



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

I-1

For the meeting of: February 7, 2017

Date: January 19, 2017
To: Board of Supervisors
From: Clerk of the Board, Kathy Hayes *(P)*
Subject: Notification of Headwaters Fund Board Vacancy

RECOMMENDATION(S): That the Board of Supervisors:

1. Receive notification of one (1) vacancy on the Headwaters Fund Board; and
2. Consider the process and/or procedure for filling the vacancy per Section 4 of the "Protocol for Board Appointments" (Attachment 3) approved by Board Action on April 12, 2011.

SOURCE OF FUNDING: N/A

DISCUSSION: Zachary E. Zwerdling has been serving as a Board Member on the Headwaters Fund Board since 2009. He was reappointed in February, 2011 and again in February, 2014. Per the attached Headwaters Fund Charter (Attachment 2), he will have served a maximum of eight years and is no longer eligible to continue serving after his final term expires in April, 2017.

The Board of Supervisors needs to determine the process and/or procedure for filling the open seat, and then provide direction to the Headwaters Fund Board Subcommittee once the process/procedure has been established.

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT: N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

Prepared by: Kathy Hayes *(P)* Signature: *E. Sundberg*
REVIEW: Auditor: County Counsel *JB* Personnel: Risk Manager: Other:

TYPE OF ITEM:

☐ Consent
☒ Departmental
☐ Public Hearing
☐ Other

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor *Wilson* Seconded by Supervisor *Sundberg*

Ayes: *Sundberg, Fennell, Bass, Bohn, Wilson*
Nays:
Abstain:
Absent:

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

Dated: *Feb. 7, 2017*

By: *Kathy Hayes*
Kathy Hayes, Clerk of the Board

ATTACHMENTS:

1. Attachment 1 – Headwaters Fund Board Roster
2. Attachment 2 – Headwaters Fund Board Charter
3. Attachment 3 – Protocol for Board Appointments

Headwaters Roster January 2017

Attachment #1

NAME	APPOINTED	REAPPOINTED	EXPIRES
JEANA MCCLENDON [REDACTED] Fortuna, CA 95540 [REDACTED] jeanachristina@yahoo.com	March 1, 2016		March 2018 Term out 2024
CHARLES ELLSWORTH [REDACTED] Eureka, CA 95501 [REDACTED] orahorace@sbcglobal.net	May 26, 2015	March 2016	March 2019 Term out 2022
DIANNA RIOS – VICE CHAIR [REDACTED] Fortuna, CA 95540 [REDACTED] [REDACTED] fbid@fortunabusiness.com	May 26, 2015		May 2017 Term out 2023
CEDAR REUBEN Humboldt Investment Capital [REDACTED] Arcata, CA 95518 [REDACTED] cedarreuben@gmail.com	March 9, 2010	March 2012 March 2015	March 2018 Term out 2018
GREGORY SEILER Morgan Stanley Smith Barney [REDACTED] Eureka, CA 95501 [REDACTED] greg@ahnku.com	March 20, 2012	March 2014	March 2017 Term out 2020
EDWARD WEBB [REDACTED] McKinleyville, CA 95519 [REDACTED] Java2@suddenlink.net	February 1, 2011	March 23, 2013 March 1, 2016	February 2019 Term out 2019
ZACHARY E. ZWERDLING - CHAIR Zwerdling Law Firm [REDACTED] Eureka, CA 95501 [REDACTED] zztop@zwerdlinglaw.com	April 21, 2009	February 1, 2011 February 25, 2014	April 2017 Term out 2017

Contact for information:

Karen Meynell
Director, Headwaters Fund
520 E Street
Eureka, CA 95501
(707) 476-4809
kmeynell@co.humboldt.ca.us

Attachment #2

HEADWATERS FUND BOARD

AUTHORITY: Board Order Nos. E-2 (Jan. 18, 2005), F-5 (Feb. 25, 2003), and E-1, (Feb 5, 2008)

APPOINTING POWER: Board of Supervisors

MEMBERS: Seven (7)

QUALIFICATIONS: Members should be selected from a reasonable cross-section of the community, but should not be expected to represent the special interest of a group or sector. People with experience in the following areas should be considered:

- Environmental affairs
- Social welfare
- Rural development
- Governmental operations
- Industry clusters
- Banking and finance
- Non-profit administration
- Public interest
- Economic development

Time Requirements: Because of the importance of the HWF to the County, Members selected to the Board must make the HWF their highest service and community commitment. Board service requires substantial time, thought and energy. Thus, only individuals able to make the needed commitment will be chosen.

