



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

I-3

For the meeting of: February 7, 2017

Date: January 11, 2017
To: Board of Supervisors
From: Jeffrey S. Blanck, County Counsel
By Hilary Finch, Deputy County Counsel *HF*
Subject: Introduction of Ordinance amending Sections 228-4, 228-5, 228-8 and 228-9 of Title II of the Humboldt County Code relating to the membership of the Humboldt County Commission on Human Rights and their duties.

RECOMMENDATION(S):

That the Board of Supervisors:

1. Introduce the attached Ordinance by title and waive first reading;
2. Set the Ordinance for adoption at least one week away;
3. Direct the Clerk of the Board to publish the pre-adoption summary of the Ordinance and to post a certified copy of the full text of the proposed Ordinance in the office of the Clerk of the Board, both publication and posting to be done at least five (5) days prior to the Board meeting at which the Ordinance will be adopted. [Government Code Section 25124(b)(1)]; and
4. Direct the Clerk of the Board, within 15 days after adoption of the Ordinance, to publish a post-adoption summary of the Ordinance with the names of the Supervisors voting for and against the Ordinance, and to post in the office of the Clerk of the Board a certified copy of the full text of the adopted Ordinance and amendments along with the names of those supervisors voting for and against the Ordinance. [Government Code Section 25124(b)(1)].

Prepared by Hilary Finch, Deputy County Counsel

CAO Approval *[Signature]*

REVIEW:

Auditor _____ County Counsel *HF* _____ Human Resources _____ Other _____

TYPE OF ITEM:

☐ Consent
☒ Departmental
☐ Public Hearing
☐ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. M-2

Meeting of: December 6, 2016

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

Ayes _____
Nays _____
Abstain _____
Absent _____

SEE ACTION SUMMARY

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

SOURCE OF FUNDING

Not applicable.

DISCUSSION:

On December 6, 2016, the Board received and reviewed a staff report that discussed the composition of the Humboldt County Commission on Human Rights and compared its structure to several other California counties. Thereafter, the Board voted to decrease the total membership of the Commission from fifteen to ten members, with each supervisor appointing two members. The Board also specified that the Chair shall be a non-voting member of the commission except where his/her vote is needed to break a tie vote.

On behalf of the Human Rights Commission, staff drafted an amendment to the pertinent Code sections as instructed in the Action Summary dated December 6, 2016. Staff also made non-substantive adjustments to these sections inserting gender neutral terms in line with current practice.

Staff now submits this proposed ordinance and recommends its introduction.

FINANCIAL IMPACT:

There is no financial impact associated with this change.

OTHER AGENCY INVOLVEMENT:

There is no other agency involvement.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to adopt the ordinance. However, the Board has already acted and decided on the changes that have now been incorporated into the proposed ordinance.

ATTACHMENTS:

1 – Proposed Ordinance, summary and code pages

SUMMARY FOR PUBLICATION PRIOR TO ADOPTION OF ORDINANCE

(The summary shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk of the Board of Supervisors at least five (5) days prior to the Board of Supervisors meeting at which the proposed ordinance is to be adopted.)

SUMMARY

On _____, 2017, at its regularly scheduled Board meeting, the Humboldt County Board of Supervisors will consider for adoption a proposed ordinance amending Sections 228-4, 228-5, 228-8 and 228-9 to Title II of the Humboldt County Code relating to Members of the Humboldt County Commission on Human Rights and their duties.

The text of the proposed ordinance is available from the Clerk of the Board, Room 111, 825 Fifth Street, Eureka, CA.

SUMMARY FOR PUBLICATION AFTER ADOPTION OF ORDINANCE

(The summary shall be published within fifteen (15) days after the adoption of the ordinance.)

SUMMARY

On _____, 2017, the Humboldt County Board of Supervisors adopted Ordinance No. _____ amending Sections 228-4, 228-5, 228-8 and 228-9 to Title II of the Humboldt County Code relating to Members of the Humboldt County Commission on Human Rights and their duties.

A copy of the ordinance is posted in the office of the Clerk of the Board of Supervisors.

The votes were:

AYES:

NOES:

ABSENT:

ORDINANCE NO. _____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF HUMBOLDT AMENDING SECTIONS 228-4, 228-5, 228-8 AND 228-9 TO
TITLE II OF THE HUMBOLDT COUNTY CODE RELATING TO MEMBERS OF THE
HUMBOLDT COUNTY COMMISSION ON HUMAN RIGHTS AND THEIR DUTIES**

The Board of Supervisors of the County of Humboldt ordains as follows:

SECTION 1. Sections 228-4, 228-5, 228-8 and 228-9 of Chapter 8 of Division 2 of Title II of the Humboldt County Code are amended as shown on the attached pages.

SECTION 2. This ordinance shall take effect and be in force thirty (30) days from the date of its passage. A summary shall be published at least five (5) days before the date set for adoption and again fifteen (15) days after passage of this ordinance. It shall be published once with the names of the Board of Supervisors voting for and against the ordinance in a newspaper of general circulation published in the County of Humboldt, State of California.

PASSED, APPROVED AND ADOPTED this _____ day of _____,
2017.

AYES: Supervisors--
NOES: Supervisors--
ABSENT: Supervisors—

Chair of the Board of Supervisors of the
County of Humboldt, State of California

(SEAL)

ATTEST:

Kathy Hayes, Clerk of the Board of Supervisors
County of Humboldt

CHAPTER 8

HUMBOLDT COUNTY COMMISSION ON HUMAN RIGHTS

228-1. ESTABLISHMENT OF COMMISSION.

