AGENDA
Workforce Development Board (WDB) Executive Committee Meeting
Prosperity Center
520 E Street, Eureka
April 23, 2020, 1:30 – 3:30 p.m.

<table>
<thead>
<tr>
<th>Time</th>
<th>Agenda Item</th>
<th>Who</th>
<th>Recommended Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>1:30</td>
<td>Opening</td>
<td>Chair</td>
<td>Discussion</td>
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<tr>
<td></td>
<td>1. Meeting Called to Order</td>
<td>Chair</td>
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<td></td>
<td>2. Introductions</td>
<td>Chair</td>
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<td>3. Adjustments to the Agenda</td>
<td>Chair</td>
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<td></td>
<td>4. Board or Executive Director Announcements</td>
<td>Chair</td>
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<td></td>
<td>Attachment A</td>
<td>Chair</td>
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<td>5. Public Comment</td>
<td>Chair</td>
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<tr>
<td>2:00</td>
<td>Consent Agenda</td>
<td>Chair</td>
<td>Approve Consent Agenda</td>
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<tr>
<td></td>
<td>Approval of Minutes from March 19, 2020</td>
<td>Chair</td>
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<td></td>
<td>Attachment B</td>
<td>Chair</td>
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<tr>
<td>2:15</td>
<td>Policy Review</td>
<td>Chair</td>
<td>Discussion</td>
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<td></td>
<td>Operating Expense Payments</td>
<td>Staff</td>
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<td></td>
<td>Attachment C</td>
<td>Chair</td>
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<tr>
<td>2:25</td>
<td>Policy Review</td>
<td>Chair</td>
<td>Discussion</td>
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<td>Budget Control and Modification</td>
<td>Staff</td>
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<td>Attachment D</td>
<td>Chair</td>
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<td></td>
<td>Property Management Inventory</td>
<td>Staff</td>
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<td></td>
<td>Attachment E</td>
<td>Chair</td>
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<tr>
<td>2:45</td>
<td>Private Economic Development Board Vacancy</td>
<td>Chair</td>
<td>Recommended Approval</td>
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<tr>
<td></td>
<td>Jennifer Budwig Application</td>
<td>Staff</td>
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<td>Attachment F</td>
<td>Chair</td>
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<tr>
<td>3:00</td>
<td>By-Law-Update</td>
<td>Chair</td>
<td>Recommended Approval</td>
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<tr>
<td></td>
<td>Current By-laws (approved 03/19/20)</td>
<td>Staff</td>
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<tr>
<td></td>
<td>Attachment G</td>
<td>Chair</td>
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<tr>
<td></td>
<td>New By-laws (with County Counsel edits)</td>
<td>Staff</td>
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<td></td>
<td>Attachment H</td>
<td>Chair</td>
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<tr>
<td>3:30</td>
<td>Meeting Adjournment</td>
<td>Chair</td>
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Join Zoom Meeting
https://zoom.us/j/96256074278?pwd=Y0huaDlmc2hrWGY4OGhCTDB6cHVVdz09
Meeting ID: 962 5607 4278
Password: 602101
Dial by your location
+1 669 900 9128 US (San Jose)
Password: 602101

Auxiliary aids and services are available upon request to individuals with disabilities.
Please call 445-7745 at least 72 hours in advance.
Humboldt County COVID-19 OES Economic Impact Survey as of 04/16/20

What is your total COVID-19 pandemic revenue loss year to date? $ 26,490,266

This data is direct self-reported revenue loss as a direct result from COVID-19 Disaster.

Year over Year Business Revenue loss (2019 compared to 2020) $ 30,920,773

This was calculated by comparing year over year revenues. Very conservative analysis. Businesses that didn't respond to both years revenue questions were removed from total calculation.

Job Loss -1874

The job loss metric is also very conservative. Respondents that didn't provide data for employment numbers for pre and post COVID-19 Disaster were removed. A few large employers did not provide pre and current numbers.

Permanent Closures 15

Total Respondents 608

Number of Calls to the Business Info Line 179

As of 04/21/20

<table>
<thead>
<tr>
<th>Week Ending</th>
<th>Local Workforce Development Area (LWDA)</th>
<th>Number of Weekly New UI Claims</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/4/2020</td>
<td>Humboldt County</td>
<td>89</td>
</tr>
<tr>
<td>1/11/2020</td>
<td>Humboldt County</td>
<td>154</td>
</tr>
<tr>
<td>1/18/2020</td>
<td>Humboldt County</td>
<td>161</td>
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<tr>
<td>1/25/2020</td>
<td>Humboldt County</td>
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</tr>
<tr>
<td>2/1/2020</td>
<td>Humboldt County</td>
<td>87</td>
</tr>
<tr>
<td>2/8/2020</td>
<td>Humboldt County</td>
<td>64</td>
</tr>
<tr>
<td>2/15/2020</td>
<td>Humboldt County</td>
<td>83</td>
</tr>
<tr>
<td>2/22/2020</td>
<td>Humboldt County</td>
<td>59</td>
</tr>
<tr>
<td>3/1/2020</td>
<td>Humboldt County</td>
<td>65</td>
</tr>
<tr>
<td>3/7/2020</td>
<td>Humboldt County</td>
<td>80</td>
</tr>
<tr>
<td>3/14/2020</td>
<td>Humboldt County</td>
<td>76</td>
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<tr>
<td>3/21/2020</td>
<td>Humboldt County</td>
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<tr>
<td>3/28/2020</td>
<td>Humboldt County</td>
<td>1,812</td>
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<tr>
<td>4/4/2020</td>
<td>Humboldt County</td>
<td>2,675</td>
</tr>
<tr>
<td>4/11/2020</td>
<td>Humboldt County</td>
<td>1,596</td>
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</tbody>
</table>

Number of Weekly New Unemployment Insurance (UI) Claims for Humboldt County

ATTACHMENT A
MEMBERS PRESENT: Dena McCullough, Mike Newman, Dan Heinen, Susi Huschle, Pru Ratliff

MEMBERS ABSENT: Dennis Leonardi, Virginia Bass

OTHERS PRESENT: Cara Owings, Madison Flynn, Catherine Carter, Rev Seaman, Peggy Murphy, Leila Roberts, Janet DePace

Call to Order:
Chair, Dena McCullough, called the meeting to order at 1:37 pm. A quorum was present.

Adjustments to the Agenda
None

Board and Executive Director Announcements
Cara Owings announced that during the Covid–19 crisis she would be working in the Humboldt County Office of Emergency Services and would also continue her duties as Workforce Development Executive Director.

Consent Agenda
Approve meeting minutes from January 16th, 2020. It was moved by Dena McCullough and seconded by Mike Newman to approve the January 16th, 2020 minutes. Chair called for public comment – none received. Motion carried unanimously.

Policy Review
-Record Retention – New Policy
It was moved by Dena McCullough and seconded by Pru Ratliff to approve the Record Retention Policy. Chair called for public comment – none received. Motion carried unanimously.

-Support Services – Updated Policy
Cara Owings explained the modifications to the policy, a caveat was removed from support services under the Adult program.

It was moved by Dena McCullough and seconded by Susi Huschle to approve the Support Services Policy. Chair called for public comment – none received. Motion carried unanimously.
Native American Employment Development Board Vacancy
-Review Madison Flynn’s Application

It was moved by Susi Huschle and seconded by Pru Ratliff to move Madison Flynn’s application to the Workforce Development Full Board for approval. Chair called for public comment – none received. Motion carried unanimously.

Fund Transfer between Adult and Dislocated Worker Funds
The board discuss the current economic climate and the damage to Humboldt County’s workforce, as a result of Covid-19. It was decided that it was not a good time to be transfer money from Dislocated Worker funds.

Cara Owings explained that the transfer was originally suggested because Smart Business Resource Center was concerned they would not meet their Dislocated Worker numbers and wanted to move more funds to adult, but after the Covid-19 crisis, the necessary resources shifted.

It was moved by Mike Newman and seconded by Pru Ratliff to not transfer funds between Adult and Dislocated Worker resources. Chair called for public comment – none received. Motion carried unanimously.

By-Law-Update
- Old & New By-Laws
Cara Owings explained that a lot of the content between the old and new by-laws is the same, but the formatting was update. The new by-laws also included additions required at the state level.

The board had questions about the staff portion of the by-laws. They suggested creating a separate staff document.

It was moved by Dena McCullough and seconded by Pru Ratliff to approve the by-laws as is. Chair called for public comment – none received. Motion carried unanimously.

Nomination Committee Lead Member Appointment
Pru Ratliff was nominated to be the Committee Lead Member.

Adjourn
Chair, Dena McCullough, adjourned the meeting at 2:15 p.m.