TERMS: Initial appointment would be for a two-year term. Appointee would be eligible for reappointment to two additional three-year terms at the conclusion of the initial two-year term (total appointment time limited to eight years).

FUNCTION: Recommend funding for Grant and Community Investment Fund applications for Board of Supervisors approval. Recommend annual budget for loans, investments, grants, and administration for Board of Supervisors approval. Recommend Headwaters Fund policy, procedures, and amendments for Board of Supervisors approval. Solicit community input. Issue annual reports of the Fund. Stay informed and active in the Fund's mission and activities. Recommend funding for Grant and Community Investment Fund applications for Board of Supervisors approval. Recommend annual budget for loans, investments, grants, and administration for Board of Supervisors approval. Recommend Headwaters Fund policy, procedures, and amendments for Board of Supervisors approval. Solicit community input. Issue annual reports of the Fund. Stay informed and active in the Fund's mission and activities.

DISCLOSURE CATEGORIES: One through Seven (1-7)



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

For the meeting of: April 12, 2011

Date: April 5, 2011
 To: Board of Supervisors
 From: Phillip Smith-Hanes, County Administrative Officer *PSH*
 Subject: Protocol for Board Appointments

RECOMMENDATION(S):

That the Board of Supervisors adopt the attached protocol for appointing members of the public to boards, committees and commissions.

SOURCE OF FUNDING: N/A

DISCUSSION:

On April 5, 2011, your Board considered various options regarding policies and procedures for appointing members of the public to boards, committees and commissions. This item was first raised on February 8, 2011, and was referred to staff for identification of options. Following discussion, your Board asked staff to return today with a protocol incorporating the Board's preferred options.

FINANCIAL IMPACT:

No financial impact is anticipated from adoption of the attached protocol.

OTHER AGENCY INVOLVEMENT: N/A

Prepared by Phillip Smith-Hanes

CAO Approval

REVIEW:

Auditor

County Counsel

W/S

Personnel

Risk Manager

Other

TYPE OF ITEM:

☐ Consent
☒ Departmental
☐ Public Hearing
☐ Other

PREVIOUS ACTION/REFERRAL:

Board Order No. G-2

Meeting of: 4/5/11

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

Ayes
 Nays
 Abstain
 Absent

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

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board discretion.

ATTACHMENTS: Draft Protocol

PROTOCOL FOR BOARD OF SUPERVISORS APPOINTMENTS

1. Appointments Covered

Unless a different procedure is prescribed by law or policy, this protocol shall govern appointments of members of the public made by the Board of Supervisors or any individual Board member to boards, committees or commissions, whether formed under the auspices of the County or an outside agency. This protocol shall not apply to appointments by the Board as a whole of individual Board members to represent the Board on outside agency boards or committees, or on County subcommittees.

2. Appointments by Individual Board Members

Whenever an authorizing law or policy provides that an appointment of a member of the public to a board, committee or commission may be made by an individual Board member, the Board member making such appointment shall inform the Board as a whole by placing onto the agenda of a Board meeting an item substantially in the form of Appendix 1.

3. Appointments by the Board as a Body

Whenever an authorizing law or policy provides that an appointment of a member of the public to a board, committee or commission shall be an "at large" appointment by the Board as a whole, the Clerk of the Board shall notify all Board members of the opportunity for such appointment by placing onto the agenda of a Board meeting an item substantially in the form of Appendix 2.

When the opportunity for appointment by the Board arises as the result of an unscheduled vacancy, the Clerk of the Board shall place such item on the agenda of the Board meeting occurring next after the posting of the notices required under the Maddy Act.

