosing one of these options – or another possibility. The resulting configuration would be included in a resolution forming the committee. In the attached example (Attachment 2) this information would be included in Section 4.

Staff would also appreciate any other guidance your Board may wish to provide in defining membership criteria, such as whether current employees of the County or another beneficiary agency would be eligible to serve as a member (voting or non-voting) of the committee.

Should there be alternates in addition to the nine members of the committee?

Unlike many Board-appointed committees which do their work periodically throughout the year, the citizens' advisory committee on Measure Z expenditures would be expected to work very intensely during a confined period of time – approximately two months during the spring between revenue estimates and the need for expenditure plans to be finalized. For this reason, it will be important that the committee have a

quorum of voting members who are eligible to attend a number of meetings and do interim reading during this confined time period. Because good candidates for committee service are also likely to have other commitments in the community, the Board may wish to consider appointing designated alternates who could fill in for absent members. This issue may be particularly important if the Board decides that not all of the nine members of the committee should be voting members.

The principal risk of designating alternates is to create a committee that is so large as to be non-functional. However, to maximize the community input into the process of allocating funds derived from the countywide local sales tax staff recommends that the Board take steps to ensure an adequate quorum of members during the time period expenditure recommendations will need to be made. Your Board may also wish to consider what number of members of the committee should constitute a quorum. This question is posed in Section 7 of Attachment 2.

For what term should committee members be appointed?

Often, appointees to Board-created committees serve fixed terms. These may be one year, four years, or some other period tied to the purpose of the committee. In the case of Measure Z, the countywide local sales tax expires by the terms of County Code Section 718-16 on March 31, 2020. Therefore, the Board could choose to appoint members of the advisory committee to a five-year term. A term of this length would overlap with Board elections in 2016 and 2018, but if the District appointees serve at the pleasure of individual Board members they could be replaced with the election of new Supervisors.

The advantage of a longer term is the increased likelihood of long-serving committee members becoming acquainted with the County's overall revenue and expenditure picture, the strengths and weaknesses of various funding proposals and the budget process. This could lead to increased efficiency for committee meetings after the first year. The disadvantage of a longer term is that committee members may become less open to new ideas over time, providing less potential for meaningful public input into the expenditure recommendation process.

Conversely, a shorter term has the potential for reinvigorating the committee process by infusing new membership into the committee but the drawback of increased staff time spent educating new members. It has also been recent experience that for appointments that your Board is called to make each year (such as Law Library Trustees or Access Humboldt) the same persons tend to be re-appointed multiple times, minimizing both the advantages and disadvantages of the shorter term length.

Staff is open to further direction from your Board regarding each of these questions. Also attached (Attachment 1) is a draft application form for the committee. Depending on your Board's answers to the questions posed above, this form can be modified.

FINANCIAL IMPACT:

There is no financial impact to establishing the advisory committee.

This action conforms to your Board's Strategic Framework as a new initiative that makes a proactive decision to partner to promote quality services through fostering transparent, accessible, welcoming and user friendly services.

OTHER AGENCY INVOLVEMENT:

Any agency eligible to receive funding from the County's General Fund is potentially affected.

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

ATTACHMENTS:

1. Draft Application Form
2. Resolution Framework



CLERK OF THE BOARD DIVISION
OF THE BOARD OF SUPERVISORS' OFFICE

COUNTY OF HUMBOLDT

825 FIFTH STREET
EUREKA, CALIF. 95501-1153

PHONE (707) 476-2384; 445-7299 (FAX)

APPLICATION TO SERVE ON THE HUMBOLDT COUNTY

CITIZENS' ADVISORY COMMITTEE ON MEASURE Z EXPENDITURES

APPLICANT NAME: _____

MAILING ADDRESS: _____

TELEPHONE: Home: _____ Work: _____ Mobile: _____

E-MAIL ADDRESS: _____

OCCUPATION: _____

ARE YOU A CURRENT EMPLOYEE OF OR VOLUNTEER FOR THE COUNTY OR ANY AGENCY

LIKELY TO APPLY FOR MEASURE Z FUNDS? _____ NO _____ YES

IF YES, WHAT AGENCY OR DEPARTMENT? _____

PERSONAL REFERENCES:

(1) _____ PHONE: _____

(2) _____ PHONE: _____

PRIOR ADVISORY BOARD OR BOARD OF DIRECTORS EXPERIENCE? _____ NO _____ YES

ON THE BACK OF THIS PAGE OR A SEPARATE SHEET OF PAPER, PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. WHAT EXPERIENCE DO YOU HAVE IN MAKING BUDGET RECOMMENDATIONS?
2. WHY ARE YOU INTERESTED IN SERVING ON THE **CITIZENS' ADVISORY COMMITTEE ON MEASURE Z EXPENDITURES?**

PLEASE ATTACH A CURRENT RESUME.

I declare under penalty of perjury under the laws of the State of California that the above statements and all attachments are true and correct

DATE: _____ SIGNATURE: _____

SUBMIT THIS APPLICATION TO:
HUMBOLDT COUNTY CITIZENS' ADVISORY COMMITTEE ON MEASURE Z EXPENDITURES, Clerk of the Board,
825 Fifth Street, Suite 111, Eureka, CA 95501-1153.