Next Meeting Date: April 23rd, 2020 1:30 pm – 3:30 pm

WDB Agendas and Minutes can be found at
http://humboldtgov.org/1709/Workforce-Investment-Board/
or by contacting Economic Development at (707)445-7745.
TO:                           All Humboldt County Workforce Innovation and Opportunity Act (WIOA) Staff, Subrecipients and Service Providers
FROM:                        Humboldt County Workforce Development Board
EFFECTIVE:                   New – Effective Upon Local Workforce Development Board Approval
SUBJECT:                     Operating Expense Payments

PURPOSE
The purpose of this policy is to guide the Humboldt County Workforce Development Board (HC-WDB) and its subrecipients in receiving reimbursement for operating expenses.

POLICY AND PROCEDURE
Each subrecipient of WIOA funding shall invoice the HC-WDB by on or before the 15th of each month for all agreement costs incurred during the previous month. Agreement holders shall attach all backup documentation as defined for each agreement holder in support of each invoice. This requirement is a condition for reimbursement. The invoice shall be submitted to the HC-WDB on a monthly basis and if the 15th falls on a weekend or holiday, then the invoice is due on the previous workday. The processing of invoices submitted after the 15th of the month may experience delays. Invoices not submitted monthly by the 15th are considered late, will not go through the normal payment cycle, and will be processed accordingly. No invoices will be paid after the annual fiscal year closeout. If the agreement holder cannot meet the required invoicing time frame, then the agreement holder must notify the HC-WDB Executive Director immediately.

The appropriate invoice form with guidelines will be provided upon execution of each agreement. When submitting an invoice, the agreement holder must include the following:
- Agreement holder’s name and address.
- WIOA program name
- Time period for which the actual expenditures are being reported.
- Expenditure monthly total. The total may not exceed the total annual contract budget amounts.
Expenditures to be reported include:

- **Participant wages**: If applicable, insert participant wages for specified time period.
- **Participant benefits**: If applicable, insert participant benefit amounts for specified time period, as identified in the agreement budget.
- **Staff costs**: Insert the allocated salaries for each staff position identified in the agreement budget.
- **Staff benefits**: Insert the actual benefits amount allocated as identified in the agreement budget.
- **Reimbursable expenditures**: Insert expenditures, as well as accrued expenditures to the end of the reporting period. Participant timesheets and receipts for supportive services must include participant and staff signatures.

The completed and signed invoice is submitted for payment to:

Humboldt County Workforce Development Board

520 E Street

Eureka, CA 95501

If the agreement budget includes a match requirement, the agreement holder shall report and submit the detailed Cash/In-kind Match reports must be submitted on an annual basis. Cash Match claims are the actual costs incurred by the agreement holder for the benefit of the program, but are paid from non-federal funding sources. In-kind Match claims are those services provided to the program that do not represent actual cost incurred by the agreement holder but that benefit the program. Examples include: donated staff time, office space, etc. This is submitted to the address above.

The HC-WDB reserves the right to monitor and visit, announced or unannounced, the agreement holder’s program, including visits to all locations, offices and training sites at any time during normal business hours. The U.S. Department of Labor, the Office of the Inspector General, the State of California Employment Development Department and the County of Humboldt maintain the right to access and monitor/evaluate all conditions and activities in the agreement and to investigate/audit all records, books, papers or documents related to the conduct of programs funded by the county.

Acceptable back up documentation may include: canceled checks; bank statements, general ledgers or the equivalent. Invoice payments that cover more than one month must be requested for reimbursement at a monthly allocation rate. Journal vouchers transferring expenditures from one funding source to another must be supported by the originating source documents. In addition, all documentation must identify allocation across funding sources. The following list is a description of acceptable substantiating forms of invoice documentation:

- **Staff salaries** - payroll registers for the current billing period and source documentation supporting the payroll register (Time cards, time study, etc.) with signatures. Payroll expenses (Payroll benefits, manual payroll checks, etc.) not reported on the payroll register, paid invoice(s), payment request forms or journal vouchers must be submitted.
- **Staff mileage** – completed mileage logs that specify name of staff person traveling, miles traveled, date of travel, destination and purpose of trip.
- **Conference training and other travel costs** – an agreement holder must follow specific
requirements per the Travel policy.

- Payroll services – paid invoice(s) or payroll service documentation.
- Insurance and bonding – paid invoice(s) or deposits made to bonding accounts.
- Printing services and photocopy costs
- Office furniture and equipment purchases – if a purchase was for a fixed asset (equipment with a useful life of more than one year and an acquisition cost of $5,000 or more per unit, including all costs related to the property’s intended use), then packing slip(s) with signature of person receiving merchandise is required. Other information may be requested from the agreement holder to meet federal, state, and county imposed property management requirements. All office furniture and equipment purchases must be on the Equipment List as identified in the agreement holder’s contract. Additionally, the State of California Employment Development Department and the HCWDB must provide written approval for purchases over $5,000 prior to purchase.
- Equipment Lease/Rental – copy of the paid invoice or lease agreement outlining the monthly costs and payment schedule is required. Unless the equipment lease/rental is done on a less than arm’s length transaction, it is considered a capital lease. A capital lease can only be applied to the agreement holder’s contract on the use allowance method (annual rate not exceeding 6.66% of acquisition cost), depreciation method, or if equipment has been fully depreciated, a reasonable use allowance, if applicable may be negotiated.
- Equipment Repairs and maintenance – paid invoice(s) identifying specific equipment purchased, the maintenance agreement and length of coverage, or repairs performed.
- Facility Rent/Lease – paid invoice or a copy of the lease/rental agreement outlining payment schedule. Agreement holder must maintain a current copy of the executed rental/lease agreement on file. If the equipment lease/rental is done on a less than arm’s length transaction, then it is considered a capital lease. A capital lease can be applied to the agreement holder’s contract on the use allowance method (annual rate not exceeding 2% of acquisition cost), depreciation method, or if the asset(s) has been fully depreciated, then a reasonable use allowance, if applicable, may be negotiated.
- Utilities (not included and identified in the lease or rental agreement) – paid invoice(s) identifying physical location of service.
- Telephone – paid telephone and cell phone invoice(s), excluding the detail sheets of the phone statement
- Postage – stamps, metered postage or an outside delivery service.
- Advertising and outreach – paid for newspaper ad(s), television or radio contract, containing all details such as dates, times, and script(s) attached. All advertising must be pre-approved through the HC-WDB Director.
- Subscriptions/Professional dues: Paid invoice(s) indicating delivery dates or period
- Audit fees – Paid invoice(s). Only allowable it the agreement holder is required to have an audit performed according to the OMB Circular A-133 or its successor)
- Consumable supplies – paid itemized invoice(s) or supplies purchased through a General Supply Department, which show the item and actual purchase price of the item(s). A signature is required.
- Janitorial service – Paid invoice(s) showing date(s) of service.
- Tenant improvements – paid invoices must be part of the pre-award negotiations and substantiated with a description. The State of California Employment Development Department and the HC-WDB must provide pre-approval.
- Training materials – paid invoice(s) for materials used for training participants.
- Youth incentives – a receipt with youth signature and information including the skills attainment information and date(s) the participant attended are required.
• Indirect staff costs – Indirect cost rates can be charged up to the maximum rate approved, but must be pre-approved and submitted to HC-WDB Executive Director. If the approved rate changes at any point during the contracted period, the agreement holder must notify the HC-WDB Executive Director and submit an updated copy of the approval letter from the authorizing authority.

• Payment processing – it is herein stated that schedule processing time to issue payments is 45 calendar dates from the date of receipt of a complete and accurate invoice form as reviewed and accepted by the HC-WDB, with such acceptance documented with a date stamp to reflect the day of receipt.

• Cost allocation budget form – agreement holder must provide a cost allocation budget form prior to agreement execution. It must be maintained continuously throughout the program year.

FORM(S): None

INQUIRIES:

Any questions regarding this policy may be directed to the Workforce Development Board Director at 707-445-7745.

Humboldt County Workforce Development Board Approval Required? ☒ Yes ☐ No
TO: All Humboldt County Workforce Innovation and Opportunity Act (WIOA) Staff, Subrecipients and Service Providers

FROM: Humboldt County Workforce Development Board

EFFECTIVE: New – Effective Upon Local Workforce Development Board Approval

SUBJECT: Budget Control and Modifications

REFERENCES: WIOA 107(d)(12)(A)

PURPOSE
The purpose of this policy is to guide the process to assure proper and timely development of WIOA budgets.

POLICY AND PROCEDURE
The budget is a performance, financing and spending plan established by the Humboldt County Workforce Development Board (HC-WDB). The HC-WDB prepares and annually refines written policies and goals to guide the preparation of performance, financing, and spending plans to the budget. The HC-WDB has the primary function of: (1) formulating budget proposals in line with WIOA policies and HC-WDB priorities and (2) implementing those proposals once they are approved.

