

RESPONSE TO GRAND JURY REPORT

Report Title: "EFFICIENCY, OVERSIGHT & TRUST: ADVISORY COMMITTEES AND BOARDS TO THE HUMBOLDT COUNTY BOARD OF SUPERVISORS"

Report Date: July 10, 2023

Response by: Board of Supervisors

FINDINGS

The county agrees with Finding 8.

The county partially agrees with Findings 2, 3, 4, 5, 6 and 7.

The county disagrees with Finding 9.

RECOMMENDATIONS

Recommendation 5 has been implemented.

Recommendation 2 is in the process of being implemented.

Recommendations 3 and 4 have not been implemented but will be implemented in the future.

Recommendations 1 and 6 will not be implemented.

Date: _____ Signed: _____

Steve Madrone,
Fifth District Supervisor & Chair of the Board

Number of pages attached: 8



COUNTY OF HUMBOLDT BOARD OF SUPERVISORS

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INTEROFFICE MEMORANDUM

TO: BOARD OF SUPERVISORS
FROM: COUNTY ADMINISTRATIVE OFFICE
SUBJECT: RESPONSE TO 2022-23 GRAND JURY REPORT "EFFICIENCY, OVERSIGHT & TRUST: ADVISORY COMMITTEES AND BOARDS TO THE HUMBOLDT COUNTY BOARD OF SUPERVISORS"
DATE: OCTOBER 3, 2023

In the Grand Jury Report, "EFFICIENCY, OVERSIGHT & TRUST: ADVISORY COMMITTEES AND BOARDS TO THE HUMBOLDT COUNTY BOARD OF SUPERVISORS," the Grand Jury has requested that the Humboldt County Board of Supervisors respond to Findings 2 through 9 and Recommendations 1 through 10, however there are only six recommendations provided in the report. I am proposing the following response as detailed below.

FINDINGS

Finding 2: 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.

Response: Partially Agree

The Clerk of the Board's team operates under the direct supervision of the Board of Supervisors. The Clerk of the Board's team is dedicated to meeting statutory deadlines for meeting agenda postings and Fair Political Practices Commission (FPPC) filings. These are the most critical tasks and priorities for staff in addition to

managing a workload for the Board of Supervisors in addition to meeting all mandated responsibilities of the Clerk of the Board's Office.

Finding 3: 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.

Response: Partially Agree

The Clerk of the Board's staff communicates and works with Humboldt County's advisory boards and commissions to provide Brown Act training and onboarding services for newly appointed members. Additionally, staff collects all annual FPPC Form 700 filings from every member of each advisory board, commission and committee as required.

Staff works with each advisory board and commission to keep updated rosters. It is required that advisory boards and commissions notify the Clerk of the Board when changes occur to their membership roster, and the Clerk of the Board acknowledges that communication with staff when members of a county board, committee or commission resign or step away from service can be delayed at times.

Some advisory boards, committees and commissions are also lax in providing agendas and minutes for meetings to the Clerk of the Board for timely posting to the county's website, however this does not constitute a "breakdown in communication."

Finding 4: 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.

Response: Partially Agree

The county acknowledges that when inequitable access to opportunities exists, communities experience disparate outcomes. That being said, the County of Humboldt always encourages any qualified individual to apply for an open seat on a county advisory board, committee or commission. It is not uncommon for counties across the state to have challenges finding qualified applicants to apply for volunteer positions on advisory boards, committees and commissions. This includes applicants from all populations including members of local Tribes and historically underrepresented communities. The Humboldt County Board of Supervisors is committed to supporting diversity, equity and inclusion within its workforce, policy, committees and the community.

Finding 5: The relationship and responsibilities of the Audit Committee to the Humboldt County Board of Supervisors is uncertain and could lead to budgetary problems.

Response: Partially Agree

The primary function of the Humboldt County Audit and Finance Committee is certain. The committee has the

responsibility to assist the Board of Supervisors in its oversight of the integrity of the county's financial statements, the systems of internal controls, the qualifications and independence of the county's external auditor and the performance of the county's corrective action plans.

Voting members of this committee include two members of the Board of Supervisors, one representative of Humboldt County special districts or schools and two Humboldt County residents all of whom are selected by the Board of Supervisors on an annual basis. Advisory staff include the Humboldt County Administrative Officer, Auditor-Controller and Treasurer-Tax Collector.