DATE TO SUPERVISOR _____ DATE APPROVED _____ NOT APPROVED _____

FRAMEWORK FOR
RESOLUTION ESTABLISHING A CITIZENS' ADVISORY COMMITTEE
ON MEASURE Z EXPENDITURES

WHEREAS, on November 4, 2014, the voters of Humboldt County adopted a countywide local transactions and use tax ("sales tax") through an affirmative vote on a local measure known as Measure Z; and

WHEREAS, the citizens of Humboldt County have a strong interest in transparency and accountability for expenditure of funds derived from this countywide local sales tax; and

WHEREAS, Ordinance No. 2517, by which the Board of Supervisors placed Measure Z before the voters of this county, calls for an advisory committee "that will make recommendations to the Board of Supervisors as to expenditure of funds derived from this tax"; and

WHEREAS, the Board of Supervisors may appoint commissions or committees of citizens to study problems of general or special interest to the board and to make reports and recommendations to the board pursuant to Government Code §31000.1; and

WHEREAS, the Board of Supervisors desires to establish a Citizens' Advisory Committee to study problems of general interest regarding expenditure needs for funds derived from the countywide local sales tax imposed pursuant to Measure Z;

NOW, THEREFORE, the Board of Supervisors of the County of Humboldt resolves as follows:

1. Committee

The Humboldt County Citizens' Advisory Committee on Measure Z Expenditures is hereby established.

2. Purpose

The purpose of the Citizens' Advisory Committee on Measure Z Expenditures is to assist the Board of Supervisors in taking public input on the expenditure of funds derived from the countywide local sales tax imposed pursuant to Measure Z. Purposes may include:

- a. Solicit applications for funding from County departments and outside agencies.
- b. Conduct public hearings to examine the various proposals received in response to the solicitation of applications and weigh the value of the various proposals.
- c. Make recommendations as to the proposals that should be funded given the projected amount of revenue to be derived from the countywide local sales tax.
- d. Provide those recommendations to the County Administrative Office for transmittal to the Board of Supervisors as part of the annual budget process.

3. Duties

The duties of the Citizens' Advisory Committee on Measure Z Expenditures shall include:

- a. Becoming familiar with current and projected County revenues and expenditures.
- b. Providing a forum for public expression of desires regarding expenditure of funds derived from the countywide local sales tax.
- c. Working with the County Administrative Office and members of the public to address potential public concerns about expenditure of funds derived from the countywide local sales tax.
- d. Providing an annual report of recommended expenditures to the County Administrative Office for inclusion in the annual budget.

4. Membership

The Citizens' Advisory Committee on Measure Z Expenditures shall be composed of nine (9) members who shall be appointed by the Board of Supervisors, as follows:

One member from each Supervisorial District, appointed by the Supervisor thereof with notice to his/her fellow Supervisors.

Four members to be appointed by majority vote of the Board of Supervisors. **[Need to clarify how they are to be selected. Should alternates also be appointed?]**

5. Term of Office

All appointments shall be for a term of ___ years. Members of the Citizens' Advisory Committee on Measure Z Expenditures shall serve at the pleasure of the Board of Supervisors. **[Need to clarify term.]**

6. Officers and Their Duties

The members of the Citizens' Advisory Committee on Measure Z Expenditures shall select a Chair and a Vice Chair. The Chair shall preside at all meetings and shall provide the agenda for such meetings. The Vice Chair shall preside in the absence of the Chair and shall assist the Chair in the conduct of his/her office.

A staff member designated by the County Administrative Officer shall serve as secretary to the committee and shall keep the minutes of all meetings, prepare correspondence under the direction of the Chair or Vice Chair, send notices of meetings, maintain membership lists, and maintain the files of the committee. This staff member shall not be a member of the committee and shall have no vote on any item to come before the committee.

7. Meetings

The Citizens' Advisory Committee on Measure Z Expenditures shall hold regular meetings at such time and place as shall be agreed upon by the committee and such other special meetings as shall be required from time to time. Special meetings shall be called by the Chair or, in his/her absence from the County, by the Vice Chair. Special meetings shall be effective for

the transaction of business only if notice has been given to each member at least forty-eight (48) hours in advance of the special meeting, and the notice shall contain the subject of the special meeting. No action taken at either regular or special meetings shall be valid unless approved by a majority of the members of the committee present and voting, and unless a quorum is present. A quorum shall consist of ___ members of the committee. **[Should this number be more than 5?]**

8. Removal of Members for Failure to Attend Meetings

In the event that any member of the Citizens' Advisory Committee on Measure Z Expenditures shall absent himself/herself from three (3) consecutive regular meetings of the committee without showing good cause therefor to the Chair, at the fourth such consecutive regular meeting from which he/she is absent his/her place shall automatically become vacant. Such vacancy shall be reported to the Board of Supervisors, and the Board of Supervisors shall appoint another member for the unexpired term of the member whose absence gave rise to the vacancy.

9. Open Meeting Requirement

Citizens' Advisory Committee on Measure Z Expenditures meetings shall be open to the public and subject to the Ralph M. Brown Act (Government Code commencing with Section 54950). The Citizens' Advisory Committee on Measure Z Expenditures shall carry out its functions in accordance with procedures established by the Board of Supervisors, or in the absence of such procedures, shall establish its own procedures consistent with State and local law and Robert's Rules of Order. The committee shall obtain input and advice from appropriate County staff in carrying out its duties.

10. Conflict of Interest Code

The Citizens' Advisory Committee on Measure Z Expenditures shall comply with all applicable laws regarding conflict of interest, including the Political Reform Act (Government Code commencing with Section 81000) and the Humboldt County Conflict of Interest Code.

11. Effective Date

This Resolution shall take effect thirty (30) days from and after its date of adoption.