- The WIOA budget is comprised of all WIOA core and supplementary monies, including all discretionary grants under the supervision of the HC-WDB.
- The HC-WDB, through its annual planning process determines priorities for the use of WIOA funds.
- The priorities of the HC-WDB take into account the responsibilities to meet WIOA performance standards, operate a One-stop system, and expend funds appropriately and in a timely manner to comply with WIOA requirements.
- The HC-WDB Executive Director provides budget oversight, direction, and coordination in alignment with applicable County budget processes and cycles.
- The budget is approved by the HC-WDB or its Executive Committee and the Board of Supervisors.
- Subrecipients of the WIOA funds submit and adhere to funding and budgets approved by the HC-WDB, HC-WDB staff, or its Executive Committee.
- The billed expenses of the WIOA subrecipients will not exceed the approved allocation of funds; exceptions require HC-WDB or its Executive Committee approval.
The HC-WDB or the Executive Committee has the option to establish a Management Reserve of up to 20% per WIOA related grant for contingencies; such action, must not jeopardize the expenditure and timing requirements of the grant.

Management Reserve funds are reallocated only with the authorization of the HC-WDB or its Executive Committee.

Changes to the WIOA budget require HC-WDB or HC-WDB Executive Committee approval.

When an increase or decrease in available revenue occurs, the HC-WDB Executive Director or Executive Committee decides how this increase or decrease is to be applied to the WIOA budget.

Then the HC-WDB Executive Committee takes action on behalf of the HC-WDB under this policy, the full HC-WDB will be notified in writing.

In no event may expenditures exceed appropriations.

**FORM(S):** None

**INQUIRIES:**

Any questions regarding this policy may be directed to the Workforce Development Board Director at 707-445-7745.

Humboldt County Workforce Development Board Approval Required? ☒ Yes ☐ No
TO: All Humboldt County Workforce Innovation and Opportunity Act (WIOA) Staff, Subrecipients and Service Providers

FROM: Humboldt County Workforce Development Board (HC-WDB)

EFFECTIVE: New – Effective Upon Local Workforce Development Board Approval

SUBJECT: Property, Inventory, and Disposition

REFERENCES: WSD16-10
WIOA (Public Law 113-128)
Title 2 CFR Part 2900: “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (Department of Labor [DOL] Exceptions)
Title 20 CFR: “WIOA; Final Rule,” Section 683.200
Training and Employment Guidance Letter (TEGL) 15-14, Subject: Implementation of the New Uniform Guidance Regulations (December 19, 2014)
Workforce Services Directive WSD16-05, Subject: WIOA Closeout Requirements (July 29, 2016)
WSD14-13, Subject: Property-Prior Approval, Purchasing, Inventory, and Disposal (April 29, 2015)

PURPOSE:
The purpose of this policy is to provide guidelines for WIOA property, inventory management and disposal. This policy applies to all subrecipients of WIOA funds.

BACKGROUND:
On December 26, 2013, the U.S. Office of Management and Budget (OMB) issued the Uniform Guidance under Title 2 CFR Part 200, in order to streamline the guidance on administrative requirements, cost principles, and audit requirements for federal awards. The Uniform Guidance consolidated multiple, previously separate, sets of OMB guidance into one combined set of rules. On December 19, 2014, the DOL adopted the Uniform Guidance and issued DOL Exceptions under Title 2 CFR Part 2900.
The Uniform Guidance provides fiscal and administrative guidance for the administration of the WIOA program, including specific requirements for purchasing property. While the format and wording of the Uniform Guidance and DOL Exceptions vary slightly from OMB’s previous circulars, the intent of the federal government is consistent. The intent is to ensure that purchases of property are approved, performed through fair and open competition, and managed according to proper inventory, maintenance, and disposition procedures.

DEFINITIONS

Equipment - tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or $5,000 (Uniform Guidance Section 200.33).

Please note, Uniform Guidance specifies that equipment includes information technology systems, computing devices, software and services (including support services). This includes fees for licensing or subscriptions to software and software support services. Even if a monthly subscription fee is under $5,000, if the total annual cost for the subscription exceeds $5,000, then prior approval must be obtained from the Employment Development Department.

General Purpose Equipment - equipment which is not limited to research, medical, scientific or other technical activities. Examples include office equipment and furnishings modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles (Uniform Guidance Section 200.48).

Information technology systems - computing devices, ancillary equipment, software, firmware, and similar procedures, services (including support services), licensing or subscriptions to software and software support services, and related services (Uniform Guidance Section 200.58).

Intangible Property - property having no physical existence, such as trademarks, copyrights, patents and patent applications and property, such as loans, notes and other debt instruments, lease agreements, stock and other instruments of property ownership (whether the property is tangible or intangible) (Uniform Guidance Section 200.59).

Personal Property - property other than real property. It may be tangible, having physical existence or intangible (Uniform Guidance Section 200.78).

Property - real property or personal property (Uniform Guidance Section 200.81).

Real Property—land, including land improvements, structures and appurtenances thereto, but excludes moveable machinery and equipment (Uniform Guidance Section 200.85).

Subrecipient - a non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency (Uniform Guidance Section 200.93).

Supplies - all tangible personal property other than equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-
federal entity for financial statement purposes or $5,000, regardless of the length of its useful life (Uniform Guidance Section 200.94).

POLICY:

In accordance with the Uniform Guidance (Title 2 CFR Part 200), The HC-WDB mandates that funds are being spent in a fiscally prudent and efficient manner. Subrecipients must consider the following questions prior to purchasing property:

Is this purchase reasonable?
Why is the purchase needed?
Have the best products been selected for the best price?
What procurement method will be used?
Has a lease option been considered verses purchasing?
Does the state already provide the item, service, or software being considered for rent, purchase, or subscription?

Budget Plans

The HC-WDB may occasionally submit budget plans that include a request to purchase property. However, the federal approval of the budget plan does not constitute approval of the purchase request. A separate request to purchase property must still be submitted and approved by the Employment Development Department prior to purchase.

Cost Sharing Information

If the HC-WDB plans to enter into a “cost sharing” agreement for the purchase of property with a per unit purchase price of $5,000 or more, it must first obtain prior approval no matter the size of the portion it plans to contribute. During the time that the property is used on the project or program for which it was acquired, the HC-WDB and subrecipients must also make the property available for use on other projects or programs either currently or previously supported by the federal government, provided that the property’s use will not interfere with the work on the projects or program for which it was originally acquired.

The HC-WDB must give the first preference for other use to programs or projects supported by the federal awarding agency that financed the property and must give the second preference to programs or projects under federal awards from other federal awarding agencies. Use of the property for non-federally funded programs or projects is also permissible (Uniform Guidance 200.313[c][2]).

Leasing Considerations

The decision to lease or buy personal property should be governed by considerations of economy. Consideration for leasing may differ by property type and according to market conditions. The length of the contract period of the lease should also be considered. Leasing with an option to purchase is generally preferable to straight leasing. However, for real property, administrative requirements make leasing the only option, as the construction or purchase of real property is not allowed under the WIOA program except in certain limited circumstances, which are outlined in the following section.
Capital Assets and Construction Costs

The WIOA Title I funds may not be spent on the construction or purchase of facilities or buildings, or other capital expenditures for improvement to land or buildings, except with the prior written approval of the DOL Secretary. However, exceptions to that rule in which WIOA Title I funds can be used for construction include the following:

- Meeting obligations to provide physical and programmatic accessibility and reasonable accommodations.
- Certain repairs, renovations, alterations, and capital improvements of property.
- For disaster relief projects under WIOA Section 170(d).
- For YouthBuild programs under WIOA Section 171(c)(2)(A)(i).
- For any other projects the DOL Secretary determines are necessary to carry out WIOA Section 189(c).

(Title 20 CFR Section 683.235)

Intangible and Intellectual Property

The HC-WDB obtains the title to intangible property once it has been acquired. The HC-WDB must use the property for the originally authorized purpose and must not encumber the property without approval from DOL. Further, DOL has the right to obtain, reproduce, publish, or otherwise use the data produced under a federal award, and authorize others to receive, reproduce, publish, or otherwise use such data for federal purposes. (Uniform Guidance Section 200.315[a],[d])

In addition, DOL requires intellectual property developed under a competitive federal award process to be licensed under a Creative Commons Attribution license. This license allows subsequent users to copy, distribute, transmit and adapt the copyrighted work and requires such users to attribute the work in the manner specified by the recipient (DOL Exceptions Section 2900.13).