Regarding the budgetary topic raised by the Grand Jury, the Audit Committee has the authority to retain outside counsel, experts and other advisors as the committee may deem appropriate in its sole discretion, as stated in its charter. This committee also has the sole authority to approve related fees and retention terms, subject to a maximum annual commitment of \$50,000.

Board of Supervisors approval is required for fees to an outside counsel, expert or other advisor if fees are expected to exceed this amount. This amount is intended to be in addition to expenses related to Independent Auditors or other auditors as detailed in Section IV.A.1. of the Audit Committee Charter. Approving related fees and retention terms (again, those in excess of the aforementioned \$50,000) must be done first by majority vote of the Audit Committee, then would move to the Board of Supervisors for final approval.

The Humboldt County Auditor -Controller has noted that this sole authority could lead to potentially unbudgeted activities, however it is unlikely that this will occur since the Auditor-Controller and County Administrative Officer, who are responsible for oversight and preparation of the county's budget, act as advisory staff to this committee. In addition, two members of the Board of Supervisors serve as voting members of the committee. It should also be noted that staff in the Clerk of the Board's Office and the Auditor-Controller's Office are working in partnership to schedule quarterly meetings of the Audit Committee.

Finding 6: 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.

Response: Partially Agree

Excluding boards or committees created and mandated by state law, the Humboldt County Board of Supervisors has the authority to review advisory board, committee and commission charters and make recommendations and/or relative changes to ensure compliance with locally mandated and annual reporting requirements, including disbandment of the advisory body if warranted.

Additionally, each year the Clerk of the Board brings an agenda item to the Board of Supervisors with the current list of boards, commissions and committees to which the Board members makes appointments. At this time the Board is provided with recommendations of the advisory bodies that can be removed or ended. This is also the time when the Board may direct staff to provide updates on any of the advisory bodies. The Board of Supervisors receives a quarterly report with vacancies and potential vacancies on said advisory bodies per the Board rules. This demonstrates an increased amount of attention to meeting mandated reports.

Finding 7: Missed mandated committee reports and meetings cause disruption to employees working in a process already understaffed and overworked.

Response: Partially Agree

The county agrees that missed mandated reports may cause disruptions to staff. As previously mentioned, excluding boards or committees created and mandated by state law, the Humboldt County Board of Supervisors has the authority to review advisory board, committee and commission charters and make recommendations and/or relative changes to ensure compliance with mandated reporting requirements.

Finding 8: The lack of a permanent, full-time grant writing position leads to Humboldt County missing out on potential funding.

Response: Agree

Finding 9: 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.

Response: Disagree

The Disaster Council has met since the adoption of the county's Emergency Operations Plan. The last meeting took place on May 25, 2018. It should be noted that the Disaster Council is a planning body; it reviews disaster plans, provides input on them, and approves them before recommending adoption by the Board. It is not a body that is active during emergencies.

Since the Disaster Council's last meeting, the County of Humboldt has experienced several emergency activations including, but not limited to, Power Safety Shutdown (PSPS) events, the COVID-19 pandemic, many fires, and most recently, the Dec. 20, 2022 earthquake and 2022-2023 winter storms. The Disaster Council does not meet during active incidents. When an emergency is declared, it has been the practice of the county's Office of Emergency Services (OES) to form an incident policy group, whose focus is to provide recommendations regarding the county's emergency response. The policy group performs the same functions as the Humboldt County Disaster Council would in the absence of an emergency. In 2020-2021 incident policy group meetings were held regularly to provide guidance on the county's response to COVID-19. Most recently, in 2022 a policy group was formed and met regularly in response to the Dec. 20, 2022 earthquakes and winter storm incidents.

As the Director of Emergency Services, the Humboldt County Sheriff oversees emergency operations for the county through the Sheriff's Office of Emergency Services (OES). OES staff actively work to plan and prepare for coordinated responses to emergencies, in addition to providing important emergency preparedness trainings to the community.

Humboldt County OES' responses to recent emergency activations, including but not limited to, the COVID-19

pandemic, 2021 winter storms, Knob Fire, Six Rivers Lightning Complex Fire, Dec. 20, 2022 earthquakes have been timely and highly coordinated efforts. The county's timely response to these emergencies have confirmed that the emergency response structure defined in the county's Emergency Operations Plan (EOP) has been successful. Humboldt County OES in the process of updating the EOP with what the county has learned responding to active incidents in recent years. It is currently anticipated that the revised draft EOP will be ready to be submitted for review by the California Governor's Office of Emergency Services (Cal OES) in late 2024, however the adoption of the plan will likely occur in 2025 after the review process is completed.

