



HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS

Members: County of Humboldt • Cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, Trinidad

HCAOG

June 24, 2010

The Honorable Christopher Wilson
Humboldt County Superior Court
825 Fifth Street
Eureka, CA 95501

RE: Response to 2009-10 Grand Jury report 2010-CD-01

Dear Honorable Wilson:

The Humboldt County Association of Governments (HCAOG) would like to take this opportunity to respond to the Findings in 2009-10 Grand Jury Final Report.

Grand Jury report 2010-CD-01 concerns HCAOG's conformance to state law regarding the Regional Housing Needs Assessment (RHNA) process and the adequacy of notification to allow for sufficient public participation in the process.

Finding 1:

A review of items on the agendas and minutes verified the disparity between state law requirements and the RHNA process at HCAOG. This process dictates a two-year timeframe to allow for ample public participation.

Recommendation 1:

That HCAOG adhere to the two-year requirement for the development of RHNA, as required by state law. This will allow for adequate public participation.

Proposed HCAOG Board Responses to F.1. and R.1:

The HCAOG Board partially disagrees with the finding and will implement the recommendation.

The Report section of the Grand Jury report erroneously states that the "two-year time period began in Spring 2009". The two-year time period began on August 30, 2007 with the transmittal of the Regional Housing Needs Determination sent from the Department of Housing and Community Development (HCD) to the HCAOG Executive Director. The letter, which is provided in Appendix B of HCAOG's RHNA Plan, adopted December 17, 2009, states that "each jurisdiction must be allocated a share of housing need, by income category, to plan to

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accommodate in updating their housing elements by August 31, 2009". HCAOG's process for the last RHNA cycle took two-years, three months and 19 days. The extended time was in fact required in order to satisfy the 60-day public comment period on the proposed methodology as required by Government Code Section 65584.04(h). HCAOG will adhere to the two-year process as required by State law in the next RHNA cycle.

Finding 2:

It appears from a review of the Brown Act, that one posting available to the public for 72 hours satisfies the minimum requirement; however, the location is not one the public is likely to visit.

Recommendation 1:

That HCAOG post meeting notices and agendas beyond the current location at the offices of the Humboldt Transit Authority. Post announcements and publicize minutes in multiple ways so that the affected public is likely to be informed.

Proposed HCAOG Board Responses to F.2. and R.2:

The HCAOG Board agrees with the finding and will implement the recommendation.

HCAOG staff currently sends meeting notices and agendas to every clerk of every local government in addition to any member of the public requesting to be added to the postal mailing list and/or email list. Staff currently only makes one follow-up call to the Humboldt Transit Authority to ensure that the notice or agenda has been posted. Staff will implement a second follow-up call to the City of Eureka where all Board meetings are held. The recommendation has not yet been implemented, but will be implemented for all meeting commencing in July 2010. Meeting minutes are referred to as Meeting Records on every agenda. Both agendas and meeting records are available on the HCAOG website and are available to any member of the public requesting a copy. HCAOG will not post or otherwise publicize the minutes in any additional manner.

If I can be of any further assistance please do not hesitate to contact our office.

Sincerely,



Marcella Clem,
Interim Executive Director

cc: Humboldt County Board of Supervisors
Grandjury@co.humboldt.ca.us