Inventory Records

The HC-WDB will maintain accurate inventory records of all property purchased with federal funds. All property should have a unique and sequential identification mark to be used for inventory purposes. The inventory records must include the following information:

- A description of the property.
- Manufacturer’s serial number, model number, or other identification number.
- Source of funding for the property (including the Federal Award Identification Number).
- Whether the title is held by the HC-WDB, contractor, or by DOL.
- Acquisition date (or date received, if the property was furnished by the federal government).
- Cost of the property.
- Percentage of federal participation in the project costs for the federal award under which the property was acquired.
- Location, use, and condition of the property.
- Ultimate disposition data including the date of disposal and the sale price.

(Uniform Guidance Section 200.313[d])

In addition to the requirements above, staff of the HC-WDB must take a physical property inventory and reconcile the inventory with the property records at least once every two years. The HC-WDB enforces a control system to ensure adequate safeguards to prevent loss, damage, or theft of the property; any loss, damage, or theft of property must be investigated.
Further, the HC-WDB performs adequate maintenance procedures to keep the property in good operating order. If the HC-WDB is authorized or required to sell property, proper sales procedures must be established to ensure the highest possible return (Uniform Guidance Section 200.313[d]).

The HC-WDB will retain all property records for four years after the date of acquisition, through final disposition and then maintain the records for four years beyond that. The HC-WDB must also retain those records for a period of four years from the date of their last expenditure report submitted to the Central Office Workforce Services Division. If any litigation, claim, or audit is started before the expiration of the four-year period, ALL records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. (Uniform Guidance Section 200.333)

Disposition of Property

When reporting any property on the Property Closeout Inventory Certification Form included in WSD16-05, all similar items should be grouped together by category for inventory and fair market value purposes (e.g., computers, furniture, etc.). If equipment with a per unit fair market value of $5,000 or more, or an inventory of unused supplies with a total aggregate fair market value of $5,000 or more, is no longer needed for the original project or program, the subrecipient may use the property for other activities currently or previously supported by DOL. Otherwise, if the property is not needed for the original program/project or other DOL supported activities, the subrecipient may either retain or sell the property and reimburse the state for the WIOA federal funds' share (Uniform Guidance Section 200.313-200.314).

The amount of reimbursement is computed by applying the percentage of WIOA federal funds used to purchase these items to the current “fair market” value of the property. If only WIOA federal funds were used, then use 100 percent for the calculation. As a subrecipient, the HC-WDB may deduct and retain from the WIOA share $500 or 10 percent of the proceeds of the sale, whichever is less, for the subrecipient’s selling and handling expenses. The balance of funds must be submitted within 30 days to the address provided below. The name of the entity, subgrant number, year of appropriation, and the funding stream must be provided when submitting the funds. Funds received from the sale of property must be sent to the following address:

Attn: Cash Control Unit
Fiscal Programs Division, MIC 70
Employment Development Department
P.O. Box 826217
Sacramento, CA 94230-6217

If the HC-WDB has no further use for the property and wishes to dispose of it (in a manner other than selling) they must request disposition instructions from the state. If the per unit cost of equipment or total aggregate inventory of unused supplies is less than $5,000, the subrecipient may retain the property with no further obligation. Disposition records must still be kept in accordance with WIOA record retention requirements.

Calculation of “Fair Market” Value
The selling price of an item that is sold through auction, advertisement, or a dealer is the fair market value of the item regardless of any prior estimates. An item that is not sold but retained by the HC-WDB has a fair market value based on similar items that are offered for sale, using the selling price if known. Methods for determining fair market value include, but are not limited to, the following:
  • Auctions
  • Classified advertisements for similar used items
  • Dealers
  • Licensed appraisers

For automobiles, trucks, and vans, the standard authority on the value of used vehicles is the Kelley Blue Book. Depreciated value is not “fair market” value, nor a determining factor in establishing the “fair market” value.

INQUIRIES:

Any questions regarding this policy may be directed to the Workforce Development Board Executive Director at 707-445-7745.

Humboldt County Workforce Development Board Approval Required? ☒ Yes ☐ No
APPLICATION FOR APPOINTMENT

PART I – Personal Information

<table>
<thead>
<tr>
<th>Applicant Name (Last, First, and Middle Initial)</th>
<th>Home Telephone</th>
<th>E-Mail Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budwig, Jennifer P</td>
<td>768-2054</td>
<td><a href="mailto:Jbudwig@rdwo.com">Jbudwig@rdwo.com</a></td>
</tr>
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<table>
<thead>
<tr>
<th>Mailing Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO Box 717</td>
<td>Hydesville</td>
<td>C</td>
<td>95547</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Residence Address (if different from mailing address)</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>100 Deer Creek Ln</td>
<td>Hydesville</td>
<td>C</td>
<td>95547</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Business, Agency, or Tribe</th>
<th>Occupation/Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Redwood Capital Bank</td>
<td>Banker-Chief Lending Officer</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Business Address</th>
<th>City</th>
<th>State</th>
<th>Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>402 G St.</td>
<td>Eureka</td>
<td>CA</td>
<td>95501</td>
</tr>
</tbody>
</table>

Business Phone: 444-9817
Business Fax: 444-9846

Please provide three references (name, address, phone # and e-mail)

1. John Dalby 402 G St. Eureka, CA 95501 444-9833 Jdalby@rdwo.com
2. Donna Wright 612 G St. Eureka CA 95501 442-3736 donna@eurekahamber.com
3. Leila Roberts 520 E St Eureka, CA 95501 445-9726 Leila@northcoastsbdc.org

Please indicate which industry you represent

- PRIVATE INDUSTRY (please specify which sector you represent)
  - Diversified Health Care
  - Building and Systems Construction
  - Management and Innovation Services
  - Forest Products
  - Other: Financial services

- PUBLIC INDUSTRY (please specify which sector you represent)
  - Wagner-Peyser Act
  - Board of Supervisors Representative
  - Assembly/State Representative
  - Education (specify)
    - Adult
    - K-12
  - Community Based Organization (specify)
    - Native American Employment Development
    - Employ People with Barriers
    - Train People with Barriers

  - Economic Development
  - Vocational Rehabilitation
  - Labor Organization
  - College of the Redwoods

  - Child Care
  - Youth Employment, Training, or Education
  - Federally Fund Programs/Services for Low-Income Residents
PART II—Guidelines
The following guidelines have been developed to assist the Board of Supervisors in the process of recruiting and appointing new Workforce Development Board members.

To become a member of the Workforce Development Board, you must:

1. Represent the sector for which you are applying (be an owner of a business, a chief executive/operating officer of a business or agency, or other business executive or employer with optimum policy-making or hiring authority).

2. Private Sector seats require a formal nomination by an open-membership business organization (i.e., a chamber of commerce or a professional or business organization such as Kiwanis or Rotary), a business trade association, or an agency board of directors. Labor Union seats require a formal nomination from a local labor federation. All other seats require no formal nomination. Your nomination must be secured prior to submitting this application by completing Part III below.

3. Forward the completed application and a copy of applicants resume to:

   Workforce Development Board  
   520 E Street  
   Eureka, CA 95501  
   Attn: Cara Owings, WDB Executive Director  
   cowings@co.humboldt.ca.us

Applicants selected for appointment will be required to file Form 700, Statement of Economic Interest.

For questions or additional information, please call (707)445-7745 or visit our website @ http://humboldtgov.org/1709/Workforce-Development-Board

PART III—Nomination
PLEASE NOTE: Private Sector and Labor Union applications must secure the nomination and signature as described in Part II—#2 above, prior to submitting the application to the Workforce Development Board.

Greater Eureka Chamber of Commerce  
( Agency/Organization/Association Name)

hereby formally nominates

Jennifer Budwig  
(Applicant's Name)

for appointment to the Workforce Development Board of Humboldt County  

04/17/2020  
Signature of Chair /Director /Chief of Nominating Agency  
Date

PART IV—Applicant Certification and Signature
I hereby certify all answers and statements are true and complete to the best of my knowledge. I understand the County may verify information and that untruthful or misleading answers are cause for rejection of this application.

Jennifer Budwig  
Signature of Applicant  
4/20/20  
Date

FOR OFFICE USE ONLY:
Date Rec’d:  
Staff:  
Submittal Date:  

ATTACHMENT F
Humboldt County Workforce Development Board

BYLAWS

ATTACHMENT G
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ARTICLE I. NAME AND ESTABLISHMENT

A. NAME: Under these Bylaws, the name for this organization is the Humboldt County Workforce Development Board, hereinafter HC-WDB or WDB. The HC-WDB was established under Section 107 of the Workforce Innovation & Opportunity Act of 2014, Public Law 803-32, hereinafter referred to as the WIOA.

B. ESTABLISHMENT: The HC-WDB is established and receives authority in accordance with the WIOA and is appointed by the Humboldt County Board of Supervisors, hereinafter BOS. The BOS have final authority.