Additionally, there are two Community Emergency Response Teams (CERT) managed by Humboldt County OES. Humboldt County OES meets regularly with these teams and with the regional Humboldt CERT Coalition to discuss emergency preparedness trainings, exercises and public outreach. Plus, Humboldt County OES, Department of Public Works, UC Cooperative Extension, and Department of Health & Human Services regularly provide the community with resources or guidance on proper emergency preparedness. County staff representing multiple departments and representatives of local agencies called to respond in the event of a disaster regularly attend emergency response trainings and tabletop exercises to practice coordinated and timely responses for incidents such as tsunamis, earthquakes, floods, cyber-attacks, mass shootings, aeronautical disasters, wildfires and more.

RECOMMENDATIONS

Recommendation 1: 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)

Response: The recommendation will not be implemented.

While some larger counties provide additional staffing for members of their Board of Supervisors, this is not feasible for a county of Humboldt's size. Additionally, going into the 2023-2024 Fiscal Year the county anticipated a General Fund deficit of more than \$17 million and therefore is not in a financial position to allocate funds for this purpose. The county continually pursues funding to improve county services, and this work will continue. However, it should be noted that grant funding for Board of Supervisors staff appears uncommon.

Recommendation 2: 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)

Response: This recommendation is in the process of being implemented.

Staff in the Clerk of the Board's Office are working to schedule quarterly meetings of the Audit Committee.

It should be noted that the Audit Committee's function is to assist the Board of Supervisors in its oversight of county policies and procedures relating to certain fiscal matters. The Humboldt County Auditor-Controller has indicated that they will cooperate with the committee to review any new or revised Board-adopted fiscal policies and discuss oversight of existing policies and procedures as needed.

Recommendation 3: 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)

Response: This recommendation has not been implemented but will be implemented in the future.

This recommendation has merit, especially considering the Tribal government presence in Humboldt County. This recommendation will not be implemented as written as the county is currently in the process of evaluating potential funding opportunities for this position and exploring what this position could look like on a broader level. The Board of Supervisors, in partnership with county department heads and staff, are in the process of drafting a new Strategic Plan for the county. Through the strategic planning process, hiring a dedicated Tribal Liaison has been actively discussed as a priority to help strengthen the county's relationships with local Tribal governments. County staff is also conducting an analysis on Tribal liaison functions within the county. Staff expects that this analysis will be completed by the end of Fiscal Year 2023-2024.

Recommendation 4: 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)

Response: This recommendation has not been implemented but will be implemented in the future.

The County of Humboldt is in need of improved grant coordination between its various departments, while individual departments may have need for increased grant writing services. The county has engaged with an independent third party to conduct a study on the structure of a Grants Program within the county, which would provide a structure and overarching strategy to help the county and community partners pursue grants more successfully. The study is being conducted with several county departments, several rural community partners, consultants and a software company. County staff anticipates a report will come before the Board by Dec. 1, 2023.

Recommendation 5: 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)

Response: This recommendation has been implemented.

The Board of Supervisors annually reviews the county's advisory boards, committees and commissions and sunsets those that are no longer meeting or relevant.

Additionally, it is required by state law, known commonly as the Maddy Act, that on or before December 31 of each year, the Board prepare an appointments list of all regular and ongoing boards, commissions and committees which are appointed by the Board. This list is known as the Local Appointments List. This list includes a list of all appointive terms which will expire during the next calendar year, with the name of the incumbent appointee, the date of appointment, the date the term expires, and the necessary qualifications for the position, and a list of all boards, commissions, and committees whose members serve at the pleasure of the legislative body, and the necessary qualifications for each position. This list is posted on the county's website and updated annually.

Recommendation 6: 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.

Response: The recommendation will not be implemented.

While this recommendation has merit, the Director of Emergency Services (Humboldt County Sheriff) is responsible for staffing and scheduling Humboldt County Disaster Council meetings.

As mentioned previously, Humboldt County OES is in the process of updating the Emergency Operations Plan (EOP) with what the county has learned responding to active incidents in recent years. It is currently anticipated that the revised draft EOP will be ready to be submitted for review by the California Governor's Office of Emergency Services (Cal OES) in late 2024, however the adoption of the plan will likely occur in 2025 after the review process is completed.
