COUNTY OF

For the meeting of: 10/22/202

File #: 24-1417

To: Board of Supervisors

From: DHHS: Public Health

Agenda Section: Consent

Vote Requirement: Majority

SUBJECT:
Approval of a Memorandum of Understanding (MOU) Template to Provide Environmental Health Services for Incorporated Cities Within Humboldt County

RECOMMENDATION(S):
That the Board of Supervisors:

1. Approve the MOU template to offer new, or updated, agreements for Department of Health and Human Services (DHHS), Public Health Branch (PHB), Division of Environmental Health (DEH) services within incorporated cities of Humboldt County;
2. Authorize the Director of Public Health, or a designee thereof, to sign minor amendments and supplemental documents directly related to the MOUs upon approval of County Counsel, Risk Management and the County Administrative Office; and
3. Authorize the Director of Public Health, or a designee thereof, to execute individual agreements, tailored to each city, upon review and approval of County Counsel, Risk Management and the County Administrative Office.

STRATEGIC PLAN:
This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Core Services/Other
Strategic Plan Category: 9999 - Core

DISCUSSION:
The Humboldt County DEH provides a variety of services for regulated facilities throughout the county, including those located in incorporated cities. Services such as restaurant inspections and plan reviews, pool inspections, body art facility inspections, hazardous materials oversight, solid waste handling facility inspections and onsite wastewater treatment system design and inspections are provided on a regular basis. The authority and responsibility for completing these services is articulated in outdated agreements, local referenda and codes, and State law.

DEH also responds to a variety of complaints from the community ranging from rabies reports to foodborne illness, to hazardous materials spills and others. Complaints come from residents of incorporated cities of the county and are frequently associated properties within city limits.

Currently DEH has oversight of approximately 1,626 facilities in the incorporated cities including:

- 404 facilities in the City of Arcata
- 31 facilities in the City of Blue Lake
- 776 facilities in the City of Eureka
- 14 facilities in the City Ferndale

- 259 facilities in the City of Fortuna
- 60 facilities in the City of Rio Dell
- 82 facilities in the City of Trinidad

Creating an MOU with each incorporated city will clarify which regulatory services DEH will provide, including response to complaints, and to offer new services. State laws authorize the county to administer certain environmental health throughout the county, with the agreement of the governing board of the incorporated city, for the performance of health officer functions, for any or all enforcement functions within the city related to ordinances of public health and sanitation, including inspections and other related functions as stated in California Health and Safety Code Section 101400, et seq. as well as California Government Code Sections 23008 and 51300, et seq.

DEH will complete Organics Waste Recovery Inspections, required by SB1383 and Humboldt County Code Section 521-13, within the unincorporated area of the county and can offer inspections for Tier 1 and 2 edible food generators within city limits. Additionally, cities choose to adopt the recently approved County Tobacco Retail Licensing Ordinance, DEH can provide oversight within city limits and reduce illegal tobacco marketing and sales to minors.

Regulatory services will be billed to individual facilities based on the current Humboldt County Schedule of Fees. Complaint responses, unless related to enforcement actions, will be billed to the incorporated cities based on the responding program, time, and hourly rates as published in the Humboldt County Schedule of Fees. Enforcement actions will be billed on a case-by-case basis to the responsible parties in accordance with applicable regulation.

The attached MOU template, if approved by your Board, will serve as the base template for each city. The template may minor modifications to best serve the needs of each city and will be reviewed by Humboldt County, and city management on a five-year cycle. After expiration of the agreements authorized in this item, any new agreements or templates will come back to the Board for review and approval.

SOURCE OF FUNDING:
Public Health Fund (1175)

FINANCIAL IMPACT:
The attached MOU is not anticipated to affect budgeted expenses or revenues.

STAFFING IMPACT:
There is no expected staffing impact as DEH is already staffed and providing these services within most Humboldt County cities. Oversight of new jurisdictions, or implementation of new services within jurisdictions, creates work but at anticipated volumes unlikely to require creation of additional positions.

OTHER AGENCY INVOLVEMENT:
City of Arcata, City of Blue Lake, City of Eureka, City of Fortuna, City of Rio Dell, City of Trinidad and, potentially, City of Ferndale

ALTERNATIVES TO STAFF RECOMMENDATIONS:
Your Board may choose to not approve entering into an MOU with incorporated cities, however this would leave the relationship between DEH and incorporated cities undefined.

ATTACHMENTS:
1. MOU Template for Cities
2. Attachment A- DEH Services

PREVIOUS ACTION/REFERRAL:
Meeting of: n/a
File No.: n/a