ARTICLE II. PURPOSE AND RESPONSIBILITIES

PURPOSE: By its composition, the HC-WDB represents organizations, agencies, and representatives of business. The HC-WDB shall, in accordance with Section 107 of the WIOA; competitively procure and oversee the local America’s Job Center of California (AJCC) as part of the one-stop career system. The HC-WDB shall also provide oversight of Humboldt County’s comprehensive workforce development system consisting of workforce, education and training, workforce preparation services, regional research, and economic development.

MISSION STATEMENT AND GOALS

The Workforce Development Board brings together workforce development, educational, economic development and other employment services in a seamless customer-focused delivery network that enhances access to program services and improves long-term employment outcomes. As AJCC partners, we are committed to administering our independently funded programs as a set of integrated streamlined services to job seekers and employers, by:

• Helping businesses find skilled workers and access other supports services, including education and training, for their current workforce
• Providing an array of employment and business services and connecting customers to work-related training and education
• Continuing to align investments in workforce, education and economic development to regional in-demand jobs
• Reinforcing partnerships and strategies to provide job seekers and workers with high quality career services, education and training, and supportive services needed to get good jobs and stay employed
ARTICLE III. THE DUTIES OF THE BOARD

1. **Local Plan:** With approval from the BOS, develop and submit a local workforce development area plan to the Governor of California;

2. **Regional Plan:** Collaborate with the local and regional stakeholders and with approval from the BOS to develop and submit a regional plan;

3. **Workforce Research and Regional Labor Market Analysis:** Conduct research, specified regional market labor analysis, and periodic economic and workforce analyses as a part of the local planning process and to assist the Governor in developing the statewide workforce and labor market information system;

4. **Convening, Brokering, and Leveraging:** Convene the local workforce development system stakeholders to assist in the development of the local area plan, and identify non-federal expertise and resources to leverage support for workforce activities;

5. **Employer Engagement:** Lead efforts to engage with a diverse range of employers, entities in the region, and economic development entities, including coordination with BOS economic development strategies, in order to promote the participation of local area and regional private-sector employers, develop effective linkages with employers, support employer utilization of the Humboldt County workforce system, ensure the workforce investment activities meet the needs of employers, and support economic growth in the region;

6. **Career Pathways Development:** Collaborate with secondary and postsecondary education program representatives leading the efforts in the local workforce development area to develop and implement career pathways by aligning training, education and support services;

7. **Proven and Promising Practices:** Identify, promote, and disseminate proven and promising strategies, initiatives, and practices for meeting the needs of job seekers and employers;

8. **Technology:** Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, job seekers, and those with barriers to employment; develop intake and case management information systems, remote access, and improve digital literacy skills while leveraging resources and capacity within the system;

9. **Program Oversight:** Conduct program oversight for: local WIOA youth, adult, and dislocated workforce development program activities; the local service delivery system; and the use, management, and investment of workforce development funds to maximize performance outcomes under WIOA through evidenced-based decision-making;

10. **Negotiation of Local Performance Accountability:** Establish, through negotiation with the BOS and the Governor, local performance and accountability measures;
11. **Selection of Operators and Providers:** Competitively designate and certify one-stop operators, identify eligible adult and youth training providers, and also ensure the provision of opportunities that lead to competitive employment for individuals with disabilities; in conjunction with the State, ensure there are sufficient numbers and types of career and training service providers in a manner that maximizes consumer choice;

12. **Coordination of Education Providers:** Coordinate activities with education and training providers;

13. **Budget and Administration:** Develop a budget for the activities of the HC-WDB consistent with the local workforce development plan and the duties of the HC-WDB under WIOA;

14. **Accessibility for Individuals with Disabilities:** Annually assess the physical and programmatic accessibility of all one-stop centers in the local area in accordance with the Americans with Disability Act of 1990; and

15. **Additional Duties:** The HC-WDB shall perform other functions and duties as required by the WIOA, or by State of California implementing legislation or Executive Orders and shall act in accordance with WIOA and under the direction of the Governing Board.

ARTICLE IV. MEMBERSHIP

A. **COMPOSITION**

The BOS shall ensure the membership of the HC-WDB conforms to all WIOA requirements. The BOS reserves discretionary authority on membership as local economic conditions indicate. As authorized under WIOA, Section 107, membership of the WDB is established to be composed of at least 19 members or more, in the percentages that follow:

1. Business representatives shall constitute a majority, 51%, of WDB and must include two or more members that represent small business as defined by the U.S. Small Business Administration. Furthermore, business representative seats may reflect the identified major industries and clusters identified in the Humboldt County Comprehensive Economic Development Strategy (CEDS). Business members must be in positions with a high degree of policymaking and hiring authority within the business they represent. Their business must provide employment opportunities with high quality work-relevant training and development in local in-demand industry sectors or occupations.

2. Representatives of the workforce shall constitute at least 20% of WDB membership, including representatives of labor organizations, which must constitute at least 15% of WDB membership. Labor Union members must be
selected from candidates nominated by local labor federations, including a representative of an apprenticeship program. If local labor federations fail to nominate enough members to reach 15% of WDB membership, then the requirement shall be 10% of WDB membership, as stated in California Unemployment Insurance Code Section 14202.

Representatives of the workforce, which must total 20% of WDB membership, include labor members who may also include representatives of organizations, including community-based organizations (CBO) with experience and expertise in addressing barriers to employment, including organizations that serve veterans, individuals with disabilities, or eligible youth, including out of school youth.

The term community-based organization is defined as a private nonprofit organization that is representative of a community or a significant segment of a community which has demonstrated expertise and effectiveness in the field of workforce investment.

3. Further required Board membership shall include individuals with optimum policymaking authority, as follows:
   - Adult Education/Literacy Representative-Must be nominated by institution or organization
   - Vocational Rehabilitation Representative
   - Higher Education Representative- Must be nominated by institution or organization
   - Wagner-Peyser Representative
   - Public Economic Development Agency Representative

4. Members may also include additional local area representatives appointed by the BOS, representing:
   - Local K-12 education
   - The Board of Supervisors, with an alternate
   - A State elected official (Assembly or Senate) representing Humboldt County, with an alternate

5. Up to three representatives of community-based organizations or businesses that provide the following:
   - Native American employment development
   - Childcare
   - Employment of people with disabilities
   - Serves youth employment, training or education
   - Trains people with barriers to employment

ATTACHMENT G
B. HC-WDB NOMINATIONS

1. Nominees who are intended to serve as representatives of business in the local area must be nominated by one of the following: an open-membership business organization, business trade association, or an agency board of directors.

2. The Nominations Committee shall be an ad-hoc committee appointed by the Executive Committee, including two general members of the full WDB. The Committee shall solicit nominations from the entire WDB membership, beginning in the first quarter of the calendar year.

3. Nominees who are intended to serve as representatives of labor must be nominated by local labor federations.

4. For other mandated and non-mandated categories, nominees must be nominated by a senior executive from the agency or institution of employment or affiliation.

5. Written or electronic applications must be submitted to the HC-WDB Executive Director.

6. WDB nominations can only be approved when there is a quorum at any regularly scheduled meeting.

7. Prior to the vote, the Chair will take nominations from the floor.

8. Voting shall be public according to the open meeting laws of the State of California.

9. The Executive Committee of the HC-WDB will review applications and determine a recommendation to the full HC-WDB. The HC-WDB will then vote on an action of a formal nomination to be submitted for final approval by the BOS.

C. EXECUTIVE COMMITTEE AND OFFICER NOMINATIONS

1. The Executive Committee shall consist of seven (7) members of the HC-WDB and include; Chair, Vice Chair, BOS seat, At-Large Business seat, At-Large Higher Education seat and 2 At-Large General seats

2. Of the 4 At-Large general seats, the Chair shall appoint one member from the full WDB to serve on the Executive Committee.
3. The full WDB shall also elect three (3) At-Large members of the Executive Committee, at least one of whom shall be a private business member seat and one being a representative of a higher education institution that provides workforce education and training.

4. All elected At-Large members shall serve for 2-year terms, commencing on July 1st. Terms should be staggered in order to support continuity on the Executive Committee.

5. The Chair and Vice Chair seats shall be filled by business representatives.

6. Chair and Vice Chair terms will commence on July 1 and end on June 30 of the following calendar year.

7. A HC-WDB member may serve as Chair or Vice Chair for a period no longer than two years.

8. The Chair elect and Vice Chair elect shall automatically have their membership extended, if necessary, to coincide with their term in the Chair positions.

9. The Chair shall preside at all meetings of the full WDB and shall perform all duties incidental to the office of Chair.

10. A lead Executive Committee member will be appointed by the Executive Committee to create a nomination committee and shall include two at-large HC-WDB members.

11. The Nomination Committee will present the slate of candidates for Executive Committee positions, including the Chair and Vice Chair seats, at the final HC-WDB meeting of the fiscal year and be included on the agenda. The HC-WDB shall be notified of candidates 15 days prior to final WDB meeting of the fiscal year.

