



COUNTY OF HUMBOLDT

Legislation Text

File #: 23-774, **Version:** 1

To: Board of Supervisors
From: County Administrative Office

Agenda Section: Departmental

Vote Requirement: Majority

SUBJECT:

Form an Ad Hoc Working Group to Conduct Government to Government Communications Between Tribal Partners and the County of Humboldt and Amend the Humboldt County Board of Supervisors Code of Conduct and Ethics

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve the formation of an Ad Hoc Working Group to conduct Government to Government Communications between Tribal Partners and the County of Humboldt;
2. Appoint two Board Members to the Ad Hoc Working Group;
3. Approve amendments to the Board of Supervisors Code of Conduct Ethics Rules of the Board of Supervisors; and
4. Consider additional actions and direct staff as appropriate.

SOURCE OF FUNDING:

General Fund

DISCUSSION:

At the Humboldt County Board of Supervisors (“Board”) meeting held on May 23, 2023, the Board directed staff to bring an item to your board to form an Ad Hoc Working Group related to tribal relations. This direction was in response to a Board item related to a complaint made by the Cher-Ae Heights Indian Community of the Trinidad Rancheria; however, the County of Humboldt has received an additional request from another tribal partner to be included in any government-to-government efforts. This additional request brings forward the idea that many tribal partners may want to be involved and your board could discuss what a working group consisting of many tribal partners could look like and how other tribal partners might be made aware of the opportunity to participate. Staff recommendation would be to create this Ad Hoc Working Group and appoint two Board members with the intent of this working group convening on all matters, other than those matters excluded below, related to Government-to-Government Tribal relations requested from any Tribe or Rancheria. Matters that would be excluded from consideration include the following:

- Consultation undertaken as part of California Senate Bill 18 (General Plan Amendments) and California Assembly Bill 52 (Tribal Cultural Resources) when the District Supervisor representing the district in which the land use application is located and a member of the Ad Hoc shall serve as the elected representatives of the County.
- Normal project referral to Tribal Historic Preservation Officers (“THPO”) for comment on individual applications, including, without limitation, follow up meetings to address concerns. This is a technical level communication between the THPO and County Staff.

On May 23, 2023, the Board also discussed Cultural Sensitivity Training, the creation of Tribal Liaison Policies, the creation of a Tribal Liaison position, and amendments to your Board of Supervisors Code of Conduct. The Human Resources Department is currently working to identify training opportunities for the Board related to Cultural Sensitivity specifically geared toward Tribes. Tribal Liaison Policies and a Tribal Liaison position will be recommended by the Ad Hoc Working Group at a future date.

Proposed amendments to the Board of Supervisors Code of Conduct are attached to this staff report for your review, discussion, and potential approval. The amendments proposed are in the “Advocacy” section and focus around clarifying when a Board Member must explicitly state that they are presenting their individual opinion and not representing the opinion of the entire board. The Board directed staff to bring proposed amendments to this section based on concerns that the current language was unclear and it was not realistic to expect Board Members to always state explicitly that they are not representing the entire board if interpreted as such. The Board may also discuss other amendments to the Code of Conduct and direct staff to bring more proposed amendments back to Board at a future meeting.

FINANCIAL IMPACT:

The financial impacts that may arise out of the formation of this Ad Hoc working group are unknown. There will be the cost of Board members time as well as staff time related to implementation of any recommendations from the working group.

STRATEGIC FRAMEWORK:

The recommended actions support the following areas of the Board of Supervisors’ Strategic Framework:

Core Roles: N/A

New Initiatives: Facilitate public/private partnerships to solve problems

Strategic Plan: N/A

OTHER AGENCY INVOLVEMENT:

None

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board discretion.

ATTACHMENTS:

1. Redline Version - Amended Code of Conduct
2. Clean Version - Amended Code of Conduct

PREVIOUS ACTION/REFERRAL:

Board Order No.: H3

Meeting of: May 23, 2023

File No.: 23-637