When the opportunity for appointment by the Board arises as the result of a scheduled vacancy, the Clerk of the Board may place such item on the agenda of any Board meeting occurring not less than 10 days prior to the scheduled vacancy.

At any time not more than 3 days prior to the Board meeting on which such item is placed, and not more than 7 days following the Board meeting on which such item is placed, any member of the Board may notify that Clerk of the Board that he or she wishes to conduct the appointment according to the procedure outlined in section 4, below.

If no Board member notifies that Clerk of the Board, within the designated time frame, of a desire to conduct the appointment according to the procedure outlined in section 4, then any Board member may bring forward an agenda item, upon expiration of any legally-required posting time frames and receipt of one or more qualified applications, asking the Board to make an appointment.

4. Alternate Procedure for Appointments by the Board as a Body

Whenever any Board member notifies the Clerk of the Board, within the time frames provided in section 3, above, that such Board member desires to utilize the procedure contained in this section, then the Clerk of the Board shall place a second agenda item on the next available Board agenda for the Board to discuss filling the vacancy.

When such an item is brought for discussion by the Board, the topics to be discussed shall include:

- Any special action the Board desires to be taken to solicit qualified applicants for the vacancy.
- How the Board intends to screen applicants for the vacancy, including whether a subcommittee shall be formed for this purpose.
- Whether interviews shall be conducted with applicants for the vacancy and, if so, the date of a special Board meeting for this purpose.
- If interviews are not to be conducted, whether applicants shall be afforded an opportunity to make a presentation to the Board and, if so, the date of the Board meeting at which this shall opportunity shall be provided.
- The date on which the Board expects to consider a motion for appointment.

No appointment shall be made until the date agreed to by the Board following discussion, which date shall be at least 7 days after the date of the discussion.

Regardless of whether a subcommittee is used to screen applications, all applications shall be attached to the agenda item for appointment.

5. Regular Review of Vacancies

In addition to the foregoing, the Clerk of the Board shall bring forward an agenda item to the Board, not less than four times per year, listing all current vacancies on boards, committees and commissions, as well as any vacancies that are scheduled to occur within the three months following the date of the agenda item.

APPENDIX 1 – Format for Board Member Notification of Appointment

Humboldt County Board of Supervisors Agenda Item Transmittal		Contact for Information	
From: _____ Meeting Date: _____ Time Required: _____		Name: Kat Hayes Telephone: 476-2396	
Consent Supervisor _____			
Subject: Informational Report on Appointment of _____ to _____ as _____ (name) (board, committee or commission) (district rep., etc.)			
Summary: Supervisor _____ provides notice of appointment of _____ to the _____ (name) (name) (board, committee or commission) This appointment will be effective on _____ and shall expire on _____ (date) (date, if applicable)			
Requested Action: Receive and file the report.			
Signature _____			
FOR OFFICIAL USE ONLY		BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT Upon motion of Supervisor _____ Seconded by Supervisor _____ Ayes _____ Nays _____ Abstain _____ Absent _____ and carried by those members present, the Board hereby approves the recommended action contained in this Board report. Dated: _____ By: _____ Clerk of the Board	

APPENDIX 2 – Format for Clerk of Board Item



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

For the meeting of:

Date:

To: Board of Supervisors

From: Clerk of the Board

Subject: Notice of Vacancy on _____
(board, committee or commission)

RECOMMENDATION(S):

That the Board of Supervisors receive and file this report.

SOURCE OF FUNDING: N/A

DISCUSSION:

A vacancy is occurring on the _____. This vacancy is due to [resignation/
(board, committee, commission)

expiration of the regular term] of _____. The vacancy is effective as of _____.
(name) (date)

Unless the Clerk of the Board is notified, not more than three days prior nor more than seven days subsequent to the date of this meeting, of a desire to calendar this matter for further discussion, any Board member may bring forward an item to appoint any qualified person to fill

Prepared by _____

CAO Approval _____

REVIEW:

Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

☒ Consent
☐ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

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

Ayes
Nays
Abstain
Absent

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

Dated: _____

By: _____
Clerk of the Board

APPENDIX 2 – Format for Clerk of Board Item

this vacancy. Under the terms of the Maddy Act, the soonest date on which an appointment may occur is _____
(date)

FINANCIAL IMPACT:

There is no financial impact to receiving this report.