12. Prior to voting the Chair will take nominations from the floor, a quorum must be present to vote.

13. Officers are determined by a majority vote of eligible voting members of the HC-WDB.
D. TERM AND REAPPOINTMENTS

1. HC-WDB appointments and Executive Committee at-large positions will be for a two-year term generally. Terms will start from the date of appointment by the BOS and expire on June 30th the following year. During a member’s first two-year term, June 30th may arrive prior to the end of the two-year period or go beyond the two-year period, depending on appointment date. HC-WDB staff will put the term expiration date of June 30th as close as possible to match the two-year period. In some cases, members may be terminated or reappointed earlier than the full two years or beyond the full two years. Once a member is reappointed, the term will be on the appropriate two-year term schedule.

2. At the conclusion of a member's term, the member's position shall be treated as a vacancy, with the current member having the option to request consideration for appointment to an additional term. Reappointment requests will be considered along with any other nominations received for that vacancy.

E. VACANCIES

1. General HC-WDB Vacancies

   a) The HC-WDB or its Executive Committee will review membership vacancies as they occur and assess associated needs with appointing a replacement.

   b) HC-WDB staff will report vacancies to the Humboldt County Clerk of the Board on behalf of the BOS. The Clerk of the Board will publicly post the vacancy on the public notice bulletin board located outside the 5th Street entrance of the Humboldt County Courthouse. The vacancy will also be posted on the County of Humboldt, WDB website.

   c) **Vacant seats must be filled within 90 days.**

F. OFFICER VACANCIES

   a) In the event of a vacancy in the position of the Chair, the Vice Chair shall assume the duties of the Chair. In the event of a vacancy in the position of Vice Chair, the Business At-large member of the Executive Committee shall assume the role of Vice Chair for the remainder of the term.
b) The Vice-Chair shall preside in the absence or vacancy of the Chair, and perform such duties as delegated by the Chair.

c) In the event of a vacancy of both the Chair and Vice Chair, the Business At-Large elected member shall assume the duties of the Chair.

d) In the event of a vacancy in a position of an At-Large Executive Committee member, the Chair shall appoint a replacement to serve out the designated term of that position. The Chair has the option of appointing members for different term lengths in order to achieve or maintain staggering of terms.

G. TERMINATIONS AND RESIGNATIONS

1. Terminations may be a result of:
   
a) A member is not reappointed after completion of term.

   b) A member fails to attend three consecutive HC-WDB meetings. The Executive Committee may reverse a termination due to absence by a vote of two thirds.

   c) A member is unable to represent the categorical seat as appointed.

   d) Removal by action of the BOS.

2. Resignation process:
   
a) Members must provide written notice of resignation to the HC-WDB Chair and Executive Director.

   b) HC-WDB staff will notify the Humboldt County Board of Supervisors Clerk of the Board, and the HC-WDB.

H. ADDITIONAL MEMBERSHIP PROVISIONS

1. Membership is by person, not position, including the mandated partners. Each member must be vetted through the WDB application and approval process.

2. Each member shall have equal voting privileges, with each seat representing one vote.

3. Proxy votes by representatives or members are not allowed.
4. No member shall vote on any matter which:

   a) Poses the appearance of a conflict of interest to that member or his/her business or organization
   b) Would financially benefit such member or his/her business or organization

5. A member of the BOS shall have one vote at any HC-WDB meeting using the designated BOS member or appointed BOS alternate. Annually, the BOS will specify the designated BOS HC-WDB member and alternate. The BOS appointed alternate is authorized to vote in the absence of the appointed BOS HC-WDB member.

I. PROCEDURES FOR DEALING WITH CONFLICTS OF INTEREST

1. If a member believes (s)he is in a potential conflict situation, (s)he should so advise the Chair, refrain from any discussion on the matter involving the conflict and register an abstention on any subsequent vote.

2. Should the member participate in the discussion and/or vote on the matter, and it is later determined that a conflict situation existed; any agreements resulting from this involvement may be considered invalid. The HC-WDB Chair, whose decision shall then be presented to the HC-WDB for further action, shall initially make consideration of validity. Such action might include ratification of the agreement under such conditions as would make the agreement valid.

ARTICLE V. STAFF

A. The HC-WDB receives Executive Director and other staff support from the County of Humboldt County Administrative Office, Office of Economic Development.

ARTICLE VI. MEETINGS

A. Regular meetings (at least semi-annually) will be scheduled and announced at the beginning of each fiscal year. Special meetings may be called at the discretion of the Chair, as needed.

ATTACHMENT G
B. All meetings of the HC-WDB and its committees shall be called and held pursuant to the provisions of the Ralph M. Brown Act (Gov. Code Section 54950 et seq.).

C. Agendas and minutes of regular and special HC-WDB meetings shall be provided to members and, upon request, the public in a timely fashion.

D. Alternative technology such as telephone or video or digital conferencing, may be used at HC-WDB board and committee meetings as permitted by the Brown Act.

ARTICLE VII. COUNCILS AND COMMITTEES

A. The HC-WDB shall have an Executive Committee, the membership of which shall include the HC-WDB Chair and Vice-Chair; the Board of Supervisors member as selected by the BOS; and four (4) at large members, per Article IV.C.1. One at large member is appointed by the HC-WDB Chair. The remaining three at large members are elected by the HC-WDB membership, at least one coming from the private sector and one from the higher-education sector.

B. The Executive Committee shall act on behalf of the full board on all matters of necessity between HC-WDB meetings. That authority shall include:

1. Analyzing information from standing and ad hoc committees and coordinating their work

2. Setting agendas for HC-WDB meetings

3. Authorizing the HC-WDB Chair to sign time-sensitive documents when full HC-WDB approval is not feasible

4. Reversal of automatic termination of HC-WDB member terms for administrative purposes set forth in Article IV of these bylaws

5. Participation on ad hoc committees and workgroups as needed

C. Work of the HC-WDB as identified in the strategic plan shall engage HC-WDB members through workgroups or ad-hoc committees, defined as follows:

1. The HC-WDB or Executive Committee designates a work-group by (1) defining a set of specific outcomes, (2) determining a specific timeframe for deliverables, and (3) designating an Executive Committee member to participate on the work-group.

ATTACHMENT G
2. Staff organizes and facilitates workgroups. HC-WDB members may serve as chair should the workgroup elect to have a chair to best accomplish the outcomes.

3. HC-WDB members may Chair a workgroup, as best serves accomplishing the charge of the workgroup.

4. Workgroups do not have formal membership requirements, though at least one Executive Committee member participates on each workgroup. HC-WDB members participate on a volunteer basis.

5. A maximum of three (3) workgroups may operate at any one time.

6. Workgroups shall report their results and recommendations to the Executive Committee and/or the Full HC-WDB via members or staff.

7. Workgroups may meet at the call of the HC-WDB Chair or the committee Chair.

8. Work-group membership shall not constitute a majority of the membership of the HC-WDB.

**ARTICLE VIII. ADOPTIONS AND AMENDMENTS**

A. These bylaws are hereby adopted upon two-thirds (2/3) vote of the HC-WDB membership present at a meeting at which this item has been noticed and a quorum has been established.

B. These bylaws may be amended, in part or in whole, by two-thirds (2/3) vote of the members present and voting at a regularly scheduled HC-WDB meeting, at which a quorum has been established. Proposed additions and/or deletions to the bylaws must be provided to members at least fifteen (15) days before the meeting at which they are subject to vote.

C. Adoptions or amendments of these bylaws may be proposed by any voting HC-WDB member. Such adoptions or amendments must be presented in writing.

**ARTICLE IV. GENERAL PROVISIONS**

A. The HC-WDB shall utilize Robert's Rules of Order as a framework to conduct its business.
B. Nothing in these bylaws shall be construed to take precedence over federal, state or local laws or regulations.

C. All HC-WDB policies will be voted upon at a regularly scheduled HC-WDB meetings.

D. For purposes of these bylaws, “fiscal year” shall be defined as July 1 through June 30.

E. A two-thirds majority of the members of the HC-WDB shall constitute a quorum.

F. These bylaws shall be reviewed and approved by the HC-WDB every two years in alignment with the start of the calendar year.

HUMBOLDT COUNTY WORKFORCE DEVELOPMENT BOARD

By: ___________________________ Date: __________________________
Dena McCullough, HC-WDB Chair

APPROVED AS TO FORM FOR COUNTY OF HUMBOLDT

By: ___________________________ Date: __________________________
County Council

ATTESTED

By: ___________________________ Date: __________________________
Ryan Sharp, Clerk of the Board, County of Humboldt

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ARTICLE I. NAME AND ESTABLISHMENT

1. **Name:** Under these Bylaws, the name for this organization is the Humboldt County Workforce Development Board, hereinafter HC-WDB or WDB. The HC-WDB was established under Section 107 of the Workforce Innovation & Opportunity Act of 2014, Public Law 803-32, hereinafter referred to as the WIOA.