The Humboldt County Commission on Human Rights is hereby established. (Ord. 1023, § 1, 4/22/75)

228-2. AUTHORITY FOR ESTABLISHMENT.

The Commission is established pursuant to Title 5, Division 1, Part 1, Chapter 1, Article 10 of the Government Code (§§ 50260-50265) and § 31000.1 of the Government Code. (Ord. 1023, §2, 4/22/75)

228-3. PURPOSE OF COMMISSION.

The purpose of the Commission on Human Rights is to promote tolerance and mutual respect between all persons, and to promote positive human relationships for the purpose of insuring public peace, health, safety and the general welfare. Committees may be established by the Commission. (Ord. 1023, § 5, 4/22/75; Ord. No. 2294, § 1, 02/25/2003)

228-4. APPOINTMENT OF MEMBERS OF COMMISSION.

The Commission shall consist of ~~fifteen (15)~~ ten (10) members who shall be appointed by the Board of Supervisors. The Supervisors of each district shall appoint ~~three (3)~~ two (2) members. All appointments shall be for a term of four (4) years and shall expire on June 30 of the fourth year after the appointment. Members of the Commission shall serve at the pleasure of the Board of Supervisors. (Ord. 1023, § 3, 4/22/75; Ord. 1444, §4, 1/13/81; Ord. 2177, § 1, 10/6/98; Ord. ____, § __, __/__/2017)

228-5. OFFICERS AND THEIR DUTIES.

The members of the Commission shall select a Chairman, a Vice Chairman and a Secretary. The Chairman shall preside at all meetings and shall provide the agenda for such meetings. The Chair shall be a non-voting member of the Commission unless his/her vote is necessary to resolve tie vote. The Vice Chairman shall preside in the absence of the Chairman and shall assist the Chairman in the conduct of his office. The Secretary shall keep the minutes of all meetings, prepare correspondence under the direction of the Chairman or Vice Chairman, send notices of meetings, maintain membership lists, and maintain the files of the Commission. (Ord. 1023, § 4, 4/22/75; Ord. ____, § __, __/__/2017)

228-6. RESPONSIBILITY OF COMMISSION.

(a) To foster mutual respect and understanding among all people, including people subject to prejudice and discrimination due to race, creed, color, national origin, ancestry, physical disability, mental disability, marital status, gender, sexual orientation, socioeconomic status, civic interest, or any other factors.

(b) To make any studies in any field of human relationships in the County as, in the judgment of the Commission, will aid in effectuating its general purposes.

(c) To inquire into incidents of tension and conflict among or between people, including people subject to prejudice and discrimination due to race, religious creed, color, national origin, ancestry, physical disability, mental disability, marital status, gender, sexual orientation, socioeconomic status, civic interest, or any other factors, and to take action by means of conciliation, conference and persuasion to alleviate those tensions and conflict.

(d) To conduct and recommend any educational programs as, in the judgment of the Commission, will increase good will among inhabitants of the County and open new opportunities into all phases of community life for all inhabitants. (Ord. 1023, § 6, 4/22/75; Ord. No. 2294, § 1, 02/25/2003)

228-7. OBLIGATIONS OF COMMISSION.

The Commission shall discharge the following obligations:

(a) To hold conferences and other public meetings in the interest of the constructive resolution of tensions, prejudice, and discrimination among or between groups of people, including people subject to prejudice and discrimination due to race, religious creed, color, national origin, ancestry, physical disability, mental disability, marital status, gender, sexual orientation, socioeconomic status, civic interest, or any other factors.

(b) To issue any publications and reports of investigation as in its judgment will tend to effectuate the purposes of this chapter.

(c) To enlist the cooperation and participation of a variety of people, including people subject to prejudice and discrimination due to race, religious creed, color, national origin, ancestry, physical disability, mental disability, marital status, gender, sexual orientation, socioeconomic status, civic interest, or any other factors, industry and labor organizations, media or mass communication, fraternal and benevolent associations, and other groups in an educational campaign devoted to fostering among the diverse groups of the County mutual esteem, justice and equity.

(d) To encourage and stimulate agencies under the jurisdiction of the Board of Supervisors to take any action as will fulfill the purposes of this chapter.

(e) To submit an annual report to the Board of Supervisors. (Ord. 1023, § 7, 4/22/75; Ord. No. 2294, § 1, 02/25/2003)

228-8. MEETINGS.

The Commission shall hold regular monthly meetings at such time and place as shall be agreed upon by the Commission and such other special meetings as shall be required from time to time. Special meetings shall be called by the Chairman of the Commission or, in his/her absence from the County, by the Vice Chairman. 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 Commission present and voting, and unless a quorum is present. A quorum shall consist of five (5) members of the Commission. (Ord. 1023, § 8, 4/22/75; Ord. _____, § __, __/__/2017)

228-9. REMOVAL OF MEMBERS FOR FAILURE TO ATTEND MEETINGS.

In the event that any member of the Commission shall absent himself/herself from three (3) consecutive regular meetings of the Commission without showing good cause therefor to the Chairman, 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. (Ord. 1023, § 9, 4/22/75; Ord. _____, § __, __/__/2017)