OTHER AGENCY INVOLVEMENT: N/A

ALTERNATIVES TO STAFF RECOMMENDATIONS:

This is an informational item. Any Board member may request that this matter be calendared for further discussion.

ATTACHMENTS: [Resignation letter, if applicable]



Amendment to 4/12/11- Protocol

COUNTY OF HUMBOLDT

AGENDA ITEM NO.

For the meeting of: April 1, 2014

Date: March 19, 2014
To: Board of Supervisors
From: Clerk of the Board
Subject: Amendment to Protocol for Board of Supervisor Appointments

RECOMMENDATION(S): That the Board of Supervisors review and approve the amended Protocol for the Board of Supervisor Appointments.

SOURCE OF FUNDING: General Fund

DISCUSSION: At the April 19, 2011 Board of Supervisors meeting the Board approved the Protocol for the Board of Supervisors Appointments. At the November 5, 2013 meeting, the Board requested changes to the Protocol enabling the Board to appoint members of certain Committees, Commissions and Boards under one item based on district specific needs. Attachment A shows all current Committees, Commissions and Boards. Attachment B shows the amendment to the Protocol.

FINANCIAL IMPACT: N/A

OTHER AGENCY INVOLVEMENT: NONE

ALTERNATIVES TO STAFF RECOMMENDATIONS: The Board could chose to change the recommended list of Committees, Commissions and Boards as seen on Attachment B. The Board could choose to remove the At-Large vacancies from each of the Committees, Commissions and Boards listed on Attachment B to avoid a change in the At-Large vacancy Protocol.

Prepared by Tracy D'Amico, Deputy Clerk of the Board

CAO Approval

Amey Olsen

REVIEW:

Auditor

County Counsel

Personnel

Risk Manager

Other

TYPE OF ITEM:

Consent
XX Departmental
Public Hearing
Other

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor
Seconded by Supervisor
And unanimously carried by those members present,
The Board hereby adopts the recommended action
contained in this report.

PREVIOUS ACTION/REFERRAL:

Board Order No. G-2

Meeting of: 4/5/11, 4/12/11, 4/19/11

Dated:

Ann Hartwell, Deputy Clerk of the Board

By:

(Attachment A)
HUMBOLDT COUNTY
BOARD APPOINTED
COMMITTEES, COMMISSIONS & BOARDS

- 1 Area 1 Developmental Disability Board**
- 2 Assessment Appeals Board**
- 3 Aviation Advisory Committee**
- 4 Behavioral Health Board**
- 5 Big Lagoon Subdivision Design Review Committee**
- 6 Citizens Law Enforcement Liaison Committee**
- 7 Emergency Medical Care Committee**
- 8 Fire Safe Council**
- 9 Fish and Game Advisory Commission**
- 10 Forestry Review Committee**
- 11 GEMAC (Greater Eureka Municipal Advisory Committee)**
- 12 Headwaters Fund Subcommittee**
- 13 Housing Authority Commission**
- 14 Human Rights Commission**
- 15 In-Home Supportive Services Advisory Committee**
- 16 (MMAC) McKinleyville Municipal Advisory Committee**
- 17 Orick Design Control Committee**
- 18 Planning Commission**
- 19 Public Property Leasing Corporation**
- 20 Redevelopment Oversight Board – Arcata**
- 21 Redevelopment Oversight Board – Eureka**
- 22 Redevelopment Oversight Board – Fortuna**
- 23 Resource Conservation District**
- 24 Status of Women Commission**
- 25 Williamson Act Advisory Committee**

(ATTACHMENT B)
PROTOCOL
FOR BOARD OF SUPERVISORS APPOINTMENTS

1. Appointments Covered

Unless a different procedure is prescribed by law or policy, this protocol shall govern appointments of members of the public made by the Board of Supervisors or any individual Board member to boards, committees or commissions, whether formed under the auspices of the County or an outside agency. This protocol shall not apply to appointments by the Board as a whole of individual Board members to represent the Board on outside agency boards or committees, or on County subcommittees.