2. **Establishment:** The HC-WDB is established and receives authority in accordance with the WIOA and is appointed by the Humboldt County Board of Supervisors, hereinafter BOS. The BOS have final authority.

ARTICLE II. PURPOSE AND RESPONSIBILITIES

By its composition, the HC-WDB represents organizations, agencies, and representatives of business. The HC-WDB shall, in accordance with Section 107 of the WIOA; competitively procure and oversee the local America’s Job Center of California (AJCC) as part of the one-stop career system. The HC-WDB shall also provide oversight of Humboldt County’s comprehensive workforce development system consisting of workforce, education and training, workforce preparation services, regional research, and economic development.

MISSION STATEMENT AND GOALS

The HC-WDB brings together workforce development, educational, economic development and other employment services in a seamless customer-focused delivery network that enhances access to program services and improves long-term employment outcomes. As AJCC partners, we are committed to administering our independently funded programs as a set of integrated streamlined services to job seekers and employers, by:

- Helping businesses find skilled workers and access other supports services, including education and training, for their current workforce
- Providing an array of employment and business services and connecting customers to work-related training and education
- Continuing to align investments in workforce, education and economic development to regional in-demand jobs
- Reinforcing partnerships and strategies to provide job seekers and workers with high quality career services, education and training, and supportive services needed to get good jobs and stay employed

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ARTICLE III. THE DUTIES OF THE HC-WDB

It shall be the duty of the HC-WDB to do all the following:

1. **Local Plan:** With approval from the BOS, develop and submit a local workforce development area plan to the Governor of California;

2. **Regional Plan:** Collaborate with the local and regional stakeholders and with approval from the BOS to develop and submit a regional plan;

3. **Workforce Research and Regional Labor Market Analysis:** Conduct research, specified regional market labor analysis, and periodic economic and workforce analyses as a part of the local planning process and to assist the Governor in developing the statewide workforce and labor market information system;

4. **Convening, Brokering, and Leveraging:** Convene the local workforce development system stakeholders to assist in the development of the local area plan, and identify non-federal expertise and resources to leverage support for workforce activities;

5. **Employer Engagement:** Lead efforts to engage with a diverse range of employers, entities in the region, and economic development entities, including coordination with BOS economic development strategies, in order to promote the participation of local area and regional private-sector employers, develop effective linkages with employers, support employer utilization of the Humboldt County workforce system, ensure the workforce investment activities meet the needs of employers, and support economic growth in the region;

6. **Career Pathways Development:** Collaborate with secondary and postsecondary education program representatives leading the efforts in the local workforce development area to develop and implement career pathways by aligning training, education and support services;

7. **Proven and Promising Practices:** Identify, promote, and disseminate proven and promising strategies, initiatives, and practices for meeting the needs of job seekers and employers;

8. **Technology:** Develop strategies for using technology to maximize the accessibility and effectiveness of the local workforce development system for employers, workers, job seekers, and those with barriers to employment; develop intake and case management information systems, remote access, and improve digital literacy skills while leveraging resources and capacity within the system;

9. **Program Oversight:** Conduct program oversight for: local WIOA youth, adult, and dislocated workforce development program activities; the local service delivery system; and the use, management, and investment of workforce
development funds to maximize performance outcomes under WIOA through evidenced-based decision-making;

10. Negotiation of Local Performance Accountability: Establish, through negotiation with the BOS and the Governor, local performance and accountability measures;

11. Selection of Operators and Providers: Competitively designate and certify one-stop operators, identify eligible adult and youth training providers, and also ensure the provision of opportunities that lead to competitive employment for individuals with disabilities; in conjunction with the State, ensure there are sufficient numbers and types of career and training service providers in a manner that maximizes consumer choice;

12. Coordination of Education Providers: Coordinate activities with education and training providers;

13. Budget and Administration: Develop a budget for the activities of the HC-WDB consistent with the local workforce development plan and the duties of the HC-WDB under WIOA;

14. Accessibility for Individuals with Disabilities: Annually assess the physical and programmatic accessibility of all one-stop centers in the local area in accordance with the Americans with Disability Act of 1990; and

15. Additional Duties: The HC-WDB shall perform other functions and duties as required by the WIOA, or by State of California implementing legislation or Executive Orders and shall act in accordance with WIOA and under the direction of the Governing Board.

**ARTICLE IV. MEMBERSHIP**

1. Composition
The BOS shall ensure the membership of the HC-WDB conforms to all WIOA requirements. The BOS reserves discretionary authority on membership as local economic conditions indicate. As authorized under WIOA, Section 107, membership of the WDB is established to be composed of at least 19 members or more, in the percentages that follow:

   a. Business representatives shall constitute a majority, 51%, of WDB and must include two or more members that represent small business as defined by the U.S. Small Business Administration. Furthermore, business representative seats may reflect the identified major industries and clusters identified in the Humboldt County Comprehensive Economic Development Strategy (CEDS). Business members must be in positions with a high degree of policymaking and
hiring authority within the business they represent. Their business must provide employment opportunities with high quality work-relevant training and development in local in-demand industry sectors or occupations.

b. Representatives of the workforce shall constitute at least 20% of WDB membership, including representatives of labor organizations, which must constitute at least 15% of WDB membership. Labor Union members must be selected from candidates nominated by local labor federations, including a representative of an apprenticeship program. If local labor federations fail to nominate enough members to reach 15% of WDB membership, then the requirement shall be 10% of WDB membership, as stated in California Unemployment Insurance Code Section 14202.

Representatives of the workforce, which must total 20% of WDB membership, include labor members who may also include representatives of organizations, including community-based organizations (CBO) with experience and expertise in addressing barriers to employment, including organizations that serve veterans, individuals with disabilities, or eligible youth, including out of school youth.

The term community-based organization is defined as a private nonprofit organization that is representative of a community or a significant segment of a community which has demonstrated expertise and effectiveness in the field of workforce investment.

c. Further required Board membership shall include individuals with optimum policymaking authority, as follows:
   • Adult Education/Literacy Representative-Must be nominated by institution or organization
   • Vocational Rehabilitation Representative
   • Higher Education Representative- Must be nominated by institution or organization
   • Wagner-Peyser Representative
   • Public Economic Development Agency Representative

d. Members may also include additional local area representatives appointed by the BOS, representing:
   • Local K-12 education
   • The Board of Supervisors, with an alternate
   • A State elected official (Assembly or Senate) representing Humboldt County, with an alternate
e. Up to three representatives of community-based organizations or businesses that provide the following:
  • Native American employment development
  • Childcare
  • Employment of people with disabilities
  • Serves youth employment, training or education
  • Trains people with barriers to employment

2. HC-WDB Nominations

a. Nominees who are intended to serve as representatives of business in the local area must be nominated by one of the following; an open-membership business organization, business trade association, or an agency board of directors.

b. The Nominations Committee shall be an ad-hoc committee appointed by the Executive Committee, including two general members of the full WDB. The Committee shall solicit nominations from the entire WDB membership, beginning in the first quarter of the calendar year.

c. Nominees who are intended to serve as representatives of labor must be nominated by local labor federations.

d. For other mandated and non-mandated categories, nominees must be nominated by a senior executive from the agency or institution of employment or affiliation.

e. Written or electronic applications must be submitted to the HC-WDB Executive Director.

f. HC-WDB nominations can only be approved when there is a quorum at any regularly scheduled meeting.

g. Prior to the vote, the Chair will take nominations from the floor.

h. Voting shall be public according to the open meeting laws of the State of California.

i. The Executive Committee of the HC-WDB will review applications and determine a recommendation to the full HC-WDB. The HC-WDB will then vote on an action of a formal nomination to be submitted for final approval by the BOS.

3. Executive Committee and Officer Nominations
a. The Executive Committee shall consist of seven (7) members of the HC-WDB and include; Chair, Vice Chair, BOS seat, At-Large Business seat, At-Large Higher Education seat and 2 At-Large General seats

b. Of the 4 At-Large general seats, the Chair shall appoint one member from the full WDB to serve on the Executive Committee.

c. The full WDB shall also elect three (3) At-Large members of the Executive Committee, at least one of whom shall be a private business member seat and one being a representative of a higher education institution that provides workforce education and training.

d. All elected At-Large members shall serve for 2-year terms, commencing on July 1st. Terms should be staggered in order to support continuity on the Executive Committee.

e. The Chair and Vice Chair seats shall be filled by business representatives.

f. Chair and Vice Chair terms will commence on July 1 and end on June 30 of the following calendar year.

g. A HC-WDB member may serve as Chair or Vice Chair for a period no longer than two years.

h. The Chair elect and Vice Chair elect shall automatically have their membership extended, if necessary, to coincide with their term in the Chair positions.

i. The Chair shall preside at all meetings of the full WDB and shall perform all duties incidental to the office of Chair.

j. A lead Executive Committee member will be appointed by the Executive Committee to create a nomination committee and shall include two at-large HC-WDB members.

k. The Nomination Committee will present the slate of candidates for Executive Committee positions, including the Chair and Vice Chair seats, at the final HC-WDB meeting of the fiscal year and be included on the agenda. The HC-WDB shall be notified of candidates 15 days prior to final WDB meeting of the fiscal year.
1. Prior to voting the Chair will take nominations from the floor, a quorum must be present to vote.

m. Officers are determined by a majority vote of eligible voting members of the HC-WDB.