This protocol is not intended to apply to appointments the Board makes to fill seats on special district boards which are normally elected, nor to restrict the ability of the Board to make emergency appointments as defined in the Maddy Act.

2. Appointments by Individual Board Members

Whenever an authorizing law or policy provides that an appointment of a member of the public to a board, committee or commission may be made by an individual Board member, the Board member making such appointment shall inform the Board as a whole by placing onto the agenda of a Board meeting an item substantially in the form of Appendix 1. Board members shall endeavor to bring such item to the Board in advance of the effective date of the appointment, and at least three days prior to the next meeting of the board, committee or commission to which the appointment is being made.

3. Appointments by the Board as a Body

Whenever an authorizing law or policy provides that an appointment of a member of the public to a board, committee or commission shall be an "at large" appointment by the Board as a whole, the Clerk of the Board shall notify all Board members of the opportunity for such appointment by placing onto the agenda of a Board meeting an item substantially in the form of Appendix 2.

When the opportunity for appointment by the Board arises as the result of an unscheduled vacancy, the Clerk of the Board shall place such item on the agenda of the Board meeting occurring next after the posting of the notices required under the Maddy Act.

When the opportunity for appointment by the Board arises as the result of a scheduled vacancy, the Clerk of the Board may place such item on the agenda of any Board meeting occurring not less than 10 days prior to the scheduled vacancy.

At any time not more than 3 days prior to the Board meeting on which such item is placed, and not more than 7 days following the Board meeting on which such item is placed, any member of the Board may notify the Clerk of the Board that he or she wishes to conduct the appointment according to the procedure outlined in Section 4, below.

If no Board member notifies the Clerk of the Board, within the designated time frame, of a desire to conduct the appointment according to the procedure outlined in Section 4, then any Board member may bring forward an agenda item, upon expiration of any legally-required posting time frames and receipt of one or more qualified applications, asking the Board to make an appointment.

4. Alternate Procedure for Appointments by the Board as a Body

Whenever any Board member notifies the Clerk of the Board, within the time frames provided in Section 3, above, that such Board member desires to utilize the procedure contained in this section, then the Clerk of the Board shall place a second agenda item on the next available Board agenda for the Board to discuss filling the vacancy.

When such an item is brought for discussion by the Board, the topics to be discussed shall include:

- Any special action the Board desires to be taken to solicit qualified applicants for the vacancy.
- How the Board intends to screen applicants for the vacancy, including whether a subcommittee shall be formed for this purpose.
- Whether interviews shall be conducted with applicants for the vacancy and, if so, the date of a special Board meeting for this purpose.
- If interviews are not to be conducted, whether applicants shall be afforded an opportunity to make a presentation to the Board and, if so, the date of the Board meeting at which this shall opportunity shall be provided.
- The date on which the Board expects to consider a motion for appointment.

No appointment shall be made until the date agreed to by the Board following discussion, which date shall be at least 7 days after the date of the discussion.

Regardless of whether a subcommittee is used to screen applications, all applications shall be attached to the agenda item for appointment.

5. District Recommended At-Large Appointment Protocol

There are exceptions to Protocol requiring only one agenda item before the Board. These At-Large appointments could be brought to the Board on one agenda item under Consent by the Clerk of the Board based on applications, recommendations by the District specific Supervisor, recommendation by the Committee, Commissions or Board or for various other reasons. See Exhibit 1.

6. Regular Review of Vacancies

In addition to the foregoing, the Clerk of the Board shall bring forward an agenda item to the Board, not less than four times per year, listing all current vacancies on boards, committees and commissions, as well as any vacancies that are scheduled to occur within the three months following the date of the agenda item.

EXHIBIT 1

5. District Recommended At-Large Appointment Protocol

- Big Lagoon Subdivision Design Review Committee
- GEMAC (Greater Eureka Municipal Advisory Committee)
- (MMAC) McKinleyville Municipal Advisory Committee
- Orick Design Control Committee
- Redevelopment Oversight Board – Arcata
- Redevelopment Oversight Board – Eureka
- Redevelopment Oversight Board – Fortuna