4. Term and Reappointments

a. HC-WDB appointments and Executive Committee at-large positions will be for a two-year term generally. Terms will start from the date of appointment by the BOS and expire on June 30th the following year. During a member’s first two-year term, June 30th may arrive prior to the end of the two-year period or go beyond the two-year period, depending on appointment date. HC-WDB staff will put the term expiration date of June 30th as close as possible to match the two-year period. In some cases, members may be terminated or reappointed earlier than the full two years or beyond the full two years. Once a member is reappointed, the term will be on the appropriate two-year term schedule.

b. At the conclusion of a member's term, the member's position shall be treated as a vacancy, with the current member having the option to request consideration for appointment to an additional term. Reappointment requests will be considered along with any other nominations received for that vacancy.

5. Vacancies

a. General HC-WDB Vacancies

i. The HC-WDB or its Executive Committee will review membership vacancies as they occur and assess associated needs with appointing a replacement.

ii. HC-WDB staff will report vacancies to the Humboldt County Clerk of the Board on behalf of the BOS. The Clerk of the Board will publicly post the vacancy on the public notice bulletin board located outside the 5th Street entrance of the Humboldt County Courthouse. The vacancy will also be posted on the County of Humboldt, WDB website.

iii. Vacant seats must be filled within 90 days.

b. Officer Vacancies
i. In the event of a vacancy in the position of the Chair, the Vice Chair shall assume the duties of the Chair. In the event of a vacancy in the position of Vice Chair, the Business At-large member of the Executive Committee shall assume the role of Vice Chair for the remainder of the term.

ii. The Vice-Chair shall preside in the absence or vacancy of the Chair, and perform such duties as delegated by the Chair.

iii. In the event of a vacancy of both the Chair and Vice Chair, the Business At-Large elected member shall assume the duties of the Chair.

iv. In the event of a vacancy in a position of an At-Large Executive Committee member, the Chair shall appoint a replacement to serve out the designated term of that position. The Chair has the option of appointing members for different term lengths in order to achieve or maintain staggering of terms.

6. Terminations and Resignations

a. Terminations may be a result of:

i. A member is not reappointed after completion of term

ii. A member fails to attend three consecutive HC-WDB meetings. The Executive Committee may reverse a termination due to absence by a vote of two thirds.

iii. A member is unable to represent the categorical seat as appointed.

iv. Removal by action of the BOS.

b. Resignation process:

i. Members must provide written notice of resignation to the HC-WDB Chair and Executive Director.

ii. HC-WDB staff will notify the Humboldt County Board of Supervisors Clerk of the Board, and the HC-WDB.


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a. Membership is by person, not position, including the mandated partners. Each member must be vetted through the WDB application and approval process.

b. Each member shall have equal voting privileges, with each seat representing one vote.

c. Proxy votes by representatives or members are not allowed.

d. No member shall vote on any matter which:
   i. Poses the appearance of a conflict of interest to that member or his/her business or organization.
   ii. Would financially benefit such member or his/her business or organization.

e. A member of the BOS shall have one vote at any HC-WDB meeting using the designated BOS member or appointed BOS alternate. Annually, the BOS will specify the designated BOS HC-WDB member and alternate. The BOS appointed alternate is authorized to vote in the absence of the appointed BOS HC-WDB member.

8. Procedures for Dealing with Conflicts of Interest

a. If a member believes (s)he is in a potential conflict situation, (s)he should so advise the Chair, refrain from any discussion on the matter involving the conflict and register an abstention on any subsequent vote.

b. Should the member participate in the discussion and/or vote on the matter, and it is later determined that a conflict situation existed; any agreements resulting from this involvement may be considered invalid. The HC-WDB Chair, whose decision shall then be presented to the HC-WDB for further action, shall initially make consideration of validity. Such action might include ratification of the agreement under such conditions as would make the agreement valid.

ARTICLE V. STAFF

The HC-WDB receives Executive Director and other staff support from the County of Humboldt County Administrative Office, Office of Economic Development.

ARTICLE VI. MEETINGS

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1. Regular meetings (at least semi-annually) will be scheduled and announced at the beginning of each fiscal year. Special meetings may be called at the discretion of the Chair, as needed.

2. All meetings of the HC-WDB and its committees shall be called and held pursuant to the provisions of the Ralph M. Brown Act (Gov. Code Section 54950 et seq.).

3. Agendas and minutes of regular and special HC-WDB meetings shall be provided to members and, upon request, the public in a timely fashion.

4. Alternative technology such as telephone or video or digital conferencing, may be used at HC-WDB board and committee meetings as permitted by the Brown Act.

ARTICLE VII. COUNCILS AND COMMITTEES

1. The HC-WDB shall have an Executive Committee, the membership of which shall include the HC-WDB Chair and Vice-Chair; the Board of Supervisors member as selected by the BOS; and four (4) at large members, per Article IV.C.1. One at large member is appointed by the HC-WDB Chair. The remaining three at large members are elected by the HC-WDB membership, at least one coming from the private sector and one from the higher-education sector.

2. The Executive Committee shall act on behalf of the full board on all matters of necessity between HC-WDB meetings. That authority shall include:
   
   a. Analyzing information from standing and ad hoc committees and coordinating their work
   
   b. Setting agendas for HC-WDB meetings
   
   c. Authorizing the HC-WDB Chair to sign time-sensitive documents when full HC-WDB approval is not feasible
   
   d. Reversal of automatic termination of HC-WDB member terms for administrative purposes set forth in Article IV of these bylaws
   
   e. Participation on ad hoc committees and workgroups as needed

1. Work of the HC-WDB as identified in the strategic plan shall engage HC-WDB members through workgroups or ad-hoc committees, defined as follows:

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a. The HC-WDB or Executive Committee designates a workgroup by (1) defining a set of specific outcomes, (2) determining a specific timeframe for deliverables, and (3) designating an Executive Committee member to participate on the workgroup.

b. Staff organizes and facilitates workgroups. HC-WDB members may serve as chair should the workgroup elect to have a chair to best accomplish the outcomes.

c. HC-WDB members may Chair a workgroup, as best serves accomplishing the charge of the workgroup.

d. Workgroups do not have formal membership requirements, though at least one Executive Committee member participates on each workgroup. HC-WDB members participate on a volunteer basis.

e. A maximum of three (3) workgroups may operate at any one time.

f. Workgroups shall report their results and recommendations to the Executive Committee and/or the Full HC-WDB via members or staff.

g. Workgroups may meet at the call of the HC-WDB Chair or the committee Chair.

h. Work-group membership shall not constitute a majority of the membership of the HC-WDB.

ARTICLE VIII. ADOPTIONS AND AMENDMENTS

1. These bylaws are hereby adopted upon two-thirds (2/3) vote of the HC-WDB membership present at a meeting at which this item has been noticed and a quorum has been established.

2. These bylaws may be amended, in part or in whole, by two-thirds (2/3) vote of the members present and voting at a regularly scheduled HC-WDB meeting, at which a quorum has been established. Proposed additions and/or deletions to the bylaws must be provided to members at least fifteen (15) days before the meeting at which they are subject to vote.

3. Adoptions or amendments of these bylaws may be proposed by any voting HC-WDB member. Such adoptions or amendments must be presented in writing.
ARTICLE IV. GENERAL PROVISIONS

1. The HC-WDB shall utilize Robert's Rules of Order as a framework to conduct its business.

2. Nothing in these bylaws shall be construed to take precedence over federal, state or local laws or regulations.

3. All HC-WDB policies will be voted upon at a regularly scheduled HC-WDB meetings.

4. For purposes of these bylaws, “fiscal year” shall be defined as July 1 through June 30.

5. A simple majority of the members of the HC-WDB shall constitute a quorum.

6. These bylaws shall be reviewed and approved by the HC-WDB every two years in alignment with the start of the calendar year.

HUMBOLDT COUNTY WORKFORCE DEVELOPMENT BOARD

By: ___________________________ Date: ______________
Dena McCullough, HC-WDB Chair

ATTESTED
By: ___________________________ Date: ______________
Ryan Sharp, Clerk of the Board, County of Humboldt